



Air Pollution Control District Governing Board

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**AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD
AGENDA
FRIDAY, MAY 7, 2021, AT 1:30 P.M. REVISION 1
COUNTY ADMINISTRATION CENTER
1600 PACIFIC HIGHWAY, ROOM 302, SAN DIEGO, CA 92101**

Due to the Coronavirus (COVID-19) public health emergency and per Governor Newsom's executive order to stay home (N-29-20), in-person participation at Air Pollution Control District Governing Board meetings is not allowed at this time. All meetings will be conducted via teleconference until in-person meetings resume. Members of the public can access the meeting using the following Zoom meeting credentials below:

Phone Numbers:	Meeting ID:
(877) 853-5247 (Toll Free)	980 9926 5301
(888) 788-0099 (Toll Free)	

ORDER OF BUSINESS

- A. Roll Call
- B. Public Communication
Opportunity for members of the public to speak to the Board on any subject matter within the Board's jurisdiction but not an item on today's agenda.
- C. Approval of the Statement of Proceedings/Minutes for the San Diego County Air Pollution Control District Governing Board April 16, 2021 meeting.
- D. Interim Air Pollution Control District Officer Report
General updates will be provided including an update on the APCD Hearing Board member application deadline and appointment process, and an overview of the APCD's comment letter to the Port of San Diego (attached) regarding the Port's Proposed Maritime Clean Air Strategy.
- E. Agenda Items
- F. Adjournment

AGENDA ITEMS

Recommendation

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| <p>1. SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT OVERVIEW OF CALIFORNIA STATE AUDITOR REPORT
<i>An overview of the California State Auditor's recent audit of the District will be presented by the District's Executive Staff. As directed by the Joint Legislative Audit Committee, in July 2020 the California State Auditor</i></p> | <p>Informational</p> |
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completed an audit to review the District's financial transparency, cost recovery for its permitting program, and public outreach and interaction with the public regarding decisions that affect air quality. The District is currently working to implement the California State Auditor's recommendations.

The California State Auditor's final audit report is available at <https://www.sdapcd.org/content/dam/sdc/apcd/PDF/Misc/APCD-California-Auditor-Report-2019-127.pdf>.

2. DIRECT THE INTERIM AIR POLLUTION CONTROL OFFICER TO IMPLEMENT THE RECOMMENDED COST RECOVERY SCENARIO 4

Action

The District hired Matrix Consulting Group to conduct a cost recovery study of its permitting and other services. The results of this study provide the District with a tool for understanding current service levels and the cost and demand for those services. In order for the District to help achieve cost recovery for its services there are several options that the District can pursue. The Cost Recovery and Fee Analysis Report identifies and evaluates five different scenario options related to current and future cost recovery levels. The five scenarios range from no changes to targeted increases in fees for permits and other services. Based on the scenarios evaluated, the Matrix Consulting Group recommends that the District implement scenario 4.

Report Excerpt:

".....this scenario [4] immediately increases [permit] fee-related revenue, but provides a phased fee increase approach, allowing for a more targeted approach for fee increases by lower fee increases for [permit] renewal fees (affecting a majority of District permit holders) and higher fee increases for new [permit] applications and application modifications. As such, this approach combines advantages for both internal (District) and external (fee payers) stakeholders..."

Today's request is to direct the Interim Air Pollution Control Officer to implement a regulatory process, which includes industry and community partners, to amend Rules 40 and 42 consistent with "Scenario 4" as described in the Cost Recovery and Fee Analysis Consolidated Report.

3. 2019 AND 2020 AIR TOXICS "HOT SPOTS" PROGRAM REPORT FOR SAN DIEGO COUNTY

Action

In 1987, the California legislature adopted the Air Toxics "Hot Spots" Information and Assessment Act (Hot Spots Act). It established requirements for stationary industrial sources to estimate their emissions of toxic air contaminants; evaluate the potential public health risks of exposure to those emissions; notify impacted communities when health risks exceed specified thresholds; and implement measures as necessary to reduce significant health risks.

