

BOARD MEETING DATE: JANUARY 7, 2022

AGENDA NO. 1

MINUTES: Governing Board Monthly Meeting

SYNOPSIS: Attached are the Minutes of the December 3, 2021 Board Meeting.

RECOMMENDED ACTION:

Approve Minutes of the December 3, 2021 Board Meeting.

Faye Thomas
Clerk of the Boards

FT:cmw

FRIDAY, DECEMBER 3, 2021

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

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

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

Council Member Joe Buscaino
City of Los Angeles

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

Gideon Kracov
Governor's Appointee

Supervisor Sheila Kuehl
County of Los Angeles

Mayor Pro Tem Larry McCallon
Cities of San Bernardino County

Veronica Padilla-Campos
Speaker of the Assembly Appointee

Supervisor V. Manuel Perez
County of Riverside

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

Mayor Pro Tem Carlos Rodriguez
Cities of Orange County

Supervisor Janice Rutherford
County of San Bernardino

Member absent:

Supervisor Lisa A. Bartlett
County of Orange

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

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

Vice Mayor Richardson was absent for roll call, he joined the meeting at approximately 9:05 a.m.

- Opening Comments

Wayne Nastri, Executive Officer, reported that Notices of Violations for public nuisance were issued to four companies and the County of Los Angeles for their role in the Dominguez Channel odor event. He also reported on the December 1, 2021 proposed draft MOU language prepared by the Port of Long Beach where they commit to funding \$100M from future Clean Truck Fund Rate revenues to accelerate truck replacement, as well as a number of other measures; and the letter that the Port of Los Angeles submitted on December 2, 2021 on a potential MOU that includes an offer of \$3M for early deployment of zero-emission trucks and other actions they commit to present to their Board of Harbor Commissioners. Staff will provide a detailed analysis of both proposals at the next Marine Port Committee meeting. Mr. Nastri added that as directed by the Board, staff will begin internal research on concepts for an Indirect Source Rule (ISR).

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

Joe Silva, Former Quemetco employee
Andrea Gordon, Clean Air Coalition of North Whittier & Avocado Heights (Clean Air Coalition) and Hacienda Heights resident
Marilyn Kamimura, Clean Air Coalition of North Whittier & Avocado Heights
Sharzad Shishegar, San Gabriel Progressives
Luis Ceballos, member of the public
Rebecca Overmyer-Velazquez, Clean Air Coalition

Expressed opposition to Quemetco's pending permit application to increase its throughput and hours of operation. Expressed concerns about the toxic emissions from Quemetco that pollute and harm their health and lives, and that communities surrounding Quemetco suffer the burden of pollution from Quemetco, as well as other polluting sources. Commented on Quemetco's record of violations and non-compliance with regulatory requirements. Urged the South Coast AQMD to deny the pending permit application and close/relocate the facility. Requested a public meeting in a format that allows community members to participate in person.

Laura Santos, Mt. San Antonio College Board member, Clean Air Coalition, San Gabriel Progressives and Bassett resident, stated that testing of the soil at her house

a few miles away from Quemetco found arsenic and lead contamination. She expressed frustration with Quemetco's continued disregard for regulations and community concerns. She requested that South Coast AQMD not allow Quemetco's permit application request and shut down the facility.

Emily Spokes, North East Los Angeles (NELA) Climate Collective, and some of her students from the Youth Environmental Leadership Club shared their concerns about air pollution and how it impacts their life.

Jessica Craven, Los Angeles County Democratic Party elected member/California Democratic Party Environmental Caucus, NELA Climate Collective, LA Forward and Los Angeles resident, asked the Board to not allow further delays to the ISR process. Harmful emissions from the ports have increased as the Ports continue to see record breaking volumes of cargo. The only solution to curb harmful emissions is to electrify the ports.

Harvey Eder, Public Solar Power Coalition, suggested that discussions regarding Quemetco be open to the public and commented on his pending court filings.

Fernando Gaytan, Earthjustice, expressed frustration that the Ports have been given ample opportunity (almost five years) for an MOU agreement to come up with voluntary measures that address emissions from the ports. He commented on the increase in NOx emissions from the surge in activity at the Ports, and its detrimental impacts to the air quality in the entire region, especially disadvantaged communities. He emphasized the need for staff to shift to a regulatory approach and create an ISR that will focus on protecting public health.

