

BOARD MEETING DATE: January 10, 2020

AGENDA NO. 16

REPORT: Administrative Committee

SYNOPSIS: The Administrative Committee held a meeting on Friday, December 13, 2019. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Dr. William A. Burke, Chair  
Administrative Committee

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**Committee Members**

Present: Dr. William A. Burke/Chair (videoconference)  
Council Member Ben Benoit/Vice Chair  
Council Member Michael Cacciotti (videoconference)

Absent: Mayor Judith Mitchell

**Call to Order**

Chair Burke called the meeting to order at 10:07 a.m.

**DISCUSSION ITEMS:**

1. **Board Members' Concerns:** None to report.
2. **Chairman's Report of Approved Travel:** As noted on the travel report, Mayor Mitchell will attend the monthly CARB Board meeting as South Coast AQMD's representative in Sacramento on January 22-24, 2020 and February 26-28, 2020; and the AB 617 Programs/CARB Board meetings in El Centro on January 14-15, 2020 and in Shafter on February 12-13, 2020.

3. **Report of Approved Out-of-Country Travel:** Dr. Sarah Rees, Assistant Deputy Executive Officer/Planning, Rule Development and Area Sources, and Dr. Elaine Shen, Program Supervisor, will attend meetings in support of the Pacific Rim Initiative for Maritime Emission Reductions (PRIMER) and to discuss the next steps of building multi-regional partnerships to incentivize the deployment of cleaner ships for trans-Pacific goods movement in China on February 10-21, 2020.
4. **Review January 10, 2020 Governing Board Agenda:** None to report.
5. **Approval of Compensation for Board Member Assistant(s)/Consultant(s):** Mayor Mitchell has selected Fred Minassian, who formerly worked at the South Coast AQMD for over 20 years, as her Board Consultant to assist in technical matters.

Moved by Benoit; seconded by Cacciotti, unanimously approved.

Ayes: Benoit, Burke, Cacciotti  
Noes: None  
Absent: Mitchell

6. **Status Report on Major Ongoing and Upcoming Projects for Information Management:** Ron Moskowitz, Deputy Executive Officer/Chief Information Officer, reported that the VW mitigation website went live two weeks ago, for repowering heavy-duty vehicles with equipment with lower emissions and other clean technologies. On December 12, 2019, the Flare Event Notification System (FENS) went live. The new system captures data and identifies specific equipment that is causing flares, automatically updates the compliance system and notifies inspectors. The public can now use a new interface flare map where current and historical flare notifications on each refinery are displayed. Rule 222 will go live on December 13 which allows the public to submit and obtain registrations for charbroilers, small boilers and negative air machines. By January 1, 2020, annual emissions reporting will go live, which includes AB 617 enhancements. Office 365 has been successfully deployed and all staff have been trained. After researching a number of vendors, staff is in the process of procuring 1.6 million emails for outreach efforts. Council Member Cacciotti inquired about the VW Environmental Mitigation Program website and the status of the VW trust money. Mr. Moskowitz responded that the program went live two weeks ago. Council Member Cacciotti asked about feedback. Mr. Moskowitz responded that there has been positive feedback from CARB.

7. **Report of RFPs/RFQs Scheduled for Release in January:** Sujata Jain, Deputy Executive Officer/Chief Financial Officer, reported that this item is to release one RFP and one RFQ. The RFP is for legal services for employment and labor relations; and the RFQ is to establish a list of prequalified vendors for automotive mechanical repairs and services.

**ACTION ITEMS:**

8. **Revise Procurement Policy and Procedure:** Ms. Jain reported that this item is to revise the procurement policy for three items. The first is to increase the Executive Officer's signing authority from \$75,000 to \$100,000; the second is to change the terminology from fixed assets to capital assets to be in alignment with accounting pronouncements; the third is to increase the Executive Officer's authority to \$500,000 for purchases of assets, contracts and services that might be immediately needed in an emergency. Ms. Jain further added that in Section VIII, Paragraph C2 of the procurement policy a correction is requested to change the budgeted amount for consulting or professional services on contracts from \$75,000 to \$100,000. Council Member Benoit commented that he is in full support of the ability to maintain operations during an emergency.

Moved by Benoit; seconded by Cacciotti, unanimously approved.

Ayes: Benoit, Burke, Cacciotti  
Noes: None  
Absent: Mitchell

9. **Approve Transfer of Monies from General Fund to Health Effects Research Fund:** Ms. Jain reported that this item is to transfer 20% of the penalties received in FY 2018-19 that exceed \$4 million to the Health Effects Research Fund from the General Fund.

