

BOARD MEETING DATE: October 2, 2020

AGENDA NO. 25

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board held a meeting on September 10, 2020, and September 24, 2020. The following are summaries of the meetings.

RECOMMENDED ACTION:
Receive and file.

Judith Mitchell, Member
South Coast AQMD Governing Board

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The California Air Resources Board (CARB or Board) held a meeting remotely on September 10, 2020 via a web-based videoconferencing service. Key items presented are summarized below.

DISCUSSION ITEMS

20-10-1: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program - Community Emissions Reduction Program for Wilmington, Carson, West Long Beach Community

The Board approved the Community Emissions Reduction Program (Program) for Wilmington, Carson, West Long Beach community. The Program was developed through a partnership between the South Coast Air Quality Management District (District) and the community steering committee comprised of residents, non-profits, business groups, and local government in the Wilmington, Carson, West Long Beach community. CARB staff reviewed the Program and determined it met the criteria set out in the Assembly Bill 617 (AB 617) legislation and the Community Air Protection Blueprint (Blueprint), and reflected important community priorities. In addition, the Board adopted the findings that the project was consistent with the California Environmental Quality Act (CEQA) and directed CARB staff and the District to continue to work with the community steering committee to define and implement strategies to reduce exposure to air pollution caused by the refineries, ports, railyards

and truck traffic through the neighborhoods in Wilmington, Carson, West Long Beach community. The Board directed the District to provide updates on identified actions in annual reports.

20-10-2: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program - Community Emissions Reduction Program for East Los Angeles, Boyle Heights, West Commerce Community

The Board approved the Community Emissions Reduction Program (Program) for the East Los Angeles, Boyle Heights, West Commerce Community, and adopted the findings that the project was consistent with CEQA. The Program was developed through a partnership between the District and the East Los Angeles, Boyle Heights, West Commerce community steering committee. CARB staff reviewed the Program and determined it met the criteria set out in AB 617, the Blueprint, and reflected important community priorities. In addition, the Board directed CARB staff and the District to continue to work with the community steering committee to define and implement strategies to reduce exposure to air pollution caused by the railyards, truck traffic and large facilities in the community. The Board directed the District to provide updates on identified actions in annual reports.

20-10-3: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program - Community Emissions Reduction Program for San Bernardino, Muscoy Community

The Board approved the San Bernardino, Muscoy community Emissions Reduction Program (Program) and adopted the findings that the project was consistent with CEQA. The Program was developed through a partnership between the District and the San Bernardino, Muscoy community steering committee. CARB staff reviewed the Program and determined it met the criteria set out in AB 617, the Blueprint, and reflected important community priorities. The Board directed CARB staff and the District to continue to work with the community steering committee to define and implement strategies to reduce exposure to air pollution caused by the railyards, warehouses, neighborhood truck traffic and large facilities in the community. The Board directed the District to provide updates on identified actions in annual reports.

South Coast AQMD Staff Comments/Testimony: Staff presented an overview of the Community Emissions Reduction Plans (CERPs) for Year 1 AB 617 communities: Wilmington, Carson, West Long Beach; East Los Angeles, Boyle Heights, West Commerce; and San Bernardino, Muscoy. The presentation highlighted air quality priorities, actions to address air quality priorities, and emissions and exposure reductions targets in the CERPs. Staff emphasized the collaborative efforts with the AB 617 community steering committees to develop the CERPs. Additionally, staff summarized the emission reductions resulting from CERP implementation through June

2020. Members of each Year 1 community steering committee testified in support of adopting the CERPs and recommended improvements to the AB 617 program.

The California Air Resources Board (CARB or Board) held a meeting remotely on September 24, 2020 via a web-based videoconferencing service. Key items presented are summarized below.

