

**CITY OF PHILADELPHIA**

**DEPARTMENT OF PUBLIC HEALTH**

**AIR POLLUTION CONTROL BOARD**

The meeting of the Air Pollution Control Board was held Thursday, November 14<sup>th</sup> 2019,  
At the Municipal Services Building, 1401 John F. Kennedy Boulevard, 16<sup>th</sup> Floor, Room Z.

**Eddie R. Battle, Chairman, presided:**

**ATTENDING:**

**MEMBERS:**

Eddie Battle, Chair of the APCB  
Dr. Bill Miller, Member, APCB  
Dr. Carol A. Gross-Davis, Member, APCB  
Terry Soule, Member, APCB  
Dr. Caroline Johnson, Member, APCB  
Joseph O. Minott, Member, APCB

**STAFF:**

Kassahun Sellassie, Director, Air Management Services (AMS)  
Hallie Weiss, Program Manager, AMS Laboratory  
Philipose Cheriyan, Chemist Supervisor, AMS Laboratory  
Thomas Barsley, Chief QA, AMS  
Edward Wiener, Chief Source Registration, AMS  
Jiazheng Li, Environmental Engineering Specialist, AMS  
Patrick O'Neill, Divisional Deputy City Solicitor, Environmental Law

**GUESTS:**

Kenneth Ratzmon, Assistant Director, NJDEP-DAQ

Matt Walker, Clear Air Council

Titania Markland, Clean Air Council

Craig Johnson, Citizen, Interpret Green

Dr. Marilyn Howarth, Director (CEET), UPENN

Adrian Wood, UPENN CEET

Peter Winslow, Citizen, ASC

Dr. Richard Pepino, UPENN

**1. WELCOME**

The proceedings commenced at approximately 2:06 p.m. Chairman Battle asked the Board members to introduce themselves.

**2. ACTION ON MINUTES**

Chairman Battle asked for additions or corrections to the minutes of August 29<sup>th</sup>, 2019. Dr. Caroline Johnson asked for her name to be added to the member list because she was present for the meeting. Chairman Battle asked for a motion to approve with correction, which was seconded and so moved.

**3. PROGRAM UPDATE**

By Air Management Services Director Kassahun Sellassie (Update)

Dr. Sellassie introduced himself and offered a PowerPoint presentation of the Air Program's updates (see attached).

Dr. Sellassie summarized the air quality (AQ) monitoring data discussing 47% good days, 48% moderate days and 5% bad days. He also explained as part of the Ozone National Ambient Air Quality Standards (NAAQS), the 2015 Ozone standard will be 70ppb. Also discussed was the EPA proposal to approve a SIP revision submitted by the PADEP on behalf of AMS for the purpose of satisfying the VOC RACT requirements for source categories covered by control technique guidelines (CTGs) under the 2008 8-hour ozone NAAQS. The Commonwealth of Pennsylvania will address RACT for major stationary sources of VOCs and oxides of nitrogen (NOX) for Philadelphia County in future SIP submissions

The Attorneys General (AG) of 12 states (including Pennsylvania) sent a letter to EPA Administrator, Andrew Wheeler and National Highway Traffic Safety Administration (NHTSA) Deputy Administrator Heidi King, to rollback greenhouse gas emission and fuel economy standards for light-duty vehicles.

At the Pennsylvania Air Quality Technical Advisory Committee (AQTAC) meeting, PA DEP provided an update on proposed rulemaking on Stage I and II Amendments. This rulemaking would require decommissioning of vacuum-assisted vapor recovery at the gasoline pump in the 5-county Philadelphia and 7-county Pittsburgh-Beaver Valley areas.

City Updates: Councilwoman Blondell Reynolds-Brown worked hard on the ordinance amending Section 3-207 of the Philadelphia Code to phase out the use of heavy fuel oils in the City.

AMS updates were discussed.

#### Questions/Comments:

Mr. Soule: Kass, you said we had 12 unhealthy days last year, were they all in the same quarter?

Dr. Sellassie: No, they were from June through September, which is ozone season and were from ozone pollutant only.

Dr. Miller: Has anyone ever looked into the Meteorology data for the last 10 years to see how it relates to the ozone body.

Dr. Sellassie: Jason, Did you hear the question? That is something we need to look into in the future.

Dr. Miller: I think we could even take it further than that; we could include traffic patterns, Weekdays vs. Weekend but the more data the better.

Dr. Sellassie: Ok we will try to comply with something like that for the future.

Attendee: I think including which days it rained vs which days it didn't would be good since it has such an important impact on pollutants in the atmosphere.

Attendee: did you find or can you find any correlation between before and after the Refiner blew up?

Dr. Sellassie: We can do that but we must wait until the refinery is officially closed. We have to wait until the refinery says it is officially shut down and submit a letter to EPA and AMS that states a shutdown.

Attendee: Hi Kass, so this goes for the air quality were any of these days consecutive?

Dr. Sellassie: No, I don't think so because monitoring data is for over 3 months.

Attendee: well it would be helpful to know if any of them were close together.

Dr. Sellassie: That is something we could find out for you in the future. We can find out which 5 days were the bad ones.

Attendee: Well how has the refinery explosion affected the ozone and atmosphere?

Attendee: I was expecting to come here today and have a report of what happened and what was found or released. Based on a report on perimeter monitoring some HF made it to the fence line.

Mr. O'Neill: No HF made it past the fence line.

Dr. Sellassie: RACT took care of HF.

Mr. Wiener: Large sums of HF made it to RACT

Mr. Barsley: There is a lot of contradictory information going around.