Moved by Cacciotti; seconded by Benoit, unanimously approved.

Ayes: Benoit, Burke, Cacciotti  
Noes: None  
Absent: Mitchell

10. **Approve Transfer of Monies from Health Effects Research Fund to Health Effects of Air Pollution Foundation:** Mr. Wayne Nastri, Executive Officer, reported that the funding request should have included the indirect cost which makes the actual cost \$3.5 million. The funds are available in the account and this funding will be used to continue the research performed by Dr. Black, and ongoing projects at UCLA and USC. Mr. Harvey Eder, Solar Coalition, provided public testimony on renewable energy and expressed his concerns regarding the toxicity of natural gas.

Moved by Benoit; seconded by Cacciotti, unanimously approved.

Ayes: Benoit, Burke, Cacciotti  
Noes: None  
Absent: Mitchell

- 11. Reallocate and Appropriate Funds and Execute Purchase Orders for Air Monitoring Programs:** Dr. Jason Low, Assistant Deputy Executive Officer/Science & Technology Advancement reported that these actions are to appropriate up to \$62,000 from the General Fund to the Science & Technology Advancement (STA) budget for this year and next year for community air toxics monitoring program. In addition, this request is to reallocate up to \$160,000 within the existing STA Capital Outlay budget to purchase air monitoring equipment.

Moved by Benoit; seconded by Cacciotti, unanimously approved.

Ayes: Benoit, Burke, Cacciotti  
Noes: None  
Absent: Mitchell

- 12. Receive and File Annual Report on 457 Deferred Compensation Plan:** Dr. Burke continued this item to the January 2020 Administrative Committee meeting in order to allow staff additional time to gather detailed historical information on companies who have administered the 457 deferred compensation plan.

#### **WRITTEN REPORTS:**

- 13. Local Government & Small Business Assistance Advisory Group Minutes for the September 13, 2019 Meeting:** Mr. Alatorre reported that this item is a written report.
- 14. Local Government & Small Business Assistance Advisory Group Minutes for the October 11, 2019 Meeting:** Mr. Alatorre reported that this item is a written report. Mr. Eder provided public comment regarding the small business advisory group, and stated they should do more work with small industries for use of solar technologies.

#### **OTHER MATTERS:**

- 15. Other Business:** Council Member Cacciotti commented about MSRC providing \$20 million to Riverside and San Bernardino for warehouse distribution centers and asked about adding a future Board agenda item to transfer penalty monies towards the cost of developing distribution centers in other counties.

**16. Public Comment:** There were no public comments.

**17. Next Meeting Date:** The next regular Administrative Committee meeting is scheduled for January 17, 2020 at 10:00 a.m.

**Adjournment**

The meeting adjourned at 10:38 a.m.

**Attachments**

Local Government & Small Business Assistance Advisory Group minutes for the September 13, 2019 and October 11, 2019 meetings



# South Coast Air Quality Management District

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## **LOCAL GOVERNMENT & SMALL BUSINESS ASSISTANCE ADVISORY GROUP FRIDAY, SEPTEMBER 13, 2019 MEETING MINUTES**

### **MEMBERS PRESENT:**

Supervisor V. Manuel Perez (Board Member)  
Mayor Pro Tempore Rachele Arizmendi, City of Sierra Madre  
Felipe Aguirre  
Paul Avila, P.B.A. & Associates  
Geoffrey Blake, Metal Finishers of Southern California  
LaVaughn Daniel, DancoEN  
John DeWitt, JE DeWitt, Inc.  
Bill LaMarr, California Small Business Alliance  
Eddie Marquez, Roofing Contractors Association  
Council Member Carlos Rodriguez, City of Yorba Linda  
David Rothbart, Los Angeles County Sanitation Districts

### **MEMBERS ABSENT:**

Council Member Ben Benoit, LGSBA Chairman (Board Member)  
Supervisor Janice Rutherford (Board Member)  
Todd Campbell, Clean Energy  
Mayor Cynthia Moran, City of Chino Hills  
Rita Loof, RadTech International

### **OTHERS PRESENT:**

Priscilla Hamilton, SoCalGas  
Cindy Parsons, Los Angeles Department of Water & Power  
Frank Prewoznik, Irvine Ranch Water District  
Andy Sylva, San Bernardino County  
Stacy Taylor, Mesa Water District  
Peter Whittingham, Whittingham Public Affairs Advisors  
Greg Wolffe, Yorke Engineering

### **SOUTH COAST AQMD STAFF:**

Derrick Alatorre, Deputy Executive Officer  
Philip Fine, Deputy Executive Officer  
Fabian Wesson, Assistant Deputy Executive Officer  
Sarah Rees, Assistant Deputy Executive Officer  
Nancy Feldman, Principal Deputy District Counsel  
Victor Yip, Sr. Enforcement Manager  
De Groeneveld, Sr. Information Technology Specialist  
Elaine-Joy Hills, AQ Specialist  
Van Doan, AQ Specialist

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

Supervisor V. Manuel Perez called the meeting to order at 11:31 a.m.

