

BOARD MEETING DATE: DECEMBER 3, 2021

AGENDA NO. 1

MINUTES: Governing Board Monthly Meeting

SYNOPSIS: Attached are the Minutes of the October 15, 2021 Special Board Meeting and the November 5, 2021 Board Meeting.

RECOMMENDED ACTION:

Approve Minutes of the October 15, 2021 Special Board Meeting and the November 5, 2021 Board Meeting.

Faye Thomas  
Clerk of the Boards

FT:cmw

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**FRIDAY, OCTOBER 15, 2021**

Notice having been duly given, a special meeting of the South Coast Air Quality Management District Board was conducted remotely via videoconferencing and telephone. Members present:

Mayor Pro Tem Ben J. Benoit, Chair  
Cities of Riverside County

Mayor Pro Tem Michael A. Cacciotti  
Cities of Los Angeles County – Eastern Region

Gideon Kracov  
Governor's Appointee

Supervisor Sheila Kuehl  
County of Los Angeles

Veronica Padilla-Campos  
Speaker of the Assembly Appointee

Supervisor V. Manuel Perez  
County of Riverside

Vice Mayor Rex Richardson  
Cities of Los Angeles County – Western Region

Mayor Pro Tem Carlos Rodriguez  
Cities of Orange County

Members absent:

Senator Vanessa Delgado (Ret.), Vice Chair  
Senate Rules Committee Appointee

Supervisor Lisa A. Bartlett  
County of Orange

Council Member Joe Buscaino  
City of Los Angeles

Mayor Pro Tem Larry McCallon  
Cities of San Bernardino County

Supervisor Janice Rutherford  
County of San Bernardino

**CALL TO ORDER:** Chair Benoit called the meeting to order at 10:30 a.m.

- Roll Call
  
- 1. Comply with AB 361 Requirements to Allow South Coast AQMD Board and South Coast AQMD Brown Act Committees to Continue to Meet Remotely

General Counsel Bayron Gilchrist discussed the requirements under Assembly Bill (AB) 361 to allow South Coast AQMD Board and South Coast AQMD Brown Act Committees to continue to meet remotely; and adoption of a Resolution finding that the Board has reconsidered the circumstances of the state of emergency declared by the Governor, and that Los Angeles County continues to impose or recommend measures to promote social distancing due to the covid-19 pandemic.

The public hearing was opened, and the following individual addressed the Board.

Harvey Eder, Public Solar Power Coalition, asked whether the requirements under AB 361 apply to AB 617 meetings and commented on the availability of meeting agendas on the South Coast AQMD website.

Mr. Gilchrist noted that the AB 617 Community Steering Committees are not Brown Act Committees and can continue to meet remotely.

There being no further testimony on this item, the public comment period was closed.

MOVED BY KUEHL, SECONDED BY PEREZ  
THE AGENDA ITEM WAS APPROVED AS  
RECOMMENDED TO ADOPT RESOLUTION  
NO. 21-21 RECOGNIZING THE  
PROCLAMATION OF A STATE OF  
EMERGENCY BY GOVERNOR NEWSOM ON  
MARCH 4, 2020 AND THAT THE COUNTY OF  
LOS ANGELES CONTINUES TO  
RECOMMEND MEASURES TO PROMOTE  
SOCIAL DISTANCING; AND AUTHORIZING  
FULLY OR PARTIALLY REMOTE  
TELECONFERENCE MEETINGS OF THE  
GOVERNING BOARD OF THE SOUTH  
COAST AIR QUALITY MANAGEMENT  
DISTRICT, AND SOUTH COAST AIR QUALITY  
MANAGEMENT DISTRICT COMMITTEES  
SUBJECT TO THE BROWN ACT, FOR THE  
PERIOD OF OCTOBER 15, 2021 THROUGH  
NOVEMBER 14, 2021 PURSUANT TO  
PROVISIONS OF THE BROWN ACT, BY THE  
FOLLOWING VOTE:

AYES: Benoit, Cacciotti, Kracov, Kuehl,  
Padilla-Campos, Perez, Richardson,  
and Rodriguez

NOES: None

ABSENT: Bartlett, Buscaino, Delgado,  
McCallon, and Rutherford

**ADJOURNMENT**

Chair Benoit announced that there is no general public comment period during a special meeting and adjourned the meeting at 10:39 a.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on October 15, 2021.

