



**ACTION SUMMARY**  
**(Unofficial)**

**December 1, 2021**

**9:30 A.M.**

**APCD Hearing Board**

Dr. Steven Colome  
Robert J. Saperstein  
Lee-Volker Cox, Chair  
Terence Dressler  
Francis Peters, Jr., Vice-Chair

Counsel of the Hearing Board:  
Maria Salido Novatt  
Paul Lee

**REMOTE VIRTUAL PARTICIPATION ONLY**  
Zoom Hearing Board Meeting

**A. CALL TO ORDER – ROLL CALL**

Convened by Chair Cox at 9:33 a.m.

Present: 5 - Colome, Cox, Dressler, Peters, Saperstein.  
Absent: 0 - None.

**B. REPORT ON CIRCUMSTANCES OF THE COVID-19 STATE OF EMERGENCY**

**1. Receive**

- a. **An update that the State remains under a proclaimed State of Emergency related to Covid-19; and**
- b. **Public Health Recommendations issued September 28, 2021 regarding social distancing.**

**2. Provide direction to staff about the location of the next meeting.**

Item received. After brief discussion, the Hearing Board directed staff to schedule a Special Meeting to continue remote participation. A motion was made by Hearing Board member Colome, seconded by Hearing Board member Dressler that this matter be approved. The motion carried by the following vote:

Ayes: 5 - Colome, Cox, Dressler, Peters, Saperstein.  
Noes: 0 - None.  
Abstain: 0 - None.  
Absent: 0 - None.

**C. APPROVAL OF MINUTES**

**Approve minutes of the September 1, 2021 meeting.**

A motion was made by Hearing Board member Peters, seconded by Hearing Board member Colome that the minutes be approved. The motion carried by the following vote:

Ayes: 3 - Colome, Cox, Peters.  
Noes: 0 - None.  
Abstain: 2 - Dressler, Saperstein.  
Absent: 0 - None.

Clerk of the APCD Board  
Aeron Arlin Genet

**D. ANNOUNCEMENTS / STAFF REPORTS**

Receive announcements or reports from staff on matters of interest to the Hearing Board. There will be no Hearing Board discussion except to ask questions or refer matters to staff; and no action will be taken unless listed on a subsequent agenda.

Aimee Long of the District informed the Hearing Board that there are no staff reports or announcements at this time.

**E. PUBLIC COMMENT PERIOD**

Persons desiring to address the Hearing Board on any subject within the jurisdiction of the Hearing Board not included as part of the agenda may do so at this time.

There were no public comments.

**F. PUBLIC HEARINGS - Administration of Oath to be conducted prior to each hearing.**

**F-1) Case No. 2021-12-R (Regular Variance)  
Mustang Renewable Power Ventures, LLC, 17 Corporate Plaza Drive, Ste. 200, New Port Beach, CA 92660**

Consider a Petition for a Regular Variance from District Rule 206, and Conditions 9.C.1.b.vii, 9.C.1.c.iv, 9.C.1.d.iv, 9.C.2.b.iv, 9.C.4.a.i, 9.C.4.a.ii, 9.C.4.a.iii, 9.C.4.a.v, 9.C.4.a.vi, 9.C.4.a.viii, 9.C.4.a.x, 9.C.4.a.xi, 9.C.4.b.i, 9.C.4.b.ii, 9.C.4.b.iii, 9.C.4.c.i, 9.C.4.c.ii, 9.C.4.c.iii, 9.C.5.b.i, 9.C.5.b.ii, 9.C.5.b.iii, 9.C.5.b.v, 9.C.5.b.vi, 9.C.5.b.viii, 9.C.5.b.xi, 9.C.5.b.xii, 9.C.5.b.xvi, 9.C.5.c.i, 9.C.5.c.ii, 9.C.5.c.iv, 9.C.5.c.v, 9.C.5.c.vi, 9.C.5.c.vii, 9.C.5.c.viii, 9.C.5.c.ix, 9.C.5.c.x, 9.C.5.d.i, 9.C.5.d.ii, 9.C.5.d.v, 9.C.5.d.vi, 9.C.5.d.vii, 9.C.5.d.viii, 9.C.5.d.ix, 9.C.5.d.x, 9.C.6.a.i, 9.C.6.a.ii, 9.C.6.a.iii, 9.C.6.a.iv, 9.C.6.b.i, 9.C.6.b.ii, 9.C.6.b.iii, 9.C.6.c.i, 9.C.6.c.ii, 9.C.6.c.iii, 9.C.33.a, and 9.C.33.f of Authority to Construct 14500-02, submitted on October 15, 2021, for continued operations of the Material Recovery Facility (MRF) without the following equipment that was damaged by the Alisal Fire: MRF baghouses, MRF scrubbers, and MRF biofilters. The Petitioner operates the equipment described in the Petition at the Santa Barbara County Tajiguas Landfill located at 14470 Calle Real in Goleta, California.

Representatives for the Hearing Board: Maria Salido Novatt (Counsel).  
Representatives for the District: Aimee Long, Eric Kett, and Kaitlin McNally.  
Representatives for the Petitioner: John Dewey and Jeanette Gonzales-Knight.

Hearing held. Following testimony, the Hearing Board unanimously agreed that the six findings were made. A motion was made by Hearing Board member Dressler, seconded by Hearing Board member Saperstein to accept the findings as stated and that Regular Variance 2021-12-R be granted as submitted in the draft Findings and Order for the period of December 1, 2021 through October 14, 2022, or the date compliance is achieved, whichever occurs first. The motion carried the following vote:

Ayes: 5 - Colome, Cox, Dressler, Peters, Saperstein.  
Noes: 0 - None.  
Abstain: 0 - None.  
Absent: 0 - None.

**G. ADJOURN**

The meeting was adjourned at 10:23 a.m. A Special Meeting to be scheduled within 30 days of this meeting. Date and time to be selected at the discretion of the Chair.