DISCUSSION ITEMS

20-9-2: Public Hearing to Consider Proposed Amendments to the Regulation for Reducing Sulfur Hexafluoride Emissions from Gas Insulated Switchgear

The Board approved amendments to the Regulation for Reducing Sulfur Hexafluoride (SF6) emissions from Gas Insulated Switchgear (Regulation). The Board first adopted the Regulation in 2010 due to SF6's extremely high global warming potential. The effect of SF6 on the climate is 22,800 times that of carbon dioxide and it has a lifetime of 3,200 years. Because of the extremely strong effect of this gas on the climate, the Regulation was first enacted as an early action measure pursuant to Assembly Bill 32 (Núñez, Statutes of 2006, Chapter 488). While the original Regulation set an annual emission rate limit that each equipment owner may not exceed, staff's analysis indicates that the use of SF6 in switchgear equipment will grow, leading to the increased release of SF6 into the atmosphere. The regulatory changes are intended to phase out the use of SF6. The approved amendments to the Regulation will expand the scope of the Regulation to include other greenhouse gases beyond SF6, accelerate the transition to technologies that do not use SF6, improve the ability of equipment owners to comply with the Regulation, and specify reporting and accounting procedures to increase reporting accuracy and facilitate tracking of greenhouse gases covered under the Regulation. The amendments will also improve staff's ability to verify reported data. The Board also approved modifications to be developed with stakeholders through a 15-day comment period.

20-9-3: Public Meeting to Hear an Informational Update on California's Air Toxics Program

The Board heard an informational update on California's Air Toxics Program, and adopted a resolution that described California's Air Toxics Program for 2020 and beyond. In the presentation, CARB staff outlined future CARB actions that could be developed to reduce localized health impacts. These include plans to transition from the use of hexavalent chromium in chrome plating, and the use of formaldehyde in composite wood products to less toxic alternatives that will reduce the public's exposure to these toxins. The adopted resolution directed CARB staff to enhance the agency's

focus on air toxics within disadvantaged and AB 617-selected communities, and to work with local communities, local air pollution control districts, and other stakeholders. The resolution also directed staff to develop tools and methodologies to evaluate and mitigate cumulative impacts to inform the development of regulations and other strategies to reduce the impacts from airborne toxic emissions and provide health benefits for all Californians.

**20-9-4: Public Meeting to Hear an Informational Update on Assembly Bill 617
Community Emissions Reduction Program Implementation**

The Board heard an informational update on progress being made to implement the AB 617 Community Emissions Reduction Programs (Programs) in the communities of West Oakland, South Central Fresno, Shafter, and El Centro/Heber/Calexico. The Programs for these communities were approved by the Board between December 5, 2019, and February 13, 2020. Following Board approval, the local community members, air districts, environmental justice organizations, industry, CARB staff and other interested stakeholders began implementing these Programs. This report to the Board on the status of implementation of the Programs in the West Oakland, South Central Fresno, Shafter, and El Centro/Heber/Calexico communities meets the requirement to provide annual updates to the Board on Program implementation. Staff also outlined proposed next steps for the Programs. In addition, staff provided a summary of how CARB staff and stakeholders are adapting to a new virtual working and meeting environment in implementing the Program's goals.

Attachments

CARB September 10, 2020 and September 24, 2020 Meeting Agendas



PUBLIC MEETING AGENDA

**Thursday,
September 10, 2020**

In accordance with Governor Newsom's Executive Orders [N-29-20](#) and [N-33-20](#) as well as recommendations from the California Department of Public Health, the September 10, 2020, Board Meeting will not have a physical location to attend in person. This will be a remote-only meeting.

The Board Meeting will be conducted remotely via a web-based videoconferencing service called Zoom. Members of the public who wish to comment verbally can register for the webinar.

[Register for the Webinar](#) – for those that plan to comment at the hearing.

Alternatively, during the Board Meeting, members of the public can offer verbal comments by calling in via telephone. Members of the public do not have to register beforehand if they call in using the number below.

Phone Number: (669) 900-6833
Webinar ID: 850 0750 4117

To watch the webinar only and not provide verbal comments, please view the webcast. The webcast is the same video stream offered by CARB during normal Board Meetings. If you do not wish to provide verbal comments, we strongly recommend watching the webcast as this will free up space on the webinar for those who are providing verbal comments.

[Webcast](#) – for those that only plan to observe the hearing.

[How to Participate in the Remote Board Meeting](#)
[Como Participar en la Reunión de la Junta a distancia](#)

Spanish translation will be provided at the September 10, 2020, Board Meeting

**Thursday
September 10, 2020
12:00 p.m.**

DISCUSSION ITEMS:

Note: The following agenda items may be heard in a different order at the Board meeting.