Respectfully Submitted,

Faye Thomas  
Clerk of the Boards

Date Minutes Approved: \_\_\_\_\_

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Ben J. Benoit, Chair

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**FRIDAY, NOVEMBER 5, 2021**

Notice having been duly given, the regular meeting of the South Coast Air Quality Management District Board was conducted at the Dr. William A. Burke Auditorium at the South Coast AQMD Headquarters, 21865 Copley Drive, Diamond Bar, California and remotely via video conferencing and telephone. Members present:

Mayor Pro Tem Ben J. Benoit, Chair  
Cities of Riverside County

Senator Vanessa Delgado (Ret.), Vice Chair  
Senate Rules Committee Appointee

Supervisor Lisa A. Bartlett  
County of Orange

Council Member Joe Buscaino  
City of Los Angeles

Mayor Pro Tem Michael A. Cacciotti  
Cities of Los Angeles County – Eastern Region

Gideon Kracov  
Governor's Appointee

Supervisor Sheila Kuehl  
County of Los Angeles

Mayor Pro Tem Larry McCallon  
Cities of San Bernardino County

Veronica Padilla-Campos  
Speaker of the Assembly Appointee

Supervisor V. Manuel Perez  
County of Riverside

Vice Mayor Rex Richardson  
Cities of Los Angeles County – Western Region

Mayor Pro Tem Carlos Rodriguez  
Cities of Orange County

Supervisor Janice Rutherford  
County of San Bernardino

Members absent: None

**CALL TO ORDER:** Chair Benoit called the meeting to order at 9:00 a.m.

- Pledge of Allegiance: Led by Mayor Pro Tem McCallon
- Roll Call
- Opening Comments

Chair Benoit announced that Agenda Item No. 34 would be taken out of order and moved to the beginning of the agenda.

Mayor Pro Tem Cacciotti shared photos of a youth soccer team he coaches to highlight that three of the players have asthma and remind us that we are fighting to clean the air for these individual children. He also shared photos of electric commercial lawn and garden equipment in use, and visits to Maxwell Vehicles in Inglewood and SA Recycling center in San Pedro. He asked for an update on inspection and monitoring efforts for the oil spill in Huntington Beach.

Vice Mayor Richardson thanked staff for their responsiveness and engagement in the odor crisis along the Dominguez Channel and commented on the impact to residents in Carson and cities near the channel. He also announced that he was unanimously reelected by the Los Angeles City Selection Committee Western Region Mayors to serve on the South Coast AQMD Board for a full four-year term. He commented on the many challenges facing the South Coast AQMD in the coming years and thanked his colleagues for the opportunity to serve on the Board.

Council Member Buscaino reported that the Ports Indirect Source Rule discussions are ongoing and there is much work taking place between the respective Boards and staff, with a commitment to develop a strong MOU. A major step toward this commitment is the program approved on November 4, 2021 by the Los Angeles Port of Harbor Commissioners that will charge cargo owners a tariff for using trucks that do not meet clean air standards to expedite the transition to zero-emission technologies.

Mr. Nastri stated that staff continues to be actively engaged in the response to the Dominguez Chanel incident.

Terrence Mann, DEO/Compliance and Enforcement, reported that since the odor event began on October 3, 2021 staff have been fully deployed in the field and responding to complaints, which reached as high as over 500 in one day; however, complaints have declined to under 20 per day, as of November 4. South Coast AQMD is part of a multi-agency response team that includes U.S. EPA and is also conducting an independent investigation to look at other possible source(s)

that may be the cause of the odor. He noted that the County of Los Angeles is conducting mitigation efforts in the channel to eliminate the odor.

Mr. Nastri presented several slides that highlighted the general area where complaints were recorded, the daily number of complaints, hydrogen sulfide concentration readings, and methods the County of Los Angeles has been using to mitigate the odor. Staff is looking at all potential sources of the odors and continues to work closely with U.S. EPA and other agencies to identify the source. At this point, there is no indication that the refineries are the source of the problem. It is believed that anaerobic bacteria within the channel and sediment are causing the release of hydrogen sulfide into the atmosphere.

Chair Benoit commented on the importance of addressing odors from the Dominguez Channel and recognized staff for their efforts.

Agenda Item No. 34 was taken out of order.

### **PUBLIC HEARING**

34. Certify the Final Subsequent Environmental Assessment for Proposed Rule 1109.1 – Emissions of Oxides of Nitrogen From Petroleum Refineries and Related Operations, Proposed Rule 429.1 – Startup and Shutdown Provisions at Petroleum Refineries and Related Operations, Proposed Amended Rule 1304 – Exemptions, Proposed Amended Rule 2005 – New Source Review for RECLAIM, and Proposed Rescinded Rule 1109 – Emissions of Oxides of Nitrogen from Boilers and Process Heaters in Petroleum Refineries; and Adopt Rules 1109.1 and 429.1, Amend Rules 1304 and 2005, and Rescind Rule 1109

Susan Nakamura, Assistant DEO/Planning, Rule Development and Area Sources, gave the staff presentation on Item No. 34.

The public hearing was opened, and the following individuals addressed the Board on Item 34.

