

CITY OF PHILADELPHIA
DEPARTMENT OF HEALTH
AIR POLLUTION CONTROL BOARD MEETING

- - -

Thursday, July 26, 2018
MINUTES OF FORMAL BOARD MEETING

- - -

LOCATION: Municipal Services Building,
1401 John F. Kennedy Boulevard,
Philadelphia, PA 19102

- - -

REPORTED BY: SHARISE THOMPSON

- - -

HELD BEFORE:

EDDIE R. BATTLE, CHAIRMAN
ARTHUR L. FRANK, M.D., Ph.D
JOSEPH O. MINOTT, BOARD MEMBER
DR. SHANNON MARQUEZ, BOARD MEMBER
DR. CAROLINE JOHNSON, M.D.

ALSO PRESENT:

KASSAHUN G. SELASSIE, Ph.D. P.E.
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2 PROCEEDINGS

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4 THE CHAIRMAN: Good afternoon

5 everyone. The Air Pollution Control Board
6 is in session. As it is our custom, I
7 would like for my fellow members to
8 introduce themselves. Caroline, we will
9 start with you.

10 MS. JOHNSON: Caroline Johnson, Deputy
11 Health Commissioner.

12 THE CHAIRMAN: Ed Battle, Chairman.

13 MR. FRANK: Arthur Frank, Drexel

14 University.

15 THE CHAIRMAN: Okay, so we don't have
16 a quorum as of yet. So, we are just going
17 to go with the agenda, and those areas
18 that we need a quorum, we will hold off
19 until we get the quorum. So, let's just
20 proceed. So, we are not going to approve
21 the minutes, obviously. So, I want to go
22 to the program updates, please.
23 MR. SELASSIE: All right, okay
24 everybody, thank you for coming out. The

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1 Chairman, Ed Battle, and the Board members
2 and guests, my name is Kassahun Sellassie.
3 I am the Director. I would like to report
4 the AMS progress.
5 Since last we met on April 19th,
6 2018 -- so, it's a three month report that
7 I will provide to the Board and guests.
8 So, the agenda: Welcome, action on
9 minutes is not yet approved, because the
10 quorum is not full. I think we have one
11 more person that we are looking for. The
12 program updates, so we changed -- I will
13 give you a short program update. I don't
14 know if it will take longer. Thirty
15 minutes I have only. I'm not sure if that
16 clock is working, but --
17 THE CHAIRMAN: I got you.
18 MR. SELASSIE: You got me, okay. And
19 ten minutes at the end for any questions
20 you have. And the presentation of dust
21 control regulation, the quorum is full, I
22 think. We will present that one. So, the
23 Board will approve it today, that's my
24 hope, we will finalize. It will have a 15

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1 minute presentation or less and 25 minutes
2 for any discussion or questions. The
3 presentation about the mobile air sensor,
4 Dr. Anup is here. He's going to present
5 it to us. He's from Drexel University,
6 Assistant Professor. The last one, our

7 next meeting will be October 25th, 2018.
8 So, the summary is air quality, the
9 National Ambient Air Quality Standard. I
10 will explain unhealthy and healthy air
11 conditions in Philadelphia, the State
12 Implementation Plan, EPA updates, PA
13 updates and AMS updates.
14 So, the air quality: The air quality
15 now is we have four unhealthy days for the
16 ozone. The last time we had zero, because
17 it was before April. So, 44 days of good
18 air quality and 43 moderate and we have
19 four unhealthy, which is from the ozone.
20 You see, 0 from PM2.5 is below the
21 standard, the problem from the ozone.
22 Maybe at the next October meeting we will
23 have a high value for the ozone, because
24 you remember last week and for two weeks

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1 the temperature was high and the ozone
2 went up to 81 parts per billion. It was
3 very bad. So, we will see at the next
4 meeting.
5 So, we're at a marginal nonattainment
6 for the ozone. So, the highest we have is
7 always the Philadelphia Airport, so the
8 next step of research would include
9 finding out why that area is high. What
10 is the source? What is the cause?
11 So, May 18, 2018 the EPA administrator
12 lays out "Back-to-Basics" process for
13 NAAQS Reviews. The last time I told you
14 they wanted to change it to ten years to
15 review the NAAQS, but the Clean Air Act is
16 taken every five years, so the EPA
17 periodically collects reviews to protect
18 the public health and environment, so it's
19 now back to five years. So, the next one
20 will be 2020. Maybe the ozone will be
21 already reduced. It's based on the public
22 health. 2020 might be 65 or 60 or remain
23 the same. So, we'll know in 2020.
24 June 14th, 2018: EPA issues

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1 transportation conformity guidelines for
2 the 2015 ozone nonattainment areas.
3 Policy guidelines issued by EPA and/or the
4 DOT to assist State and local
5 transportation and air quality agencies to
6 implement the transportation conformity
7 program. This is by the Clean Air Act
8 176-C6. So, it's federally applied
9 projects like transportation, highway and
10 transit. The transportation conformity is
11 there, too, and it should be federally
12 applied.

13 So, once they have what we're doing,
14 there is also another for the 2015 ozone.
15 We have to submit a SIP provision, that
16 includes this federal transportation
17 conformity. So, what we've added is to
18 have some controlled measure and a
19 mitigation measure for any highway and
20 transit, just as a tool only. So, it will
21 be after the designation of 2018, which is
22 2019, August 3rd will be applied. We have
23 two reports, and the 2015 ozone standards.
24 On April 10th, 2018, EPA published

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1 proposed amendments to MACT for refinery
2 sectors. This is for the flares. So, the
3 steam-assisted flares they have guidelines
4 and also the fenceline monitors for benzene, they are
5 already in the refinery, generally. So,
6 we have to wait one year, because it is an
7 annual average, a rolling average that we
8 take. So, we check if it's nine
9 micrograms per cubic meter, so if it's
10 over -- so, the only thing we can do is
11 correct the options we have to take. So,
12 the other one for this month is like
13 maintenance for preventions. So, the EPA
14 estimated that the proposed amendments
15 will save the industry \$77 million in
16 capital investments and \$12 million in

17 annual costs. So, it helps a lot,
18 especially for exhaust leaks and
19 maintenance and others. So, it is a good
20 standard guideline.
21 April 17th, 2018, EPA finalized
22 significant impact levels. This is good
23 for, Ed, people who are permitting, so any
24 place for prevention of significant

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1 deterioration. So, once they submit the
2 problem permit, they check, they have to
3 look for PM2.5 and ozone. So, the latest
4 model is A2. If it's like one part per
5 billion of ozone, then we might say no, or
6 some case by case review. So, that is the
7 new change. So, the same for PM2.5. The
8 PM2.5 is the 24 hours it will take, 1.2
9 micrograms. So, for the PM2.5 and the
10 ozone is very important for that one.
11 The EPA releases an annual greenhouse
12 gas inventory every year. EPA released
13 the final version of its annual GHG
14 inventory for 2018, that is actually for
15 any source of greenhouse gas greater than 25,000
16 tons per year would be reported to the
17 EPA. Even sometimes they might have less,
18 but anything greater than 25,000 tons per
19 year of greenhouse gas is reported to the
20 EPA. So, there is a website. If anybody
21 wants that website, we can send it to you.
22 April 13, 2018: EPA denies
23 Connecticut's Section 126 Petition. The
24 EPA is denying a petition of Brunner

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1 Island. The last time John Krueger of
2 DEP, Deputy Director, here explained about
3 this. I asked him to explain. So,
4 Connecticut said, "Okay, where is the good
5 neighbor?" Because initially we went
6 through NFK, so they have to do something,
7 but the court rejected that one.
8 MR. MINOTT: Kass, can I just be

9 clear? It's not the court that denied
10 NCPA.
11 MR. SELASSIE: Yes.
12 MR. MINOTT: It would probably be an
13 appeal, would be my guess.
14 MR. SELASSIE: Maybe an appeal, yes.
15 April 18, 2018, American Lung Association
16 released state of the air 2018. PM2.5
17 improved, but not ozone. So, the American
18 Lung Association is good. It takes all
19 the counties and ranks the air quality in
20 cities and counties across the country.
21 So, we can check that one to compare with
22 other cities. The 2017 and '15 design
23 value ozone was good, but now it might be
24 a little more. The American Lung