Chris Chavez, Coalition for Clean Air, commented on the health impacts of air pollution from the ports on nearby communities, as well as the indirect ramifications for the entire region due to the trucks and locomotives taking cargo to the Inland Empire and other areas in the South Coast Air Basin. He noted that congestion at the Ports has resulted in an increase in smog-forming pollutants and diesel particulate matter. Due to the disproportionate impacts to communities near the ports, the AB 617 Community Steering Committee supports an ISR over voluntary measures. He also commented on recent actions by the Ports that indicate they are not negotiating an MOU in good faith.

Robina Suwol, California Safe Schools, expressed support for concerns by community members and the Clean Air Coalition about Quemetco. She also requested that staff conduct rulemaking for Rule 219 in the first quarter of 2022 to add language that would protect human health and assist businesses that are seeking to convert to environmentally friendly processes.

Duncan McKee, Avocado Heights resident, stated that his brother David McKee has special needs and was not given the opportunity to provide public testimony at previous meetings. He read a written statement on behalf of his brother, as well as provided his own comments.

David McKee's statement commented on how living near Quemetco has adversely impacted the health and life of several family members, farm animals and pets, and contaminated the food residents grow and consume. He expressed concerns with the public comment process for people with special needs; that Quemetco is recycling more batteries since the Exide battery plant closure; and alleged conflict of interest issues related to Wayne Nastri. He added that South Coast AQMD and DTSC should shut down the facility and take action to clean up the site, similar to what was done for communities around Exide. (Written Comments Submitted; Read by Duncan McKee)

Duncan McKee questioned the accuracy of the emissions data for Quemetco provided on South Coast AQMD's website. He emphasized the need to get another battery recycling facility and decrease Quemetco's operations.

Yassi Kavezade, Sierra Club, commented on the increase in freight activities at the ports that is creating a public health crisis in the region. She urged the Board to support staff in developing an ISR because impacted communities cannot afford further delays or an MOU.

Ranji George, a member of the public, expressed concerns about the disposal of lithium-ion batteries as the demand for EVs increases. He emphasized the need to move to safer, less environmentally polluting lithium iron phosphate batteries. He thanked CARB staff for addressing the cost-effectiveness criteria for incentive funds, noting that some of the funds can now go towards battery technologies.

Faraz Rizvi, Center for Community Action and Environmental Justice, noted that communities in the Inland Empire are also affected by the harmful impacts from the increase in freight and goods movement activities. He emphasized the need for a strong ISR to reduce the burden on frontline communities.

Board Member Padilla-Campos expressed regret to Mr. McKee for the issues he and his brother experienced with the public comment period, but acknowledged that public engagement can be tricky in a virtual format.

In response to statements made about his involvement in Quemetco, Mr. Nastri emphasized that during his tenure as the Executive Officer he has recused himself from matters related to former clients, including Quemetco. Even though he is not legally obligated to do so, he has not been involved in matters for Quemetco. He added that Jill Whynot, Chief Operating Officer, has been the lead staff on issues related to Quemetco and can respond to statements made by commenters.

Ms. Whynot provided an update on the actions and timeline related to the public comments on the Quemetco Capacity Upgrade Project Draft Environmental Impact Report (EIR). The comment period on the Draft EIR was extended to February 15, 2022, and a virtual public meeting was held on November 10, 2021 to solicit comments from the public. There was some unfortunate miscommunication during the public comment period at the November 10th public meeting as there was a hand raised to speak from the same

phone number that Duncan McKee had used for his testimony; however, there is no mechanism in the Zoom platform for staff to know when a different person is using the same phone number as a previous commenter.

She added that staff is closely monitoring what happens at Quemetco through regular facility inspections, surveillance, emissions testing and monitoring data. South Coast AQMD staff is obligated to go through the permitting process and issue the permit if the requested modifications are in compliance with air quality rules and regulations.

Chair Benoit asked whether the staff recommendation would be brought before the Governing Board or Hearing Board after review of the permit application is completed.

Ms. Whynot stated that staff issues permits, but noted that because the Executive Officer has recused himself from all matters in this case either the Chief Operating Officer or General Counsel would sign the CEQA document and permits. The permit, if issued, can be appealed to the Hearing Board. There is a process to request that the Board consider and issue a permit; however, historically the Board has not taken a role in permitting.

