



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

TO: Board Assistants/Consultants

<i>Teresa Acosta</i>	<i>Guillermo Gonzalez</i>	<i>William Kelly</i>	<i>Sho Tay</i>
<i>Tricia Almiron</i>	<i>Thomas Gross</i>	<i>Ron Ketcham</i>	<i>Mark Taylor</i>
<i>Genevieve Amsalem</i>	<i>Jacob Haik</i>	<i>Loraine Lundquist</i>	<i>Ruthanne Taylor-Berger</i>
<i>Frank Cardenas</i>	<i>Matthew Hamlett</i>	<i>Debra Mendelsohn</i>	<i>Amy Wong</i>
<i>Alisa Cota</i>	<i>Sandra Hernandez</i>	<i>Wesley Reutimann</i>	<i>Ben Wong</i>
<i>James Dinwiddie</i>	<i>Matthew Holder</i>	<i>Cristian Riesgo</i>	<i>Dan York</i>
<i>Bill Glazier</i>		<i>Tim Sandoval</i>	<i>Ross Zelen</i>

FROM: Wayne Nastri, Executive Officer

BOARD ASSISTANTS BRIEFING

September 23, 2021 ■ 11 a.m.

Pursuant to Governor Newsom's Executive Orders N-25-20 (March 12, 2020) and N-29-20 (March 17, 2020), the South Coast AQMD Board Assistants Briefing will only be conducted via video conferencing and by telephone. Please follow the instructions below to join the meeting remotely.

INSTRUCTIONS FOR ELECTRONIC PARTICIPATION AT THE BOTTOM OF AGENDA

Join Zoom Webinar Meeting - from PC or Laptop

<https://scaqmd.zoom.us/j/97746146323>

Zoom Webinar ID: 977 4614 6323 (applies to all)

Teleconference Dial In

+1 669 900 6833

One tap mobile

+16699006833, 97746146323#

Audience will be able to provide public comment through telephone or Zoom connection during public comment periods.

PUBLIC COMMENT WILL STILL BE TAKEN

AGENDA

Members of the public may address this body concerning any agenda item before or during consideration of that item (Gov't. Code Section 54954.3(a)). If you wish to speak, raise your hand on Zoom or press Star 9 if participating by telephone. All agendas for regular meetings are posted at South Coast AQMD Headquarters, 21865 Copley Drive, Diamond Bar, California, at least 72 hours in advance of the regular meeting. Speakers may be limited to three (3) minutes each.

1. **Review Agenda for October 1, 2021 Board Meeting** All
Staff will review and discuss the agenda for the October 1, 2021 meeting of the Governing Board. (draft attached)
2. **Other Business**
Any Board Member or Board Assistant/Consultant, on his or her own initiative or in response to questions posed by the public, may ask a question for clarification, may make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter, or may take action to direct staff to place a matter of business on a future agenda. (Govt. Code Section 54954.2.)
3. **Public Comment**
At the end of the regular meeting agenda, an opportunity is provided for the public to speak on any subject within the Committee's authority that is not on the agenda. Speakers may be limited to three (3) minutes each.
4. **Adjournment**

Americans with Disabilities Act and Language Accessibility

Disabilities and language-related accommodations can be requested to allow participation in the Board Assistants Briefing meeting. The agenda will be made available, upon request, in appropriate alternative formats to assist persons with a disability (Gov't Code Section 54954.2(a)). In addition, other documents may be requested in alternative formats and languages. Any disability or language-related accommodation must be requested as soon as practicable. Requests will be accommodated unless providing the accommodation would result in a fundamental alteration or undue burden to the District. Please contact Cindy Bustillos at (909) 396-2377 from 7:00 a.m. to 5:30 p.m., Tuesday through Friday, or send the request to cbustillos@aqmd.gov

Document Availability

All documents (i) constituting non-exempt public records, (ii) relating to an item on an agenda for a regular meeting, and (iii) having been distributed to at least a majority of the Committee after the agenda is posted, are available by contacting Cindy Bustillos at (909) 396-2377 or send the request to cbustillos@aqmd.gov.