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1 Association of 2014 and '16 the design
2 value is a little bit high. The estimate
3 at the time for 2014 and '16, around 139
4 million people exposed to an unhealthy
5 ozone, but in 2017 and '15 it was like 125
6 million, so it's a big difference in two
7 years for the design value. So, the ozone
8 is worse compared to -- everywhere is
9 better nowadays, the same we have for
10 Philadelphia.
11 EPA updates, June 21, 2018, NACAA
12 urged EPA to tighten onroad heavy-duty NOx
13 standards. Tighter NOx standard for
14 heavy-duty trucks will help areas across
15 the country meet their legal obligation to
16 attain, or maintain, the health-based
17 National Ambient Air Quality Standards for
18 the ozone. That is our purpose. I had
19 asked last time about transportation. We
20 need to reduce, we need to do something
21 for transportation, because of the ozone
22 value, otherwise, we cannot attain the
23 ozone standard, even from 2015 to 70,
24 maybe in 2020 to 65. So, if you don't do

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1 something to expand, it doesn't work.
2 2023, 2033, we don't know, so that's why
3 we need to do something to reduce that
4 ozone from the city.
5 MR. FRANK: Before we go to the DEP,
6 the problem with that I see is going to be
7 two-fold. One, is that -- I think just
8 yesterday the government announced that
9 they want to relax automobile standards
10 and they've also announced that the old
11 engines that they put in over the road
12 trucks had been -- the plan to stop that
13 from happening is much more -- you know,
14 so, if anything, you know, they can urge
15 all they want, but the EPA is going in the
16 other direction, and, you know, the
17 likelihood of it going from 70 to 60 or 65
18 is, at the least with this administration,
19 not likely.
20 MR. MINOTT: Not that I would ever be
21 optimistic about what's happening at the
22 federal level, I do think the CAFE
23 standards have been -- were done extremely
24 well by the Obama administration EPA, and

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1 I think that the EPA is going to have a
2 hard time doing away with them. So, I
3 mean, obviously it's going to be a lot of
4 litigation around that but not -- I'm
5 somewhat optimistic that they will not
6 win, depending which court they end up in
7 and depending on who's on the Supreme
8 Court and all the things like that.
9 MR. FRANK: The 12 engines probably,
10 too. The 70,000 of those that are going
11 to be out there shouldn't be there.
12 MR. SELLASSIE: It is a challenge.
13 There is always a challenge, like the
14 environmental activists and even cities.
15 You are right, a lot of them, the city
16 attorney generals and other rights to the
17 EPA are not -- there's always a challenge.
18 It is not like it's free, or we say that

19 it will pass, no. There is always a
20 challenge, and Congress might say no.
21 Congress should approve the last one, and
22 we don't know for next year what's going
23 to happen.

24 THE PUBLIC: I heard the car

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1 manufacturers are pushing back against
2 these standards. Different states will
3 have different regulations and they will
4 have to make different cars.

5 MR. MINOTT: That is if the EPA
6 doesn't succeed in blocking the California
7 Public Utility with their standards. So,
8 if they do, which wouldn't surprise me,
9 then, I think, the manufacturers will get
10 behind one standard.

11 MR. FRANK: And also what will make
12 them harder to sell cars overseas is if
13 they reduce their emission standards.

14 MR. SELLASSIE: Okay, DEP Updates,
15 proposal making Title. The permit fees
16 might increase. Now, the program
17 presented the draft proposed Annex to
18 AQTAC, I think it's the Air Quality
19 Technical Advisory Committee, and the
20 Citizens Advisory Council on June 14th and
21 the 26th. Both endorsed the package,
22 that's good, and the program anticipates
23 bringing it to the EQB in the fall of 2018
24 for their consideration, which is not far,

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1 so, it might be good news, that one. So,
2 we've increased the permits.
3 AMS update, AMS is working on future
4 increase in fees. AMS is working on the
5 phase-out of numbers four, five and six.
6 This is our next priority and a functional
7 priority, too. Actually, most of it is
8 his priority. It's very intoxicating, the
9 air pollution we are lacking a good
10 commissioner, so he pushed everything to

11 protect the public health and the
12 environment. He is working on that one.
13 So, AMS is working on risk assessment.
14 That will be after phase-out of four and
15 five that we jump to risk assessment and
16 dust control.
17 MR. MINOTT: I'm sorry. We would just
18 meet the arrangements, such as working on
19 the risk assessment, but in --
20 MR. SELASSIE: Oh, you remember last
21 time you and other people asked --
22 MR. MINOTT: Right.
23 MR. SELASSIE: That's why, so, based
24 on that one. So, now we are working on

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1 answering them.
2 MR. MINOTT: I'm fully supportive of
3 it.
4 MR. SELASSIE: Yeah, we are working
5 on that one. You started on that one, I
6 remember.
7 AMS is working on mobile sources,
8 updating regulation. This will maybe be
9 later on. We will see what will happen
10 maybe next year. Finalizing Citizenserve,
11 that is our biggest update. Start PAQS in
12 May. I'll explain. At the end, I might
13 have five minutes that I need.
14 THE CHAIRMAN: You are just about at
15 the end.
16 MR. SELASSIE: At the end?
17 THE CHAIRMAN: You've been 20 minutes
18 with this.
19 MR. SELASSIE: Okay, yes, ten
20 minutes, that I know.
21 Propose to PES a voluntary reduction
22 of greenhouse gas from each source. So,
23 fumigation, this is a point I want to
24 stress that is new. Now, we are looking

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1 to permit Sessions and others that are
2 working with fumigation, because we have a

3 lot here, Tioga, specifically. So, it is
4 orderless and colorless, so the people,
5 they don't feel it. It ends up passing,
6 because of the color and odor. So, the
7 people complained. Now nobody complain
8 because of that. So, we still have the
9 work to protect the public. And there was
10 a question. You have to consider that
11 one.

12 THE CHAIRMAN: That's true.

13 MR. SELLASSIE: The Air Monitoring
14 Plan was submitted. We sent the open-path monitor to
15 Georgia and updated it. Now it's working very
16 nicely, which is measuring the toxins in
17 the South Philadelphia area, that's a good
18 sign. Village Green, 6th and Arch, we
19 have that one, measuring PM, ozone and
20 temperature. The public, specifically,
21 the tourists, they are checking on this
22 kind of stuff. It helps them to check the
23 air pollution.

24 The EPA Method TO-15, here I want to

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1 stress is -- the good news for the Air
2 Pollution Board and the guests, I want to
3 mention here is the EPA grants us \$200,000
4 for Auto-GC. We have it, but soon we're
5 going to stop. That measures hourly the
6 VOC data. It's a 24 hour canister. You
7 collect the canister on a one-in-sixth day
8 frequency. So, this is continuously,
9 hourly, so it is good news, so we know the
10 air toxins are on time.

11 Quality Improvement, this is a section
12 that Tom Barsley is working, so we improve
13 everything, laboratory tests and even the
14 central program we have. So, we maintain
15 the quality for what we have. We do a lot
16 of outreach like our Science Festival for
17 children and for universities and others.
18 This is what AMS is continually doing.

19 It's a regulatory service for
20 everyone. From April 1st, 2018 to June

21 30th, 2018, we have 164 permits within
22 three months. We always add permits, and
23 resources, so that is adding air
24 pollution. So, AMS serviced 332 citizens

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1 within three months, people complain, we
2 postpone using most of the time Keith
3 Lemchak. We have great inspectors. We
4 will add two more. This week or next week
5 there is an interview for an additional
6 two inspectors, so we are just serving the
7 community in the right way. AMS also
8 performed 1,212 inspections. Asbestos was
9 also included. AMS observed 62 vehicles,
10 which is idling. AMS issued 137 new NOVs.
11 We resolved 80, and \$57,690 from penalties
12 we collected. I still have five minutes,
13 no? I don't?

