

BOARD MEETING DATE: June 2, 2023

AGENDA NO. 26

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board held a public meeting on May 25, 2023. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Gideon Kracov, Member  
South Coast AQMD Governing Board

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The California Air Resources Board (CARB or Board) held a public meeting on May 25, 2023 in Riverside, California at the Mary D. Nichols Campus, Southern California Headquarters. The key items presented are summarized below.

### **DISCUSSION ITEMS**

**23-5-1: Public Meeting to Consider Proposed Research Contract with the University of California, Berkeley, Titled “Impacts of Air Pollution on Life Expectancy Across Multiple Generations: Race, Ethnicity and Vulnerability Perspectives”**

The Board approved funding of a research contract with the University of California at Berkeley titled “Impacts of Air Pollution Exposure on Life Expectancy Across Multiple Generations: Race, Ethnicity and Vulnerability Perspectives.” The research contract will determine the patterns of PM2.5 exposure over 30 years within two generations in California and the impact on life expectancy. The study will evaluate PM 2.5 pollution in different racial/ethnic and vulnerability groups and census tracts. Execution of this contract will support CARB’s work to identify air pollution health impacts and exposure disparities in vulnerable communities to support the development and implementation of its regulations, strategies, and programs. This item is being considered at a public meeting to satisfy Board approval requirements in Government Code section 1091 because a Board member is affiliated with the UC Berkeley department involved in the contract.

**23-5-2: Public Hearing to Consider the Proposed Amendments to the Airborne Toxic Control Measure for Chromium Electroplating and Chromic Acid Anodizing Operations (second meeting of two)**

The Board adopted amendments to the Airborne Toxic Control Measure for Chromium Electroplating and Chromic Acid Anodizing Operations (Chrome Plating ATCM) which includes the complete phase out of hexavalent chromium. Hexavalent chromium is a carcinogen and the second most potent toxic air contaminant identified by the state. It is five hundred times more toxic than diesel exhaust. The Chrome Plating ATCM amendments will eliminate the use of hexavalent chromium in chrome plating operations to help reduce the cumulative risk burden experienced by overburdened and disadvantaged communities. The phase out of hexavalent chromium will protect public health and encourage the development of safer alternatives to hexavalent chromium in chrome plating operations. The regulation phases out hexavalent chromium in decorative chrome plating in 2027 with an alternative phase-out pathway that provides decorative platers an additional three years (phase out in 2030) provided they reduce fugitive emissions by implementing building enclosure requirements. The majority of these facilities already meet those requirements because they are located in South Coast AQMD, which already requires building enclosures. Functional chrome plating facilities (industrial applications) are provided 15 years to complete the transition (phase out in 2039) and must implement building enclosure requirements starting in 2026. The Amendments also include two technology reviews (in 2032 and 2036) to evaluate the state of suitable replacements for hexavalent chromium for functional chrome applications in order to determine if adjustments to the phase out date warrant consideration.

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**Attachment**

CARB May 25, 2023 Meeting Agenda



# Public Meeting Agenda

**Thursday, May 25, 2023**

**Mary D. Nichols Campus, Southern California Headquarters**  
4001 Iowa Avenue, Riverside, California 92507  
Haagen-Smit Auditorium

**Webcast** (Livestream/Watch Only)

**Zoom Webinar [Register Here](#)**

Phone Number: (669) 900-6833

Webinar ID: 826 1765 6052

The May 25, 2023, meeting of the California Air Resources Board (CARB or Board) will be held at 4001 Iowa Avenue in Riverside, with remote participation available to the public and Board members in accordance with [Senate Bill 189](#) (Gov. Code § 11133). This facility is accessible to persons with disabilities and by public transit. Limited parking is available onsite. In-person attendees are strongly encouraged to carpool or use public transit to get to the facility. For transit information, call (951) 565-5194, website: <https://www.riversidetransit.com>

To only watch the Board Meeting and not provide verbal comments, please view the [webcast](#). 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. Please do not view the webcast and then switch over to the webinar to comment as the webcast will have a time delay; instead, register to participate via the Zoom webinar.

