

BOARD MEETING DATE: May 1, 2015

AGENDA NO. 10

PROPOSAL: Appointment of Members to SCAQMD Hearing Board

SYNOPSIS: The terms of office for the Hearing Board Attorney Member and Engineer Member and their Alternates expire June 30, 2015. An Advisory Committee was appointed as required by law. The Advisory Committee interviewed attorney member and engineer member candidates at its meeting on March 27, 2015, and made its recommendations to the Administrative Committee. The Administrative Committee interviewed candidates at its meeting on April 3, 2015, and made a final recommendation. This action is to appoint members to fill the new terms.

COMMITTEE: Administrative, April 3, 2015; Recommended for Approval.

RECOMMENDED ACTION:

Reappoint the following individuals to the SCAQMD Hearing Board, effective July 1, 2015, with terms ending June 30, 2018:

Julie Prussack, Attorney Member

Alternate: Douglas W. Lofgren

Edward Camarena, Engineer Member

Alternate: Thomas J. McCabe, Jr.

Barry R. Wallerstein, D.Env.

Executive Officer

SM

Background

Health and Safety Code Section 40501.1(b) requires the SCAQMD to appoint a Hearing Board Advisory Committee consisting of one representative appointed by each of the counties of Los Angeles, Orange, Riverside, and San Bernardino, and the City of Los Angeles. The following individuals, with a variety of professional experience, served on the Advisory Committee for this recruitment. They are:

City of Los Angeles	Raymond Regalado, Human Relations Commission, County of Los Angeles Community Senior Srvc. Dept.
County of Los Angeles	Robert A. Wyman, Jr., Attorney at Law Latham & Watkins LLP
County of Orange	Ben Seybold, Senior Vice President, CBRE
County of Riverside	Buford Crites, Board Consultant to Governing Board Member, John J. Benoit
County of San Bernardino	Dr. William Sterling, President BCM Group, Inc.

The current Attorney Member, Julie Prussack, and the current Engineer Member, Edward Camarena, as well as their current Alternates, Douglas W. Lofgren and Thomas J. McCabe, Jr., respectively, all requested reappointment.

Based on the attached criteria developed by the Advisory Committee, the Committee members and selected SCAQMD staff – the Senior Policy Advisor and the Assistant Deputy Executive Officer of Administrative and Human Resources – evaluated the resumes of 32 attorney member candidates and 7 engineer member candidates, and ranked the individuals according to their scores. Based on the ranking, the Committee then narrowed the candidates to short lists of 5 attorney candidates and 4 engineer candidates who were interviewed by the Advisory Committee. After interviewing all 9 candidates, the Advisory Committee deliberated and unanimously agreed upon a recommendation to refer the top three attorney candidates (without ranking) and top three engineer candidates (ranked as enumerated below) to the Administrative Committee for interviews as follows:

Attorney Member Candidates

- Michael Hickok
- **Douglas W. Lofgren
- *Julie Prussack

Engineer Member Candidates

- 1) *Edward Camarena
- 2)**Thomas J. McCabe, Jr.
- 3) Dixie Richards

**incumbent member*
***incumbent alternate*

Proposal

After interviewing each of the six candidates, the Administrative Committee recommended that the Board reappoint Julie Prussack as Attorney Member, reappoint Douglas W. Lofgren as Alternate Attorney Member, reappoint Edward Camarena as Engineer Member, and reappoint Thomas J. McCabe, Jr. as Alternate Engineer Member, for terms commencing July 1, 2015 and ending June 30, 2018. The individuals recommended for appointment were subsequently contacted, and each

indicated their willingness to serve. A summary of the qualifications of each is set forth below.

Attorney Member

Julie Prussack – Ms. Prussack joined the Hearing Board as the Attorney Member in July 2009 and had ten years of experience as a litigating attorney, most recently serving as a Senior Attorney and the Director of the Southern California Clean Air Program of the Natural Resources Defense Council (NRDC). While at the NRDC, she served as lead counsel on lawsuits brought against air polluters and government agencies, as well as a lawsuit defending important SCAQMD rules. She also served on a variety of working groups and committees at the SCAQMD during this time and became familiar with the District's rulemaking process. Ms. Prussack left her position with the NRDC in 2006 to become a full-time mother. From 2007 to 2009, she served as a part-time Board Consultant to Governing Board Member Dr. Joseph Lyou. Ms. Prussack holds a B.S. in Accounting from the State University of New York at Albany and received her Juris Doctorate from the New York University School of Law, New York.