14 THE CHAIRMAN: Yes, you do.

15 MR. SELLASSIE: It should be two
16 minutes maybe for the --

17 THE CHAIRMAN: Okay.

18 MR. SELLASSIE: For the PAQS.

19 THE CHAIRMAN: Well, we have a quorum,
20 so --

21 MR. SELLASSIE: Okay. Just to explain
22 to you, we are measuring 15 locations, the
23 whole Philadelphia, almost 1,554 for a
24 difference point. So, here we have the

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1 PM2.5 major in one instrument. This
2 measures nitrogen dioxide, sulfur dioxide,
3 ozone, nitrogen oxide, actually. And the
4 other, this one, also measures temperature
5 and related humidity. So, in one
6 instrument we have everything. This is a
7 PM2.5 we measure in our laboratory. We
8 have a consultant, so, they will do it.
9 So, this is the inside. This is the
10 compactor for PM2.5, the inside part.
11 So, this is how we do. We have the
12 plate, so we hang on that one just the

13 instrument and we have this marked in case
14 -- we don't want anybody to touch or
15 remove it, so, I hope the police -- and we
16 reported to the police and everybody
17 knows, or the security and others, you
18 know, because some people may say, "What's
19 that? You're looking or you are
20 controlling us." Even the people ask me.
21 I say, "No, this air pollution measure."
22 THE CHAIRMAN: How high is it?
23 MR. SELLASSIE: Sorry, that's good.
24 Okay, I need to explain. This is ten feet

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1 high on the street level measurement.
2 We're calling it the street level
3 measurement. So, whenever you walk -- so,
4 to show, you know, how much air you
5 breathe or pollutants we breathe. So, it
6 is on a street level and it's implemented
7 already. So, everywhere. I'll show you
8 the map that we have.
9 MR. MINOTT: There are not very many
10 people that are ten feet tall.
11 MR. SELLASSIE: Otherwise, I will send
12 it to you. I mean, if you take the
13 product of the height -- if you take the
14 portion out, it varies. It's not as much
15 mixing.
16 MR. MINOTT: Kass, I was trying to
17 stall you here.
18 MR. SELLASSIE: Okay, I know, I know.
19 Here is one example. There is also City
20 Hall, you can see City Hall, one. So,
21 everywhere we have. So, this is all the
22 location we have. You see all of these
23 points and what we measure, by color,
24 PM2.5, PM2.5 sulfur dioxide, ozone and the

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1 VOC data. Those are the ones we measure.
2 So, after that what will happen is we're
3 established now and supported by Dr. Farley
4 and Dr. Johnson. So, we work harder. So,

5 we will not stop here. So, that's what it
6 looks like.
7 This we already measured. You see
8 three stations we have 15, 15 days. The
9 highest I think is 13.1, Center City area.
10 The other is still above 10. We have a
11 standard with the commissioner. We want
12 to keep it below 10, but it looks like
13 it's higher. Maybe it's close to the --
14 on the street than the height is not like
15 the rooftop or something we put, so that
16 is what happened. This is the area we can
17 measure. This is already the measured
18 one, just to show you.
19 The last one is we tried to put SEPTA
20 -- you've heard there are a lot of
21 problems with SEPTA. People complain.
22 They don't want this, a gas power plant,
23 so because of that we just put one nearby
24 there to show the public of the

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1 concentration of the air pollutants. So,
2 I think I'm done. If you have any
3 questions --
4 THE CHAIRMAN: Yes, Joe.
5 MR. MINOTT: Very quickly. So, Kass,
6 this is great. I will say that I've read
7 all of this before I came here, so you
8 don't have to go through everything. In
9 terms of unhealthy days, you had it going
10 through June 30th. Were there any more in
11 July?
12 MR. SELLASSIE: A lot, because I
13 mentioned in July we have a lot like even
14 up to 81, 79, 80, very high. We might
15 have more, maybe six, seven, maybe
16 additional. The October report will have
17 the totals.
18 MR. MINOTT: That is interesting. The
19 methylobromide, that's been an issue,
20 that's been around for a while. It seems
21 to me, if I remember correctly, there was
22 some resistance on the part of Tioga to

23 actually do something about it. Have you
24 been able to persuade them to see the

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1 light?

2 MR. SELASSIE: Yes. Ed -- we are in
3 the process of permitting, I think, and Ed
4 might explain.

5 MR. WIENER: A handful of them. We
6 haven't had to do permits for anything
7 that's really significant. So far we have
8 only done one temporary one, and then we
9 did a recent -- or I'm not sure if another
10 one was issued, but there are smaller --
11 levels that are considered minor.
12 And what we have been doing is doing
13 some screen modeling based on the stack
14 and emission limits and whatever,
15 parameters, and just kind of comparing
16 that to -- our management that regulates
17 the six has some, um, what do you call it,
18 like ambient air modern guidelines. We're
19 making sure the screen modeling is below
20 that. And if it's not -- I think the
21 first one we had gotten I think originally
22 it wasn't, so they added a stack or
23 something along those lines, and then we
24 just make sure they meet the parameters of

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1 those. Where it will get trickier is if,
2 you know, down the road we get something
3 that's, you know, instead of it being 8
4 tons, it's like 50 tons or whatever, and
5 then --

6 THE CHAIRMAN: Have you done any
7 testing in the community?

8 MR. SELASSIE: Not yet. Our plan, I
9 think, is to do modeling first to see how
10 it varies at different ground level
11 concentrations. That's suggestion one, we
12 do that one. And the second one is a
13 problem. As you mentioned, it is the
14 control one. So, they said it's very

15 expensive to control, but when they do the
16 analysis they say, "Oh, it's expensive.
17 It is not cost-effective. We cannot do
18 it." There are some in like California
19 and, I believe, in Virginia they've
20 already started using that one and it is
21 effective and it is good, so we want to
22 apply that.
23 MR. MINOTT: Cost-effective depends on
24 who's --

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1 MR. FRANK: Who's the cost and who's
2 affected. It's also pretty toxic stuff.
3 You would hope they would find something
4 else to use or that -- you know,
5 cost-effective means profits are going to
6 go down, but it's going to protect the
7 community.

8 MR. MINOTT: The last time I think
9 they threatened to leave the port if they
10 were regulated too hard.

11 MR. SELLASSIE: The other point here
12 is the protocol was banned in 1987. So,
13 why only here we use it? I don't
14 understand.

15 MR. MINOTT: Of the 62 vehicles that
16 the Air Management Services was looking
17 at, there are only two citations.

18 MR. WIENER: We didn't do as much
19 targeting enforcement during the last
20 quarter. We had -- our focus was more on
21 dust sites. We inspected most of the demo
22 sites for L & I. We get notifications
23 from them, so that's been our focus.

24 MR. MINOTT: And on the very last

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1 thing that you're showing in terms of the
2 measurements, and I think that's great,
3 one of the things that I would like to see
4 at some point in the future when you do
5 these things is to look at two comparable
6 EJ communities, one that has more green

7 and trees and what have you than the other
8 and sort of see if that impacts the level
9 of pollution that people are impacted on.
10 MR. SELLASSIE: We tried in each
11 community, district, the council district,
12 wherever there is a ten district, to put
13 at least one in each district and each
14 community we consider. And the other
15 stuff is -- so, we measure one year. The
16 second year if we see somewhere a big
17 difference, we measure the second year.
18 So, we will find hotspot areas, then we
19 measure the second year where those
20 hotspots are the second time. And the
21 third one, you have to understand we have
22 to find out each point for concentration
23 by using a land model. So, we have
24 certain -- ZEV is in New York, and Jason,

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1 they are working together here. In the
2 future AMS will handle everything for now.
3 So, we have that one. So, each point we
4 will find out the concentration by using
5 land user ignition or whatever and ArcGIS.

6 THE PUBLIC: Do you collect the PM2.5?

7 MR. SELLASSIE: Yes, this up here the
8 PM2.5. The one that's 12, 11 is a PM2.5
9 concentration.

10 THE PUBLIC: But do you collect
11 samples or do you just measure the
12 bundles?

13 MR. SELLASSIE: No, collect the
14 samples; collect and measure it. It is
15 filter based, so we collect it to our
16 laboratory, then we measure them. So,
17 this is filter based. So, I think I'm
18 done with that.