### **Agenda Item #2 – Approval of July 19, 2019 Meeting Minutes/Review of Follow-Up/Action Items**

Supervisor Perez called for approval of the July 19, 2019 meeting minutes. The minutes were approved unanimously.

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

Mr. Derrick Alatorre stated that there are no follow-up or action items.

### **Agenda Item #4 – Proposed Amendments to Rule 1403: Asbestos Emissions from Demolition/Renovation Activities**

Dr. Sarah Rees provided an overview on the proposed amendments to Rule 1403 and a summary of staff activities.

Mr. Paul Avila asked what the purpose of asbestos use was. Dr. Rees replied that asbestos has good insulation and fire-proofing properties; however, there are associated health risks so it is being replaced by other materials.

Mr. David Rothbart commented that there is confusion regarding Rule 1403 applicability, particularly survey requirements. Mr. Rothbart expressed support for proposed amended Rule (PAR) 1403 and suggested a more streamlined surveying process. Dr. Rees stated that the survey requirements is part of the federal National Emission Standards for Hazardous Air Pollutants (NESHAP) regulations so it cannot be waived. South Coast AQMD is open to discuss what constitutes an adequate survey; however, it needs to be consistent with the federal regulations. Mr. Rothbart referenced an asbestos procedure from Massachusetts and requested for similar flexibility regarding the survey requirements. Dr. Rees stated that the Environmental Protection Agency (EPA) determined that as-built plans are not considered adequate asbestos surveys. Dr. Rees speculated that the Massachusetts procedure may include other information in addition to the as-built plans.

Mr. Bill LaMarr asked if PAR 1403 will introduce extra steps, requiring contractors to obtain clearance from South Coast AQMD. Dr. Rees replied that PAR 1403 doesn't add any additional process steps, it clarifies existing requirements. Mr. LaMarr commented that collaboration with the planning departments is necessary for this rule to be enforceable. He added that planning departments must obtain clearance from South Coast AQMD if they are issuing permits for projects involving asbestos-containing materials. Mr. LaMarr asked how do-it-yourselfers are affected by PAR 1403 since they are unfamiliar with the requirements. Dr. Rees replied that this rule is not applicable to the building/planning departments; it is applicable to owners and operators. However, there has been conversation with those departments regarding notifying the owners and operators of applicable asbestos requirements. As for do-it-yourselfers, this rule is not applicable to homeowners performing the work themselves.

Mr. Carlos Rodriguez asked if there has been any recent correspondence with water districts regarding this rule and what the concerns are. Dr. Rees replied that there has been many meetings with a coalition of water districts regarding this rule. They are concerned about how this rule applies to underground pipes and would like to see separate work practices established. They are also concerned with survey requirements, which are part of the NESHAP regulations. Although, those requirements cannot be removed from the rule, other flexibilities introduced into the rule language will help make it more

practicable and achievable. Currently, there are work practices applicable to underground pipes, which are included in Procedure 3. South Coast AQMD is committed to working with water districts and others to address concerns, but is also ensuring that the minimal federal government requirements are met and work practices are safe. Mr. Rodriguez further asked if there will be an opportunity for the water districts to provide comments. Mr. Alatorre stated that some of the water district representatives have submitted comment cards and will have the opportunity to speak.

Mr. Rodriguez asked if cities have provided feedback and concerns. Dr. Rees replied that this rule applies to cities if they are performing the work themselves. PAR 1403 does not include additional requirements, it provides clarification and flexibility to existing requirements. Mr. Rodriguez asked if Orange County Council of Governments (OCCOG) provided input. Dr. Rees replied that OCCOG has not provided input, but cities and municipal water districts have. Mr. Alatorre added that this topic will be discussed at the next Stationary Source Committee meeting and stakeholders will have the opportunity to provide comments.