## **Public Comment Guidelines and Information**

- [In-Person Public Testimony](#)
- [Remote Public Participation](#)

The Board will set a two-minute time limit on verbal comments; however, the amount of time could change at the Chair's discretion.

In-person speakers signed up to comment will be called upon first, followed by public Zoom and phone participants wishing to comment.

The Chair will close speaker sign-ups 30 minutes after the public comment portion of an item has begun.

**Spanish interpretation will be available for the May Board Meeting.**

- [Agenda de la Reunión Pública](#)

**Thursday, May 25, 2023 @ 9:00 a.m.**

## **Discussion Items:**

The following agenda items may be heard in a different order at the Board Meeting.

Hardcopies of the Public Agenda and Proposed Resolutions (when applicable) will be provided at the meeting; all other documents linked below will only be available upon request.

### **23-5-1: Public Meeting to Consider Proposed Research Contract with the University of California, Berkeley, Titled “Impacts of Air Pollution on Life Expectancy Across Multiple Generations: Race, Ethnicity and Vulnerability Perspectives”**

The Board will consider approval of a research contract to determine the patterns of PM<sub>2.5</sub> exposure over 30 years within two generations in California and the impact on life expectancy. The study will evaluate PM 2.5 pollution in different racial/ethnic and vulnerability groups and census tracts. This item is added to the agenda to satisfy Board approval requirements in Government Code section 1091 because one or more Board members are affiliated with the University of California, Berkeley.

- [More Information](#)
- [Item Summary](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

### **23-5-2: Public Hearing to Consider the Proposed Amendments to the Airborne Toxic Control Measure for Chromium Electroplating and Chromic Acid Anodizing Operations**

The Board will consider amendments to the Airborne Toxic Control Measure for Chromium Electroplating and Chromic Acid Anodizing Operations including the phase out of hexavalent chromium. This is the second of two Board Hearings; the Board will also consider certifying the Final Environmental Impact Analysis and adopting findings and a Statement of Overriding Considerations under the California Environmental Quality Act.

- [Formal Rulemaking Page](#)
- [Item Summary](#)
- [Proposed Resolution](#)
- [Hearing Presentation](#)
- [Submit Written Comments](#)
- [View Public 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:

*Bobby Harris v. Nissan North America, Inc.* (U.S. District Court, Central District of California, Case No. 2:20-cv-06021-CJC-GJS.)

*California Air Resources Board v. Best Energy Solutions & Technology Corp.*  
Los Angeles Superior Court, Case No. 22STCV32487.

*California Air Resources Board v. Daimler AG and Mercedes-Benz USA, LLC.* (United States District Court, District of Columbia, Civil Action No. 1:20-cv-2565.)

*California Air Resources Board v. Key Disposal, Inc. and John Katangian* Los Angeles Superior Court, Case No. BC650014.

*California Natural Gas Vehicle Coalition v. California Air Resources Board, et al.*, Fresno County Superior Court, Case No. 20CECG02250; industry appeal California Court of Appeal, Fifth District, Case No. F084229.

*California Trucking Association v. California Air Resources Board, et al.* Fresno County Superior Court, Case No. 22CECG00919.

*California Trucking Association v. South Coast Air Quality Mgmt. District* United States District Court, Central District of California, Case No. 2:21-cv-6341.

*Central California Environmental Justice Network, et al. v. Randolph, et al.*, United States District Court, Eastern District of California, Case No. 2:22-cv-01714-TLN-CKD.

*Competitive Enterprise Inst. v. NHTSA*, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1145, consolidated with No. 20-1167.

*Environmental Defense Fund, et al., v. Andrew Wheeler, et al.*, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1360.

*Federal Energy Regulatory Commission Order 719*, Docket No. RM21-14-000.

*Friends of Oceano Dunes, Inc. v. California Air Resources Board, et al.* (San Luis Obispo County Superior Court, Case No. 17CV-0576) and *Friends of Oceano Dunes, Inc. v. California Air Resources Board, et al.*, U.S. District Court for the Central District of California, Case No. 2:17-cv-8733.