19 So, the next one is just what
20 additional -- for the dust control. We
21 will present a PowerPoint presentation.

22 THE CHAIRMAN: Just a moment. We will
23 get back to that.

24 MR. SELLASSIE: Okay, sure.

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1 THE CHAIRMAN: So, we do have a
2 quorum. So, I want to first have Shannon
3 and Joe introduce yourselves to the
4 public, please, and we'll get our minutes.

5 MR. MINOTT: It looks like I know most
6 of the public here, but okay, my name is
7 Joe Minott. I'm the executive director
8 and chief counsel at the Clean Air Council
9 and I'm a member of the Air Pollution
10 Control Board.

11 MS. MARQUEZ: Shannon Marquez, Vice
12 Provost at Drexel University and Professor
13 for Environmental Health.

14 THE CHAIRMAN: Members, you have
15 looked at your minutes. You have reviewed
16 your minutes. Are there any additions or
17 corrections to the minutes?

18 MR. FRANK: Move to approve.

19 MR. MINOTT: Second.

20 THE CHAIRMAN: We've moved in and
21 second. Those in favor of the approval
22 say aye.

23 THE BOARD: Aye.

24 THE CHAIRMAN: Those opposed.

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1 THE BOARD: (No verbal response.)

2 THE CHAIRMAN: Thank you.

3 - - -

4 MR. NUR: My name is Raihan Nur. I'm
5 going to present today proposed updates
6 for Regulation II, Section IX,#C. If you
7 have any questions, you can ask Kass. He
8 will answer any questions.
9 My first line says, "All filling,
10 grading, excavation or other earthwork
11 activities performed on a work site open
12 to the outdoor air must be adequately
13 wetted to prevent dust emissions, weather
14 permitting." If the weather is below 32
15 degrees Fahrenheit, you can use water.
16 So, you have to use other dust control

17 suppressants. "Dust control practices
18 presented by contractors and approved by
19 AMS can be used if the water based method
20 is ineffective or the temperature is below
21 freezing point.

22 MR. SELLASSIE: I'm sorry, to add one
23 more thing, it's not necessary to use
24 wetting. So, as far as a seal at the

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1 bottom, a seal against the container, that
2 is also fine. So, they have authority,
3 and we are also preparing the guidelines
4 for some temperatures less than 32 degrees
5 Fahrenheit. We need to discuss it with
6 the Water Department, too. So, they might
7 say, "No, you can't use this one, because
8 it affects the water on the street." So,
9 we have to agree. So, maybe they use some
10 erosion control -- sedimentation. If they
11 put that one, that's okay. Otherwise, we
12 have to -- the Water Department has to
13 approve that. So, we are preparing
14 guidelines for that, for the chemicals.

15 THE CHAIRMAN: The two departments are
16 working together.

17 MR. SELLASSIE: Yes, we are working.
18 We sent them everything.

19 THE CHAIRMAN: Okay, good.

20 MR. NUR: The next slide is no
21 construction material or debris shall be
22 dropped more than 20 feet at any point
23 lying outside of the exterior walls of a
24 building or outside of a structure, except

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1 through the use of a material chute. And
2 all debris shall be adequately wetted to
3 prevent dust emission or dispersion at the
4 point it exits a dust chute or reaches the
5 ground and chutes. All debris from any
6 demolition or renovation activity shall be
7 removed from the building, facility, or
8 other structure that should not cause any

9 dust emissions outside the fence line.
10 And drop heights must be kept to a minimum
11 when excavated material is loaded into
12 dumpsters and trucks for offsite
13 transport. And truck speeds should be 10
14 miles per hour at the construction area.
15 MR. FRANK: This is all in the
16 materials that we have been given and
17 read. Is there something new here?
18 MR. SELLASSIE: Yeah, it's a similar
19 one. Maybe the public may have some
20 questions.
21 MR. NUR: A silt fence and dust
22 control fabric panels or screens will be
23 affixed along the entire length of the
24 construction fence. The dust control

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1 fabric panels or screens will be a minimum
2 of five feet in height and provide 50
3 percent blockage. And the requirement of
4 mud and dust removal from tires --
5 MR. MINOTT: I don't actually
6 understand what that is. "A silt fence
7 and dust control fabric panels or screens
8 will be affixed..." Is that for all sites
9 or is that instead of?
10 MR. SELLASSIE: Usually when I discuss
11 with Dennis, a silt fence is what the
12 Water Department has, which is like --
13 they call it like a filter. The Water
14 Department, erosion and sedimentations,
15 they have that one. We just take it from
16 the Water Department --
17 MR. MINOTT: For the runoff from
18 the --
19 MR. SELLASSIE: Exactly, from the
20 runoff, but, for dust, we use any fabric
21 like screen mesh, something like that we
22 use for the dust control. The silt fence
23 is mostly for runoff to retain the
24 sediments. This is a Water Department

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1 matter, but, the regulation, we corrected
2 everything there.

3 MR. NUR: A permit is required for
4 earthworks associated with the grading,
5 excavating, or deposition or remediation
6 of earth on 5,000 feet squared of land or
7 more, a fugitive dust control plan must be
8 included in the permit application when
9 you are filing for a permit application.
10 It must be approved by the AMS.

11 The real time air monitoring for large
12 construction/demolition and earthworks is
13 determined by the Department. They will
14 advise recipients to take precautionary
15 measures to minimize dust exposure, such
16 as remaining indoors, closing doors and
17 windows, washing any exposed skin and
18 cleaning building entranceways. All
19 debris, excavated material and fill
20 material at the site will be adequately
21 wetted and covered during any temporary
22 onsite storage and during any transport to
23 and from the site.

24 MR. MINOTT: What qualifies as a large

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1 construction demolition? What size?

2 MR. SELASSIE: For which one?

3 MR. MINOTT: The very first one. It
4 says, "For large construction..."

5 MR. SELASSIE: We've discussed it a
6 lot. What we've decided is it is best on
7 the Department, because if it is large --
8 I mean, if it's small, even like lead, the
9 one we checked in the Kensington area,
10 like that, if it's something like lead or
11 like a gas station, for example, that
12 small, it might need some monitoring. So,
13 at any time AMS has a right to ask for a
14 sampling of like lead or similar stuff,
15 so, whichever we think. So, the history
16 of the area is determined.

17 THE PUBLIC: Does monitoring start
18 after activities have been initiated or is

19 there any pre-monitoring the notice in the
20 change in the pace?

21 MR. SELLASSIE: Usually one we had
22 already ordered for the ozone, I think.
23 What we did is whenever during the
24 construction period they put two down,

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1 downwind and upwind, and all like the wind
2 direction and ozone, so, during
3 construction and after construction. That
4 might be a good idea, before construction,
5 to see the background concentration.
6 That's a good idea, maybe we can do that
7 one.

8 MR. NUR: As you can see in this
9 picture, there is a lot of dust on the
10 road. It's really unhealthy for people to
11 breathe, so, it should be adequately
12 wetted to prevent the dusting issue.

13 MR. SELLASSIE: One more point, sorry.
14 This is where we start. The mayor and
15 Commissioner Perry, so the mayor and the
16 public was very upset. Across this street
17 there is a playground for kids, so this
18 area is Kensington, where the lead is very
19 high. So, if you see the small work here,
20 as a result, there's no dust control. You
21 can see what it looks like. That's why we
22 want to add this dust control today. If
23 you see the next site, you can see this is
24 a small area from that, the dust, just to

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1 show you how it is bad.

2 THE PUBLIC: Kass, I've got to tell
3 you, the construction site that I called
4 in to you, I live right across the street,
5 they did an amazing job. They took down
6 the whole building that was a whole block,
7 and I didn't see any dust anywhere.

8 MR. SELLASSIE: Yes, because we have a
9 permit for that one, and we inspect before
10 and during, and we also issued a permit

11 for that. That's why we need a permit to
12 relieve some dust control.