Mr. Rodriguez asked what input and concerns have been provided by commercial/industrial/residential groups. Dr. Rees replied that input were provided by the construction industry, particularly asbestos consultants as well as by water districts. One concern was that some of the requirements were ambiguous, the sampling provisions. The proposed amendments clarify those requirements. Mr. Rodriguez asked if the Orange County Division, League of California Cities (OCDLCC) provided input. Dr. Rees replied that OCDLCC has not provided input. Mr. Rodriguez asked if there is an opportunity for OCDLCC to provide input. Dr. Rees replied that staff could reach out to them.

Mr. Rothbart commented that there has been a lot of confusion on the applicability of the rule and suggested targeted outreach to those working with asphalt. Dr. Rees stated that asbestos was found in some asphalt samples tested. However, the results were not expected as asbestos is typically found in asphalt used in cold regions so staff is continuing to evaluate that issue to determine how to proceed.

Mr. Rodriguez asked if this rule applies to projects done by the Orange County Transportation Authority and if they provided input. Dr. Rees replied that this rule is applicable to renovation and demolition activities at facilities and its components, and does not apply to roadway activities. However, if there is evidence that asphalt contains asbestos, then it could be included in future rulemaking efforts to address exposure. Mr. Rodriguez asked if cities conducting general road repairs and maintenance are required to notify South Coast AQMD. Dr. Rees replied that this rule is applicable to renovation and demolition activities at facilities and its components and not to general roadwork. Mr. Rodriguez asked if additional time will be given for notifications. Dr. Rees replied there is a 10-day notification period for non-emergency projects. Mr. Rodriguez asked what the approval timeframe is. Dr. Rees replied that South Coast AQMD approval is not required for the established work practices. A quick response is provided for other cases not included in the established procedures. Mr. Rodriguez asked if the National Association for Industrial and Office Parks (NAIOP) provided comments. Dr. Rees replied no.

Mr. Avila asked where asbestos-containing materials are disposed. Dr. Rees replied they are disposed at hazardous waste landfills.

Public comments regarding this presentation are discussed in Agenda Item #8 – Public Comment section.



#### **Agenda Item #5 – Complaint Reporting Process**

Mr. Victor Yip presented on South Coast AQMD's complaint reporting and response procedures.

Mr. LaMarr referenced the slide on Trends of Air Quality Complaints Received and asked what "spots" meant. Mr. Yip replied that "spots" refer to complaints of bee droppings. Mr. LaMarr further asked if the numbers included Assembly Bill (AB) 617 complaints. Mr. Yip replied that all complaints, including those in AB 617 communities, are included in the total numbers.

Mr. Eddie Marquez asked if South Coast AQMD records and responds to complaints regarding chemtrails and bee droppings, even if nothing could be done. Mr. Yip replied that all reported complaints are recorded and responded to.

Mr. Avila asked if complaints regarding past, temporary odor issues are recorded. Mr. Yip replied yes.

Mr. Geoffrey Blake asked if a geographical analysis has been done to show where complaints are being reported. Mr. Yip replied that maps have been created to show the location and concentration of complaints reported.

#### **Agenda Item #6 –Monthly Report on Small Business Assistance Activities**

No comments.

#### **Agenda Item #7 - Other Business**

Mr. Felipe Aguirre inquired about South Coast AQMD's lack of participation on the Exide Community Advisory Committee. Mr. Alatorre stated that Dr. Joe Lyou represented South Coast AQMD on that committee, however, since his departure, a replacement has not been assigned. Mr. Alatorre stated that South Coast AQMD maintains interaction with Department of Toxic Substance Control (DTSC) regarding Exide and will provide an update at the next meeting. Mr. Aguirre asked if the participant has to be a Governing Board (GB) member. Mr. Alatorre replied that previously, the GB chairman wanted a GB member to participate on the committee, but will ask if staff could also participate.

*Action Item: Provide Mr. Aguirre with an update on South Coast AQMD's participation on the Exide Community Advisory Committee.*

Ms. Rachelle Arizmendi commended staff on the success of the Environmental Justice Conference held on September 12, 2019.

#### **Agenda Item #8- Public Comment**

Ms. Priscilla Hamilton commented on PAR 1403. Ms. Hamilton stated that additional asphalt test data should be evaluated to confirm the presence of asbestos. She indicated that cities, counties, and other stakeholders need to share the burden to address the asphalt issue and suggested the formation of an ad hoc working group to address the asphalt policy and other streamlining issues in Rule 1403. Ms. Hamilton added that SoCalGas would support a South Coast AQMD-led study to evaluate how widespread asbestos in asphalt is in the region.