Vice Chair Delgado asked if a public meeting will be scheduled in February 2022 to receive public comments, and suggested the meeting be held in a hybrid format that includes a physical location near the impacted community to allow for in-person participation.

Staff stated that the public meeting that was held on November 10, 2021 was an opportunity for the public to provide comments on the pending permit action; however, staff will consider whether it is appropriate to hold an additional meeting.

Mayor Pro Tem Cacciotti asked whether the issuance of the permit is a ministerial decision.

Barbara Baird, Chief Deputy Counsel, explained that it would not be considered as a ministerial process per CEQA's definition, but noted that staff will be required to issue the permit, if they conclude that the facility will comply with all applicable local, state, and federal air quality requirements.

Written Comments Re: Quemetco Submitted by:
David McKee

Written Comments Re: PM2.5 Redesignation Request/Maintenance Plan Submitted by:

- One (1) letter signed by the following organizations: California Environmental Voters, Coalition For Safe Environment, Coalition for Clean Air, East Yard Communities for Environmental Justice, Earthjustice, Pacific Environment, San Pedro & Peninsula Homeowners Coalition, Sierra Club, USC Professors, West Long Beach Association

CONSENT AND BOARD CALENDAR

1. Approve Minutes of November 5, 2021 Board Meeting
2. Set Public Hearing January 7, 2022 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations
 - A. Determine That Proposed Amended Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities, and Proposed Rule 429.2 – Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity Generating Facilities, Are Exempt from CEQA, and Amend Rule 1135 and Adopt Rule 429.2
 - B. Certify Final Environmental Assessment for Proposed Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations, Proposed Amended Rule 461 – Gasoline Transfer and Dispensing, Proposed Amended Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II, and Proposed Amended Rule 222 – Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II; and Adopt Rule 461.1 and Amend Rules 461, 219, and 222

Items 3 through 10 -- Budget/Fiscal Impact

3. Approve Awards for Lower-Emission School Bus Program and Transfer Funds for Development of Lower Emission School Bus Grant Management System
4. Recognize 2021 U.S. EPA Targeted Airshed Grant Program Awards for Zero-Emission Vehicles and Equipment, Issue RFPs, Transfer Funds, Execute Contracts to Demonstrate Zero-Emission Vehicles and Equipment, and Reimburse General Fund
5. Recognize Revenue, Transfer and Appropriate Funds, Amend Contract, Issue Solicitations and Purchase Orders for Air Monitoring Equipment and One Vehicle
6. Transfer and Appropriate Funds from Two Special Revenue Funds to General Fund for Information Management and Compliance and Enforcement Projects and Purchases to Support South Coast AQMD Operations and Close Two Special Revenue Funds
7. Revise Procurement Policy and Procedure

- 8A. Consider Protest of Award of Request for Proposals for Legislative Representation in Washington D.C. P 2022-01
- 8B. Execute Contracts for Legislative Representation in Washington, D.C.
- 9. Amend FY 2021-22 Budget to Address Operational Needs by Adding Partially Funded Position for Succession Planning Purposes
- 10. Approve Modification of Program and Approve Award as Approved by MSRC

Item 11 -- Action Item/No Fiscal Impact

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

Items 12 through 19 – Information Only/Receive and File

- 12. Legislative, Public Affairs and Media Report
- 13. Hearing Board Report
- 14. Civil Filings and Civil Penalties Report
- 15. Lead Agency Projects and Environmental Documents Received
- 16. Rule and Control Measure Forecast
- 17. Annual Audited Financial Statements for FY Ended June 30, 2021
- 18. Receive and File Annual Report on 457 Deferred Compensation Plan
- 19. Status Report on Major Ongoing and Upcoming Projects for Information Management

Item 20 -- Staff Presentation/Board Discussion/Receive and File

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

NO ACTION REQUIRED

Items 21 through 29 -- Reports for Committees and CARB

21. Administrative Committee
22. Investment Oversight Committee
23. Legislative Committee
24. Marine Port Committee
25. Mobile Source Committee
26. Stationary Source Committee
27. Technology Committee
28. Mobile Source Air Pollution Reduction Review Committee
29. California Air Resources Board Monthly Report
30. Items Deferred from Consent and Board Calendar

Agenda Item Nos. 2B, 3, 8A and 8B were pulled for comment and discussion.

