

BOARD MEETING DATE: September 4, 2015

AGENDA NO. 27

REPORT: Administrative Committee

SYNOPSIS: The Administrative Committee met on Friday, July 17, 2015. The Committee discussed various issues detailed in the Committee report. The next Administrative Committee meeting is scheduled for Friday, September 11, 2015 at 10:00 a.m.

RECOMMENDED ACTION:

Receive and file.

Mayor Dennis Yates, Vice Chair  
Administrative Committee

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**Attendance:** Attending the July 17, 2015 meeting was Committee Vice Chair Dennis Yates at SCAQMD headquarters, and Committee Member Clark Parker, Sr. attended via videoconference. Committee Members William Burke and Judith Mitchell were not present.

**ACTION/DISCUSSION ITEMS:**

1. **Board Members' Concerns:** None.
2. **Chairman's Report of Approved Travel:** Executive Officer Barry Wallerstein reported that Board Member Judith Mitchell will be traveling to Sacramento to attend the monthly CARB Board meeting.
3. **Approval of Compensation for Board Member Assistant(s)/Consultant(s):** Dr. Wallerstein reported that Board Member Joseph Lyou is requesting that Nicole Nishimura's contract status be amended from Board Member Assistant to Board Member Consultant.

Less than a quorum was present; the Committee Members concurred that this item be forwarded to the full Board for approval.

4. **Report of Approved Out-of-Country Travel:** None.
5. **Execute Contract for Website Evaluation and Improvements:** Assistant DEO/Information Management Chris Marlia advised that this item was being delayed for one month to allow completion of the initial task by the two applicants through July, and may be subsequently scheduled for a Special Meeting of the Administrative Committee.
6. **Authorize Purchase of Audio-Visual System Upgrades in the Hearing Board and GB Rooms:** Chris Marlia reported that proposed upgrades to the sound and camera equipment and webcast/streaming capabilities of the audio-visual systems in the Hearing Board Room and GB Conference Room would result in better quality and increased capacity; therefore, he recommended selection of Digital Networks Group, Inc., the single qualified bid received out of six bidders, to design and implement the upgrades. Dr. Wallerstein added that the proposed upgrades would further allow greater access to community members who wished to monitor Hearing Board matters via webcast, and cited the recent Exide hearings as an example of a high-profile issue on which the public could not remotely observe or testify. Upon inquiry by Dr. Parker, Mr. Marlia advised that webcast/streaming options were currently only available from the Auditorium and several very small conference rooms.

Less than a quorum was present; the Committee Members concurred that this item be forwarded to the full Board for approval.

7. **Authorize the Executive Officer to Execute an Agreement to Transfer Oversight of BP/SCAQMD Public Benefits Program to the Governing Board, Approve Administrative Changes to Existing Program Contracts, and Execute Contract for an Air Pollution Health Effects Study:** Health Effects Officer Dr. Jean Ospital reported that, inasmuch as the funds and projects are nearing completion and BP no longer has a presence in Southern California, in consideration of the recent unfortunate passing of the Program's SCAQMD public member Joe Calhoun, and with concurrence of BP, oversight of the Program will transfer to the SCAQMD Board. This will entail the administrative transfer of current funds and projects funded by the Program to SCAQMD and the funding of a final health impact study by UCLA on ambient pollutants with the remaining balance of \$172,000. Dr. Wallerstein remarked that this ten-year, \$30 million Program has produced good results for the community, providing funds for treatment of asthma and respiratory disease, funding meaningful

research on health effects, allowing asthma vans to visit schools, and bringing children to asthma-related summer camp programs.

Less than a quorum was present; the Committee Members concurred that this item be forwarded to the full Board for approval.

8. **Appropriate Funds from Designation for Litigation and Enforcement and Authorize Amending/Initiating Contracts with Outside Counsel and Specialized Legal Counsel and Services:** General Counsel Kurt Wiese reported on staff's request for a \$750,000 increase in the environmental litigation budget, driven primarily by the ongoing Exide litigation and the Phillips 66 CEQA lawsuit. Mr. Wiese noted that the SCAQMD will be reimbursed for legal fees incurred in the Phillips 66 matter upon conclusion of litigation defending its permit, pursuant to the Board's previously approved written agreement with Phillips 66.