Agenda Item #

20-10-1: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program – Community Emissions Reduction Program for Wilmington, Carson, West Long Beach Community

The community emissions reduction program was developed through a partnership between the South Coast Air Quality Management District and the community steering committee. The California Air Resources Board (CARB or Board) will consider the Wilmington, Carson, West Long Beach community emissions reduction program as required by Assembly Bill 617, and it will also consider adopting required findings consistent with applicable provisions of the California Environmental Quality Act.

[More Information](#) [Presentation](#) [Board Item Materials](#) [Written Comments](#)

The following Board Items will not be heard prior to 4:00 p.m.

20-10-2: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program – Community Emissions Reduction Program for East Los Angeles, Boyle Heights, West Commerce Community

The community emissions reduction program was developed through a partnership between the South Coast Air Quality Management District and the community steering committee. The Board will consider the East Los Angeles, West Commerce, Boyle Heights community emissions reduction program as required by Assembly Bill 617, and it will also consider adopting required findings consistent with applicable provisions of the California Environmental Quality Act.

[More Information](#) [Presentation](#) [Board Item Materials](#) [Written Comments](#)

20-10-3: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program – Community Emissions Reduction Program for San Bernardino, Muscoy Community

The community emissions reduction program was developed through a partnership between the South Coast Air Quality Management District and the community steering committee. The Board will consider the San Bernardino, Muscoy community emissions reduction program as required by Assembly Bill 617, and it will also consider adopting required findings consistent with applicable provisions of the California Environmental Quality Act.

[More Information](#) [Presentation](#) [Board Item Materials](#) [Written Comments](#)

OPPORTUNITY FOR MEMBERS OF THE BOARD TO COMMENT ON MATTERS OF INTEREST

Board members may identify matters they would like to have noticed for consideration at future meetings and comment on topics of interest; no formal action on these topics will be taken without further notice.

OPEN SESSION TO PROVIDE AN OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD ON SUBJECT MATTERS WITHIN THE JURISDICTION OF THE BOARD

Although no formal Board action may be taken, the Board is allowing an opportunity to interested members of the public to address the Board on items of interest that are within the Board's jurisdiction, but that do not specifically appear on the agenda. Each person will be allowed a maximum of three minutes to ensure that everyone has a chance to speak. The public will also have an opportunity to [submit written comments](#) for open session the morning of the Board Meeting.

[Submit Comments Electronically the Day of the Board Meeting](#)

[View Submitted Comments](#)

PLEASE NOTE: PowerPoint presentations to be displayed during public comment at the Board meeting must be electronically submitted via email to the Clerks' Office at cotb@arb.ca.gov no later than noon on the business day prior to the scheduled Board meeting.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CLERKS' OFFICE:

1001 I Street, 23rd Floor, Sacramento, California 95814

cotb@arb.ca.gov or (916) 322-5594

CARB Homepage: www.arb.ca.gov

SPECIAL ACCOMMODATION REQUEST

Consistent with California Government Code section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format or another language;
- A disability-related reasonable accommodation.

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REVISED 9/17/20

PUBLIC MEETING AGENDA

**Thursday,
September 24, 2020**

In accordance with Governor Newsom's Executive Orders [N-29-20](#) and [N-33-20](#) as well as recommendations from the California Department of Public Health, the September 24, 2020, Board Meeting will not have a physical location to attend in person. This will be a remote-only meeting.

The Board Meeting will be conducted remotely via a web-based videoconferencing service called Zoom. Members of the public who wish to comment verbally can register for the webinar.

[Register for the Webinar](#) – for those who wish to comment verbally at the hearing.

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Spanish translation will be provided at the September 24, 2020, Board Meeting.

**Thursday
September 24, 2020
12:00 p.m.**

DISCUSSION ITEMS:

Note: The following agenda items may be heard in a different order at the Board meeting.