13 THE CHAIRMAN: Did you say before they
14 began to --

15 MR. SELLASSIE: Before they began, we
16 checked the area and everything, the
17 inspector, because before we measure, we
18 see the area. Second, we see if there are
19 any notifications, because they have to
20 notify within ten days before the
21 construction starts. So, this kind of
22 stuff we check. If they don't do it, we
23 tell them. "No you cannot start in ten
24 days." You have to notify the community.

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1 I mean, it depends on the building.

2 MR. NUR: That kind of work,
3 earthwork, that's associated with the
4 grading and excavation, and the future
5 dust control plan must be included in the
6 permit application and approved by AMS.
7 As you can see in the image, the
8 debris is falling from the first floor to
9 the ground floor, and there is a lot of
10 dust emission. It must be adequately
11 wetted to prevent the dust emission.

12 MR. MINOTT: Wouldn't there be an
13 audit OSHA requirement for that, too?

14 MR. SELLASSIE: Yes, an OSHA
15 requirement, especially for training on
16 how to use the chute, but mostly I've
17 discussed with OSHA and L & I. They're
18 usually concerned with the safety of the
19 employers.

20 MR. FRANK: You wouldn't be doing it
21 with the asbestos stuff, supposedly. You
22 would be doing it with drywall or
23 concrete.

24 MR. SELLASSIE: The other point that I

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1 want to mention is whenever we use dust
2 control, it's not only about dust or

3 PM2.5. It might contain lead or asbestos.
4 So, any wetting will control all of this
5 dust.

6 THE PUBLIC: Is OSHA ever doing site
7 inspections, too?

8 MR. SELLASSIE: I'm not sure, because
9 one time -- you remember about the nail
10 salon. The OSHA people came, no? The
11 community.

12 THE PUBLIC: The site organization, it
13 looks like they have priorities, like if
14 you are a small company, it's considered
15 low priority.

16 MR. FRANK: If you are under eleven
17 people, you don't even come under OSHA.
18 So, if the demolition crew is less than
19 eleven people, they will never show up.
20 And probably the only time they will show
21 up is if there is a death, which is not
22 what you want. When OSHA started, if you
23 were a general industry facility, you
24 could expect an inspector about once every

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1 25 years. Now the number is about one and
2 a hundred years. So, the likelihood, you
3 know, this will be inspected is close to
4 zero.

5 MR. NUR: The last slide, as you can
6 see, there is a lot of dust emission from
7 the loader. When you're excavating,
8 loading into a truck, a dumpster, it
9 should be kept to a minimum so that there
10 is not much dust emission. That's all I
11 have.

12 MR. MINOTT: It's not related to dust,
13 but is there anything that requires that
14 the trucks that often sort of line up and
15 are waiting, that they turn off their
16 engines? You know I was going to ask
17 that.

18 MR. SELLASSIE: I understand.

19 THE PUBLIC: If they're just sitting
20 and not doing work --

21 MR. SELASSIE: Not doing anything, a
22 violation.
23 MR. MINOTT: We'll let you know.
24 MR. SELASSIE: Okay, one more thing.

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1 This is not easy, the dust control permit.
2 So, it took long, because we have to
3 discuss each point. They took their time
4 for today, and I appreciate what they have
5 done. The projects are public, so thank
6 you all, departments and others, AMS.
7 THE CHAIRMAN: I have a question,
8 Kass. On the loaders and trucks, they're
9 going in and out of the site. They're
10 tracking dirt, dust in their treads. Is
11 that looked at in any way?
12 MR. SELASSIE: A tire wash. It is
13 there in the regulation. That's another
14 problem. Now we have a tire wash, because
15 last Saturday I went and I took pictures.
16 The street was dirty. There was no tire
17 wash, and even the loading there were more
18 trucks. There was a lot of dust. So,
19 there should be a tire wash.
20 THE CHAIRMAN: Joe will be right back,
21 but we're okay. So, while we are
22 waiting --
23 MR. O'NEILL: Kass, do you want us to
24 point out any particular legal items that

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1 we went through? Do you want us to
2 highlight anything?
3 MR. SELASSIE: Yes.
4 MR. YUEN: So, my name is Dennis Yuen.
5 I'm one of the attorneys in the City Law
6 Department. I helped Air Management sort
7 of put together an initial draft of this
8 regulation. So, among the highlights that
9 were the changes, just very quickly, under
10 AMR-1, Section-IB, there was an addition
11 of a new definition. This all has to do
12 with earthworks. This matches L & I's

13 definition of land clearing or grubbing or
14 any earth disturbance of over 5,000 square
15 feet. That was put in there because the
16 regulation changed, add notification
17 requirements, a ten day notification
18 requirement to nearby occupants. You have
19 to notify them in writing in a form that
20 the department sort of prescribes before
21 you do those earthworking activities,
22 that's in addition to an L & I permit type
23 requirement. And you also, in addition to
24 the notification, what the agency wants is

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1 they want a full dust control permit, the
2 same sort of dust control permit that was
3 required for demolitions of buildings that
4 were three stories tall, or, implosions,
5 they wanted to apply that to those kinds
6 of excavations or land clearing or filling
7 type activities. Again, disturbing over
8 5,000 square feet you have to comport with
9 L & I's building permit requirement.
10 In addition to that, those notices and
11 under older versions of the regs, all of
12 those notices for any site for which you
13 needed to have a permit, you just had to
14 provide that to the neighborhood, but now
15 there has been in the proposed changes
16 under the AMR-2, the substantial changes
17 from the notifications, those
18 notifications also have to be provided to
19 the department. So, you have to send them
20 to Air Management as well, so it's an
21 additional regulatory requirement.
22 Outside of the earthworks and the
23 notification changes, there were a number
24 of changes to the work practice

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1 requirements that applied to all
2 construction, demolition and excavation
3 type work, regardless of whether you need
4 a permit or notification or not. Those

5 things include things like that were
6 previously mentioned there is dust
7 suppression for all excavation or filling
8 type activities where you have to apply
9 water or some other approved dust
10 suppressant method. And water is
11 prohibited if the temperature drops below
12 freezing.
13 There is a requirement that you wet
14 seep access roads on the construction site
15 and also you use stuff to control vehicle
16 track out, this is either by tire washing
17 or putting in gravel strips or whatnot,
18 rumble strips at the entrances or exits of
19 facilities. On top of that, there is a
20 material chute sort of drop height type of
21 requirement. So, if you're dropping
22 materials more than 20 feet outside of an
23 existing building or structure, you've got
24 to do it through a material chute.

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1 Material being dropped in the chute needs
2 to be wetted or alternatively if it's not
3 wetted, the chute has to be sealed against
4 the top of the container that's receiving
5 the material, to prevent dust from flying
6 out of it.

7 MR. O'NEILL: The truck would be
8 covered, then?

9 MR. YUEN: It's not necessarily a
10 truck, but the receptacle --

11 MR. MINOTT: A truck or a dumpster.

12 MR. YUEN: A truck or a dumpster,
13 whatever sort of container that's catching
14 the material. That's the big change. And
15 there is also a mention of the air
16 monitoring or dust sampling type of
17 requirement. That's if the department
18 believes that it's necessary for certain
19 construction or demolition type of
20 activities to ensure that there is no
21 impact on sort of dust generated from that
22 activity on neighboring properties.

23 Lastly, there is a change in the
24 regulation, which adds a requirement, but

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1 it mirrors the existing State requirement.
2 So, it's something that AMS has been
3 enforcing, but now it's explicitly stated
4 that no visible dust is allowed beyond the
5 property line of a demolition or
6 construction site. This mirrors the State
7 requirement, so in a sense it's new for
8 the regulation, but not new in terms of
9 what the agency is doing. That's pretty
10 much the substantive changes in a
11 nutshell. There were some other
12 corrections that were done for grammar and
13 spelling and whatnot that went through,
14 but other than that, those are the major
15 changes.

16 THE CHAIRMAN: Members, do you have
17 any questions on the changes to the
18 regulation before we consider it?

19 MR. MINOTT: Just a process one. So
20 let's assume that we approve it. I guess
21 that's what you're asking us to do, right,
22 to approve the changes?

23 THE CHAIRMAN: Yes.

24 MR. MINOTT: What happens then? Is

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1 there a public comment period or is that
2 not necessary?