Less than a quorum was present; the Committee Members concurred that this item be forwarded to the full Board for approval.

9. **Execute Contract for CEQA Consultant Assistance:** Assistant DEO/Planning, Rule Development & Area Sources Jill Whynot reported on staff's selection of Environmental Audit, Inc., to assist staff in supplementing resources for CEQA environmental review and documentation in regard to the 2016 AQMP. Ms. Whynot advised that a technically qualified panel had selected the firm as most qualified out of several proposals, and that staff had previously used this firm with good results. The \$125,000 contract includes an option to extend for up to two years based on satisfactory performance. Dr. Parker inquired as to whether the SCAQMD would be reimbursed for expenses incurred in CEQA review, whereupon Ms. Whynot advised that CEQA review specific to the AQMP is not reimbursable, as it is done in-house; however, if this firm is used to assist staff in the preparation of CEQA documentation and industry review on behalf of a facility, those costs are recoverable. She further advised that if the firm is used to assist staff in writing a report in development of one of SCAQMD's own rules or programs, those costs would not be reimbursable.

Less than a quorum was present; the Committee Members concurred that this item be forwarded to the full Board for approval.

10. **Recognize Revenue and Appropriate Funds for AB 1318 Weatherization Projects:** Science & Technology Advancement Program Supervisor Connie Day provided an update on the AB 1318 weatherization program and projects and advised of a unique opportunity to partner with the Southern California Gas Company (SoCalGas) and Energy Upgrade California for residential rebates of

up to \$50,000 each, with the potential to recognize up to \$100,000 for the AB 1318 Mitigation Fees Fund. Ms. Day advised that participation in these rebate programs require the SCAQMD enter into separate MOUs with SoCalGas and Energy Upgrade California to facilitate such rebates, recognize the funds, turn the rebated funds back over to the program, and enable these weatherization upgrades to additional homes in the AB 1318 environmental justice area via contract modification with the weatherization contractor. Dr. Parker recommended that the contract(s) with the weatherization contractor(s) set forth an explicit understanding of the SCAQMD's expectations and the contractor's obligation to upgrade such additional homes beyond those originally designated, that such accountability be clear. In response to Mayor Yates' inquiry on how SCAQMD became involved in the weatherization business, Dr. Wallerstein reviewed the background of AB 1318 and the mitigation of Sentinel Power Plant emissions, including through energy conservation projects. Ms. Day also noted that these contracts should be completed by year's end.

Less than a quorum was present; the Committee Members concurred that this item be forwarded to the full Board for approval.

11. **Report of RPFs Scheduled for Release in September:** Chief Financial Officer Michael O'Kelly advised that RFPs scheduled for release in September include one for janitorial services and another for telecommunications services, the resulting contracts for which would come before the Administrative Committee for review and approval once the proposals are received.

Less than a quorum was present; the Committee Members concurred that this item be forwarded to the full Board for approval.

12. **Revise Procurement Policy and Procedure:** Michael O'Kelly presented several options for consideration by the Committee, as a result of Dr. Parker's previous request that the SCAQMD's Procurement Policy and Procedure be revised to incorporate a "most favored customer" preference into the procurement process, and discussed possible scenarios and outcomes of awarding several levels of preference points in evaluating proposals responding to a hypothetical RFP so as to ensure that such approach would be manageable and equitable. Dr. Parker recommended the SCAQMD adopt the "most favored customer" approach in its procurement policies, with a two-to-three point preference differential; and, he further commented that the firms doing business with the SCAQMD receive value in claiming SCAQMD as a customer. Dr. Wallerstein suggested a preference point cap start out at two points to allow staff to determine if the policy is effective, and to perhaps subsequently be increased to three points if necessary to improve effectiveness after several months. He further recommended that this matter return to the Committee so that it may

receive a status report and monitor the impact and effectiveness of the revised policy. Mayor Yates and Dr. Parker concurred.