*South Coast Air Quality Management District v. City of Los Angeles, et al.*, Los Angeles County Superior Court, Case No. 20STCP02985; transferred to San Diego County Superior Court, Case No. 37-2021-00023385-CU-TT-CTL.

*Natural Resources Defense Council v. National Highway Traffic Safety Admin., et al.*, United States Court of Appeal, District of Columbia Circuit, Case No. 22-1080, consolidated with Nos. 22-1144, 22-1145.

*People ex rel. California Air Resources Board v. Noil Energy Group, Inc. & Speedy Fuel, Inc.* Los Angeles Superior Court Case Nos. 20STCV30142/20STCV30292.

*People ex rel. California Air Resources Board v. Wholesale Harvest Supply, Inc.* Mendocino County Superior Court, Case No. 22CV00491.

*People v. Southern California Gas Company.* (Los Angeles Superior Court, Case No. BC602973.)

*State of California v. Andrew Wheeler et. al.*, District of Columbia Circuit, Case No. 19-1239, consolidated under No. 19-1230 along with other cases.

*State of California, et al., v. Andrew Wheeler, et al.*, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1167.

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

*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; United States Court of Appeals, Ninth Circuit, Case No. 20-16793.

*State of California, et al. v. United States Environmental Protection Agency*, United States Court of Appeals for the District of Columbia Circuit – Case No. 21-1034, consolidated with *California Communities Against Toxics et al. v. EPA*, Case No. 21-1024.

*State of California, et al. v. United States Environmental Protection Agency, et al.*, United States Court of Appeals, District of Columbia Circuit, Case No. 21-1014.

*State of California, et al. v. United States Environmental Protection Agency*, United States Court of Appeals, District of Columbia Circuit, Case No. 21-1018.

*State of Massachusetts v. EPA*, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1265.

*State of New York, et al. v. United States Environmental Protection Agency*, United States Court of Appeals, District of Columbia Circuit, Case No. 21-1026.

*State of New York, et al. v. United States Environmental Protection Agency, et al.*, United States Court of Appeals, District of Columbia Circuit, Case No. 21-1028.

*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 Ohio, et al., v. Environmental Protection Agency, et al.*, United States Court of Appeals, District of Columbia Circuit, Case No. 22-1081, consolidated with Case Nos. 22-1083, 22-1084, and 22-1085.

*State of Texas, et al., v. Environmental Protection Agency, et al.* United States Court of Appeals, District of Columbia Circuit, Case No. 22-1031.

*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; United States Court of Appeals, Tenth Circuit, Case No. 2:16-cv-00285-SWS.

*The Two Hundred for Homeownership, et al. v. California Air Resources Board, et al.* United States District Court, Eastern District of California, Fresno, Case No. 1:22-cv-01474-ADA-BAM.

*The Two Hundred, et al. v. California Air Resources Board, et al.*, Fresno County Superior Court, Case No. 18CECG1494.

*Western States Petroleum Association v. California Air Resources Board, et al.*, Superior Court of the State of California for the County of Fresno, Case No. 22CECG03603.

*Western States Petroleum Association v. California Air Resources Board*, Los Angeles County Superior Court, Case No. 20STCP03138x.

*W.O. Stinson & Son LTD. v. Western Climate Initiative, Inc.*, Ontario Canada Superior Court, Case No. CV-20-00083726-0000.

## 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 two 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.

## Other Information

[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](mailto: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](mailto:cotb@arb.ca.gov) or (916) 322-5594

CARB Homepage: [www.arb.ca.gov](http://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.

To request these special accommodations or language needs, please contact the Clerks' Office at [cotb@arb.ca.gov](mailto:cotb@arb.ca.gov) or at (916) 322-5594 as soon as possible, but no later than 7 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

## Acomodación Especial

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia;
- Documentos disponibles en un formato alternativo u otro idioma;
- Una acomodación razonable relacionados con una incapacidad.

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor contacte la oficina del Consejo al (916) 322-5594 o por correo electrónico al [cotb@arb.ca.gov](mailto:cotb@arb.ca.gov) lo más pronto posible, pero no menos de 7 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.