Alicia Rivera, Communities for a Better Environment (CBE), and Wilmington, Carson and West Long Beach (WCWLB) AB 617 Community Steering Committee member, expressed concern that the rule has been weakened over time, not all equipment will be required to have emission control devices, and about the long timeline given to implement the rule; however, CBE supports adoption of the rule as it will achieve significant NOx emission reductions. (Submitted Written Comments)

Paola De La Cruz, East Yard Communities for Environmental Justice (EYCEJ)/Compton resident

Elliot Gonzales, Long Beach resident

Faraz Rizvi, Center for Community Action and Environmental Justice (CCA EJ)

\*Resa Barillas, California Environmental Voters

William Koons, Carson Environmental Commissioner and Wilmington, Carson, West Long Beach (WCWLB) AB 617 Community Steering Committee member

Diana Sanchez, CCA EJ

\*Whitney Amaya, East Yard Communities for Environmental Justice (EYCEJ)/West Long Beach resident

Alma Ortega, Communities for a Better Environment (CBE)/Wilmington resident

(\*Submitted Written Comments)

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Commented on the adverse environmental and health impacts to communities near refineries and the long delay in adopting the proposed rule. Expressed concerns that the proposed rule has been weakened from its original proposal, provides flexibility to the refineries and long implementation timelines, but urged the Board to adopt PR 1109.1 as it is the first step toward achieving significant NOx emission reductions that will improve air quality and the health of residents in frontline communities and surrounding areas. Some commenters emphasized the need to move towards zero-emission technology.

Catherine Ronan, Sierra Club and Los Angeles County resident, urged the Board to adopt PR 1109.1, requiring that refineries install pollution controls on their equipment to reduce NOx emissions that adversely impact the health of predominantly environmental justice communities and contributes to smog in our region. She commented on the shortcomings of the RECLAIM cap-and-trade program and the need for strong, direct regulation. She emphasized the need to phase out fossil fuels and for stringent and direct regulations for the oil industry.

Chris Chavez, Coalition for Clean Air, WCWLB AB 617 Community Steering Committee member, and Long Beach resident, expressed support for adoption of PR 1109.1 and reported that over 200 people had signed their petition in support of the proposal. He expressed concerns about the implementation schedule and that the refineries are being given too much flexibility. However, the rule will result in NOx emission reductions and is a significant step towards attainment of the ozone standard. The rule also fulfills a key promise to the WCWLB AB 617 community for a strong refinery rule. (Submitted Written Comments)

Oscar Espino-Padron, Earthjustice, urged adoption of the proposed rule. While there are still some concerns with the proposed rule, it fulfills South Coast AQMD's commitment to sunset the NOx RECLAIM program and requires that refineries install pollution control devices on over 80 percent of their equipment. He expressed appreciation to staff and stakeholders for their efforts and significant number of hours spent crafting the rule. (Submitted Written Comments)

Ana Gonzalez, CCAEJ, urged the Board to adopt PR 1109.1 noting that the rule is long overdue and will improve the health and air quality for overburdened communities, and meets the requirements of AB 617 and Senate Bill 100. She added that the rule is a step in the right direction however, more needs to be done to get to zero emissions.

Janet Whittick, California Council for Environmental and Economic Balance (CCEEB), commended staff for a thorough and open rulemaking process, and willingness to consider technical information and insights from all parties. The rule has been carefully structured to maximize and expedite NOx reductions. She commented on the success of the RECLAIM program in reducing NOx emissions but recognized the Board's direction to sunset the program. PR 1109.1 marks a major milestone towards that goal. CCEEB will continue to work with staff and all stakeholders on the remaining landing rules.

Ranji George, a member of the public, suggested that the Board consider giving the refineries alternative methods of compliance that encourage zero-emission technologies.

Nathan Stabe, California State University Northridge student and Los Angeles County resident, commented on the RECLAIM cap-and-trade program and emphasized the need to directly regulate emissions from petroleum refineries as they are the largest stationary source of air pollution in the South Coast Air Basin. He stated that refineries need to be held responsible for harmful environmental and health impacts from their facilities. He urged the Board to adopt PR 1109.1, noting that it will result in NOx emission reductions, reduce ambient ozone and PM2.5 concentrations, and create jobs.

Sean Kearns spoke on behalf of Congresswoman Nanette Barragán, representative of California's 44th Congressional District, to express support for adoption of PR 1109.1. Implementation of the rule will address shortcomings of the RECLAIM program and result in significant NOx emission reductions. The equipment upgrades required in the proposed rule are cost effective and long overdue. PR 1109.1 will result in thousands of jobs and significant savings in healthcare costs linked to prolonged exposure to refinery pollution.

Jim Kennedy, Healthy Air Alliance, expressed support for adoption of the rule and thanked staff and community members for their efforts. He pointed out that the analysis of the health costs and potential benefits are conservative and that more research is needed to understand the true impact of air toxins on communities. He added that air monitoring systems are improving and being placed in more locations, but more needs to be done to be aware of how much pollution is present.

Julia May, CBE, expressed support for PR 1109.1. She cited a paper CBE published in 1999 warning that the RECLAIM program would fail. She requested

that staff provide regular progress reports to ensure refineries are complying with established targets. Thanked staff and community members for their hard work on the rule. (Submitted Written Comments)

Eli Lipmen, Move LA, expressed support for PR 1109.1 and highlighted the high-quality jobs that will be created. He requested the strengthening of existing rules for flaring and fenceline monitoring in the 2022 AQMP. The 2022 AQMP is an opportunity to strengthen regulations, decrease pollution, create jobs and reduce criteria pollutants in the region to meet the attainment deadlines. (Submitted Written Comments)

Al Sattler, South Bay resident, expressed support for PR 1109.1 and commented on the need to make sure that union labor is used for projects.