Less than a quorum was present; the Committee Members concurred that this item be forwarded to the full Board for approval.

13. **Environmental Justice Advisory Group Draft Minutes from the April 24, 2015 Meeting:** Attached for information only are the draft minutes from the April 24, 2015 meeting of the Environmental Justice Advisory Group.
14. **Review of the September 4, 2015 Governing Board Agenda:** There were no questions regarding the September 4, 2015 Board Agenda; however, Dr. Wallerstein commented that the public hearing on Amend Rule 1148.1 remained open to those who had not previously testified on the item, and that the public hearing on Amend Rule 1148.2 had been closed. At Dr. Parker's inquiry on the public's ability to comment on those agenda items during the concluding "public comment period," Mr. Wiese remarked that this provided an opportunity for comment on non-agenda items only.
15. **Other Business:** None.
16. **Public Comment:** None.

Meeting adjourned at 10:44 a.m.

**Attachment**

Environmental Justice Advisory Group Minutes from the April 24, 2015 Meeting



# South Coast Air Quality Management District

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**DRAFT**

## **ENVIRONMENTAL JUSTICE ADVISORY GROUP FRIDAY, APRIL 24, 2015 MEETING MINUTES**

### **MEMBERS PRESENT:**

Dr. Joseph Lyou, AQMD Governing Board Member, EJAG Chairman  
Rhetta Alexander, San Fernando Valley Interfaith Council  
Dr. Lawrence Beeson, Loma Linda University, School of Public Health  
Suzanne Bilodeau, Knott's Berry Farm  
Paul Choe, Korean Drycleaners & Laundry Association  
Dr. Afif El-Hasan, American Lung Association  
Mary Figueroa, Riverside Community College  
Maria Elena Kennedy, Quail Valley Task Force  
Msgr. John Moretta, Resurrection Church  
Daniel Morales, National Alliance for Human Rights  
Woodie Rucker-Hughes, NAACP – Riverside Branch

### **MEMBERS ABSENT:**

Micah Ali, Compton Unified School District  
Judy Bergstresser, Member of the Public  
Alycia Enciso, Small Business Owner  
Andrea Hricko, Southern California Environmental Health Sciences  
Rudy Gutierrez, Member of the Public  
Evelyn Knight, Long Beach Economic Development Commission  
Lizette Navarette, University of California, Riverside  
William Nelson, OC Signature Properties  
Brenda Threatt, S. Los Angeles Service Representative for L.A. Mayor  
Rafael Yanez, Member of the Public

### **OTHERS PRESENT:**

Daniela Arellano, Community Member  
Sue Gernick, Western States Petroleum Association

### **SCAQMD STAFF:**

Derrick Alatorre, Assistant DEO  
Joe Cassmassi, Planning & Rules Manager  
Nancy Feldman, Principal Deputy District Counsel  
Philip M. Fine, Deputy Executive Officer  
Susan Nakamura, Director of Strategic Initiatives  
Daniel Wong, Secretary

### **Agenda Item #1 - Call to Order/Opening Remarks**

Chair Dr. Joseph Lyou called the meeting to order at 12:05 PM.

Chair Lyou recommended opening remarks be moved to community updates. There are a number of updates under item 4, including the latest on Exide.

### **Agenda Item #2 – Approval of January 30, 2015 Meeting Minutes**

Chair Lyou called for the approval of the meeting minutes. The January 30, 2015 meeting minutes were approved.

### **Agenda Item #3 – Review of Follow-Up/Action Items**

Mr. Derrick Alatorre reviewed action items:

- 1.) The dates and locations for community meetings related to the 2016 Air Quality Management Plan (AQMP) have not been finalized, but once meetings are confirmed the information will be circulated to the group.
- 2.) On Wednesday, April 29, 2015, at SCAQMD beginning at 1:00 p.m., there will be a Working Group meeting on the AQMP White Paper related to off-road equipment.
- 3.) The link to environmental curriculum developed by Progressive Christians United was sent to EJAG Members.

Mr. Alatorre stated that Councilman Cacciotti would like to participate in today's EJAG meeting via telephone.