Next Board Assistants Briefing: Thursday, October 28, 2021, 11 a.m.

INSTRUCTIONS FOR ELECTRONIC PARTICIPATION

Instructions for Participating in a Virtual Meeting as an Attendee

As an attendee, you will have the opportunity to virtually raise your hand and provide public comment.

Before joining the call, please silence your other communication devices such as your cell or desk phone. This will prevent any feedback or interruptions during the meeting.

Please note: During the meeting, all participants will be placed on Mute by the host. You will not be able to mute or unmute your lines manually.

After each agenda item, the Chairman will announce public comment.

Speakers will be limited to a total of three (3) minutes for the Consent Calendar and Board Calendar, and three (3) minutes or **less** for other agenda items.

A countdown timer will be displayed on the screen for each public comment.

If interpretation is needed, more time will be allotted.

Once you raise your hand to provide public comment, your name will be added to the speaker list. Your name will be called when it is your turn to comment. The host will then unmute your line.

Directions for Video ZOOM on a DESKTOP/LAPTOP:

- If you would like to make a public comment, please click on the “**Raise Hand**” button on the bottom of the screen.
- This will signal to the host that you would like to provide a public comment and you will be added to the list.

Directions for Video Zoom on a SMARTPHONE:

- If you would like to make a public comment, please click on the “**Raise Hand**” button on the bottom of your screen.
- This will signal to the host that you would like to provide a public comment and you will be added to the list.

Directions for TELEPHONE line only:

- If you would like to make public comment, please **dial *9** on your keypad to signal that you would like to comment.



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9/22/21 6:00 P.M.

D R A F T A G E N D A

MEETING, OCTOBER 1, 2021

A meeting of the South Coast Air Quality Management District Board will be held at 9:00 A.M.

Pursuant to Governor Newsom's Executive Orders N-25-20 (March 12, 2020) and N-29-20 (March 17, 2020), the Governing Board meeting will only be conducted via videoconferencing and by telephone. Please follow the instructions below to join the meeting remotely.

ELECTRONIC PARTICIPATION INFORMATION (Instructions provided at bottom of the agenda)

Join Zoom Meeting - from PC, Laptop or Phone

<https://scaqmd.zoom.us/j/93128605044>

Meeting ID: **931 2860 5044** (applies to all)

Teleconference Dial In +1 669 900 6833 or +1 253 215 8782

One tap mobile +16699006833,,93128605044# or +12532158782,,93128605044#

Audience will be allowed to provide public comment through Zoom connection or telephone.

PUBLIC COMMENT WILL STILL BE TAKEN

Phone controls for participants:

The following commands can be used on your phone's dial pad while in Zoom Webinar meeting:

- *6 - Toggle mute/unmute
- *9 - Raise hand

Questions About an Agenda Item

- The name and telephone number of the appropriate staff person to call for additional information or to resolve concerns is listed for each agenda item.
- In preparation for the meeting, you are encouraged to obtain whatever clarifying information may be needed to allow the Board to move expeditiously in its deliberations.

Meeting Procedures

- The public meeting of the South Coast AQMD Governing Board begins at 9:00 a.m. The Governing Board generally will consider items in the order listed on the agenda. However, any item may be considered in any order.
- After taking action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

Cleaning the air that we breathe...

All documents (i) constituting non-exempt public records, (ii) relating to an item on the agenda, and (iii) having been distributed to at least a majority of the Governing Board after the agenda is posted, are available prior to the meeting at South Coast AQMD's web page (www.aqmd.gov).