Mr. O'Neill: Refinery Advisory Board will have a report at the end of the month. He will ask EPA to speak and do a presentation at the next meeting.

Mr. O'Neill asks Dr. Sellassie, as the expert, to provide refinery report information at the next meeting.

#### **4. Presentation about the NJ Risk Assessment By**

Presented by: Francis Steitz

Mr. Steitz gave a detailed presentation of the Health Risk Assessment Permitting Approach for New Jersey (see attached).

#### Questions/Comments:

Board member: Say there is an existing source that is not going through a modification, it's been permitted but yet the toxins have not been identified previously.

Mr. Steitz: For ones with an operating permit an existing operating permit goes through a renewal process just like Pennsylvania and Philadelphia.

Board member: So the renewal of the Title V is what you capture.

Mr. Steitz: Correct, correct but even on the minor source side, we don't review renewal permits of minors, they kind of roll over. However, we know what's going on in these facilities we have complaints, we can reopen a permit. Even with minors we can't call them all in because there's thousands so we update periodically and reopen permits and catch things when we update.

Attendee: Can you tell me how many operating permits you have in the state of New Jersey?

Mr. Steitz: Two hundred and fifty, it's about fifty a year.

Dr. Howarth: so I understand how you might feel comfortable with sort of a wish list of geez are all great things that could be done. But how does that translate to what is enforceable going forward with the permit?

Mr. Steitz: Right, 99% of the time we are going to issue a permit that is protected. And when we have to do one of the risk minimization plans this is really only for long term carcinogenic risk, if we have a short term risk or an acute risk all bets are all you have to address that immediately.

Dr. Howarth: It sounds great, but what I am trying to get at is how is New Jersey not being sued when you're asking for something that is reducing the risk for something that is below what the standard is already telling them that it is?

Mr. Steitz: So when I started this presentation I stated that the standard in New Jersey and the basis for our rule for permitting is no adverse public health impact. We cannot have an emission that has an adverse public health impact.

Mr. Walker: So for cancer risks you're saying that you set your limits at 1 in a million?

Mr. Steitz: It is assumed if a source is in operation, it operates for 70 years so a person has 70 years of exposure then 1 in a million folks exposed in that level may develop cancer.

Mr. Walker: How are you equating 1 in a million in 70 years?

Mr. Steitz: the EPA has analogies that have been developed to evaluate chronic cancer risk exposures look at concentrations over 70 years and from statistical means it's been determined that statistically based on published health data from the U.S. EPA on their IRIS database and other states of development there's a statistical likely hood that 1 in a million exposed at that level will develop some form of cancer.

Mr. Walker: Suppose its benzene, how does that change the complex?

Mr. Steitz: Each substance has its own unique risk factor that is developed by EPA, we rely on EPA for that. I am only talking about carcinogens I am not talking about non cancer health impacts.

Dr. Carol Ann Gross-Davis: It is chemical for each chemical under IRIS whether it is RC or URE there is a port of departure that is described and for benzene it's a much lower threshold of exposure than say for a different TC, everything is unique with the spreadsheet itself, the worksheet has these things already put in there.

Mr. Steitz: And these are published values that EPA publishes so it is compound specific.

Mr. O'Neill: Not being a very technical person what are the smallest source that end up having to submit? Is it like a boiler in a building this size or an auto body shop or like a dry cleaner?

Mr. Steitz: Dry cleaners are bigger and they have to go through and evaluate. All dry cleaners do if they are using Perc machines. 99% fall under the general permits so they all are subject to the risk assessments. If it is not Perc, what are they using is it n-Propyl bromide? Then they would go under the evaluation for n-Propyl bromide.

Mr. O'Neill: Auto body shops?

Mr. Steitz: Auto body shops are required to have air permits. So our thresholds for re-solvent application is a half a pound an hour, if your using more than that you're required to have an air permit.

Mr. O'Neill: So as a dry cleaner has to go under this process how would they go about it hire a consultant?

Mr. Steitz: We help them, Ken works with them.

Mr. O'Neill: How many do you have?

Mr. Steitz and Mr. Ratzmon: 60 engineers doing major permits

Mr. Steitz: We just hired a bunch.

Dr. Sellassie: Frank I think we need to mention that there is state level and there is local level. For example we are at local and we exempt less than 250,000 btu/hr for boilers and for emergency generators it is 100hp. PADEP that exemption a lot of things but we take it at the local and permit it as a minor source. It is fine to explain how they work but we can't compare apples and oranges because it is different.

Mr. Steitz: You are right.

Dr. Sellassie: One question we have is for Philadelphia about the Title V renewals you mentioned New Jersey facilities have no rights to affect the public health that they cannot have any emissions of toxics that affect the public health. That means we don't need to consult with the Title V facilities about our risk assessment because once we give it to them they have to comply, just to have a clear understanding for Law and the APCB.

Mr. Steitz: So we use a collaborative approach, when we are reviewing an application and we have a question or an issue on what they have submitted we immediately reach out to the facility let them know there is some efficiency in the application and give them the opportunity to correct it.

Dr. Sellassie: This is when an application is submitted but before implement the regulation, is there anything you did with the stakeholder?

Mr. Steitz: Every rule we do with the stake holder every technical manual we do with the stakeholder, every general permit. This is why you have to look at the responsive comments; it involves the public and the regulated community.

Dr. Sellassie: So did you find anyone who rejected it or said no?

Mr. Steitz: All the time.

## **7. OLD BUSINESS**

There was no old business.

## **8. NEW BUSINESS**

There was no new business.

## **9. ADJOURN**

The meeting adjourned at approximately 4:00 pm