Emily Spokes, North East Los Angeles Climate Collective, expressed support for the proposed rule and urged the Board to strengthen flaring and fenceline monitoring. Commented on her efforts to obtain a grant to have trees planted in school yards to support clean air and cooler pavement areas for children.

Patty Senecal, Western States Petroleum Association (WSPA), expressed appreciation for the efforts and time staff spent to work through the complexities of the rule. Refineries are committed to ensuring the rule is successful by making substantial investments to reduce emissions. The proposed rule is strong, and the implementation timelines are appropriate to allow for complex coordination with consideration for turnaround schedules and the permitting process.

Michael Carroll, Latham & Watkins, spoke on behalf of WSPA and the Regulatory Flexibility Group to urge the Board to adopt PR 1109.1 and associated rules. PR 1109.1 is the most comprehensive and stringent regulation in the nation to address emissions at refineries. Refineries will make substantial investments to comply with the requirements, in addition to funds invested in projects currently underway for implementation of the 2015 NOx shave. The compliance flexibility and extended implementation timelines are necessary to meet the stringent emission standards and provisions of the proposed rule. (Submitted Written Comments)

There being no further testimony on this item, the public hearing was closed.

Vice Mayor Richardson commented on the importance of the rule to the communities he represents – Wilmington, Carson and West Long Beach. He thanked Susan Nakamura and staff for the transparent rulemaking process and for their efforts in engaging with stakeholders and community members. The proposed rule will achieve significant NOx emission reductions and is a major step in addressing environmental and health impacts in disadvantaged communities, and will generate jobs, which is good for the economy. He encouraged staff to ensure

permit applications for implementation of the rule are processed expeditiously. He commended the community organizers and members who played an instrumental part in the rulemaking process and made a motion to approve the staff recommendations.

MOTION BY VICE MAYOR RICHARDSON, SECONDED BY CHAIR BENOIT TO APPROVE STAFF'S RECOMMENDATION, TO ADOPT RULE 1109.1 – EMISSIONS OF OXIDES OF NITROGEN FROM PETROLEUM REFINERIES AND RELATED OPERATIONS AND RULE 429.1 – STARTUP AND SHUTDOWN PROVISIONS AT PETROLEUM REFINERIES AND RELATED OPERATIONS, AMENDING RULE 1304 – EXEMPTIONS AND RULE 2005 – NEW SOURCE REVIEW FOR RECLAIM, RESCINDING RULE 1109 – EMISSIONS OF OXIDES OF NITROGEN FROM BOILERS AND PROCESS HEATERS IN PETROLEUM REFINERIES, APPROVING THE “BASELINE NOX EMISSION AND REPRESENTATIVE NOX CONCENTRATIONS FOR FACILITIES REGULATED UNDER RULE 1109.1 – EMISSIONS OF OXIDES OF NITROGEN FROM PETROLEUM REFINERIES AND RELATED OPERATIONS”

Supervisor Kuehl reflected on the long rule development timeline and expressed empathy with advocates frustrated over delays, but noted that the time and work that has gone into the rule will pay off. She commented on the dependency of fossil fuels and environmental justice communities that have been bearing the burden for that dependency. She emphasized the need to make sure permit applications for equipment are issued in a timely manner to ensure that the refineries comply with the rule.

Supervisor Rutherford recommended that staff provide quarterly reports to the Stationary Source Committee to keep the Board informed about the permitting of equipment associated with PR 1109.1 implementation. She also asked how the permitting concerns of industry and the community will be addressed.

Mr. Nastri explained that there are adequate staff resources in the permitting team, including a group of newly hired engineers, and engineers from other departments to handle permit applications that will result from the equipment requirements related to PR 1109.1. Staff anticipates that the submittal of the permit applications will begin in June 2022; therefore, he recommends scheduling the first quarterly progress report to the Stationary Source Committee in October 2022.

Mayor Pro Tem McCallon commended staff for working collaboratively with industry and stakeholders to address concerns. He emphasized the importance of the efficient and timely processing of associated permit applications to ensure that the rule is implemented and achieves the intended emission reductions.

Mayor Pro Tem Rodriguez expressed support for PR 1109.1, noting that the proposed rule comes at the culmination of great transparency and collaboration and demonstrates that the balance between the need to meet air quality standard milestones and business operational feasibility can be accomplished. He emphasized the need to ensure there are adequate staff resources to process permit applications in an efficient manner.

Board Member Padilla-Campos expressed appreciation to community members for participating in the rulemaking process and commended staff for their work and efforts. She acknowledged that there are still some concerns with the proposed rule, but she supports the staff recommendation because it will make a difference.