Dr. Lawrence Beeson brought up an email from Daniel Wong that included two action items. The first action item link "could not be displayed." Chair Lyou responded to go to SCAQMD website and search "white paper" to find link. Dr. Beeson also brought up second action item link that did work; however, blank pages come out when printed.

### **Agenda Item #4 – Member Updates**

Mr. Daniel Morales provided an update on a proposed storage facility for a concrete manufacturer in the City of Colton. The proposed facility was located near an elementary school and could result in increased heavy-duty truck traffic. Mr. Morales reported that the City Council voted to deny the project.

Chair Lyou introduced Councilmember Cacciotti as an honorary member of the meeting for the day and stated that since his location was not made public and put on the agenda that he would only be able to listen in as a non-participating member.

Dr. Lawrence Beeson presented on a report that his peers reviewed on respiratory health of children living near San Bernardino rail yard that has been published. Dr. Beeson also indicated that Loma Linda is working on a couple more manuscripts which are related to the rail yard study.

***Action Item:** Chair Lyou requested a copy of the report and that it is sent out to all members of EJAG.*

Ms. Maria Elena Kennedy announced that the California State University (CSU) Chancellor's office has approved a center for disadvantaged communities. This center will provide technical assistance to disadvantaged communities because too often they do not have the capacity or the resources to apply for grants or other programs. Ms. Kennedy further reported that Assembly Member Anthony Rendon has introduced Assembly Bill 615 which would codify the CSU Center for Disadvantaged Communities. Ms. Maria Elena inquired whether or not SCAQMD would be able to support AB 615.

Chair Lyou responded that they would need to ask the Chair of Legislative Committee Chair, Councilmember Judith Mitchell, to put AB 615 on their agenda.

***Action Item:** Ms. Kennedy to provide information on AB 615 for review by the SCAQMD Executive Office and potentially the Legislative Committee.*

Msgr. John Moretta provided an update related to Exide Technologies and thanked those who helped support the communities' efforts. He reported that Exide chose to shut down under pressure of a federal Grand Jury investigation by the U.S. Attorney's office. Msgr. Moretta further reported that Exide has been required to provide \$39 million for clean-up related to their Vernon facility and that the Department of Toxic Substances Control (DTSC) is overseeing the clean-up including homes in the affected area. He also indicated that while Exide's shutdown is historical, there are on-going concerns regarding the clean-up including potential worker safety issues, possible contamination in public areas of the community and schools, and ground water in Vernon.

**Agenda Item #5 – Rule 415: Odors from Rendering Facilities and Rule 416: Odors from Kitchen Grease Processing**

Dr. Phil Fine presented on Proposed Rule 415: Odors from Rendering Facilities and Proposed Rule 416: Odors from Kitchen Grease Processing.

Mr. Daniel Morales inquired if it is possible to monitor the best management practices (BMPs) at the rendering facilities to ensure they are complying with the rule. Dr. Fine responded that each facility is required to keep records of their operations including BMPs. He added that SCAQMD inspectors also visit the facilities to check whether or not they are operating in compliance.

Ms. Mary Figueroa asked about the demographics of the communities surrounding the rendering facilities. Msgr. John Moretta described the affected areas including Boyle Heights which is bordered by Indiana Street and East Los Angeles on the north; the cities of Commerce and Vernon on the east; and, the cities of Maywood, Bell and Huntington Park on the southeast side. Msgr. Moretta explained that the winds blow in the direction of Boyle Heights carrying odors from the rendering facilities. Mr. Derrick Alatorre explained that the communities in and around the rendering facilities are primarily Latino and that there are five freeways surrounding and through the area. Chair Lyou added that Maywood is the most densely populated city in the United States. Ms. Figueroa explained that based on the demographics of the area, that it is highly likely that the residents are disenfranchised and much less likely to file air quality complaints. Dr. Fine acknowledged that there are challenges in these communities, but that SCAQMD is aware of the issues and is committed to reducing air pollution to improve quality of life. Msgr. Moretta noted that the community meeting in Commerce regarding the proposed rule was well attended including students who testified that the odors caused them to have to go indoors.

