

Meeting Highlights*

AB 617 Shafter Community Steering Committee Meeting #21

July 13, 2020 3:00pm-5:00pm

Zoom Virtual Meeting

Action items for the Shafter Community Steering Committee:

- Contact the Valley Air District if interested in being a community co-host for a future meeting.
- Let the Valley Air District know if you're interested in continuing PM 10 monitoring in Shafter.
- Continue to inform the Valley Air District
 - About particular locations where CSC members have observed residential burning.
 - Whether open burning is more prevalent at particular times of the day.
 - About particular locations where CSC members have observed residential burning.
 - Whether illegal idling is more prevalent at particular times of the day.
 - Where the District should focus future enforcement efforts.

Action items for San Joaquin Valley Air Pollution Control Air District:

- Report back to the CSC with the number of facilities with past violations on illegal burning and fireplaces that will be inspected more frequently in the seven-mile radius.
- Provide a tool that shows where implementation of measures is taking place.

Welcome and Introductions

Hanna Stelmakhovych, Facilitator, Institute for Local Government (ILG)

Ryan Hayashi, Deputy Air Pollution Control Officer, Valley Air District

Hanna welcomed the all participants, introduced the ILG team, and gave an agenda overview and Zoom instructions. Translation instructions were given for Spanish speaking members. Ryan provided a welcome and thanked everyone for attending.

Enforcement Measures Update

Jake Felton, Director of Compliance, Valley Air District

Helena Rhim, Air Protection Specialist, California Air Resources Board (CARB)

Jake presented on the status of implementation of Community Emission Reduction Program (CERP) enforcement measures and solicited feedback. Presentation highlights:

- The District performs enforcement on a full suite of compliance assurance and assistance activities
- The District encourages everyone to share air pollution concerns
- Stationary source inspections and complaint investigations are conducted to determine compliance with health protective local, state, and federal regulations that target criteria and toxic air pollutants
- There was enhanced enforcement of District Rule 4901 during the 2019/20 wood burning fireplace and wood burning heaters curtailment season performed in the Shafter community to limit localized PM2.5 impacts because there have been additional violations recorded in

the past year, which consisted of 4 hours of surveillance performed on each day a curtailment was declared by the District

- Ongoing enhanced enforcement will focus where residential wood burning is most prevalent and in areas of concern identified by CSC and members of the public
- Enhanced enforcement of open burning is performed by trained field staff that look to immediately address any type of open burning non-compliance in the Shafter community and to take appropriate enforcement action when confirmed
- A few questions for the CSC to consider:
 - Are there particular locations where CSC members have observed residential burning?
 - Where should the District focus future enforcement efforts?
 - Is open burning more prevalent at particular times of the day?
- The District has been performing enhanced inspections of permitted facilities with emissions violations
- The District developed a pilot training program to assist gas station operators with conducting thorough self-inspections of the vapor recovery systems at their stations, however, due to the COVID-19 pandemic and the need to work closely with the facility staff to provide the training, the training has been postponed
- The District and CARB enforcement staff have been conducting enhanced enforcement of the state's heavy duty vehicle anti-idling regulations.
- A few questions for the CSC to consider:
 - Are there particular locations where CSC members have observed illegal idling?
 - Where should the District focus future enforcement efforts?
 - Is idling more prevalent at particular times of day?

Question: On the 4901 fireplace violations that we found last year and the 4103 illegal burning, (about 17 total) were any fines paid because of those violations?

Answer: The statistics only reflect enforcement during the 19/20 season and violations result in monetary penalties.

Question: What about the 4103 illegal burning that includes burning on farms that has not been properly permitted?

Answer: Any violations of Rule 4103 documented by District staff, whether by a resident, business, or a farmer, results in the District taking enforcement action against the person or party.

Question: When the person is inspecting four hours a day for fireplace violations, are they looking at them for other illegal burning around Shafter?

Answer: Yes. Regardless of what particular enforcement activity is being performed, if any other potential non-compliance is observed, trained District staff will investigate the matter and take appropriate enforcement action when necessary.