3 MR. O'NEILL: No. That will be the
4 normal process. It goes to -- what really
5 happens is the Law Department prepares a
6 transfer letter for the health
7 commissioner to send it to the Department
8 of Records. Once it's in the Department
9 of Records, it's open for public comment
10 for 30 days, and, during those 30 days, in
11 addition to making a comment, people can
12 request a public hearing at which to make
13 a comment. There may be people here
14 today, too, I don't know, but that's the

15 normal process, 30 days. You can ask for
16 a hearing. Usually what we do is we set a
17 hearing date and put something in the
18 public notice that says the hearing is
19 requested. It will be on this date. If
20 none is requested, it will be canceled,
21 that way it kind of shortens the process.
22 They have hearings on the 31st day or
23 something like that. And, then, after
24 that, if there are no comments, it becomes

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1 law. If there are comments, AMS with the
2 help of the Law Department will review
3 those and do a comment and response
4 document. If there are no changes, again,
5 it just becomes law. If someone brings up
6 a comment that generates an idea that
7 makes us think that something should be
8 changed, then AMS will come back to the
9 Board and say, "You know what? Maybe we
10 really ought to tweak this a different
11 way." And then you will vote on it again.
12 That's happened once or twice.

13 THE CHAIRMAN: Members, do you have
14 any other questions on the update, the
15 changes to the regulations?

16 THE BOARD: I move for their adoption.

17 THE CHAIRMAN: Is there a second?

18 THE BOARD: Second.

19 THE CHAIRMAN: Those in favor.

20 MR. O'NEILL: Do you want to ask the
21 public if there are any comments?

22 THE CHAIRMAN: Public, we are open for
23 discussion, thank you. Do you have any
24 comments on this reg, on changes to the

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1 regulation?

2 THE PUBLIC: It sounds like a great
3 regulation.

4 THE CHAIRMAN: The Law Department and
5 Air Management really worked diligently
6 and persistently to give us this great

7 product, so thank you both.
8 THE CONTRACTOR: Who will be -- so, if
9 you have a demolition permit and you go
10 through the normal process, who's
11 regulating the dust permit?
12 MR. SELLASSIE: AMS will. We apply
13 for the permit, so the registration is
14 behind you.
15 THE CONTRACTOR: Right. So, the
16 permit goes through and you post it and
17 everything else, I get that. But then who
18 -- you have a ten day notification.
19 MR. SELLASSIE: Right.
20 THE CONTRACTOR: So, it's posted for
21 ten days. Who is managing any issues that
22 came up on day eight and doesn't get to --
23 you know, and then all of a sudden you are
24 starting that job?

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1 MR. SELLASSIE: We have enforcements.
2 The enforcements, they will check. If
3 something is missed, they contact the
4 contractor and the consultant. They will
5 rectify or change what they want to
6 change.
7 THE CONTRACTOR: So, if the job starts
8 and there's an issue right before that ten
9 day posting or during that ten day,
10 they'll just revise it from there?
11 MR. SELLASSIE: Yes, that's the
12 process.
13 MR. FRANK: Doesn't the posting have
14 to be up for ten days before you start the
15 job?
16 THE CONTRACTOR: Right. But I'm
17 saying day nine you have an issue or you
18 raise a question, who's managing that?
19 Because what happens is the job starts,
20 and late in the process day seven, eight
21 or nine, I don't know what the turnaround
22 time is, if it's three days, two days or
23 one day. Um, so, it's one more thing --
24 not to delay the start, but if there's a

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1 suitable revision to it or whatever, or --
2 MR. O'NEILL: The ten day notice is
3 mostly for the public so they can sort of
4 get ready for the event, if there's going
5 to be a demolition there. I'm not quite
6 sure what would come up. You're thinking
7 maybe a person, the public, would complain
8 about it happening?
9 MR. SELASSIE: I think that is his
10 point. If someone comes up on the ninth
11 day, if someone complains about something
12 that they don't want or something is
13 wrong, then I think -- maybe, I am not
14 sure, are you a contractor or a
15 consultant? Maybe you are?
16 THE CONTRACTOR: Yes.
17 MR. SELASSIE: I understand. So,
18 what will happen on the 9th day? The 10th
19 day they prepare to start construction.
20 The 9th day, oh, there is a problem. Can
21 we do anything? Unless we see case by
22 case. If it's public health or something,
23 then, yeah. I don't think there's any
24 problem about --

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1 THE CONTRACTOR: No, I understand.
2 You submit it, you get your permit. I get
3 all of that. So, the contractor's license
4 that I sent for, they are just unsure of
5 enforcement and, you know, since this is
6 something new, is this going to be a job
7 that's going to shut down? All of these
8 questions arise, because there are a lot
9 of areas that aren't being vetted out. It
10 may have been vetted out during the
11 process, but everybody else, they don't
12 know that. They just raise these
13 questions based on the impact of their
14 job, their time frame and everything else.
15 MS. JOHNSON: What does the public
16 notice say to call? Who does it say to

17 call? Is there something at the bottom of
18 that that says --

19 MR. O'NEILL: The contractor as well
20 as Air Management Services.

21 MS. JOHNSON: So, the Air Management's
22 number is on that public notification?

23 MR. SELASSIE: I think so.

24 THE CONTRACTOR: I don't remember if

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1 one of the general numbers are on it.

2 MS. JOHNSON: But you gave them a
3 place to call if there was an issue?

4 MR. SELASSIE: Yes.

5 MS. JOHNSON: So, if there was an
6 issue and they came to you on day nine,
7 you would look into it, right?

8 MR. SELASSIE: Yes. It never
9 happened, but maybe that's a good concern.

10 THE CONTRACTOR: The only thing that's
11 happened -- part of the reason we modified
12 the notification form template is the way
13 it was written, it was apparently scaring
14 people. It made it seem a little bit
15 more --

16 MR. SELASSIE: Once we issue a
17 permit, I mean the people -- that
18 notification is to take some precautions,
19 close doors or stay inside, that's the
20 only way. Once we issue a permit -- I
21 don't think so.

22 MR. YUEN: Well, let me just clarify a
23 little bit. So, the notification
24 requirements under AMR-2, they apply --

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1 they're supposed to be posted ten days
2 before you start work, but they apply --
3 for the most part, most construction
4 complete demolition type of work for which
5 you need to get an L & I permit for across
6 the board of those jobs there's only a
7 small selection of them that you need to
8 get a dust control permit from Air

9 Management.

10 If you are doing demolition of a
11 structure that is three stories or taller,
12 or it encompasses more than 10,000 square
13 feet, that's when 90 days before you start
14 that work you go to Air Management and you
15 say, "I need a dust control permit in
16 addition to my L & I permits for
17 demolition, or the resulting zoning
18 permits for total demolition of a
19 structure."

20 If you are doing a larger demolition
21 that falls into that class, you would
22 have, presumably, ten days before you
23 start that job. Hopefully, you would have
24 a dust control permit at hand from Air

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1 Management already approved that tells you
2 what you have to do to control dust at
3 that demolition site. You don't need a
4 dust control permit for construction. You
5 do need a dust control permit, as we said
6 before, for earthworks, that's land
7 disturbance over 5,000 square feet, which
8 also comports with L & I's requirements,
9 and you would need an L & I permit for
10 that as well.

11 THE CONTRACTOR: But if you wanted to
12 clear a lot, 7,000 square feet, you need a
13 dust permit for that.

14 MR. YUEN: Yes. Not only would you
15 need an L & I permit, you would need a
16 dust control permit from AMS and you have
17 to apply 90 days in advance. For those
18 kinds of jobs, after you get your dust
19 control permit ten days before you are
20 supposed to start, you are supposed to
21 post a notification on your fence line
22 that says -- and it's on a form that the
23 health department will give you. It
24 basically has blanks that you fill in,

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1 essentially. Now, people may call, they
2 may complain, they might say I'm worried
3 about X, Y, Z, but if you're compliant
4 with your permit, and you're compliant
5 with the notification period, then
6 arguably there really isn't -- you know,
7 unless there's massive amounts of dust
8 leaving the site, which it shouldn't be,
9 because you haven't started yet, there
10 should be no reason for the department or
11 anybody else really intervening from the
12 City side to say, "Hey, you've got to stop
13 doing your work, because we don't think
14 your permit is adequate." And certainly
15 if the City were to do something like
16 that, you would have the case to say, "You
17 gave me the permit." So, I mean, to the
18 extent that you are worried about like how
19 the enforcement works, that's kind of how
20 it works.