Americans with Disabilities Act and Language Accessibility

Disability and language-related accommodations can be requested to allow participation in the Governing Board meeting. The agenda will be made available, upon request, in appropriate alternative formats to assist persons with a disability (Gov. Code Section 54954.2(a)). In addition, other documents may be requested in alternative formats and languages. Any disability or language-related accommodation must be requested as soon as practicable. Requests will be accommodated unless providing the accommodation would result in a fundamental alteration or undue burden to the South Coast AQMD. Please contact the Clerk of the Boards Office at (909) 396-2500 from 7:00 a.m. to 5:30 p.m., Tuesday through Friday, or send the request to cob@aqmd.gov

A webcast of the meeting is available for viewing at:

<http://www.aqmd.gov/home/news-events/webcast>

CALL TO ORDER

- Pledge of Allegiance
- Roll Call
- Election of Chair for Term January 2022 – January 2024
- Election of Vice Chair for Term January 2022 – January 2024
- Opening Comments: Ben J. Benoit, Chair
Other Board Members
Wayne Nastri, Executive Officer

PUBLIC COMMENT PERIOD – (Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3) The public may comment on any subject within the South Coast AQMD's authority that **does not** appear on the agenda, during the Public Comment Period. Each speaker addressing non-agenda items may be limited to a total of (3) minutes.

Staff/Phone (909) 396-

CONSENT AND BOARD CALENDAR (Items 1 through 21)

Note: Consent and Board Calendar items held for discussion will be moved to Item No. 22.

- | | | |
|----|--|--------------------|
| 1. | Approve Minutes of September 3, 2021 Board Meeting | Thomas/3268 |
| 2. | Set Public Hearings November 5, 2021 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations: | Nastri/3131 |
| A. | Determine That 2021 South Coast Air Basin Redesignation Request and Maintenance Plan for 2006 24-Hour PM2.5 Standard Is Exempt from CEQA and Approve 2021 South Coast Air Basin Redesignation Request and Maintenance Plan for 2006 24-Hour PM2.5 Standard | Rees/2856 |

The South Coast Air Basin (SCAB) is currently designated as a serious nonattainment area for the 2006 24-hour average PM2.5 National Ambient Air Quality Standard (NAAQS). Due to emission controls, PM2.5 concentrations in the SCAB have decreased over the last two decades. In the three-year period from 2018 to 2020, PM2.5 concentrations in the SCAB met the 2006 24-hour average PM2.5 NAAQS subject to U.S. EPA approval of a pending exceptional event demonstration. This 2021 PM2.5 Redesignation Request and Maintenance Plan includes a request to redesignate the SCAB as an attainment area, a maintenance demonstration that the South Coast Air Basin will maintain the attainment status through 2035, a mechanism to verify continued attainment, a commitment to continue monitoring PM2.5, a contingency plan in case the standard is violated in the future, and provisions for contingency plan implementation. This action is to adopt the Resolution: 1) Determining that the 2021 South Coast Air Basin Redesignation Request and Maintenance Plan for the 2006 24-Hour PM2.5 Standard is exempt from the requirements of the California Environmental Quality Act; and 2) Approving the 2021 South Coast Air Basin Redesignation Request and Maintenance Plan for the 2006 24-Hour PM2.5 Standard, and directing staff to forward to CARB for approval and submission to U.S. EPA for inclusion in the SIP. (Reviewed: Mobile Source Committee, October 15, 2021)

- B. **Certify 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** **Nakamura/3105**

Proposed Rule 1109.1 (PR 1109.1) establishes NO_x and CO emission limits for combustion equipment at petroleum refineries and facilities with operations related to petroleum refineries. PR 1109.1 includes an alternative implementation plan referred to as an I-Plan, and two alternative BARCT plans referred to as a B-Plan and a B-Cap. Implementation of PR 1109.1 is expected to achieve 7 to 8 tons per day of NO_x. Proposed Rule 429.1 provides an exemption from the NO_x and CO emission limits in PR 1109.1 during startup, shutdown, and certain maintenance events. Proposed Amended Rule 1304 and Proposed Amended Rule 2005 implement a narrow BACT exemption for PM₁₀ and SO_x emission increases associated with installation of new and modified add-on air pollution control equipment installations or modification that are needed to meet the NO_x limits under PR 1109.1. Proposed Rescinded Rule 1109 is obsolete with the adoption of PR 1109.1. This action is to adopt the Resolution: 1) Certifying the Final Subsequent Environmental Assessment for Proposed Rules 1109.1 and 429.1, Proposed Amended Rules 1304 and 2005, and Proposed Rescinded Rule 1109; and 2) Adopting Rules 1109.1 and 429.1, Amending Rules 1304 and 2005, and Rescinding Rule 1109. (Reviewed: Stationary Source Committee for PR 1109.1 September 18, 2020, February 29, March 19, June 18 and September 17, 2021; Stationary Source Committee for PR 429.1, PARs 1304 and 2005, and Rescinded Rule 1109 September 17, 2021)

