



# South Coast Air Quality Management District

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## LOCAL GOVERNMENT & SMALL BUSINESS ASSISTANCE ADVISORY GROUP FRIDAY, OCTOBER 10, 2008 MEETING MINUTES

### MEMBERS PRESENT:

Dennis Yates, AQMD Governing Board Member, LGSBA Chairman  
Greg Adams, L.A. County Sanitation District  
Paul Avila, P.B.A. & Associates  
Maria Elena Kennedy, Kennedy Communications  
Jacob Haik, Office of School Board Member Richard Vladovic  
Barbara Hanna, Council Member, City of Banning  
Art Montez, AMA International  
Kelly Moulton, Paralegal  
Steve Mugg, South Orange County Representative, City of Mission Viejo

### MEMBERS ABSENT:

Ronald Loveridge, AQMD Governing Board Member, LGSBA Vice Chairman  
Felipe Aguirre, Vice Mayor, City of Maywood  
Geoffrey Blake, Metal Finishers of Southern California/All Metals  
Eric Busch, Representative, South Bay Cities Council of Governments  
Todd Campbell, Clean Energy  
Daniel Cunningham, Metal Finishing Association  
James R. Krausz, Esq., ALA Inland Counties  
Angelo Logan, East Yard Communities for EJ  
Harold Martinez, Able Industrial Products, Inc.  
Todd Priest, Representative, Orange County Business Council

### OTHERS PRESENT:

Earl Elrod, Board Member Assistant (*Yates*)

### AQMD STAFF:

Naveen Berry, Planning and Rules Manager  
David De Boer, Program Supervisor  
Marc Carrel, Program Supervisor  
Philip Crabbe III, Community Relations Manager  
David De Boer, Program Supervisor  
Dr. Pom Pom Ganguli, Asst. Deputy Executive Officer  
Lori Langrell, Secretary  
Traci Nava, Governing Board Student Intern  
John Olvera, Principal Deputy District Counsel  
Theresa Real, Secretary  
Ricardo Rivera, Acting Community Relations Manager  
Laki Tisopulos, Asst. Deputy Executive Officer

Gregory Ushijima, Air Quality Engineer II  
Kim White, Public Affairs Specialist

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

Chair Dennis Yates called the meeting to order at 10:09 a.m.

**Agenda Item #2 – Approval of September 12, 2008 Meeting Minutes/Review of Follow-Up/Action Items**

Chair Yates called for approval of the meeting minutes.

The September 12, 2008 meeting minutes were approved.

*Action item:* Staff to provide a map of EJ areas to Ms. Maria Elena Kennedy.  
✓ Staff has emailed a map of EJ areas to Ms. Kennedy.

*Action item:* Mr. Montez to provide to Dr. Ganguli information regarding the California School Board Meeting to take place in December.  
✓ Mr. Montez has provided the information regarding the December California School Boards Association conference.

**Agenda Item #3 – Update on the Federal Surface Transportation**

Mr. Marc Carrel provided an update on the Federal Surface Transportation Reauthorization Bill.

Mr. Art Montez asked what the strategy is in building relationships in ethnic communities, who has been hired regarding this, what has been received for funds spent, and the long term plan. He additionally asked for a detailed breakdown of how the funds are being distributed. Mr. Carrel replied that funds to the Washington lobbyist assisted staff in developing a relationship with Senator Boxer and her staff. He added that lobbyists can also get into doors that AQMD staff cannot. Dr. Pom Pom Ganguli stated that preference is given to the EJ communities when funds are received.

Mr. Paul Avila asked how priorities for disbursement of funds be determined if there is a large amount of money for transportation and air quality mitigation. Mr. Carrel replied that this bill is a reauthorization not an appropriation, and this bill does not determine how much money is spent. He added that the bill authorizes a cap on the amount of money that can be spent over the next 5 years and it creates the funds, programs, and funding strategies to allocate the monies. Mr. Avila asked if there is a difference between the national strategies versus the state strategies. Chair Yates confirmed that there is a difference.

Mr. Greg Adams asked if funds can be utilized indiscriminately for anything that has wheels on it. Dr. Ganguli replied that the goal is to influence the transportation commissions at the state level, local level, and the other jurisdictions, to form a national coalition so the national policies, programming, and legislation enable the state and the local bodies to spend the money in the proper fashion.

**Agenda Item #4 – Proposed Amended Rule 208 – Permit and Burn Authorization for Open Burning and Proposed amended Rule 444 – Open Burning**

Mr. Naveen Berry gave a presentation on Proposed Amended Rule 208 – Permit and Burn Authorization for Open Burning and Proposed amended Rule 444 – Open Burning.

Ms. Maria Elena Kennedy asked how agricultural waste is disposed. Mr. Berry replied that burning is allowed onsite, but it is not acceptable to transfer agriculture slated for burn from one area to another to consolidate them for a larger burn as this spreads tumbleweed seeds.

Ms. Barbara Hanna asked if there is any prohibition or proposed prohibition of transporting human waste and bio-solids. Mr. Yates replied that they are hauled away and supposedly used to fertilize non-human consumable crops, such as corn crops that are used to feed animals, otherwise known as fuel corn.

Paul Avila asked if private property owners on larger tracks of land have different burn regulations. Mr. Berry replied that the goal is for private, as well as public, agricultural burn operations fall under this rule. He added that this rule does allow the property owner to get a permit from either a fire agency or the AQMD in order to conduct an open burn. He further added that a plan must be submitted when conducting a larger planned burn or when burning on a regular basis.

Mr. Steve Mugg asked for clarification on who the Executive Officer is that approves the burn permits. Mr. Berry replied that the Executive Officer referenced in his presentation is Dr. Barry Wallerstein.

Mr. Mugg commented that there is a misunderstanding regarding firefighting capabilities at refineries as well as the firefighting capabilities at airports. He added that a three (3) day period can be forecast for training burns, offering the flexibility for these organizations to comply with their training requirements, but that is not a well thought out plan. He further commented that most of those brigades are not simply "fire brigades," but have other duties and responsibilities from the day to day operations of that facility, whether it be a refinery or an airport. Mr. Mugg commented that it would be better to take a look at which is more important, public safety related to fighting the fire, or making a rule that might save you a few tons of particulate at the end of the day. Mr. Berry replied that in the case of the burn training issue at refineries, staff recognize the benefits of fire training and have had extensive discussions with the refineries. He further replied that the concern is that the air quality index will reduce their time. He added that coincidentally, they are also located in areas where the air quality concerns are not necessarily as high, but additional discussions and considerations for private fire brigades will be conducted prior to the hearing.

Mr. Jacob Haik wanted to clarify what the fees are for open burns. Mr. Berry responded that the fees only apply for the larger planned burns and the fees are paid annually.

#### **Agenda Item #5 – Monthly Report on Small Business Assistance Activities**

No comments.

#### **Agenda Item #6 – Update on Climate Change Activities (Written Report)**

Ms. Whynot provided a written report update on climate change activities.

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

No comments.

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

Mr. Adams stated that it would be worthwhile to put the recently signed bill SB 375 as an item on the next agenda.

*Action item: Staff to provide an overview of SB375.*

**Agenda Item #9 - Adjournment**

The meeting adjourned at 11:15 a.m.