Ms. Stacy Taylor commented on PAR 1403. Ms. Taylor stated that health and safety is a priority, Rule 1403 needs clarification, PAR 1403 is not expected to result in quantifiable emissions reductions, and asbestos must be properly handled. Ms. Taylor recommended the development of a pipe procedure specific to water/wastewater utilities, a small project exemption, and allowing the use of asbestos-

cement (AC) pipe craft workers for onsite surveys as approved by California Occupational Safety and Health Administration (Cal/OSHA). Ms. Taylor expressed support for a formation of a working group to address the asphalt issue.

Mr. Frank Prewoznik provided comments on PAR 1403. Mr. Prewoznik requested that South Coast AQMD clarify the type of survey required for materials known to not contain asbestos. Mr. Prewoznik stated that there is a legal mandate for the water district to provide an essential service and asked South Coast AQMD to consider that during the rulemaking process.

Ms. Cindy Parsons commented on PAR 1403. Ms. Parsons expressed support for the “call and go” exemption and the expanded definition for emergency renovation. Ms. Parsons suggested a more streamlined approach to demonstrate compliance with the asbestos survey requirement, such as using records. Ms. Parsons stated support for the development of a Procedure 6 for underground utility pipelines. She suggested analysis of asphalt samples to determine the disposal method instead of presuming they contain asbestos.

Mr. Greg Wolffe commented on PAR 1403. Mr. Wolffe stated that it is a challenge to regulate asphalt under Rule 1403, in its current form or as proposed. Mr. Wolffe added that asphalt is not a facility or a facility component, making Rule 1403 inapplicable. Therefore, the sampling, labeling, and disposal requirements for asphalt should be different from other asbestos-containing materials. Mr. Wolffe proposed that asphalt be excluded from Rule 1403 and be included in a separate rule.

Mr. Rothbart stated that this advisory group is not a body that makes decisions, rather one that provides recommendations to the GB. Mr. Rothbart encouraged the public to provide comments at the upcoming Stationary Source Committee meeting and to work with staff to achieve a resolution.

Mr. Rodriguez stated that all the speakers, including Ms. Hamilton and Ms. Taylor, requested to form an ad hoc working group and asked if it is possible for this group to encourage the formation of that type of working group. Mr. Alatorre replied that staff will determine if an ad hoc working group can be formed. Mr. Rodriguez agreed that it is determined by staff and asked if this group is able to formalize a recommendation. Ms. Nancy Feldman stated that she did not have a response and will conduct research. Mr. Rodriguez proposed a motion to support the formation of an ad hoc working group as highlighted by the speakers from SoCalGas, Mesa Water District, and others.

Mr. LaMarr stated that there have been occasions when the Home Rule Advisory Group wrote letters to the Stationary Source Committee to express support on particular issues. Dr. Philip Fine stated that the report from the Home Rule Advisory Group goes to the Stationary Source Committee for consideration and recommended that this group report to the Administrative Committee.

Ms. Rachelle Arizmendi stated that the advisory group could not take action on an item that is not actionable; however, the group could provide guidance to staff to consider the formation of an ad hoc working group.

Mr. Rodriguez pulled the motion and stated that the goal was to strongly encourage and provide direction to staff to consider the request to form an ad hoc working group.

#### **Agenda Item #9 – Next Meeting Date**

The next regular Local Government & Small Business Assistance Advisory Group meeting is scheduled for Friday, October 11, 2019 at 11:30 a.m.

**Adjournment**

The meeting adjourned at 1:05 p.m.



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## **LOCAL GOVERNMENT & SMALL BUSINESS ASSISTANCE ADVISORY GROUP FRIDAY, OCTOBER 11, 2019 MEETING MINUTES**

### **MEMBERS PRESENT:**

Council Member Ben Benoit, LGSBA Chairman (Board Member)  
Supervisor V. Manuel Perez (Board Member)  
Supervisor Janice Rutherford (Board Member)  
Mayor Pro Tempore Rachelle Arizmendi, City of Sierra Madre  
Paul Avila, P.B.A. & Associates  
Geoffrey Blake, Metal Finishers of Southern California  
Todd Campbell, Clean Energy  
John DeWitt, JE DeWitt, Inc.  
Rita Loof, RadTech International  
Eddie Marquez, Roofing Contractors Association  
Council Member Carlos Rodriguez, City of Yorba Linda  
David Rothbart, Los Angeles County Sanitation Districts

### **MEMBERS ABSENT:**

Felipe Aguirre  
LaVaughn Daniel, DancoEN  
Bill LaMarr, California Small Business Alliance  
Mayor Cynthia Moran, City of Chino Hills

### **OTHERS PRESENT:**

Ruthanne Taylor Berger, Board Member Consultant (*Benoit*)

### **SOUTH COAST AQMD STAFF:**

Derrick Alatorre, Deputy Executive Officer  
Amir Dejbakhsh, Acting Deputy Executive Officer  
Nancy Feldman, Principal Deputy District Counsel  
Daniel Garcia, Planning & Rules Manager  
Arlene Farol, Senior Public Information Specialist  
Elaine-Joy Hills, Air Quality Specialist  
Van Doan, Air Quality Specialist

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

Chair Ben Benoit called the meeting to order at 11:30 a.m.

