

Court Deals Blow to EPA Air Standards

On May 14, the U.S. Court of Appeals, D.C. Circuit, issued a decision calling several air quality standards into question. The decision particularly affects standards recently issued by the U.S. Environmental Protection Agency (USEPA):

- a new eight-hour standard for ground-level ozone (commonly referred to as smog);
- a new standard for particulate matter less than 2.5 microns in diameter (PM_{2.5});
- a revised standard for particulate matter less than ten microns in diameter (PM₁₀).

In ruling on the suit filed against USEPA by the American Trucking Association, the court stated, “the construction of the Clean Air Act on which EPA relied in

promulgating the NAAQS [National Ambient Air Quality Standard] at issue here effects an unconstitutional delegation of legislative power.”

“The decision surprised us. We regard it as extreme, illogical, and bizarre.”

--Carol Browner, Administrator, U.S. Environmental Protection Agency, in May 20 testimony before a Senate Subcommittee on Clean Air.

Said USEPA Administrator Carol Browner in testimony May 20 before a Senate subcommittee, “The decision surprised us. We regard it as extreme, illogical, and

bizarre.” She continued, “We are pursuing all options available to us to overturn this decision.”

A decision of this level can be reversed only by a full review of the U.S. Court of Appeals or, failing that, by the U.S. Supreme Court, should it decide to hear the case.

In the short-term, the court decision does not affect Santa Barbara County air quality rules and regulations. In this county we are still trying to meet the existing federal one-hour standard for ground-level ozone. We are currently in attainment of the PM₁₀ standard. Two PM_{2.5} monitors were recently installed in the county; we do not yet have data to establish if our air meets that new standard.

However, the decision does have short-term impacts for many other

areas of the country, and could have significant long-term impacts here, and nationally. Said Browner, “By finding this section of the Clean Air Act unconstitutional, the court has struck at the heart and soul of this legislation that is so critical to the health of our families...”

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In May, a new gas chromatograph arrived at APCD, as part of a new photochemical assessment monitoring stations (PAMS) program funded by the U.S. Environmental Protection Agency. The program will help us identify the sources of different types of pollution within our county and develop better ways to control pollution.

The data from the PAMS program will give us information about levels of specific air toxics and volatile organic compounds (VOCs) involved in the formation of ground-level ozone, or smog. The advanced monitoring equipment measures levels of different types of VOCs in our air. The process involves rapid heating and cooling of air samples from -190° C up to +80° C in seconds-at a rate of 10,000° C a minute. The new data will help determine which chemicals are most involved in smog formation within our county. Watch our website at www.sbcapcd.org for more information.



EPA Air Standards (cont'd from page one)

To lose the ability to implement the new health standards for smog and soot would mean 125 million Americans, including 35 million children, are going to be placed at risk.”

The court stated that the eight-hour ozone standard could not be enforced, and called USEPA’s setting of the PM10 standard “arbitrary and capricious.”

The ruling vacated the revised PM10 standard, leaving the previous PM10 standard in place, and stated that more information was needed on the PM 2.5 standard. The decision was 2-1, and the dissenting judge declared that the court was ignoring the last fifty years of Supreme Court rulings in this area.

USEPA and the U.S. Department of Justice are currently reviewing

the opinion, and evaluating next steps, particularly for areas where the one-hour ozone and PM10 standards have been revoked to make way for new standards.

For more information, and links to the court ruling and statements by California Air Resources Board and USEPA, see the APCD website at www.sbcapcd.org.

SBCAG Votes for Clean Air Transportation

In its May Board meeting, Santa Barbara County Association of Governments (SBCAG) approved awarding \$17.5 million in federal funding to a variety of county transportation projects, including many projects that focus on reducing emissions from vehicles. Currently, vehicles contribute more than half of the smog-related pollution in the county.

“These projects will use a wide range of strategies to reduce air pollution,” said Jim Kemp, SBCAG Deputy Director. “Some of the projects will involve changing from diesel fuel to cleaner fuels, like electric power, or compressed natural gas. Some will give people more alternative transportation choices—and some will encourage people to use the choices they already have. The end result will be cleaner air.”