Council Member Buscaino recognized the collaboration and dedication of multiple stakeholders and staff to craft a refinery rule that is a major step towards achieving significant NOx emission reductions, and commended staff for their leadership. He reminded everyone that mobile sources account for 80 percent of the air pollution emissions in the South Coast Air Basin and emphasized that help is needed from the state and federal government to address this challenging issue.

Supervisor Bartlett acknowledged the positive comments she heard from the different stakeholders commending staff for facilitating a collaborative process. She emphasized the importance of streamlining the permit process so that there is a quick turn around on getting equipment upgrades in place.

Senator Delgado thanked Chair Benoit for his collaborative leadership that encouraged the participation and contribution of the various interested parties. She pointed out that the rule will result in preventing approximately 370 premature deaths.

SUPERVISOR RUTHERFORD MADE A FRIENDLY AMENDMENT TO THE MOTION TO DIRECT STAFF TO PROVIDE QUARTERLY PROGRESS REPORTS TO THE STATIONARY SOURCE COMMITTEE REGARDING THE PERMITTING OF EQUIPMENT ASSOCIATED WITH IMPLEMENTATION OF PROPOSED RULE 1109.1. VICE MAYOR RICHARDSON, THE MOTION MAKER AND CHAIR BENOIT, THE SECONDER, ACCEPTED THE AMENDMENT.

MOVED BY RICHARDSON, SECONDED BY BENOIT, AGENDA ITEM NO. 34 APPROVED AS RECOMMENDED, TO ADOPT RESOLUTION NO. 21-22 CERTIFYING THE FINAL SUBSEQUENT ENVIRONMENTAL ASSESSMENT FOR PROPOSED RULE 1109.1 – EMISSIONS OF OXIDES OF NITROGEN FROM PETROLEUM REFINERIES AND RELATED OPERATIONS (PROPOSED RULE 1109.1), PROPOSED RULE 429.1 – STARTUP AND SHUTDOWN PROVISIONS AT PETROLEUM REFINERIES AND RELATED OPERATIONS (PROPOSED RULE 429.1), PROPOSED AMENDED RULE 1304 – EXEMPTIONS (PROPOSED AMENDED RULE 1304), PROPOSED AMENDED RULE 2005 – NEW SOURCE REVIEW FOR RECLAIM (PROPOSED AMENDED RULE 2005), AND PROPOSED RESCINDED RULE 1109 – EMISSIONS OF OXIDES OF NITROGEN FROM BOILERS AND PROCESS HEATERS IN PETROLEUM REFINERIES (PROPOSED RESCINDED RULE 1109) AND ADOPTING RULE 1109.1 – EMISSIONS OF OXIDES OF NITROGEN FROM PETROLEUM REFINERIES AND RELATED OPERATIONS AND RULE 429.1 – STARTUP AND SHUTDOWN PROVISIONS AT PETROLEUM REFINERIES AND RELATED OPERATIONS, AMENDING RULE 1304 – EXEMPTIONS AND RULE 2005 – NEW SOURCE REVIEW FOR RECLAIM, RESCINDING RULE 1109 – EMISSIONS OF OXIDES OF NITROGEN FROM BOILERS AND PROCESS HEATERS IN PETROLEUM REFINERIES, APPROVING THE “BASELINE NOX EMISSION AND REPRESENTATIVE NOX CONCENTRATIONS FOR FACILITIES REGULATED UNDER RULE 1109.1 – EMISSIONS OF OXIDES OF NITROGEN FROM PETROLEUM REFINERIES AND RELATED OPERATIONS” AND DIRECTING STAFF TO REPORT BACK ON A QUARTELY BASIS TO THE STATIONARY SOURCE COMMITTEE, BEGINNING OCTOBER 2022, ON THE PROCESSING OF PERMITS SUBJECT TO RULES 1109.1 AND 429.1,

BY THE FOLLOWING VOTE:

AYES: Bartlett, Benoit, Buscaino,  
Cacciotti, Delgado, Kracov,  
Kuehl, McCallon, Padilla-  
Campos, Perez, Richardson,  
Rodriguez, and Rutherford

NOES: None

ABSENT: None

Written Comments Submitted by:

- Move LA
- Breathe Southern California
- One letter signed by the following organizations: Earthjustice, California Communities Against Toxics, California Environmental Voters, Center for Biological Diversity, Center for Community Action & Environmental Justice, Communities for a Better Environment, Coalition for Clean Air, East Yard Communities for Environmental Justice, Move LA, People's Collective for Environmental Justice, Natural Resources Defense Council, Sierra Club

(Senator Delgado left the meeting)

Board Member Padilla-Campos reported that the voting display in the auditorium incorrectly reported her as absent on the vote for Item No. 34. The issue was corrected, and Board Member Padilla-Campos' vote was accurately displayed as "yes" on Item No. 34.