Items 3 through 8 -- Budget/Fiscal Impact

3. Recognize Revenue, Transfer and Appropriate Funds, Amend Contract, Issue Purchase Orders, and Authorize Payment to Extend and Improve Rule 1180 Fenceline and Community Monitoring Program **Low/2269**

As part of MATES V, an optical tent air measurement system was deployed at the Phillips 66 Wilmington refinery by the Regents of University of California, Los Angeles (UCLA), to demonstrate its ability to monitor fugitive VOC emissions. After the MATES V study concluded, the optical tent was adopted by the refinery as part of their fenceline air monitoring system for Rule 1180 implementation with continued oversight provided by UCLA for quality assurance/quality control and reporting for this new technology. These actions are to recognize revenue, transfer and appropriate funds to amend an existing contract with UCLA to extend the operation of the optical tent at the Phillips 66 Wilmington refinery and for the continued operation of the Rule 1180 community monitoring network, issue purchase orders, and authorize payment for sales tax to FluxSense, Inc. to extend and improve the Rule 1180 Fenceline and Community Monitoring Program. (Reviewed: Administrative Committee, September 10, 2021; Recommended for Approval)
4. Recognize Revenue, Appropriate Funds, and Execute Contracts to Implement Air Quality Community Training in Eastern Coachella Valley **Rees/2856**

U.S. EPA will award South Coast AQMD a grant from the State Environmental Justice Cooperative Agreement Program to implement an Air Quality Academy to improve environmental literacy and air quality data in the Eastern Coachella Valley. The academy will provide training on sensors, air quality index, and actions to reduce air pollution exposure. This action is to recognize upon receipt up to \$200,000 in revenue into the General Fund and appropriate up to \$113,091 to the Planning, Rule Development & Area Sources, Science & Technology Advancement and Legislative, Public Affairs/Media Office FY 2021-22 and/or FY 2022-23 Budgets. South Coast AQMD will partner with Twenty-Nine Palms Band of Mission Indians and execute contracts with Desert Healthcare District and Foundation and Health Assessment and Research for Communities. (Reviewed: Administrative Committee, September 10, 2021; Recommended for Approval)
5. Execute Contract to Provide Recordkeeping and Administration Services for South Coast AQMD's 457 Deferred Compensation Plan **Olvera/2309**

South Coast AQMD sponsors an IRS-approved 457 deferred compensation program for its employees. On February 5, 2021, the Board approved the release of RFP #2021-11 for bundled services to administer the Deferred Compensation Plan. Based on the evaluation of proposals, this action is to execute a 5-year contract with Empower Retirement, LLC to provide recordkeeping and administration services for the 457 Deferred Compensation Plan. Funding for this contract will be generated through charges to participant accounts. (Reviewed: Administrative Committee, September 10, 2021; Recommended for Approval)

6. Appropriate Funds and Amend or Execute Contracts with Outside Counsel and Specialized Legal Counsel and Services **Gilchrist/3459**

This action is to appropriate \$480,000 from the General Fund Undesignated (Unassigned) Fund Balance to Legal's FY 2021-22 and/or FY 2022-23 Budgets, and amend or execute contracts for legal counsel for specialized, environmental, and other litigation. (Reviewed: Administrative Committee, September 10, 2021; Recommended for Approval)

7. Amend Section 60 (Harassment) of South Coast AQMD's Administrative Code **Gilchrist/3459**

This action is to amend Section 60 (Harassment) of South Coast AQMD's Administrative Code. (Reviewed: Administrative Committee, September 10, 2021; Recommended for Approval)