SBCAG approved efforts to add electric buses to Santa Barbara Metropolitan Transit District’s fleet, and to add new bus routes in Santa Barbara and Goleta. SBCAG also gave the nod to North and South County bikeways, bike bridges, park and ride facilities, and compressed natural gas refueling facilities and fleet

vehicles. Two APCD projects were recommended for funding: the Take a Vacation from your Car project and the Clean Air Express repower project. (A third APCD project, to build ridership on Clean Air Express bus routes, was not recommended.)

Many of the projects are consistent with air quality policies outlined in APCD’s 1998 Clean Air Plan. Improved air quality will also make for an improved climate for county businesses. Currently businesses are expected to meet more stringent air pollution requirements, since the county is not in attainment of the federal health-based standard for ground-level ozone (commonly referred to as smog).

In addition to improving air quality, many of the projects are expected to relieve traffic congestion along the Highway 101 corridor and on city streets. The project list will now be incorporated into the Federal Transportation Improvement Plan (FTIP), slated to go before the SBCAG Board for approval in August.

For more information on the Take a Vacation from your Car project, contact Mary Byrd at 961-8913 or byrdm@sbcapcd.org. For more information on the Clean Air Express repower project, contact Eric Peterson at 961-8824, or petersone@sbcapcd.org.



Margaret “B” Corkery, Executive Director of the Santa Barbara Conference & Visitors Bureau and Film Commission (CVB). CVB is working with APCD and the local chapter of the American Lung Association to encourage visitors and residents to ‘take a vacation from their cars.’



The Clean Air Express repower project will convert four diesel buses to compressed natural gas operation, greatly reducing emissions.



Rules Update

APCD Board Roundup

Following are the highlights of the April and May Board meetings.

April

- ✓ Proclaimed May 1999 “Clean Air Month” and May 18 “Bike to Work Day.”
- ✓ Received a briefing on electric vehicles.
- ✓ Received an update on the Venoco, Inc. enforcement case.
- ✓ Provided direction on general fund contributions to the APCD Fiscal Year 1999/2000 budget.
- ✓ Authorized a grant application to the Department of Energy for the APCD Electric Vehicle Curriculum and Teacher Training Program.

May

- ✓ Received report on APCD’s Old Car Buyback Program.
- ✓ Approved agreement for APCD to operate two air monitoring stations at the EXXON Las Flores Canyon Oil and Gas Facility.
- ✓ Adopted Rule 808 - New Source Review for Major Sources of hazardous air pollutants and amended Rule 102 - Definitions.
- ✓ Suspended the Agricultural Booster Pump Program as of July 1, 1999.
- ✓ Held the first of two hearings on APCD’s Proposed Fiscal Year 1999/2000 budget.
- ✓ Received a briefing on the Venoco Abatement Order requirements, and consideration of a shutdown of Venoco’s operations.

Rule 808, New Source Review for Major Sources of Hazardous Air Pollutants

– a new rule adopted by the APCD Board May 20, with amendments to Rule 102, Definitions. Rule 808 establishes a new source review program for major sources of hazardous air pollutants; no county businesses are currently impacted by this rule. Federal law mandated the adoption of the rule by June 28, 1999.

Rule 106, Notice to Comply for Minor Violations

– a new rule to go before the APCD Board for adoption in July. Replaces the Administrative Infraction Document (referred to as AIDoc) process with a new process for minor procedural or administrative violations. Rule 106 will require APCD inspectors to issue a “Notice to Comply” in the field at the time of inspection.

For more information, contact Craig Strommen at 961-8922 or strommenc@sbcapcd.org.

Rule 210, Fees – proposed revisions under review at APCD after two public

workshops. New draft to go before the APCD Community Advisory Council sometime this year. Rule 210 establishes APCD’s fees.

For more information, contact Bette Easton at 961-8898 or eastonb@sbcapcd.org.

