

VENTURA COUNTY AIR POLLUTION CONTROL DISTRICT
ADVISORY COMMITTEE MEETING
JANUARY 23, 2007
MINUTES

Chairman Kuhn convened the meeting at approximately 7:30 p.m.

I. Director's Report

There was no director's report. Staff member Chris Frank introduced new Committee member Gayle Washburn, representing Fillmore.

It was noted that agenda item number five should be "Committee Comment" rather than "Chairman's Report."

II. Call to Order

Chairman Kuhn called the meeting to order at 7:40 p.m.

III. Roll Call

Present

Scott Blough
Duane Vander Pluym
John Procter
Ryan Kinsella
Stephen Garfield

Manuel Ceja
Michael Kuhn
Hector Irigoyen
Gayle Washburn

Absent

Stan Greene (excused)
Hugh McTernan (excused)
Sara Head (excused)
Marilyn Miravete-Smith (excused)

Keith Moore (excused)
Ron de la Pena
Aaron Hanson
Michael Moore

Staff

Don Price
Mike Villegas

Chris Frank

Public

Fernando Da Silva
Mario Da Silva

CSSM, Inc
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IV. Minutes

The minutes of the October 3, 2006, meeting were approved as submitted.

V. Committee Comment

There was no Committee Comment

VI. Election of Officers

Michael Kuhn was re-elected Chair. Duane Vander Pluym was elected Vice-chair.

VII. Public Comment

There was no public comment.

VIII. Old Business

There was no old business.

IX. New Business

A. Proposed Amendments to Rule 74.29 – Soil Decontamination Operations, Rule 23
- Exemptions from Permit, and Rule 44 – Exemption Evaluation Fee

Staff member Don Price gave a presentation on the proposed rule amendments described in the staff report and memorandum to the Committee.

Committee members posed questions and discussed the following issues:

- What is the purpose of the 30-day restriction in section B.8? It is inconsistent with hazardous waste laws that allow on-site storage for 180 days. Does section B.8 conflict with the requirements of other government agencies? If emissions are being managed by plastic sheeting, why should there be a time limit? Could the language be revised to say “commence treatment or remove within 30 days?” How is the 30-day limit related to the amount of time it takes to issue an APCD permit? At the end of 30 days, how much of the VOC has already evaporated and how is this related to the 50 percent assumed control efficiency of the plastic sheeting?
- Why was the 0.08 pound per hour threshold in section B.2 deleted? Was a toxicologist consulted?
- Should a definition be added for “heavy duty” plastic sheeting?
- If contaminated soil is removed to comply with the 30-day limit, where is it taken?

- Why does the rule apply only to gasoline, diesel, and jet fuel? Why not all VOC-contaminated soil like the SCAQMD rule? How much is emitted from contaminated soil in oilfields? Should they be regulated too?
- Should agricultural sources continue to be exempted?
- The rule seems to apply only to emissions from the storage pile. Can emissions from the excavated hole be controlled while it remains open?
- Does the District issue a permit for the location of the soil, or for the contractor decontaminating the soil? For excavations of un-permitted tanks, is an APCD permit issued to implement the rule?

Committee member Ceja made a motion to direct staff to reconsider all comments and report back with revised rule amendments, as follows:

1. Section B.8 requires sources to remove contaminated soil within 30 days. Determine if on-site treatment should be allowed and whether it is possible to have VCAPCD permits in place for such treatment.
2. In (renumbered) Subsection C.2.a, the aeration prohibition does not apply to soil excavation activities provided the exposed soil is covered within one hour of terminating activity. Proposed a definition for "excavation activity."
3. As noted above, Subsection C.2.a says exposed soil must be covered within one hour of terminating activity. Propose a definition for "terminating activity."
4. Add a definition for "jet fuel" to Section G.
5. The rule currently applies to soils containing gasoline, diesel or jet fuel. Explore the feasibility of expanding the rule to apply to soil containing any ROC.

Committee member Garfield seconded the motion and it was approved unanimously.

B. Discussion of Advisory Committee member's proposal to form a subcommittee to explore ideas to restructure the APCD's finances.

The committee agreed to postpone discussion of this item until the next meeting.

X. Adjournment

The meeting was adjourned at approximately 9:15 p.m.

Prepared by:
Chris Frank, APCD Staff
Don Price, APCD Staff