21 THE CONTRACTOR: With most permits
22 there are inspections. Is there an
23 inspection that has to be scheduled to
24 close the permit out or to --

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1 MR. YUEN: The department may require
2 one, but it's not specifically stated in
3 the regulation requirements, but the
4 department always has the authority.

5 THE CONTRACTOR: So, you can have a
6 dust permit in place, it's compliant, and
7 you are working, there's no need to call
8 somebody. If they want to come out and
9 inspect it, they will inspect it.

10 MR. SELLASSIE: We come to inspect.

11 THE CONTRACTOR: No, no, that's fine.

12 MR. SELLASSIE: Here's the point in a
13 nutshell. You have the permit, if you
14 need a permit. Once you have that one,
15 even if you don't have a permit, you put
16 the notification before ten days. That
17 means if there is any problem, once the
18 public knows, they call. We have one

19 person sitting there taking complaints.
20 So, they can complain to us. It doesn't
21 matter if you have a permit or not. If
22 they see like dust or something, or
23 something wrong, otherwise, they have
24 nothing to do but to call, unless they see

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1 something. So, if they don't see
2 something, we send an inspector. The
3 inspector will check and report. So,
4 there's nothing to worry about. If there
5 isn't any notice or it doesn't affect the
6 public health or the environment, you are
7 done. With the dust control, just do the
8 right thing. That's it.

9 THE CONTRACTOR: What's the process
10 for closing the permit?

11 MR. SELASSIE: Closing the permit?

12 THE CONTRACTOR: Yes. No permits get
13 closed out of inspections and finals --

14 MR. YUEN: Right. So, let me explain
15 how that works. When you are talking
16 about closing a permit, you're talking
17 about it in terms of when L & I does it.
18 When L & I gives you a building permit,
19 and there's usually a multiple stage
20 inspection process, you do some work.
21 L & I comes out and looks at it. So, the
22 Air Management permit for dust control
23 does not work that way. If you have a
24 site with a dust control permit, the Air

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1 Management Services -- there's no
2 requirement that says Air Management
3 Services actually inspected your job to
4 make sure that it complies with the
5 permit. You may not see a single
6 inspector at all, but AMS will be
7 monitoring some of those jobs. They do
8 have a right to send an inspector to
9 verify that you are actually complying
10 with the revisions of the permit.

11 If you are not complying with the
12 revisions of the permit, whatever is
13 stated in there, they may issue you a
14 violation, but there isn't a requirement
15 for a contractor to call the health
16 department to say, "Hey, my permit says
17 that I was going to use water to control
18 dust for my excavation here. I want you
19 to verify that I'm actually using water to
20 do this." There's no requirement that you
21 actually do this. There's an expectation
22 that you will be doing what the permit
23 says. An inspector may come by. If
24 there's a complaint, certainly they may

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1 come by as a matter of chance, because
2 they didn't receive the notifications and
3 they know when you are working, or someone
4 may call and complain and it may come by
5 as part of the complaint if they see that
6 you're not doing what the permit says
7 you're supposed to be doing, controlling
8 dust, they will issue you a violation
9 notice. If you are doing what you are
10 supposed to be doing, there's no violation
11 notice.

12 MR. SELLASSIE: Are there any other
13 questions, comments from the public?

14 THE PUBLIC: (No verbal response.)

15 THE CHAIRMAN: Members, those in favor
16 of approving changes to Regulation II,
17 Dust Control Regulation II, say aye.

18 THE BOARD: Aye.

19 THE CHAIRMAN: Opposed?

20 THE BOARD: (No verbal response.)

21 THE CHAIRMAN: Motion carries, thank
22 you.

23 MR. YUEN: Mr. Battle, the amendments
24 were also to Regulation I as well.

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1 THE CHAIRMAN: Oh, I'm so sorry.

2 MR. MINOTT: So, I move the adoption

3 to Regulation I and II, Amendments I and
4 II.

5 THE CHAIRMAN: Thank you. Do we vote
6 again?

7 THE BOARD: Yes. Second.

8 THE CHAIRMAN: Those in favor of
9 approving Regulations II and I, say aye.

10 THE BOARD: Aye.

11 THE CHAIRMAN: Opposed?

12 THE BOARD: (No verbal response.)

13 THE CHAIRMAN: Motion carries, thank
14 you. Kass, let's move on to number five,
15 please.

16 - - -

17 MR. DAS: Hello everyone. My name is
18 Anup and I am an assistant professor at
19 Drexel University, and this is one of the
20 proposals that I spoke with the City to
21 see if we can use mobile air sensors to
22 monitor the air quality in the city. I
23 think Kass already mentioned in short that
24 the device is stationary across the points

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1 in the city. So, this is another way to
2 increase the coverage of the air.

3 MR. FRANK: Would this be a university
4 activity or an AMS activity? And would it
5 be done for the purposes of official
6 monitoring and regulation?

7 MR. DAS: So, this is a research
8 proposal that we submitted to the National
9 Science Foundation and we had support from
10 the City to see if we can install these
11 air quality sensors on some of the city
12 vehicles, which travels across the city so
13 that we can collect the information. And
14 what to do with it later on, how we can
15 help Air Management Services, we can see
16 later.

17 MR. FRANK: The concern there is that
18 mobile monitoring is, I think, regulated
19 under the Clean Air Act and is not
20 something the City can take on as an

21 official function, though it may do very
22 well as a research tool.
23 MR. SELLASSIE: This is a mobile
24 sensor. They move all around the city and

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1 they check the concentration at each
2 point. What he's saying is you can put it
3 on city trucks or city vehicles, but what
4 they do is measure the concentration.
5 MR. FRANK: So, it's a sensor on
6 mobile vehicles, not mobile sensoring.
7 MR. SELLASSIE: Yes.
8 MR. MINOTT: It's different than what
9 you're thinking.
10 MR. FRANK: Okay.
11 MR. DAS: So, later on what we can do
12 is, and we'll talk about it in these
13 slides, is once we collect all of the
14 pollutant concentrations across different
15 streets, we were hoping that we would work
16 with the Clean Air Council to create maps
17 or biking routes for people who bike
18 regularly or even walk across the city to
19 see how healthy the roads are and change
20 their routes based on what the air
21 pollutants are across the streets.
22 MR. MINOTT: I have to admit, on
23 behalf of the Clean Air Council, we're
24 really excited about this project. Have

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1 you heard if you had gotten funded yet?
2 MR. DAS: It takes six months, so by
3 August we should have heard something
4 about it.
5 MR. MINOTT: Lunch is on me if you get
6 the funding.
7 MR. SELLASSIE: As of Wednesday, I
8 just talked to Dr. Dennis. He is also
9 working on this mobile kind of a sensor.
10 So, I think they want your presentation
11 sent to him. He's also working on this
12 one.