**PUBLIC COMMENT PERIOD** – (Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3)

\*Marilyn Kamimura, Clean Air Coalition of North Whittier & Avocado Heights

Luis Ceballos

Rebecca Overmeyer-Velazquez, Clean Air Coalition of North Whittier & Avocado Heights

Richard Kamimura, Clean Air Coalition of North Whittier & Avocado Heights and North Whittier resident

Bing Chen, Clean Air Coalition of North Whittier & Avocado Heights

Andrea Gordon, Clean Air Coalition and Hacienda Heights resident

Duncan McKee, Avocado Heights resident

John Licari, Sierra Club and Hacienda Heights resident

(\*Submitted Written Comments)

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Spoke in opposition to a pending permit action for Quemetco that would increase operational hours for furnaces, and increase the amount of lead product produced per

day. Expressed concern that the expansion would increase emissions of lead and arsenic that pollute and harm the health and safety of the community.

Harvey Eder, Public Solar Power Coalition, commented on the United Nations Climate Change conference in Glasgow, Scotland and climate change.

Florence Gharibian, Del Amo Action Committee, noted that the fence-line monitoring system at the Torrance Refinery and indoor filtration systems have been useful tools for residents near the Dominguez Channel. She requested South Coast AQMD's support on monitoring warehouse and construction activities near the Ecology Control Industries property.

Ranji George, a member of the public, expressed concern that while agencies support electric vehicles they are not addressing the issue of battery pollution. He noted that many more battery recycling facilities are needed to support future demand, which will increase pollution, and encouraged a greater focus on hydrogen fuel cell technologies.

Al Sattler expressed support for fence-line and community air monitoring systems, noting that both have been very useful in tracking hydrogen sulfide levels near the Dominguez Channel. Commented that monitors are currently showing lower levels of hydrogen sulfide.

William Koons suggested that the expertise of U.S. EPA or the Army Corps of Engineers is needed to investigate the source of the odor at the Dominguez Channel. The measures being taken to mitigate the odor are short-term and recommended the use of paddle wheels that oxidize the water faster.

Effie Coons, Philippine Action Group for the Environment, commented that odors from the Dominguez channel have triggered her migraines and suggested that the only solution is to dredge the channel.

Jill Whynot, Chief Operating Officer, explained that the pending permit action is for the Quemetco Capacity Upgrade Project to increase hours of operations and increase the amount of material they process for a rotary kiln dryer and a reverberatory furnace. Due to the draft CEQA document that was released on October 14, 2021 for public review, concerns are coming before the Board today. Staff's evaluation is to ensure Quemetco can comply with South Coast AQMD rules and requirements. If South Coast AQMD staff issues the permit, Quemetco will also need for the Department of Toxic Substances Control (DTSC) to renew their existing permit to operate. DTSC may rely on the South Coast AQMD EIR as part of their process. She added that South Coast AQMD does not have land use authority or the authority to shut down or relocate a facility; however, staff is interested in working with the community and hearing their comments and seeing if there is anything else the facility can do. Ms. Whynot invited the community members to participate in a public meeting on November 10, 2021 at 6:00 p.m. She noted for the record that while he does not have a legal obligation to do so, Mr. Nastri has recused

himself from matters related to Quemetco because they were a client of his before he began working for South Coast AQMD.

(Supervisor Perez left the meeting)

**CONSENT AND BOARD CALENDAR**

1. Approve Minutes of October 1, 2021 Board Meeting
2. Set Public Hearing December 3, 2021 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations

Determine That Proposed Amended Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines, Is Exempt from CEQA; and Amend Rule 1134

**Items 3 through 14 -- Budget/Fiscal Impact**

3. Execute Contract to Conduct Inland Port Feasibility Study
4. Execute Contract to Install and Maintain Air Filtration Systems at School
5. Amend Contract for Emission Testing for Near-Zero Emission Opposed Piston Engine
6. Amend Truck Trade Up Dealer Agreements
7. Amend Contract for Renewable Natural Gas Infrastructure Project
8. Allocate Funds to Assist Small Fleets under Voucher Incentive Program and Recognize Revenue, Approve Vouchers and Reimburse General Fund for Enhanced Fleet Modernization Program
9. Execute Agreement with California High-Speed Rail Authority Setting Forth Framework for Development of Future Contract to Reduce Construction Emissions and Satisfy General Conformity for Burbank to Los Angeles Segment of California High-Speed Rail Project
10. Appropriate Funds for U.S. EPA Science to Achieve Results and NASA Citizen Science Grant Projects, Issue Purchase Orders for Air Monitoring Equipment

11. Appropriate Funds Execute and/or Amend Contracts, and Issue Solicitations and Purchase Orders for AB 617 Implementation
12. Amend Contracts for Legislative Representation in Sacramento, California
13. Amend Provisions of South Coast AQMD's Salary Resolution, Teamsters Local 911 MOU, and SC-PEA Terms & Conditions of Employment Relating to Vacation Leave Accrual Limitations
14. Approve Contract Awards as Approved by MSRC

**Items 15 and 16 -- Action Items/No Fiscal Impact**

15. Establish Board Meeting Schedule for Calendar Year 2022
16. Comply with AB 361 Requirements to Allow South Coast AQMD Board and South Coast AQMD Brown Act Committees to Continue to Meet Remotely