Disclosures:

Council Member Buscaino recused himself from Agenda Item No. 4 because of a campaign contribution from BNSF, which is involved in this Item.

Bayron Gilchrist, General Counsel, reported that Board Member Kracov recused himself from Agenda Item No. 2B because of a financial interest in Disney, which is involved in this item, and that he has no financial interests in Agenda Item No. 10 but is required to identify for the record that he is a Board Member of CARB, which is involved in this item.

Mayor Pro Tem Rodriguez reported that he has no financial interest in Agenda Item No. 3 but is required to identify for the record that he is a committee member of the Placentia-Yorba Linda Unified School District, which is involved in this item.

Bayron Gilchrist reported that Supervisor Kuehl recused herself from Agenda Item No. 2B because of a financial interest in Disney, which is involved in this item.

Written Comments Re: Item No. 4 Submitted by:
Los Angeles County Electric Truck and Bus Coalition

Written Comments Re: Item Nos. 16 and 24 Submitted by:

- One (1) letter signed by the following organizations: Earthjustice, California Kids IAQ, Coalition For a Safe Environment, Community Dreams, East Yard Communities for Environmental Justice, EMeRGE, Los Angeles County Electric Truck and Bus Coalition, NAACP – San Pedro-Wilmington Branch #1069, Pacific Environment, People’s Collective for Environmental Justice, Sierra Club and West Long Beach Association

MOVED BY CACCIOTTI, SECONDED BY DELGADO, AGENDA ITEMS 1, 2A, 4 THROUGH 7 AND 9 THROUGH 29, APPROVED AS RECOMMENDED, TO ADOPT RESOLUTION NO. 21-26, RECOGNIZING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020 AND THAT THE COUNTY OF LOS ANGELES CONTINUES TO RECOMMEND MEASURES TO PROMOTE SOCIAL DISTANCING; AND AUTHORIZING FULLY OR PARTIALLY REMOTE TELECONFERENCE MEETINGS OF THE GOVERNING BOARD OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT, AND SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT COMMITTEES SUBJECT TO THE BROWN ACT, FOR THE PERIOD OF DECEMBER 3, 2021 THROUGH JANUARY 2, 2022 PURSUANT TO PROVISIONS OF THE BROWN ACT; RECEIVE AND FILE THE COMMITTEE, MSRC AND CARB REPORTS, AND APPROVE THE LEGISLATIVE COMMITTEE’S RECOMMENDATIONS ON LEGISLATION AS SET FORTH BELOW, BY THE FOLLOWING VOTE:

AYES: Benoit, Buscaino (Recused from Item No. 4), Cacciotti, Delgado, Kracov, Kuehl, McCallon, Padilla-Campos, Perez, Richardson, Rodriguez, and Rutherford

NOES: None

ABSTAIN: Buscaino (Item No. 4)

ABSENT: Bartlett

LEGISLATIVE COMMITTEE'S RECOMMENDATIONS

Agenda Item	Recommendation
State Legislative Guiding Principles	Approve as Amended
Federal Legislative Guiding Principles	Approve

Items Deferred from Consent and Board Calendar/Pulled for Discussion

- 2B. Set Public Hearing January 7, 2022 to Certify Final Environmental Assessment for Proposed Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations, Proposed Amended Rule 461 – Gasoline Transfer and Dispensing, Proposed Amended Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II, and Proposed Amended Rule 222 – Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II; and Adopt Rule 461.1 and Amend Rules 461, 219, and 222

Supervisor Rutherford expressed concern that adequate time had not been given to address issues raised regarding permit requirements under Rule 219 for UV/EB systems. She recommended separating the UV/EB component from the proposals for mobile fueling operations to address in a subsequent rulemaking, and emphasized that there are no emissions from UV materials.

Susan Nakamura, Asst. Deputy Executive Officer/Planning, Rule Development & Area Sources, suggested moving forward with the current rulemaking because the proposed amendments to Rule 219 are to specifically address permitting requirements for mobile fuelers that were previously exempt and to harmonize requirements with Proposed Rule 461.1 and Proposed Amended Rule 461. The 75-day public notice for this rulemaking did not solicit comments on UV/EB, but a separate rulemaking will be initiated in the first quarter of 2022 to evaluate Rule 219 for additional amendments and issues raised regarding UV/EB technology can be addressed at that time.