8. Issue Purchase Order for Ingres Relational Database Management System Software Support **Moskowitz/3329**

The Ingres Relational Database Management System is used for the implementation of the Central Information Repository database. This database is used by most enterprise-level software applications at South Coast AQMD and currently supports a suite of client/server and web-based applications known collectively as the Clean Air Support System (CLASS). CLASS applications are used to support all of South Coast AQMD's core activities. Licensing, maintenance and support for this software expires on November 29, 2021. This action is to issue a purchase order to Actian Corporation for a total amount not to exceed \$304,100. Funds for this expense are included in the FY 2021-22 Budget. (Reviewed: Administrative Committee: September 10, 2021; Recommended for Approval)

Items 9 through 16 – Information Only/Receive and File

9. Legislative, Public Affairs and Media Report **Alatorre/3122**

This report highlights the August 2021 outreach activities of the Legislative, Public Affairs and Media Office, which includes: Major Events, Community Events/Public Meetings, Environmental Justice Update, Speakers Bureau/Visitor Services, Communications Center, Public Information Center, Business Assistance, Media Relations and Outreach to Business and Federal, State and Local Government. (No Committee Review)

10. Hearing Board Report **Verdugo-Peralta/2500**

This reports the actions taken by the Hearing Board during the period of August 1 through August 31, 2021. (No Committee Review)

11. Civil Filings and Civil Penalties Report **Gilchrist/3459**
- This reports the monthly penalties from July 1, 2021 through August 31, 2021, and legal actions filed by the General Counsel's Office from July 1 through August 31, 2021. An Index of South Coast AQMD Rules is attached with the penalty report. (Reviewed: Stationary Source Committee, September 17, 2021)
12. Lead Agency Projects and Environmental Documents Received **Nakamura/3105**
- This report provides a listing of CEQA documents received by South Coast AQMD between August 1, 2021 and August 31, 2021, and those projects for which South Coast AQMD is acting as lead agency pursuant to CEQA. (No Committee Review)
13. Rule and Control Measure Forecast **Rees/2856**
- This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2021. (No Committee Review)
14. Report of RFPs/RFQs Scheduled for Release in October **Jain/2804**
- This report summarizes the RFPs/RFQs for budgeted services over \$100,000 scheduled to be released for advertisement for the month of October. (Reviewed: Administrative Committee, September 10, 2021)
15. Status Report on Major Ongoing and Upcoming Projects for Information Management **Moskowitz/3329**
- Information Management is responsible for data systems management services in support of all South Coast AQMD operations. This action is to provide the monthly status report on major automation contracts and planned projects. (Reviewed: Administrative Committee, September 10, 2021)
16. Annual Progress Report for AB 617 Community Emissions Reduction Plans **Rees/2856**
- This report summarizes the results and actions taken from September 2019 to June 2021 to further reduce emissions in AB 617 communities designated in 2018 and 2019. (Reviewed: Stationary Source Committee, September 17, 2021)

Item 17 -- Staff Presentation/Board Discussion/Receive and File

17. Budget and Economic Outlook Update *(Presentation in lieu of Board Letter)* **Whynot/3104**
- Staff will provide an update on economic indicators and key South Coast AQMD metrics. (Reviewed: Administrative Committee, September 10, 2021)

Items 18 through 21 -- Reports for Committees and CARB

Note: The Legislative, Mobile Source and Technology Committee meetings were cancelled in September. The next regular meeting of the Legislative Committee is October 8, 2021. The next regular meetings of the Mobile Source and Technology Committees are October 15, 2021.