Ms. Maria Elena Kennedy inquired whether or not the Regional Water Board has been involved with the rendering facilities. Dr. Fine explained that from an air quality perspective the rendering facilities operate waste water treatment equipment which can be odorous. He further stated that the rendering facilities are heavily regulated by many public agencies including water and health.

Chair Lyou asked if SCAQMD staff had looked at what other agencies and rendering facilities are doing to control odor issues. Dr. Fine stated that staff had visited rendering facilities in state and one in Florida. He explained that the new facilities are utilizing improved technologies and construction such as total enclosures; and/or, are not being allowed to be built near residences. Dr. Fine indicated that our situation is different as both the facilities and residences have been in existence for a long time.



Chair Lyou asked staff about the status of an odor characterization project that a consultant was working on with SCAQMD. Dr. Cher Snyder responded that the consultant has completed their work to develop odor wheels and vocabulary which have been implemented in some cases. Dr. Snyder stated that staff is continuing to work on these tools to characterize odors and how to best work with communities on these types of issues.

#### **Agenda Item #6 – Update on Emerging the Revised Office of Environmental Health Hazard Assessment (OEHHA) Risk Assessment Guidelines**

Ms. Susan Nakamura provided an update on the revised OEHHA Risk Assessment Guidelines.

Ms. Suzanne Bilodeau asked about the origin of the data from the “Trends in Air Toxic Cancer Risk” graph in the presentation. Ms. Nakamura indicated that the graph was based on data from the air monitoring stations.

Dr. Afif El-Hasan inquired if there was a synergistic effect between toxic elements. Chair Lyou replied that there is currently a study being conducted to look at how chemicals react and overall toxicity. He added that the work is being done by Dr. John Froines, and that it may be possible to request a presentation in the future.

#### **Agenda Item #7 – Overview of the PM2.5 Impact at Mira Loma**

Mr. Joe Cassmassi presented on the 2016 Air Quality Management Plan; and the PM2.5 profile impacting the Mira Loma area.

Ms. Kennedy inquired about the cooking data shown in the graph entitled “Emissions Categories Contributing to PM2.5.” Mr. Cassmassi clarified that the data refers to commercial cooking such as under-fire char broilers. He added that the University of Riverside is conducting research in this area on behalf of SCAQMD.

Dr. Lawrence Beeson asked what scale was used in the “Meteorological Profile.” Mr. Cassmassi indicated the scale was based on a 24-hour period.

Ms. Figueroa stated that a lot of the dairies in the Mira Loma area have been replaced by the residential area called Eastvale. She also asked what types of alternate transportation options exist and how they could affect freight movement in the Inland Empire. Ms. Figueroa added that the warehousing projects in Moreno Valley will add to the traffic on the 60-freeway. Mr. Cassmassi responded that SCAQMD is looking at potential ways to assist communities to develop sustainably and employ clean technologies. Mr. Tracy Goss added that there are approximately 110,000 head of cattle between Chino, Ontario and San Jacinto. There are more cattle in San Jacinto with the herds on a decreasing trend in Chino and Ontario as housing prices are on the rise and farms are turning into residential neighborhoods.

#### **Agenda Item #8 – Other Business**

Dr. Lyou asked the EJAG members if anyone had toured the lab.

*Action Item: Schedule a tour for EJAG members at the next meeting.*

Mr. Marc Carrel announced that the SCAQMD Environmental Justice Community Partnership event on May 26, 2015 in Mira Loma. Ms. Figueroa suggested contacting the University of California, Riverside Center for Healthy Communities as they are working on a Latino health initiative; and, that this group may be interested in attending the event.

Ms. Alexander inquired about the Trans Pacific Trade Partnership Agreement and whether or not it would have an impact on SCAQMD rules and regulations. Chair Lyou responded that staff would need to research the issue.

*Action Item:* Staff to research the Trans Pacific Trade Partnership Agreement and whether or not it would have an impact on SCAQMD rules and regulations.

**Agenda Item #9 – Public Comment**

No public comment.

**Agenda Item #10 – Adjournment**

The meeting was adjourned at 1:51 p.m.