The San Diego County Air Pollution Control District (District) is responsible for implementing these requirements in San Diego County. The California Air

Resources Board (CARB) and Office of Environmental Health Hazard Assessment (OEHHA) provide statewide implementation guidance. In general, the guidance establishes health-protective assumptions and methodologies to ensure that potential health risks are not underestimated. Moreover, in 2015, OEHHA adopted changes to its guidance and methodologies that generally result in an increase in calculated health risk compared to previously estimated risk.

Under State law, the District is required to prepare an annual report of activities and outcomes related to this program. The District prepared the 2019 and 2020 Air Toxics Hot Spots Program Report for San Diego County (Attachment A), which addresses two consecutive years of activities. The District released a draft report for public review on April 1, 2021, and hosted a virtual public meeting on April 22, 2021, to discuss the report, answer questions, and receive public input.

The report describes in more detail the District's ongoing efforts to regulate and reduce air toxic emissions from stationary industrial sources and includes the following information:

- *The type and quantity of toxic air contaminant emissions from each facility that was inventoried. Approximately 2,600 facilities were inventoried in 2019 and 2020.*
- *A list of facilities that were required to conduct a Health Risk Assessment, which quantifies the potential health risks attributable to their emissions. Approximately 50 facilities were required to conduct a health risk assessment in 2019 and 2020.*
- *A list of facilities that were required to implement public notification and/or risk reduction requirements under District Rule 1210, which establishes the public notification and risk reduction thresholds and procedures for our region. Currently three facilities are subject to public notification and risk reduction requirements and six facilities are subject solely to public notification requirements.*

Supporting Documents: Attachments and supporting documentation for items listed on this agenda can be viewed online on the [APCD Governing Board webpage](#) or at the San Diego County Air Pollution Control District, 10124 Old Grove Road, San Diego, CA 92131.

Meeting Access: Members of the public who wish to watch the virtual meeting can visit http://www.youtube.com/channel/UCvHQTorxJyMOL-MfhG_twpA. For additional meeting access information, please visit the [Air Pollution Control District Governing Board](#) online or, send an email to APCDPublicComment@sdcounty.ca.gov.

Assistance for Persons with Disabilities: Agendas and records are available in alternative formats upon request. Contact the APCD Governing Board Clerk at (858)-586-2600 with questions or to request a disability-related accommodation including sign language interpretation. To the extent reasonably

possible, requests for accommodation or assistance should be submitted at least 72 hours in advance of the meeting so that arrangements may be made.

Public Comments: Persons who wish to address the Governing Board on an item to be considered at this meeting, or on non-agenda items, may submit a [Request to Speak](#) form or email comments to APCDPublicComment@sdcounty.ca.gov. When emailing your comments, please include the meeting date, agenda item, your name, and your organization. All comments received prior to the close of the meeting will be made part of the meeting record. If you wish to submit written materials to be placed into the record or have an attachment to your comment, you may email it to APCDPublicComment@sdcounty.ca.gov or submit via U.S. Mail to 10124 Old Grove Road, San Diego, CA 92131. Materials submitted via e-mail will be distributed to the Board according to the deadlines described below. Materials submitted via U.S. Mail will need to be received the business day prior in order for it to be distributed to the Board.

Comments received prior to the start of the meeting will be distributed to the Board and posted online with the meeting materials. Comments received after the start of the meeting but before the item is called will be submitted into the written record for the corresponding agenda item.

Language Interpreter Assistance: Language interpreter services for public speakers are available upon request to the San Diego County Air Pollution Control District at least 72 hours prior to the meeting. Please contact the Air Pollution Control District Governing Board Clerk at (858) 586-5600 or via e-mail at APCDPublicComment@sdcounty.ca.gov if interpreter services are needed.