### **Agenda Item #2 – Approval of July 19, 2019 Meeting Minutes/Review of Follow-Up/Action Items**

Chair Benoit called for approval of the September 13, 2019 meeting minutes.

Mr. David Rothbart referenced the September 13, 2019 minutes and indicated that discussions regarding Rule 1403, Mr. Carlos Rodriguez's proposed motion, and the encouragement of staff to work with stakeholders on the rule were not reflected in the minutes. Mr. Rothbart stated that there was a discussion regarding the ability of the advisory group to have a motion and what is appropriate, and asked for clarification on whether or not it is something the advisory could do to unanimously provide direction.

Chair Benoit stated that the discussion should be reflected in the minutes.

Mr. Derrick Alatorre stated that staff will revise the minutes and suggested that it be voted on at the next meeting.

*Action Item #1: Revise September 13, 2019 minutes.*

Chair Benoit directed staff to provide clarification on the procedure for the advisory group to provide input when the body feels that more input is necessary.

*Action Item #2: Provide clarification on the procedure for the advisory group to provide input to the Governing Board.*

Mr. Rodriguez stated that, "when the motion was retracted, it was because there was seemingly unanimous sentiment to provide a recommendation or direction to staff for them to consider the public comment of moving the issue of asbestos in asphalt-related topic to an ad hoc committee," which occurred following the September meeting. Mr. Rodriguez indicated that although the motion was retracted, the sentiment of the advisory group was to recommend staff to consider an ad hoc committee and was under the impression that the point was taken; however, that sentiment and direction was not provided to staff and would like to see that captured somehow.

Mr. Alatorre stated that it is not going to an ad hoc committee; it is going to the Stationary Source Committee then to the Governing Board. Mr. Rodriguez acknowledged Mr. Alatorre's comment regarding the ad hoc committee.

Mr. Paul Avila asked how much time is available to revise previously approved minutes. Ms. Nancy Feldman replied that the minutes are official and not revisable once they are approved.

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

Mr. Derrick Alatorre provided a response to the September 13, 2019 action item. He stated that since South Coast AQMD is not a prominent member on the Exide Community Advisory Committee and the Department of Toxic Substance Control (DTSC) is the lead agency, a board member is not appointed to that advisory committee at this time.

***Action Item #3:** Provide Mr. Felipe Aguirre with information regarding South Coast AQMD's participation with the Exide Community Advisory Committee.*

Ms. Rita Loof expressed support for clarification regarding the procedure for the advisory group to express a sentiment. Ms. Loof reiterated the request for an update on Rule 219. Mr. Alatorre stated that an update will be provided at a later meeting.

#### **Agenda Item #4 – Rule 212 Implementation Guideline**

Mr. Amir Dejbakhsh presented an overview of the recent update to Engineering and Permitting implementation guideline for public notices under Rule 212: Standards for Approving Permits and Issuing Public Notice.

Mr. Avila asked if a permit is required for the replacement of existing equipment; for example, an air conditioning unit with new equipment having the same specifications. Mr. Dejbakhsh replied that identical equipment replacement is exempt from permitting pursuant to Rule 219; however, replacing an equipment with a different model requires a permit.

Ms. Loof referenced slide #5 and asked how South Coast AQMD determines that an application will result in a reduction of air contaminants. Mr. Dejbakhsh replied that the determination is done during the permitting process and only applies if the equipment is located within 1,000 feet of a school. This implementation guideline update introduces de minimus risks and emissions values, allowing permits to be issued faster and reducing the number of public notices. Ms. Loof asked what the de minimus values are. Mr. Dejbakhsh replied the de minimus values are 0.1 in a million for maximum individual cancer risk (MICR), 0.1 for acute hazard index (HIA) or chronic hazard index (HIC), and less than one pound per day for criteria pollutants.