Rule 333, Control of Emissions from Reciprocating Internal Combustion Engines

– draft revisions under review by the CAC, with associated changes to Rules 102 and 202. Rule 333 controls emissions of nitrogen oxides (NOx) from stationary internal combustion engines. In Santa Barbara County, NOx emissions from these engines represent 67 percent of the total NOx from all stationary sources. This is the highest percentage of NOx from stationary engines in the state, according to California Air Resources Board data. APCD’s original rule 333 was projected to apply to 462 engines in the county. Actions by engine owners resulted in the rule only applying to 103 engines, and the rule has only achieved 48% of the emission reductions it was expected to achieve. Revisions are required

to ensure the needed emission reductions.

Rule 352, Space and Water Heaters

– a new rule mandated in APCD’s 1998 Clean Air Plan. This rule will apply to the sale of space and water heaters. Most space and water heaters for sale in the county already comply with this rule. A draft rule will likely be available in November 1999.

Rule 353, Adhesives and Sealants

– a new rule mandated in APCD’s 1998 Clean Air Plan, and required by state guidelines. This rule will apply to adhesives and sealants, and is a point-of-sale rule. APCD has identified only three sources that may be subject to the rule.

For more information, contact Doug Grapple at 961-8883 or grappled@sbcapcd.org.

APCD is studying additional areas for possible rules and rule revisions, as recommended in APCD’s 1998 Clean Air Plan.

For more information on all of the rules, contact Craig Strommen at 961-8922 or strommenc@sbcapcd.org.

Do you have an old car? We’ll buy it for \$500 cash!

- ❖ Car or light-duty truck
- ❖ 1973 or older
- ❖ Two years registered in Santa Barbara County
- ❖ Must pass functional and equipment tests

Call Car Buyback Program at 961.8802 or check out the program details on our web site at www.sbcapcd.org. This Voluntary program sponsored by Santa Barbara County Air Pollution Control District



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Councilmember Elinor Langer

City of Santa Barbara

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Councilmember Ed Andrisek

City of Solvang

APCD Board Calendar

*All meetings start at 2 p.m.
For final meeting agendas,
call the APCD Board Clerk,
568-2245.*

June 17, 1999

Board of Supervisors
Hearing Room
105 East Anapamu Street
Santa Barbara

July 15, 1999

Board of Supervisors
Hearing Room
511 East Lakeside Parkway
Santa Maria

August 19, 1999

Board of Supervisors
Hearing Room
105 East Anapamu Street
Santa Barbara

September 16, 1999

Solvang Municipal Center
Solvang Board Room
1644 Oak Street
Solvang

Community Advisory Council

The APCD Community Advisory Council meets the second Wednesday of every month at the Windmill Motor Inn in Buellton. The public is welcome. For more information, call Linda Beard, 961-8853.

Permit & Compliance Summary

	MAR	APR
ATC Applications Received	3	5
ATC Permits Issued	4	3
PTO Applications Received	4	5
PTO Permits Issued	6	3
Exemption Requests	3	0
Exemptions Determined	2	1
Inspections Made	81	81
Notices of Violation Issued	10	31
Administrative Infractions (subset of above)	3	6
Complaints Received	36	34

On the Net • www.sbcpd.org

❖ Our Budget

Our proposed budget for Fiscal Year 1999-2000 is now available on our website (linked from our home page "News" section). Check the draft budget document out for information on:

- * Our agency goals and strategic plan
- * Goals of specific program areas
- * Previous year accomplishments
- * Staffing trends
- * Permitting trends
- * Our sources and uses of funds
- * Projected budget shortfalls due to decreased revenue
- * New policies and the impacts on our budget.



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Air Pollution Control District

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On the Air is a bimonthly newsletter published by the Community Assistance Section of the Santa Barbara County Air Pollution Control District.

For further information on items in this newsletter, or to be added to our subscription list, please call Bobbie Bratz, 961-8920 or Email bratzb@sbcpd.org.

Our Vision: Clean Air



Recent Venoco Events

During April and May, APCD and other agencies took a number of actions to protect public health and safety in connection with releases of hydrogen sulfide gas from facilities operated by Venoco, Inc.