Rita Loof, RadTech, commented on a company that partially converted to UV by adding UV lights to its existing permitted solvent system and had to pay additional permit fees because it was considered a modification to the existing solvent system, even though the UV lights generate zero emissions. This puts the industry at a competitive disadvantage, therefore, she emphasized the need to amend Rule 219 to exempt partial conversions to UV/EB and remove barriers to implementation of the technology. She added that sufficient time was not given to address concerns regarding UV/EB permitting requirements under Rule 219, and requested that it be separated from PR 461.1 and PAR 461 and for staff to include language in the Resolution that commits to revisit Rule 219 by the first quarter of 2022. Mr. Nastri added that Fender Guitar is the company that Ms. Loof referenced.

Jason Aspell, Deputy Executive Officer/Engineering & Permitting, explained that Fender Guitar has an existing facility with a facility VOC limit and sought to change part of their process to add a photoinitiator that would allow their products to dry faster. The permit modification was required because of the change to the method of operation to that process, which is regulated under Regulation XIII - New Source Review. Mr. Aspell added that the facility-wide VOC emissions did not increase but the equipment was evaluated for VOC emissions from that process.

Mr. Nastri added that staff is committed to initiating the rulemaking on Rule 219 to address the concerns raised, but stressed that it cannot be done in the first quarter of 2022 given other issues that staff is working on. In response to Supervisor Rutherford's inquiry, he confirmed that staff will move forward with the rulemaking for mobile fueling operations without affecting the UV/EB coatings issue.

MOVED BY CACCIOTTI, SECONDED BY DELGADO, AGENDA ITEM 2B APPROVED AS RECOMMENDED TO SET THE HEARING TO CERTIFY THE FINAL EA FOR PROPOSED RULE 461.1, PROPOSED AMENDED RULES 461.1, 219 AND 222; AND ADOPT RULE 461.1 AND AMEND RULES 461, 219, and 222 BY THE FOLLOWING VOTE:

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

NOES: None

ABSTAIN: Kracov and Kuehl

ABSENT: Bartlett

3. Approve Awards for the Lower-Emission School Bus Program and Transfer Funds for Development of Lower-Emission School Bus Grant Management System

Mayor Pro Tem Cacciotti expressed excitement that \$47 million is being awarded to convert diesel school buses to near-zero and zero-emission buses and infrastructure across the four counties. He inquired about the cost to purchase cleaner technology school buses without the incentive funding.

Matt Miyasato, Chief Technologist/Science & Technology Advancement, stated that the actual invoice cost of an electric school bus averages around \$370,000, but up to \$300,000 is funded through incentive programs. The natural

gas option is substantially less at \$205,000 and the incentive funding is almost 100 percent of the total cost.

Chair Benoit commented on the bus ride he took on a double-decker electric school bus to the opening dedication ceremony of CARB's Southern California Headquarters in Riverside.

Board Member Padilla-Campos remarked that it was great that school buses are being converted to a cleaner technology, but emphasized the need to focus on zero-emissions technologies.

Ranji George urged CARB and South Coast AQMD to negotiate lower prices for cleaner technology school buses. He emphasized the need to address EV battery recycling, including getting a firm commitment from car manufacturers on how they will dispose of batteries. Europe is getting tough on EV suppliers to make sure that batteries are disposed of in an environmentally friendly manner. He expressed support for moving to lithium iron phosphate batteries that are less damaging to the environment.

Harvey Eder agreed with the previous speaker and urged the use of solar technology for environmental justice and equity.

Mayor Pro Tem Rodriguez expressed enthusiasm about the \$47 million being awarded through this program. It is a significant investment that will benefit the entire South Coast Air Basin, making it healthier for children who ride school buses and better for the environment in our communities by reducing harmful emissions.