**Items 17 through 23 – Information Only/Receive and File**

17. Legislative, Public Affairs and Media Report
18. Hearing Board Report
19. Civil Filings and Civil Penalties Report
20. Lead Agency Projects and Environmental Documents Received
21. Rule and Control Measure Forecast
22. Report of RFQs/RFPs Scheduled for Release in November
23. Status Report on Major Ongoing and Upcoming Projects for Information Management

**Item 24 -- Staff Presentation/Board Discussion/Receive and File**

24. Budget and Economic Outlook Update (*Presentation in Lieu of Board Letter*)

NO ACTION REQUIRED

**Items 25 through 32 -- Reports for Committees and CARB**

25. Administrative Committee
26. Legislative Committee
- 27A. Marine Port Committee (September 28, 2021 Summary)
- 27B. Marine Port Committee (October 15, 2021 Summary)
28. Mobile Source Committee
29. Stationary Source Committee
30. Technology Committee
31. Mobile Source Air Pollution Reduction Review Committee
32. California Air Resources Board Monthly Report

Board Member Kracov noted that he has no financial interests in Agenda Item Nos. 5, 8 and 11 but is required to identify for the record that he is a Board Member of CARB, which is involved in these items.

Supervisor Kuehl noted that she does not have a financial interest in Agenda Item No. 2 but is required to identify for the record that she is a Supervisor on the Los Angeles County Board of Supervisors, which is involved in this Item.

Supervisor Bartlett noted that she does not have a financial interest in Agenda Item No. 2 but is required to identify for the record that she is a Board Member of the Orange County Board of Supervisors, which is involved in this Item.

Vice Mayor Richardson noted that he does not have a financial interest in Agenda Item No. 3 but is required to identify for the record that he is a Council Member of the City of Long Beach, which is involved in this Item.

Council Member Buscaino noted that he does not have a financial interest in Agenda Item No. 2 but is required to identify for the record that he is a Council Member of the Los Angeles City Council which is involved in this item; and recused himself from Agenda Item No. 14 due to a campaign contribution from Clean Energy, which is involved in this Item.

Chair Benoit recused himself from Agenda Item No. 14 due to a campaign contribution from Clean Energy, which is involved in this Item.

Board Member Padilla-Campos noted that she has questions for staff on Item No. 7.

7. Amend Contract for Renewable Natural Gas Infrastructure Project

Board Member Padilla-Campos asked whether the contract includes investments in natural gas and infrastructure.

Dr. Matt Miyasato, DEO/Chief Technologist/Science and Technology Advancement explained that the contract is for a demonstration project that involves turning organic materials into renewable natural gas or hydrogen which is then injected back into a pipeline. The requested extension of the contract is to allow them to complete testing through June 2022.

Chair Benoit stated that he thought the latest iteration of the project was just for hydrogen, and requested an update on the progress.

Dr. Miyasato responded that the demonstration is for both renewable natural gas and hydrogen. He noted that the firm is a small entrepreneurial firm and has experienced several delays, including delays related to the COVID-19 pandemic, but they have been making incremental progress and are back on track.

3. Execute Contract to Conduct Inland Port Feasibility Study

Ranji George, a member of the public, expressed opposition to the project and urged the Board to fund zero-emission technologies instead of projects that will prolong the expansion of fossil fuels.

MOVED BY MCCALLON, SECONDED BY RUTHERFORD, AGENDA ITEMS 1 THROUGH 32 APPROVED AS RECOMMENDED, TO ADOPT RESOLUTION NO. 21-23, SETTING THE TIME AND PLACE OF REGULAR MEETINGS OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT GOVERNING BOARD, ADOPT RESOLUTION NO. 21-24, RECOGNIZING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020 AND THAT THE COUNTY OF LOS ANGELES CONTINUES TO RECOMMEND MEASURES TO PROMOTE SOCIAL DISTANCING; AND AUTHORIZING FULLY OR PARTIALLY REMOTE TELECONFERENCE MEETINGS OF THE GOVERNING BOARD OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT COMMITTEES SUBJECT TO THE BROWN ACT, FOR THE PERIOD OF NOVEMBER 5, 2021 THROUGH DECEMBER 5, 2021 PURSUANT TO PROVISIONS OF THE BROWN ACT, AND RECEIVING AND FILING THE COMMITTEE, MSRC AND CARB REPORTS, AS SET FORTH BELOW, BY THE FOLLOWING VOTE:

AYES: Bartlett, Benoit (Recused from 14), Buscaino (Recused from 14), Cacciotti, Kracov, Kuehl, McCallon, Padilla-Campos, Richardson, Rodriguez, and Rutherford

NOES: None

ABSTAIN: Benoit and Buscaino (Item 14)

ABSENT: Delgado and Perez

33. Items Deferred from Consent and Board Calendar  
No items were deferred.

(Council Member Buscaino left the meeting)

**PUBLIC HEARING**

35. Determine That 2021 Redesignation Request and Maintenance Plan for 2006 and 1997 24-Hour PM2.5 Standards for South Coast Air Basin Is Exempt from CEQA and Approve 2021 Redesignation Request and Maintenance Plan for 2006 and 1997 24-Hour PM2.5 Standards for South Coast Air Basin

Staff waived the presentation on Item No. 35.