Mr. Rothbart stated that California Air Resources Board (CARB) and the Office of Environmental Health Hazard Assessment (OEHHA) is considering the addition of 812 new compounds to the Assembly Bill 2588 list and asked how the assumption of emission factors and high concentrations would impact this process. Mr. Dejbakhsh replied that in the past, if an application for equipment modification or addition was submitted when there has been a change in the toxic pollutants list, then a Rule 1401 analysis would be required. The changes to the guidelines indicates that if the risks are less than 0.1 in a million, then a public notice is not required. Mr. Rothbart stated that if the list gets expanded, there will be an increase in calculations and public notices.

#### **Agenda Item #5 – Update on Assembly Bill 617 (AB 617) – Community Air Initiatives**

Ms. Arlene Farol provided an update on the progress of AB 617 implementation.

Mr. Avila asked if the same activists attend and comment at the meetings in different areas. Ms. Farol replied that this is a community-based program and the CARB blueprint specifies that 51% of members of the Community Steering Committee (CSC) should be residents of that community and the remaining members include business owners, labor unions, community organizations, schools, or elected officials.

Mr. Geoffrey Blake stated that South Coast AQMD restricts business participation by not allowing businesses to be members on the CSC. Mr. Alatorre and Ms. Farol replied that is not true. Mr. Alatorre indicated that there are business members on the CSC; for example, Marathon Refinery in Long Beach is on the CSC. Mr. Alatorre further stated that businesses are allowed to be on the CSC as long as they

are located within the specific communities. Mr. Blake stated that he was under the impression that businesses were not allowed to participate because several small businesses in those communities were not selected. Mr. Alatorre stated that those particular businesses may not have been selected, but there is business representation on the CSC.

Ms. Loof referenced slide #9 regarding communities that were previously not designated by CARB and asked what the reason was. Ms. Farol replied it may have been due to limited resources available for implementation at that time. Ms. Loof indicated that organizations such as the Small Business Alliance are not allowed to be on the CSC due to no physical presence in those communities, even though they represent businesses located within those communities. Mr. Alatorre stated that this is a community-based program and participation on the CSC is limited to residents, businesses, organizations, and others located within the designated communities.

Mr. Rodriguez asked for clarification on communities designated for Year 1 implementation. Ms. Farol replied the communities listed were selected for Year 1 implementation. Mr. Rodriguez asked what the distinctions between Year 1 and Year 2 implementation are in terms of responsibilities for cities. Ms. Farol replied that Year 1 communities were designated in August/September of 2018 and the CSC process began in October 2018. Ms. Farol stated that following the formation of the CSC, the Community Emissions Reduction Plan (CERP) and Community Air Monitoring Plan (CAMP) were developed and are now being implemented. Ms. Farol further stated that two new communities have been selected by the Governing Board for Year 2 implementation and awaiting CARB designation. Mr. Rodriguez asked what the general community input or feedback were. Mr. Daniel Garcia replied that the concerns were unique to each community. The Wilmington/Carson/West Long Beach (WCWLBB) community concerns included emissions from refineries and port activity, the San Bernardino/Muscoy (SBM) community concerns included emissions from trucks and rails driven by the logistics activity, and the Boyle Heights/East Los Angeles/West Commerce (BHELAWC) community concerns included freeways, logistics-driven activities, and industrial facilities. Mr. Garcia further stated that each community was concerned about exposure reduction and were interested in the installation of air filters at schools, hospitals, and homes. The CERP includes a host of strategies and policies to address each of those types of air pollution sources. Mr. Rodriguez asked what the attendance at these meetings is like. Ms. Farol replied that approximately 30-35 CSC members in addition to public members attend these meetings. A typical meeting will have approximately 100 public members in the WCWLBB community, 60-70 public members in the SBM community, and 50-60 public members in the BHELAWC community.

Mr. Avila asked if a report will be available after everything is completed and if emissions monitoring and studies are done at closed plants. Mr. Garcia replied that there is a two-step process involving the reports for the AB 617 program. First, the Governing Board adopts the CERPs, which was done in September. Next, the CERPs are presented to CARB for approval, which is scheduled for March 2020. In the future, annual updates on the tracking of emissions reductions and implementation of strategies will be provided. Mr. Garcia asked Mr. Avila for clarification on the second question. Mr. Avila asked if the closing of the battery plant, Exide Technologies, resulted in negative emissions and if the air monitors are detecting that. Mr. Garcia replied that air monitoring data continues to be collected, but will defer this question to staff that are working in that area.