Written Comments Re: Item No. 3 Submitted by:
Los Angeles County Electric Truck and Bus Coalition

MOVED BY RODRIGUEZ, SECONDED BY CACCIOTTI, AGENDA ITEM 3 TO APPROVE AWARDS FOR LOWER-EMISSION SCHOOL BUS PROGRAM AND TRANSFER FUNDS FOR DEVELOPMENT OF LOWER EMISSION SCHOOL BUS GRANT MANAGEMENT SYSTEM AS RECOMMENDED, BY THE FOLLOWING VOTE:

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

NOES: None

ABSENT: Bartlett

8A. Consider Protest of Award of Request for Proposals for Legislative Representation in Washington D.C. P 2022-01

Barbara Baird, Chief Deputy Counsel, gave the staff presentation and recommendation on Item No. 8A regarding the bid protest filed by Duncan, Weinberg, Genzer & Pembroke (DWGP) over the Administrative Committee's recommendations for contract awards for Washington D.C. legislative consultants.

Sean Neal, on behalf of DWGP, expressed disappointment with South Coast AQMD staff's ranking/scoring evaluation that assigned zero points to their cost proposal and that they were not given an opportunity to interview at the Administrative Committee meeting on November 12, 2021.

Harvey Eder requested that the Board direct all consultants to advocate for refundable solar tax credits for low and middle income individuals to reduce the cost of solar and increase equity for people that need it the most.

Supervisor Rutherford expressed disappointment with the process and suggested a more robust and open process going forward. She recommended a month-to-month contract term with the selected firms, and the opportunity to interview DWGP about what they might be able to do better or differently.

In response to Chair Benoit's inquiry about the timeline for executing the contracts, staff responded that the contracts are for one year beginning on January 15, 2022, and that an interview with DWGP could be scheduled for the December 10, 2021 Administrative Committee meeting.

Chair Benoit tabled Items No. 8A and 8B until the January 7, 2022 Board meeting with direction to interview DWGP at the December 10, 2021 Administrative Committee meeting.

8B. Execute Contracts for Legislative Representation in Washington, D.C.

(This item was tabled, as noted above.)

PUBLIC HEARINGS

31. Determine That Proposed Amendments to Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines, Are Exempt from CEQA; and Amend Rule 1134 *(Staff is recommending that the public hearing on this item be moved to the February 4, 2022 Board Meeting.)*

Mr. Nastri noted that this item was pulled by staff due to noticing concerns and will be moved to the February 4, 2022 meeting.

3. Receive and File 2020 Annual Report on AB 2588 Program

Ian MacMillan, Assistant DEO/Planning, Rule Development and Area Sources, gave the staff presentation on Item No. 32.

Mayor Pro Tem Cacciotti asked for clarification on which facilities were designated as high risk.

Mr. MacMillan responded that the three facilities in Paramount (Anaplex Corp, Aerocraft Inc. and Lubeco Inc.) had been designated as Potentially High Risk Level facilities in previous years. An additional facility in Gardena (High Performance Coatings) was given that designation in 2020 due to its hexavalent chromium emissions, but work has been done to reduce those risks.

The public hearing was opened, and the following individuals addressed the Board on Item 32.

Ranji George expressed concerns about battery recycling due to the increase demand for EVs, and that more recycling facilities will most likely be built in AB 617 communities. He emphasized the need to address concerns about nickel and cobalt in EV batteries and pursue safer alternatives such as lithium iron phosphate.

Harvey Eder commented on premature deaths due to pollution from toxics and the significant associated social costs. He emphasized the need to transition to clean fuels.

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

RECEIVE AND FILE; NO ACTION NECESSARY

CLOSED SESSION

The Board recessed to closed session at 11:05 a.m., pursuant to Government Code sections:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

- 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 South Coast AQMD is a party. The action is:

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.

Following closed session, Bayron Gilchrist, General Counsel, announced that a report of any reportable actions taken in closed session will be filed with the Clerk of the Board's office and made available to the public upon request.

ADJOURNMENT

There being no further business, the meeting was adjourned by Mr. Gilchrist at 11:25 a.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on December 3, 2021.

Respectfully Submitted,

Faye Thomas
Clerk of the Boards

Date Minutes Approved: _____

Ben J. Benoit, Chair

ACRONYMS

AQMP = Air Quality Management Plan
CARB = California Air Resources Board
CEQA = California Environmental Quality Act
EA = Environmental Assessment
EV = Electric Vehicle
FY = Fiscal Year
MSRC = Mobile Source (Air Pollution Reduction) Review Committee
NOx = Oxides of Nitrogen
PM = Particulate Matter
RFP = Request for Proposals
U.S. EPA = United States Environmental Protection Agency
UV/EB = Ultraviolet/Electron Beam
VOC = Volatile Organic Compound