Agenda Item #

20-9-5 **Public Meeting to Consider Proposed Portola PM2.5 Plan Contingency Measure State Implementation Plan Submittal**
(THIS ITEM HAS BEEN POSTPONED UNTIL THE NOVEMBER 2020 BOARD MEETING)

20-9-2: Public Hearing to Consider Proposed Amendments to the Regulation for Reducing Sulfur Hexafluoride Emissions from Gas Insulated Switchgear

The Board adopted the SF6 Switchgear Regulation in 2010 due to the extremely high global warming potential of SF6. In response to the State's climate goals and the increasing availability of equipment that does not use SF6, staff proposes to amend the Regulation to cover other greenhouse gases, drive further emissions reductions, and accelerate the transition to equipment that does not use SF6.

[More Information](#) [Presentation](#) [Board Item Materials](#) [Written Comments](#)

20-9-3: Public Meeting to Hear an Informational Update on California's Air Toxics Program

The Board will hear an informational update on California's Air Toxics Program, including the ongoing efforts to reduce community exposure to toxic air contaminants.

[More Information](#) [Presentation](#) [Board Item Materials](#) [Written Comments](#)

The following Board Item will not be heard prior to 4:00 p.m.

20-9-4: Public Meeting to Hear an Informational Update on Assembly Bill 617 Community Emissions Reduction Program Implementation

The Board will hear an informational update on the status of implementation for Assembly Bill 617 community emissions reduction programs.

[More Information](#) [Presentation](#) [Board Item Materials](#) [Written Comments](#)

CLOSED SESSION

The Board may hold a closed session, as authorized by Government Code section 11126(e), to confer with, and receive advice from, its legal counsel regarding the following pending or potential litigation:

Alliance for California Business v. California State Transportation Agency, et al., Sacramento County Superior Court, Case No. 34-2016-80002491.

American Coatings Association, Inc. v. State of California and California Air Resources Board, Sacramento County Superior Court, Case No. 04CS01707.

American Lung Association, et al. v. United States Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 19-1140.

California v. Stout, et al., United States District Court, Central District of California, Case No. 2:20-cv-00371.

California v. Wheeler, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 19-1239.

California Air Resources Board v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 18-1085.

California Air Resources Board v. United States Environmental Protection Agency and National Highway Traffic and Safety Administration, United States District Court, District of Columbia Case No. 1:19-cv-00965-CKK.

California Natural Gas Vehicle Coalition v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 20CECG02250.

Dalton Trucking, Inc. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 13-1283 (dismissed), U.S. Court of Appeals, Ninth Circuit, Case No. 13-74019.

Friends of Oceano Dunes, Inc. v. California Coastal Commission, et al., San Luis Obispo County Superior Court, Case No. 17CV-0576; U.S. District Court for the Central District of California, Case No. 2:17-cv-8733.

In re Pacific Gas and Electric Company, U.S. Bankruptcy Court, Northern District of California, Case No. 19-30089.

John R. Lawson Rock & Oil, Inc. et al. v. California Air Resources Board et al., Fresno County Superior Court, Case No. 14-CECG01494; ARB's appeal, Court of Appeal, Fifth District, Case No. F074003.

State of California v. United States Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 18-1096.

State of California, et al., v. Chao, et al., United States District Court, District of Columbia, Case No. 1:19-cv-02826.

State of California, et al. v. David Bernhardt, et al., United States District Court, Northern District of California, Case No. 3:18-cv-5712-DMR.

State of California, et al. v. United States Environmental Protection Agency, United States Court of Appeals, District Court of Columbia Circuit, Case No. 19-1227.

State of California, et al., v. United States Environmental Protection Agency, United States District Court, Northern District of California, Case No. 4:18-cv-03237.

State of New York, et al. v. Andrew Wheeler and the United States Environmental Protection Agency, U.S. District Court, District of Columbia, Case No. 1:18-cv-00773.

State of North Dakota v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1381.

State of North Dakota, et al. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1242.

State of Wyoming, et al. v. United States Department of the Interior, et al., U.S. District Court, District of Wyoming, Case No. 16-CV-285-SWS.

Truck Trailer Manufacturers Association, Inc. v. United States Environmental Protection Agency, et al., U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1430.

People v. Southern California Gas Company, Los Angeles Superior Court, Case No. BC 602973.

The Two Hundred, et al. v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 18CECG01494.

United States v. California, United States District Court, Eastern District of California, Case No. 2:19-cv-02142-WBS-EFB.

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