Mr. Todd Campbell asked for examples of the emissions reduction actions. Mr. Garcia replied that there are a host of strategies in each plan, which are unique to each community. One example is a commitment to future refinery rule development resulting in emissions reductions, particularly, a

reduction of nitrogen oxides (NOx) emissions from refineries by half within the next 10 years. Mr. Campbell asked if the commitment to reduce NOx emissions from refineries by half is based on an analysis to determine if it is achievable. Mr. Garcia replied that it is based on a preliminary analysis done by various teams, including Planning, Rule Development & Area Sources (PRDAS) and Compliance & Enforcement (C&E). The SBM community asserted that a number of trucks were idling for more than five minutes or within 100 feet of a school, in violation of CARB's idling rule. As result, a commitment was made to work closely with CARB to conduct enforcement sweeps, which is already being done by C&E. Mr. Campbell asked if the adopted measures are implemented in the designated communities or the entire region. Mr. Garcia replied it is a mixture of both. The idling rule is implemented statewide; however, the community indicated that they have witnessed violations in specific areas and asked for a commitment to focus on those areas.

Mr. Rodriguez asked if the three CERP drafts were adopted by the Governing Board. Mr. Garcia replied that each of the CERPs were adopted with one minor modification to address concerns relating to a transportation agency. Mr. Rodriguez asked for clarification on what the next steps are in the CERP approval process. Mr. Garcia replied that the Governing Board adopted three separate CERPs, each addressing concerns in a specific community. The next step is asking CARB to approve the adopted plans. The approval process includes hosting community meetings in January for additional input, publishing staff reports in February for review, and considering the plans in March for final approval. Mr. Rodriguez asked if the "plans" referred to the three CERPs adopted by the Governing Board and if more plans will be developed. Mr. Garcia stated that the adopted CERPs are for Year 1; the next step is to identify and develop CERPs for other communities for Year 2. Mr. Rodriguez asked if there will be more CERPs beyond Year 2. Mr. Alatorre replied that there will be more plans as this is a state mandate with no sunset date; however, it is dependent on funding.

Ms. Farol indicated that interest forms for the five new communities are available onsite and online.

Mr. Rodriguez asked if the adopted CERPs are still available for public comment since they are drafts. Mr. Garcia replied that the public comment period for the adoption of the CERP has ended; however, public comment may be provided to CARB on the approval of the CERPs. Additionally, comments regarding program implementation may be provided during CSC meetings.

Mr. Alatorre asked if Mr. Rodriguez would like information regarding how communities are selected for AB 617 implementation. Mr. Rodriguez stated that he wanted to reaffirm that stakeholders such as cities and businesses, particularly the City of San Bernardino, have an opportunity to engage in future meetings. Ms. Farol stated that the San Bernardino Transportation Authority is on the CSC. Additionally, there will be future quarterly CSC meetings in each community for existing and new members to discuss implementation of the CERPs. Mr. Rodriguez asked if business stakeholders are on the distribution list. Mr. Alatorre replied that there are businesses on the list, such as BNSF. Staff also reaches out to government and private sectors.

Supervisor V. Manuel Perez referenced a discussion of AB 617 and the selection of communities for Year 2 and stated support for the designation of the Coachella Valley. Supervisor Perez indicated that there were many questions relating to the AB 617 program and recommended staff to develop a 1-2 page summary to provide information including the process, steps after CARB approval, strategies, project descriptions, which communities are involved, and funding (availability, distribution formula and determination of funds).



Mr. Avila asked what happens if the cities, such as Carson, does not implement the approved CERP. Mr. Alatorre replied that these communities are very active and does not foresee them taking that approach as it is important to them that their concerns are addressed. Especially when there are resources and incentive programs available to do so. Mr. Garcia added that responsible organizations were identified in each plan, many of them are cities and local jurisdictions. CSC members who represented those organizations were asked to discuss the proposed commitments with their leaders to ensure that they are able to commit.

**Agenda Item #6 –Monthly Report on Small Business Assistance Activities**

No comments.

**Agenda Item #7 - Other Business**

Mr. Rothbart asked if a Public Safety Power Shutoff report is available and stated that there is a policy being developed and was interested on how it would impact permits. Mr. Alatorre stated that report may not be available. Additionally, it needs to be presented to a committee prior to the advisory group for discussion.

**Agenda Item #8- Public Comment**

No comments.

**Agenda Item #9 – Next Meeting Date**

The next regular Local Government & Small Business Assistance Advisory Group meeting is scheduled for Friday, November 8, 2019 at 11:30 a.m.

**Adjournment**

The meeting adjourned at 12:37 p.m.