Alternate Attorney Member

Douglas W. Lofgren – Appointed to the Hearing Board in June 2012, Mr. Lofgren has been a practicing attorney for 43 years, as a military lawyer (both prosecutor and defense attorney) in the U.S. Army JAG Corps for three years, a federal prosecutor for seven years, and an in-house corporate litigator for seven years; and has had his own practice specializing in complicated civil litigation and white collar criminal defense for the past 25 years. His cases have included matters involving contaminated soil, state water regulatory issues, and other technical issues. Mr. Lofgren holds an A.B. cum laude in Government from Harvard University and received his Juris Doctorate from the University of Southern California Law School.

Engineer Member

Edward Camarena – Mr. Camarena has over five decades of air pollution experience. Prior to beginning his service on the Hearing Board in July 1994, he was Deputy Executive Officer of Operations for the SCAQMD where his responsibilities at various times included the engineering, permitting, enforcement, technical services, information systems, technology development and human resource programs. In addition to his service on the Hearing Board, Mr. Camarena also serves on the SCAQMD's Budget Advisory Committee and has previously served on the SCAQMD's BACT/Scientific Review Committee. After 33 years with the SCAQMD, Mr. Camarena served as an air quality policy and technical consultant to the staff of the World Bank in Latin America, the Mexico City Commission for the Prevention and Control of Air Pollution and the Mexico City Transportation and Roads Commission. Current affiliations include the National Association of Administrative Law Judges and the National Association of

Hearing Officials. Past affiliations included the California Air Pollution Control Officers Association, National Society of Professional Engineers, California Society of Professional Engineers, American Chemical Society, American Institute of Chemists, and Orange County Engineering Council. Mr. Camarena holds a B.A. in Chemistry from Occidental College, Los Angeles and a Master of Science in Environmental Engineering from the University of California, Irvine.

Alternate Engineer Member

Thomas J. McCabe, Jr. – Appointed to the Hearing Board in September 2012, Mr. McCabe has more than 35 years of environmental experience, including prosecution of environmental crimes for the Illinois Attorney General’s Office, performing audit inspections of California state and local air quality agencies for U.S. EPA, and writing New Source Performance Standards (NSPS) and National Emissions Standards for Hazardous Air Pollutants (NESHAPS) for U.S. EPA’s Office of Air Quality Planning and Standards. Additionally, Mr. McCabe managed corporate and line environmental, health and safety functions for Northrop Grumman Corporation, Edison Mission Energy and the United States Navy, where he began his career in 1971. Mr. McCabe holds a B.S. in Marine Engineering from the United States Merchant Marine Academy, an MBA from the University of California, Los Angeles, and a Juris Doctorate from the John Marshall School of Law, Chicago, IL.

Below are summaries of qualifications for the candidates who the Administrative Committee has not recommended for selection, attorney member candidate Michael Hickok and engineer member candidate Dixie Richards:

Michael Hickok – a sole practitioner with more than 35 years of experience as an environmental specialist, including representing companies appearing before the Hearing Board early in his career, primarily the Mobil Torrance refinery. Mr. Hickok has worked as an attorney in several leading law firms in the Los Angeles area, representing clients in environmental litigation, compliance counseling, and transactional matters. Mr. Hickok has a B.A. cum laude from Tulane University and a Juris Doctorate from Georgetown University Law Center.

Dixie Richards – recently retired Senior Air Quality Engineer at the SCAQMD, with over 31 years of engineering experience in air pollution control, including involvement with numerous Hearing Board cases and testifying before the Hearing Board. While at SCAQMD, Ms Richards supervised a team of permit processing engineers responsible for the RECLAIM and Title V facilities in the Mechanical Team. Ms Richards has a B.S. in Microbiology and Chemical Engineering from California State University, Long Beach.

Fiscal Impacts

Sufficient funds are budgeted each year to compensate those who serve on the Hearing Board.