13 MR. DAS: So, this initial use, for
14 example, sensors on different city
15 vehicles have already been done in
16 California, and, also, in some cases, I
17 have seen it in Pittsburgh, for example,
18 where the air pollution is also very high
19 over there. Now, there are a lot of
20 things that we plan to do in the proposal.
21 I will just talk about it. We know that
22 in Philadelphia in particular there are a
23 lot of people who actually bike to work
24 and also walk to work. Now, when they

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1 bike or when they walk, which is very
2 important that the bike or the streets
3 that have no concentration of pollutants,
4 especially for those who have asthma or
5 other diseases, they are susceptible to
6 the air pollutant. And there is already a
7 website released from New York University
8 on healthoftheyear.org where you can put
9 in your zip code and it can show you what
10 is the model and incidence related to air
11 pollutants over the last one year.
12 So, our proposal in a very light
13 summary -- so, we talk about the
14 deployment of the sensors. So, these are
15 very low cost sensors that we deploy on
16 vehicles, then we do air quality
17 management. Because these are low quality
18 sensors, the data from the sensors are not
19 always reliable. So, how do we make sense
20 out of the data? How do we increase the
21 quality of the data? And, finally, we
22 would do some kind of personal additions.
23 That part we still have to work through,
24 so, basically, how much a person is

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1 susceptible to some of the air pollutants.
2 So, a route that can appear good for one
3 person can actually be bad for another
4 person. So, this is kind of the personal

5 additions we are looking into. So, if I
6 can tolerate a certain percentage of
7 ozone, I can walk through this street, but
8 another person who might not be so much
9 tolerant might want to avoid that street.
10 So, this is the level of the personal
11 addition we want to bring in the proposal.
12 And apart from that, we will have a
13 kind of map that is already there. For
14 example, the GoPhillyGo app, which can
15 help to plan the roads in the city, we
16 want to add one level of an addition to
17 that, which is air quality. In terms of
18 deployment, we were thinking where do we
19 deploy the mobile sensors. So, ideally it
20 would be the SEPTA buses, which run
21 throughout the city, but, as a first
22 trial, we thought maybe we would use the
23 sanitation trucks from the City, because
24 they already go in a lot of neighborhoods

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1 in the city. So, we were trying to see if
2 we could put those sensors on the
3 sanitation trucks. We can collect the
4 data from different neighborhoods as the
5 truck travels.

6 MR. MINOTT: So, I assume the sensors
7 will have GPS so you know what exactly --

8 MR. FRANK: That would be real tough.

9 MR. DAS: That will be time stamped
10 and positioned, GPS. The thing is the
11 sanitation truck already has GPS sensors
12 installed, so it's just mounting the
13 additional sensors on that so we can time
14 stamp.

15 MR. FRANK: The concern I have about
16 the sanitation trucks rather than SEPTA is
17 that the sanitation trucks have daily
18 routes. So, you're going to get good data
19 five days a week, or whatever days they
20 collect garbage, five or six days, for a
21 particular area, but the areas are not
22 going to be covered at all where at least

23 if you did the buses, they do the same
24 thing every day and you will get a much

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1 wider coverage rather than five separate
2 coverages. You know, Monday's date is not
3 going to be useful by Wednesday if it's on
4 a sanitation truck going a different
5 route.

6 MR. DAS: So, we had wrote in the
7 proposal SEPTA as well as sanitation
8 trucks, but we're still working with SEPTA
9 to have them get permission to install it
10 on their buses. It is kind of -- it was a
11 little bit --

12 MR. FRANK: That may be tricky. The
13 other one you might want to think about
14 only because, again, this is getting into
15 the technical weeds. I don't know how
16 much the pollution from the vehicle itself
17 is going to change the reading. You might
18 want to think about the trolleys, which
19 are electric, which won't contribute at
20 all.

21 MR. DAS: So, basically this proposal
22 is for the first level. What we thought
23 about is that we want to characterize the
24 data that we are getting versus what is

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1 ground truth to identify how much the
2 regular surface is giving pollution, then
3 you subtract everything. So, that is what
4 our plan is. We were also thinking of
5 using IBEX bikes, because the bikes have
6 no pollution at all. So, yeah, that was
7 what the idea was. And we can measure
8 many things. I spoke to AMS before and
9 they said that sulfur and lead are not so
10 important for the City of Philadelphia in
11 most neighborhoods, but, anyway, it is
12 independent of what we can do.

13 So, there are already monitoring
14 stations. The good part is the vehicles

15 travel across different parts, and at some
16 point in time they can come in closer to
17 one of these stations, which can help the
18 low cost sensors to calibrate, so you
19 don't have to go physically to these parts
20 and remove them and calibrate them and put
21 it back. The vehicles, when they pass
22 through the neighborhood of the high
23 quality sensors, it can calibrate by
24 themselves. So, that is another advantage

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1 from the mobile sensors. And then, as I
2 said, we had to do a lot of quality
3 management for the sensors, because the
4 sensors are low cost, so the quality may
5 not be that good, so you need to have a
6 lot of data quality management stuff that
7 we have to do for that. I did not talk
8 about it in too much detail about what
9 exactly we will be doing, but we can just
10 go to the personal addition aspect again.
11 As I mentioned, for the data that we
12 collect, we want to work with the health
13 profession to identify what the problem is
14 or what kind of problem those air
15 pollutants can create on a person. And
16 that information can actually go into the
17 app that we were thinking to bring so the
18 person can see a personalized route of the
19 city, where they should walk and where
20 they should bike. In the end, what we all
21 want is to have healthy air to breathe
22 when we bike and walk.
23 THE CHAIRMAN: Thank you very much.
24 Are there any questions?

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1 MR. MINOTT: Just a comment.
2 Hopefully you will get funded and we would
3 be glad to go with you to SEPTA and see if
4 we can push them a little bit. We have a
5 little bit of an influence with them, not
6 a whole lot, a little bit.

7 MR. DAS: It would be good to have
8 SEPTA, because the coverage is one of the
9 best parts for Philadelphia, that the bus
10 covers so much in the city. And if we can
11 put it on the buses, that would be the
12 best thing to do.

13 THE CHAIRMAN: Well, it's a great
14 project. Any other comments, questions?

15 THE PUBLIC: Yeah, going off the SEPTA
16 versus sanitation, I'm a biker. So, I
17 actually try to avoid bus routes, because,
18 you know, you get a face full of their
19 fumes a lot of times. And, also, on
20 trolleys, another part of it would be,
21 people don't usually bike on trolley
22 routes, because the trolley tracks are
23 very dangerous. So, it's just something
24 to consider. I actually think that

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1 sanitation trucks, even though you would
2 be confronting those issues with the days,
3 overall it would cover more space than a
4 SEPTA bus, right?

5 MR. DAS: SEPTA, sanitation, plus IBEX
6 bikes which we can put it so we have data.

7 THE PUBLIC: You're thinking about
8 doing both?

9 MR. DAS: First, we didn't get
10 permission from SEPTA. When we wrote this
11 proposal for the National Science
12 Foundation, we just put sanitation trucks,
13 but the idea is to have it cover the
14 entire State.

15 THE CHAIRMAN: Any other comments,
16 questions?

17 THE PUBLIC: How many sensors are you
18 planning on? And if they are low cost,
19 what is the cost? So, let's say you're
20 going to do a lot of SEPTA bus lines.
21 What would it cost?

22 MR. DAS: We are looking somewhere
23 between \$25 -- within \$25, the sensors.

24 THE PUBLIC: Per sensor.

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1 MR. DAS: It should be reasonably easy
2 for us to manage the cost.

3 MR. MINOTT: That would be great. I
4 have to say that we do some of that now.
5 Like we are in Kensington right now, where
6 we have global sensors. In fact, we
7 recorded the big fire that was there and
8 saw the big increase, but we couldn't come
9 up with a sensor that was accurate enough
10 below \$100. So, you should talk to our
11 engineer and he will tell you all the ones
12 he went through and failed with so you
13 don't have to repeat those things.

14 MR. DAS: The other thing that we were
15 doing is rather than having one sensor,
16 have multiple sensors. So, let's say two
17 or three \$25 sensors can come up with the
18 quality even good enough for \$100.

19 MR. MINOTT: That makes sense.

20 MR. DAS: And a lot of buses come
21 closer to each other, right? So, they
22 pass each other. So, you have more
23 coverage for more sensors. Thank you so
24 much.

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1 THE CHAIRMAN: Thank you.

2 MR. SELASSIE: Please sign the sign
3 in sheet, the Board. We need that one.
4 If you need electronic documents, I can
5 send it to you. My business card I will
6 put here. If anyone wants today's
7 presentation, I will send it to you.

8 THE CHAIRMAN: Number six on your
9 agenda, the next meeting will be October
10 25th of this year, obviously. Are there
11 any comments, questions from the public?

12 THE PUBLIC: (No verbal response.)

13 THE CHAIRMAN: Members, is there a
14 motion to adjourn?

15 THE BOARD: So moved.

16 - - -

17 (Board meeting concluded at 3:35 p.m.)
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