The public hearing was opened, and the following individual addressed the Board on Item 35.

Al Sattler stated that he was initially skeptical about the limited contingency measures that are specified, but with the proviso that staff can look at other sources if needed, he supports the plan.

There being no further testimony on this item, the public hearing was closed.

Board Member Kracov stated that the progress on PM2.5 attainment is a cause for celebration. He announced that this item will be going to the CARB Board in the next 60-90 days, and requested that staff participate in the CARB workshop process and keep him informed as things progress.

MOVED BY KRACOV, SECONDED BY CACCIOTTI, AGENDA ITEM NO. 35 APPROVED AS RECOMMENDED, ADOPTING RESOLUTION NO. 21-25 DETERMINING THAT THE 2021 REDESIGNATION REQUEST AND MAINTENANCE PLAN FOR THE 2006 AND 1997 24-HOUR PM.2.5 STANDARDS FOR SOUTH COAST AIR BASIN IS EXEMPT FROM THE REQUIREMENTS OF CEQA AND APPROVING THE 2021 REDESIGNATION REQUEST AND MAINTENANCE PLAN FOR THE 2006 AND 1997 24-HOUR PM.2.5 STANDARDS FOR SOUTH COAST AIR BASIN AND DIRECTING STAFF TO FORWARD THE REDESIGNATION REQUEST AND MAINTENANCE PLAN TO CALIFORNIA AIR RESOURCES BOARD (CARB) FOR APPROVAL AND SUBMISSION TO UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (U.S. EPA) FOR INCLUSION IN THE STATE IMPLEMENTATION PLAN (SIP), BY THE FOLLOWING VOTE:

AYES: Bartlett, Benoit, Cacciotti, Kracov, Kuehl, McCallon, Padilla-Campos, Richardson, Rodriguez, and Rutherford

NOES: None

ABSENT: Buscaino, Delgado, Perez

(Council Member Buscaino rejoined the meeting)

### **OTHER BUSINESS**

#### 36. Appropriate Funds for Field Monitoring Equipment

Terrence Mann, DEO/Compliance and Enforcement gave the staff presentation on Item No. 36.

Vice Mayor Richardson commented that he strongly supports the item and noted the importance of working collaboratively with other agencies to find a resolution to the Dominguez Channel odor crisis.

The following individuals addressed the Board on Item 36.

Ana Meni, Carson resident, expressed support for the item and remarked that the decline of complaints is because thousands of residents were relocated to other cities and there are reports that some residents are losing their sense of smell. She asked how many Jerome meters will be deployed to the Dominguez Channel, whether they will provide 24/7 monitoring, and the cost of each meter.

A member of the public with the Zoom screen name Genesis 1:28, requested answers to what may have triggered the odor from the Dominguez Channel.

Council Member Buscaino expressed support for the item and inquired whether a Notice of Violation could be issued to the County of Los Angeles for lack of progress on mitigation efforts. He also expressed appreciation for the ongoing reports on the odor event.

Mr. Nastri commented that staff is collecting information from different sources to evaluate all potential possibilities regarding the source of the odor. Staff remains fully integrated with partner agencies and will evaluate whether enforcement action is necessary.

MOVED BY MCCALLON, SECONDED BY BENOIT, AGENDA ITEM 36 APPROVED AS RECOMMENDED, BY THE FOLLOWING VOTE:

AYES: Bartlett, Benoit, Buscaino, Cacciotti, Kracov, Kuehl, McCallon, Padilla-Campos, Richardson, Rodriguez, and Rutherford

NOES: None

ABSENT: Delgado and Perez

**CLOSED SESSION**

There was no closed session.

**ADJOURNMENT**

There being no further business, the meeting was adjourned by Chair Benoit at 11:50 a.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on November 5, 2021.

Respectfully Submitted,

Faye Thomas  
Clerk of the Boards

Date Minutes Approved: \_\_\_\_\_

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Ben J. Benoit, Chair

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## ACRONYMS

AQMP = Air Quality Management Plan  
BACT = Best Available Control Technology  
BARCT = Best Available Retrofit Control Technology  
CARB = California Air Resources Board  
CEQA = California Environmental Quality Act  
CO = Carbon Monoxide  
FY = Fiscal Year  
MSRC = Mobile Source (Air Pollution Reduction) Review Committee  
NOx = Oxides of Nitrogen  
PM = Particulate Matter  
PM10= Particulate Matter  $\leq 2.5$  microns  
RECLAIM = Regional Clean Air Incentives Market  
RFP = Request for Proposals  
RFQ = Request for Quotations  
SOx = Oxides of Sulfur  
U.S. EPA = United States Environmental Protection Agency  
VOC = Volatile Organic Compound