

State of California
AIR RESOURCES BOARD

Summary of Board Meeting
January 20, 2005

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

MEMBERS PRESENT: Hons. Barbara Riordan, Acting Chairman
Sandra Berg
Dorene D'Adamo
Mark DeSaulnier
Dr. Henry Gong
Lydia Kennard
Ronald Loveridge
Barbara Patrick
Patricia Salas Pineda
Ron Roberts

AGENDA ITEM #

05-1-1: Health Update – Indoor Ozone Generators Sold as Air Purifiers

SUMMARY OF AGENDA ITEM:

The health update this month focused on a recent study by the U.S. Environmental Protection Agency (EPA) on indoor ozone concentrations following use of ozone generators. Ozone generators are consumer appliances sold as indoor air cleaners that operate by purposely emitting substantial amounts of ozone into the indoor environment, potentially including homes, schools, and offices. The U.S. EPA researchers found indoor ozone levels to be over three times the level of the state ambient air quality standard, confirming estimates from previous test chamber studies. These results highlight the growing concern about the potential exposure to harmful levels of ozone for consumers unaware of how these devices operate.

Manufacturers often falsely claim that these devices eliminate bacteria, mold, and chemical contaminants from the air, and that they help persons with asthma and allergies. However, researchers have shown that ozone generators do not clean the indoor air, and the

purported health benefits have never been demonstrated. Recently the advertising and sales of such devices have greatly increased. Vulnerable persons with respiratory health problems are often targeted.

Staff also discussed previous actions by ARB and other government agencies, and public health concerns regarding ozone generators currently marketed in California. Previous federal and state lawsuits, various government warnings, and ARB requests have not been successful in removing these products from the market. Staff concluded that regulatory authority is needed to prevent this unnecessary risk to public health, and listed several models of ozone generators now on the market.

The Board members had comments and questions in a number of areas, including previous requests for action from the Attorney General's Office, clarification on indoor air quality authority, current sales and use of ozone generators and other air cleaners, and how to provide the public with useful information on air cleaners.

Dr. Gong expressed concern that some medical groups endorse some of these air purifiers but do not disclose their relationship with manufacturers, or the scientific basis for their endorsement. He recommended full disclosure from these groups, and questioned their awareness of the health literature and the side effects of indoor ozone. He also noted that the literature and advertisements that are in circulation on these devices are very confusing to most readers.

Chairman Riordan asked staff to bring an action plan to the Board that would provide a road map on how to protect the consumer and the breather in the most effective way. Staff also was specifically asked to refer the case on ozone generators to the Attorney General's Office again; contact the medical societies that endorse air cleaners to determine their basis for endorsement and whether they are aware of the health literature on ozone; work with Consumers Union to encourage them to provide new information about ozone generators to the public; and consider increased outreach on this issue. Ms. Witherspoon agreed to bring a plan to address ozone generators to the Board as an add-on to the report on indoor air quality coming before the board in March.

ORAL TESTIMONY: None

FORMAL BOARD ACTION: Informational Item

RESPONSIBLE DIVISION: Research Division

STAFF REPORT: No

05-1-2: 11 Research Proposals

SUMMARY OF AGENDA ITEM:

Staff presented the following research proposals:

- “Cardiovascular Health Effects of Fine and Ultrafine Particles during Freeway Travel.”
- “Traffic-Related Air Pollution and Asthma in Economically Disadvantaged and High Traffic Density Neighborhoods in Los Angeles County, California.”
- “Monitoring and Modeling of Ultrafine Particulates and Black Carbon at the Los Angeles International Airport.”
- “Assessment of Out-of-State Heavy-Duty Truck Activity Trends in California.”
- “Development of an Improved VOC Analysis Method for Architectural Coatings.”
- “Development of In-field Diesel PM Compliance Method for Stationary and Portable CI Engines,”
- “Reducing Emissions of Volatile Organic Compounds(VOC) from Agricultural Soil Fumigation.”
- “Characterization of Versatile Aerosol Concentration Enrichment System.”
- “How New Chemistry Findings Affect Our Understanding of the Weekend Effect - A Modeling Study.”
- "Investigation of Atmospheric Ozone Impacts of Selected Pesticides."
- “Nighttime Chemistry: Observations of NO_3 and N_2O_5 .”

ORAL TESTIMONY: None

FORMAL BOARD ACTION:

Approved Resolution Nos. 05-02 through 05-12 by unanimous vote.

RESPONSIBLE DIVISION: Research Division

STAFF REPORT: Yes

05-1-3: Air Resources Board's Action Plan for 2005

SUMMARY OF AGENDA ITEM:

ARB Executive Officer Catherine Witherspoon briefed the Board on major initiatives, rulemakings, and other activities scheduled for 2005. She discussed how ARB would be affected by the Governor's fiscal and organizational reform efforts. She also highlighted what ARB is doing to implement the Governor's Action Plan for California's Environment. Ms. Witherspoon then covered California Environmental Protection Agency initiatives involving ARB, including environmental justice and children's health.

Ms. Witherspoon described the major rulemakings on ARB's calendar for this year. These include measures to reduce diesel risk from trucks, marine and port operations, and stationary agricultural engines. The Board will also consider strategies to cut emissions from gas industrial equipment, consumer products, and chrome platers. ARB must also consider requirements that trucks entering California meet federal vehicle emission standards.