April 9 – Venoco Inc. and APCD announced a preliminary agreement (called a Stipulated Abatement Order) affecting operation of Platform Holly, the Ellwood processing plant, and the Ellwood marine terminal. The agreement was designed to prevent releases of hydrogen sulfide gas, which had been a recurrent problem causing numerous public complaints to APCD. Hydrogen sulfide, a gas with a strong odor, is harmful to human lungs, and is deadly at high concentrations. To have the force of law, the Order has to be imposed by the APCD Hearing Board. A hearing was scheduled for April 14.

April 14 – APCD's Hearing Board approved and imposed the Stipulated Abatement Order on Venoco. The order requires Venoco to take a series of steps to improve safety and reduce nuisance-causing emissions at its facilities, and includes a provision that Venoco facilities will be shut down in the event of a significant release of hydrogen sulfide.

April 29 – Venoco was required to shut down operation of Platform Holly and the Ellwood processing plant after an extended release of hydrogen sulfide from the

platform. The release caused public complaints about odor and illness from as far away from the platform as the Mesa area and the area around Santa Barbara City College. Venoco was required to submit comprehensive analyses and recommended solutions, all of which were reviewed by a county safety committee. This committee found that, among other things, Venoco would have to install a flare system prior to being allowed to restart operations.

May 18 – APCD met with community members from areas surrounding Venoco's facility to discuss their interest in odor monitoring. APCD heard a number of concerns about safety and evacuation plans that will be addressed by Venoco and County Fire Department Office of Emergency Management. Although APCD's odor monitoring can only be used as an after-the-fact look at odors and not as an emergency response tool, it is

clear that some of the surrounding communities still want Venoco to install odor monitoring stations. APCD is working with Venoco to determine the number and location of odor monitoring stations and will report back to the community with a proposed approach.

May 20 – APCD issued a permit to Venoco for the installation of a temporary flare to burn off hydrogen sulfide-containing produced gas on Platform Holly. Venoco was authorized to restart operations of the platform and the Ellwood gas processing facility after a May 22 inspection of the flare installation. Venoco had not yet restarted the platform operation when a release occurred May 26.

May 26 – Venoco was required by the State Lands Commission (SLC) to shut down Platform Holly, after a brief hydrogen sulfide release that was determined to be from a

cracked compressor valve. The facility was not operating when the low-pressure release occurred. The May 26 release was very small, confined to the platform area, and did not represent a threat to the public health. This release, typical of "fugitive emissions" from oil and gas operations, covered by APCD Rule 331, represented a threat to in-plant safety. It is appropriately addressed the SLC as a facility safety matter. APCD supports the SLC's strong stand in this matter, and will continue to work with the SLC and the other agencies involved.

June 9 – State Lands Commission issued a letter to Venoco authorizing restart of Platform Holly after conditions were met. Venoco prepared to restart in test mode June 11.

Complying with the terms of the Abatement Order, Venoco has made several safety modifications at the facilities including in-plant and platform monitoring, with data sent directly to APCD's Data Acquisition System. Venoco is currently facing criminal charges filed by the county District Attorney's Office in connection with three hydrogen sulfide releases and the company's failure to notify emergency response personnel.

For more information, see our website at www.sbcpd.org



Clean Air Month Events

Test-Drives and Test-Rides

During May's Clean Air Month event at Costco in Goleta, people test-drove the General Motors EV-1, viewed a display of the Toyota RAV4EV (courtesy of Edison) and the Ford Ranger EV (courtesy of the City of Santa Barbara), test-rode electric scooters and bikes, and learned about air pollution, and APCD's electric vehicle incentive. General Motors EV-1 Specialist Tiffany O'Day (*right*) reported: "We had by far the most real interest in the car that we've ever had at an event like this. We did 157 test drives, and found more than twice the people interested in starting the EV leasing process than we've had before at this kind of event. It seemed to us that people had already heard about the technology, and just hadn't yet had an opportunity to do a test drive."



Bike to Work Day

On May 18, over 1500 people from all over the county rode their bikes to work and celebrated at county Bike to Work Day events (*below*).



Classroom Visits

Vijaya Jammalamadaka of APCD (*center*) with middle schoolers in Cuyama. APCD made a Clean Air Month classroom visit to Cuyama Joint Unified School District, demonstrating an electric scooter, and a bi-fuel truck that can run on gasoline when cleaner-burning compressed natural gas is unavailable.