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|-----|--|-----------------------|------------------|
| 18. | Administrative Committee (Receive & File) | Chair: Benoit | Nastri/3131 |
| 19. | Stationary Source Committee (Receive & File) | Chair: Benoit | Aspell/2491 |
| 20. | Mobile Source Air Pollution Reduction
Review Committee (Receive & File) | Board Liaison: Benoit | Katzenstein/2219 |
| 21. | California Air Resources Board Monthly
Report (Receive & File) | Board Rep: Kracov | Thomas/2500 |
| 22. | <u>Items Deferred from Consent and Board Calendars</u> | | |

PUBLIC HEARINGS

- | | | |
|-----|--|---------------|
| 23. | Determine That Proposed Amendments to Rule 1111 –
Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type
Central Furnaces, Are Exempt from CEQA; and Amend
Rule 1111 (<i>Continued from September 3, 2021 Board meeting</i>) | Nakamura/3105 |
|-----|--|---------------|

Rule 1111 establishes a NOx emission limit of 14 ng/J for residential and commercial gas furnaces. Proposed Amended Rule 1111 will extend the mitigation fee alternative compliance option end date from September 30, 2021 to September 30, 2023 for mobile home furnaces, and provide an exemption for downflow furnaces and furnaces at or above 100,000 btu/hr that are installed in high altitude areas. Proposed Amended Rule 1111 will also allow furnaces certified at 40 ng/J to be installed in high altitude areas for a limited time period if less than four manufacturers have compliant furnaces commercially available on October 1, 2021 for high altitude areas. This action is to adopt the Resolution: 1) Determining that the proposed amendments to Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces are exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces. (Reviewed: Stationary Source Committee, May 21 and June 18, 2021)

24. Determine That Proposed Rule 118.1 – Public Safety Provisions for Stationary Emergency Standby Engines and Proposed Amended Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines Are Exempt from CEQA, and Adopt Proposed Rule 118.1 and Amend Rule 1470 **Nakamura/3105**

Over the past several years, utilities have increased implementation of Public Safety Power Shutoff events where power lines are de-energized to reduce potential wildfires. As a result, critical service facilities have increased operation of emergency standby engines during Public Safety Power Shutoff events to provide continuous services to protect public health and safety. Proposed Rule 118.1 includes provisions for critical service facilities that operate an emergency standby engine during a Public Safety Power Shutoff event. Proposed Amended Rule 1470 provides an optional testing and maintenance schedule for water and sewage facilities with an emergency standby engine located in a very high fire hazard severity zone. This action is to adopt the Resolution: 1) Determining that Proposed Rule 118.1 - Public Safety Provisions for Stationary Emergency Standby Engines and Proposed Amended Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines, are exempt from the requirements of the California Environmental Quality Act; and 2) Adopting Proposed Rule 118.1 - Public Safety Provisions for Stationary Emergency Standby Engines and Amending Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines. (Reviewed: Stationary Source Committee, August 20, 2021)

25. Approve Terms & Conditions of Employment as to South Coast AQMD Professional Unit Employees to Implement Management's Last, Best and Final Offer **Olvera/2309**

South Coast AQMD management and the South Coast AQMD Professional Employees Association reached impasse in the bargaining process for a successor MOU. This action is to hold a public hearing regarding the impasse, and to implement South Coast AQMD's Last, Best and Final Offer by approving Terms & Conditions of Employment for Professional Unit employees, which shall remain in effect until a successor MOU is approved. There is sufficient funding available in the FY 2021-22 Budget. (No Committee Review)

BOARD MEMBER TRAVEL – (No Written Material)

Board member travel reports have been filed with the Clerk of the Boards, and copies are available upon request.

CLOSED SESSION -- (No Written Material)

Gilchrist/3459

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

It is necessary for the Board to recess to closed session pursuant to Government Code sections 54956.9(a) and 54956.9(d)(1) to confer with its counsel regarding pending litigation which has been initiated formally and to which the SCAQMD is a party. The actions are:

- Communities for a Better Environment v. SCAQMD, Los Angeles Superior Court Case No. BS161399 (RECLAIM);
- Communities for a Better Environment v. South Coast Air Quality Management District, Los Angeles Superior Court Case No. 19STCP05239 (Tesoro II);
- People of the State of California, ex rel. SCAQMD v. Exide Technologies, Inc., Los Angeles Superior Court Case No. BC533528;
- In re: Exide Technologies, Inc., U.S. Bankruptcy Court, District of Delaware, Case No. 13-11482 (KJC) (Bankruptcy Case); Delaware District Court, Case No.: 19-00891 (Appellate Case); United States Court of Appeals, Third Circuit, Case No. 20-1858;
- In re: Exide Holdings Inc., U.S. Bankruptcy Court, District of Delaware, Case No. 20-11157 (CSS) (Bankruptcy Case);
- In the Matter of SCAQMD v. Southern California Gas Company, Aliso Canyon Storage Facility, SCAQMD Hearing Board Case No. 137-76 (Order for Abatement); People of the State of California, ex rel SCAQMD v. Southern California Gas Company, Los Angeles Superior Court Case No. BC608322; Judicial Council Coordinated Proceeding No. 4861;
- In the Matter of SCAQMD v. Torrance Refining Company, LLC, SCAQMD Hearing Board Case No. 6060-5 (Order for Abatement);
- CalPortland Company v. South Coast Air Quality Management District; Governing Board of the South Coast Air Quality Management District; and Wayne Nastri, Executive Officer, and Does 1-100, San Bernardino County Superior Court, Case No. CIV DS 1925894;
- Downwinders at Risk et al. v. EPA, United States Court of Appeals, Ninth Circuit, Case No. 19-1024 (consolidated with Sierra Club, et al. v. EPA, No. 15-1465);
- SCAQMD, et al. v. Elaine L. Chao, et al., District Court for the District of Columbia, Case No. 1:19-cv-03436-KBJ;
- SCAQMD, et al. v. EPA, United States Court of Appeals, D.C. Circuit, Case No. 19-1241 (consolidated with Union of Concerned Scientists v. NHTSA, No. 19-1230);
- SCAQMD, et al. v. NHTSA, EPA, et al., United States Court of Appeals, D.C. Circuit, Filed May 28, 2020;
- Natural Resources Defense Council, et al. v. City of Los Angeles, et al., San Diego Superior Court, Case No. 37-2021-00023385-CU-TT-CTL (China Shipping Case) (transferred from Los Angeles Superior Court, Case No. 20STCP02985);
- Terry Lee Williams v. SCAQMD, Los Angeles Superior Court Case No. 19STCV37587; and
- California Trucking Association v. South Coast Air Quality Management; the Governing Board of the South Coast Air Quality Management District; and Does 1 through 25, inclusive, Case No.: 2:21-cv-06341.

CONFERENCE WITH LEGAL COUNSEL – INITIATING LITIGATION

It is also necessary for the Board to recess to closed session pursuant to Government Code section 54956.9(a) and 54956.9(d)(4) to consider initiation of litigation (four cases).

People of the State of California v. City of Fontana, San Bernardino Superior Court, Case No. CIVSB2121829.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Also, it is necessary for the Board to recess to closed session pursuant to Government Code section 54956.9(d)(2) to confer with its counsel because there is a significant exposure to litigation against the SCAQMD (two cases).

Letter from Steven J. Olson, O'Melveny & Myers LLP, on behalf of ExxonMobil Corporation, dated August 22, 2018.

CONFERENCE WITH LABOR NEGOTIATORS

It is also necessary to recess to closed session pursuant to Government Code Section 54957.6 to confer with labor negotiators:

- Agency Designated Representative: A. John Olvera, Deputy Executive Officer – Administrative & Human Resources;
- Employee Organization(s): Teamsters Local 911, and South Coast AQMD Professional Employees Association; and
- Unrepresented Employees: Designated Deputies and Management and Confidential employees.

ADJOURNMENT

*****PUBLIC COMMENTS*****

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Note that on items listed on the Consent Calendar and the balance of the agenda any motion, including action, can be taken (consideration is not limited to listed recommended actions). Additional matters can be added and action taken by two-thirds vote, or in the case of an emergency, by a majority vote. Matters raised under the Public Comment Period may not be acted upon at that meeting other than as provided above.