Ms. Witherspoon discussed other upcoming Board actions. ARB will consider listing environmental tobacco smoke as a toxic air contaminant. The Board will consider setting a new State 8-hour ozone standard to ensure that children and other vulnerable populations are adequately protected from ozone's harmful effects. ARB will also define a "large confined animal facility" for the purpose of district permitting and control of livestock operations. The Board will also update its Carl Moyer spending protocols to reflect statutory changes to the program from the last legislative session. In 2005, ARB will complete its review of the South Coast District's request to seek a federal waiver for local fleet rules and take whatever actions are appropriate (including ARB rulemaking) to reinstate those rules or replace them with equivalent emission control measures.

Finally, Ms. Witherspoon described other major activities for the year to assess and reduce risk from goods movement, implement ARB's environmental justice policies, report on indoor air quality, develop the next round of air quality plans, and push the federal government for tighter national emission standards. She also identified areas of Potential State and federal legislative activity in 2005.

ORAL TESTIMONY: None

FORMAL BOARD ACTION: Informational Item

RESPONSIBLE DIVISION: Planning & Technical Support Division

STAFF REPORT: No

05-1-4: Public Meeting to Update the Board on the Carl Moyer Air Quality Standards Attainment Program (Carl Moyer Program)

SUMMARY OF AGENDA ITEM:

The Board conducted a public meeting to receive an update on the Carl Moyer Air Quality Standards Attainment Program (Carl Moyer Program).

The staff reported on program status, including estimated emission reductions and types of projects funded. Staff also reported on recent legislation and plans for revision of the program's guidelines.

During public testimony, the South Coast Air Quality Management District asked for ARB's support of a proposed pilot light-duty vehicle scrap repair program for high-emitting light duty vehicles.

The program would use remote sensing to identify high-emitting vehicles that might be eligible for the program. The Board Chairman asked staff to work with the District.

The Board approved Resolution 05-14 in support of the staff's recommendation to focus the fiscal year 2004-2005 multi-district Carl Moyer Program funds on projects that reduce emissions associated with goods movement, and a program to encourage concurrent NOx reductions when complying with diesel particulate matter control measures. The Board directed the Executive Officer to coordinate with the local air pollution districts to effectively implement the multi-district Carl Moyer Program projects.

The Board also directed the Executive Officer to return to the Board with proposed modifications and updates to the Carl Moyer Program grant criteria and guidelines for new pollutants and emission source categories, including additional agricultural sources, by the statutory deadline of January 1, 2006. These criteria and guidelines must ensure that the emission reductions generated through the Carl Moyer Program remain real, quantifiable, surplus, and enforceable.

ORAL TESTIMONY:

Mr. Fred Minassian, SCAQMD
Mr. Tom Faust, Redwood Rubber
Mr. Steve Douglas, Alliance of Automobile Manufacturers

FORMAL BOARD ACTION:

By unanimous vote the Board approved Resolution 05-14.

RESPONSIBLE DIVISION: Mobile Source Control Division

STAFF REPORT: None

05-1-5: Public Hearing to Consider 2004 Proposed Amendments to Area Designations

SUMMARY OF AGENDA ITEM:

The staff recommended that the Board approve the proposed amendments to the area designation regulations with respect to the State ambient air quality standards.

State law requires the Board to establish criteria for designating areas as attainment, nonattainment, or unclassified for State standards and to update those designations annually. Based on air quality data from the most recently available three years (2001 through 2003), the Board approved the staff's proposal to redesignate the following areas:

- Lake Tahoe Air Basin and North Central Coast Air Basin (attainment for PM_{2.5})
- Siskiyou County (Northeast Plateau Air Basin) (attainment for PM₁₀)
- Los Angeles County (South Coast Air Basin portion) (attainment for CO)

Finally, the Board also approved a change in the area designation regulations to reflect the redesignation of North Central Coast Air Basin as nonattainment-transitional for ozone. This redesignation occurred by operation of law.

ORAL TESTIMONY: None

FORMAL BOARD ACTION:

The Board approved Resolution 05-1 by a unanimous vote.

RESPONSIBLE DIVISION: Planning & Technical Support Division

STAFF REPORT: Yes

05-1-6: Update to the Board on Pollution Transport Assessment

SUMMARY OF AGENDA ITEM:

Staff briefed the Board on the status of its ongoing efforts to assess pollution transport impacts. Staff reported that its current efforts are focused on analyses that can be completed by mid-2006, for use in the draft 8-hour ozone State Implementation Plans (SIP) scheduled for local and State adoption in the first half of 2007.

Staff described the photochemical modeling assessment methods being developed using the results of the Central California Ozone Study. Staff indicated it expects to have preliminary results from the modeling analyses in mid-2005 with final results in mid-2006. Staff also reported on ambient data analyses currently underway using routinely collected ozone and meteorological information.

Staff plan to report to the Board on the results of the work in the second half of 2006, fulfilling ARB's obligation for the next triennial transport assessment and setting the stage for the SIPs.

ORAL TESTIMONY: None

FORMAL BOARD ACTION: Informational Item

RESPONSIBLE DIVISION: Planning & Technical Support Division

STAFF REPORT: No