Question: Of the facilities that have past violations that are now going to be inspected more frequently, can you tell me how many there are in the seven-mile radius?

Answer: I don't have that number on hand, but can get it to you.

CARB's Helena Rhim provided training to the CSC on proper filing of environmental complaints. Presentation highlights included:

- When CARB or District staff aren't around to witness a reportable air pollution violation, there are options
- You are your community's biggest resource and enforcement's biggest tool
- After filing the complaint, the complaint will be investigated or referred to the correct regulatory agency for follow-up
- Be as descriptive as possible when reporting a complaint
- A district inspector will be assigned the complaint
- The inspector will contact the reporting party, investigate the complaint, take appropriate action, and then follow-up with the reporting party
- Not all complaints can be resolved immediately; please be patient and continue to file complaints if a violation reoccurs
- One household can complain once per day about a specific complaint
- In 2019 in Shafter, CARB conducted 213 program inspections on heavy-duty diesel vehicles and found 204 were in compliance
- CARB conducted a idling sweep in the first quarter of 2020 and didn't find any idling violations

Question: Who would be the appropriate agency to complain to when the smoke levels in Shafter were measured a couple hundred times above any health standards on July 4th?

Answer: The Valley Air District.

Chat Question: Are there follow up tracking codes or names that we can ask for when making a complaint, especially if there is no update on a complaint after some time has passed?

Chat Answer: Whenever you make a complaint to California Environmental Protection Agency (CalEPA) you will be given a complaint number for follow-up (COMP-####). You are welcome to contact me (Helena Rhim) about your claim status. When subject to Valley Air District requirements, the District inspector will contact you before/after your complaint is investigated and will follow up with findings. If you call to file a complaint, please ask for the complaint number. If you submit a complaint online or via our mobile app, the complaint number will be provided to you.

Breakout Groups:

The facilitators described the breakout group process and all attendees transitioned to smaller breakout groups for more in-depth discussion about enforcement measures that are happening or need to happen in Shafter community.

Highlights from the Group Discussion Report Outs:

Group #1:

- The group spoke a lot about idle trucks and their path through Shafter. They discussed sensitive areas in front of Golden Oaks Elementary School, how heavy traffic affects how long diesel trucks are there, and how the accumulated emissions affect the air near the school.

They also covered a few points on the increased audits and inspections for sites that have known histories of violations as well.

Group #2:

- Fireworks are a big issue. The smoke seems to have been extremely bad this year. There was a lot of smoke from legal and illegal fireworks in June. These issues seem to continue well before and after major holidays.
- The group also discussed legal and illegal burning that goes on around the community (mostly in the country). Trees that are burned legally are supposed to be dry, but we also see the burning of green and wet trees. There appears to be no real enforcement of that once the permit is given. There is also legal burning of tires and pesticide bags that pollute the air.

Group #3:

- The group had a back and forth discussion about the extensive Committee work and input provided since the beginning, and about CERP implementation measures that mostly appear to be existing District projects.
- The group did not focus on types and locations of the emission reduction measures and would like to have future opportunity to do that.

Group #4:

- The group members are eager to see progress on the implementation of the CERP measures.
- The group recalled that the District will be submitting a report to CARB in a few weeks and would like to have another meeting to discuss that report, review it and provide feedback.

CARB Resolution and September Report to CARB

Skott Wall, Community Liaison, CARB

Skott provided an update on the CARB resolution on the Shafter CERP and focused on several board-directed action items related to incentives and pesticides. These action items include:

- Develop a process for making adjustments to incentive measures based on the priorities of the steering committee.
- Develop specific criteria for project selection and funding amounts and consider community priorities.
- Provide flexibility in the passenger vehicle replacement program.
- Provide resources in the urban greening strategy.
- The Department of Pesticide Regulation (DPR) will work to implement a pilot study for 1,3-D and include mitigation methods that achieve reductions equivalent to Totally Impermeable Film (TIF) tarping.
- DPR will identify options for a suitable pesticide notification system in the Shafter area
- Continue to develop local emissions information.