Written comments will be accepted by the Board and made part of the record. Individuals who wish to submit written or electronic comments must submit such comments to the Clerk of the Board, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765-4178, (909) 396-2500, or to cob@aqmd.gov, on or before 5:00 p.m. on the Tuesday prior to the Board meeting.

ACRONYMS

AQ-SPEC = Air Quality Sensor Performance Evaluation Center	NESHAPS = National Emission Standards for Hazardous Air Pollutants
AQIP = Air Quality Investment Program	NGV = Natural Gas Vehicle
AQMP = Air Quality Management Plan	NOx = Oxides of Nitrogen
AVR = Average Vehicle Ridership	NSPS = New Source Performance Standards
BACT = Best Available Control Technology	NSR = New Source Review
BARCT = Best Available Retrofit Control Technology	OEHA = Office of Environmental Health Hazard Assessment
Cal/EPA = California Environmental Protection Agency	PAMS = Photochemical Assessment Monitoring Stations
CARB = California Air Resources Board	PEV = Plug-In Electric Vehicle
CEMS = Continuous Emissions Monitoring Systems	PHEV = Plug-In Hybrid Electric Vehicle
CEC = California Energy Commission	PM10 = Particulate Matter \leq 10 microns
CEQA = California Environmental Quality Act	PM2.5 = Particulate Matter \leq 2.5 microns
CE-CERT = College of Engineering-Center for Environmental Research and Technology	RECLAIM=Regional Clean Air Incentives Market
CNG = Compressed Natural Gas	RFP = Request for Proposals
CO = Carbon Monoxide	RFQ = Request for Quotations
DOE = Department of Energy	RFQQ=Request for Qualifications and Quotations
EV = Electric Vehicle	SCAG = Southern California Association of Governments
EV/BEV = Electric Vehicle/Battery Electric Vehicle	SIP = State Implementation Plan
FY = Fiscal Year	SOx = Oxides of Sulfur
GHG = Greenhouse Gas	SOON = Surplus Off-Road Opt-In for NOx
HRA = Health Risk Assessment	SULEV = Super Ultra Low Emission Vehicle
LEV = Low Emission Vehicle	TCM = Transportation Control Measure
LNG = Liquefied Natural Gas	ULEV = Ultra Low Emission Vehicle
MATES = Multiple Air Toxics Exposure Study	U.S. EPA = United States Environmental Protection Agency
MOU = Memorandum of Understanding	VOC = Volatile Organic Compound
MSERCs = Mobile Source Emission Reduction Credits	ZEV = Zero Emission Vehicle
MSRC = Mobile Source (Air Pollution Reduction) Review Committee	
NATTS =National Air Toxics Trends Station	

INSTRUCTIONS FOR ELECTRONIC PARTICIPATION

Instructions for Participating in a Virtual Meeting as an Attendee

As an attendee, you will have the opportunity to virtually raise your hand and provide public comment.

Before joining the call, please silence your other communication devices such as your cell or desk phone. This will prevent any feedback or interruptions during the meeting.

Please note: During the meeting, all participants will be placed on Mute by the host. You will not be able to mute or unmute your lines manually.

After each agenda item, the Chairman will announce public comment.

Speakers may be limited to a total of 3 minutes for the entirety of the consent calendar plus board calendar, and three minutes or less for each of the other agenda items.

A countdown timer will be displayed on the screen for each public comment.

If interpretation is needed, more time will be allotted.

Once you raise your hand to provide public comment, your name will be added to the speaker list. Your name will be called when it is your turn to comment. The host will then unmute your line.

Directions for Video ZOOM on a DESKTOP/LAPTOP:

- If you would like to make a public comment, please click on the **“Raise Hand”** button on the bottom of the screen.
- This will signal to the host that you would like to provide a public comment and you will be added to the list.

Directions for Video Zoom on a SMARTPHONE:

- If you would like to make a public comment, please click on the **“Raise Hand”** button on the bottom of your screen.
- This will signal to the host that you would like to provide a public comment and you will be added to the list.

Directions for TELEPHONE line only:

- If you would like to make public comment, please **dial *9** on your keypad to signal that you would like to comment.