- Update program's technical description of pesticide authorities to be consistent with state's language.

District: All the points made by CARB regarding the Resolution will require a significant coordination with CARB, the District, and DPR and the District looks forward to working together with the CSC on these efforts.

Question: Given the Resolution that we just heard, what is the timeline of incentivizing individuals to change the house heating system from natural gas to an electric heat pump?

District: One of the processes we have to go through is determining if there are any existing incentive programs that have already been approved by CARB. If not, then the new program guidelines have to be approved. We are working closely with CARB to expedite this process.

Standing Updates

Val Dolcini, Director, California Department of Pesticide Regulation (CDPR)

Jon Klassen, Director of Air Quality Science and Planning, Valley Air District

Jaime Holt, Chief Communication Officer, Valley Air District

Jessica Olsen, Program Manager, Valley Air District

Val gave a brief update on pesticide notifications. Presentation highlights:

- Mitigation pilots are moving forward.
- DPR has had conversations with the chemical manufacturers, Agricultural Commissioners, growers, applicators, etc.
- We are working towards mitigation pilots that would begin in September and would seek to achieve the same effectiveness as TIF tarping.
- Many conversations are already taking place. The goal is to build a strong foundation for improvements to the pilot notification program. We're meeting with some CSC members, the Kern County Ag Commissioner, other advocates in the Central Valley, CARB, and the Kern County Farm Bureau.
- This will be a slow process, but one that we are committed to.
- It may be tough to measure our process, but we're excited to be engaged in collaborative conversations for the first time ever.
- We will report back as we make progress.

Question: What is the update from the Agricultural Commissioner on the notification? That's a big part of the notification coming from DPR.

Answer: The Commissioner will need to be at the table with a wide range of people to hear from the community about what they would like to see in the notification system.

Jon gave a brief update on PM10 monitoring in Shafter. Presentation highlights:

- Last year, we monitored from approximately August through the end of the year to capture emissions from the harvest season in the Shafter area.

- We need feedback from the CSC to know if you are interested in having us follow the same process this year.

Comment: Some CSC members have not been able to discuss this deeply, but I think there is strong support for this. The reason it is needed became clear when we saw a minimum of four PM10 violations in Shafter in the fall. The Air District claims to be in compliance with that standard, yet four violations a year is in clear violation of that standard. We need another season or two of data and would ideally like to have at least five years of data going forward.

Jaime gave a brief update on the CERP implementation and the School Air Filtration and School Bus Replacement Subcommittee. Presentation highlights:

- The kick off meeting took place this month.
- There is a need to better understand the inventory at various schools, site needs and the costs associated with improvements.
- Some schools may be newer and it may be as easy as giving them an inexpensive air filter; some schools that are older may have complex systems that don't allow us to easily do that.
- We have already begun to do some outreach based on the CSC ideas shared at January CSC meeting, including securing a billboard (CERP strategy), to educate the community about trash burning.
- We are also actively advertising on social media and we have launched the real time air advisory network app.

Jessica gave a brief update on the CERP Strategies Tracker. Presentation highlights:

- The Valley Air District has developed a document that tracks CERP implementation progress. The document will be translated in Spanish and posted on the website shortly.
- Besides staying informed about the implementation updates and the District's work and outcomes, CSC members will be able to use this tool as a menu of options to identify discussion items for the next committee meetings and review summaries from these discussions.

Question: Is it possible to have another CSC meeting before the August meeting? We want to go over the CARB report and do our follow up.

Answer: There will be a verbal progress report given in September to the CARB Board followed by the comprehensive written annual report for Valley Air District board meeting in October. There will be an opportunity and time (more than several weeks) for the Committee to review and provide input on the annual report.

Wrap Up/Next Steps

Hanna Stelmakhovich, ILG

Hanna thanked everybody for participating in the meeting.

Public Comment:

No public comment.

Reminders:

The next meeting is August 10 via Zoom. All the presentations, meetings highlights, transcripts and the Zoom meeting recording will be posted online.

**Refer to meeting audio to review the full details and comments from the meeting.*