

MEMORANDUM

TO: Hon. Chair and Members of the Orange County Sanitation District Steering Committee

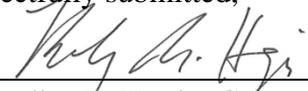
FROM: Bradley R. Hogin, Esq.
General Counsel

DATE: October 21, 2021

RE: Closed Session Items

The Steering Committee desires to hold a closed session on October 27, 2021 for the purpose of conferring with its legal counsel regarding anticipated litigation. Existing facts and circumstances reflect a significant exposure to litigation against the District. The closed session will be held pursuant to the authority of California Government Code Section 54956.9(d)(2). The facts and circumstances are as follows: The South Coast Air Quality Management District (“SCAQMD”) issued seven (7) Notices of Violation (NOV) alleging violations of SCAQMD Rules, including Rules 3002, 3003, 1110.2, 1146, 1403, and 430; 40 CFR 61.145; and associated permit conditions relating to operations at Plant 1 and Plant 2: NOV P63088 (issued on March 1, 2018); NOV P63093 (issued May 22, 2018); NOV P63094 (issued on May 22, 2018); NOV P65523 (issued on March 20, 2020); NOV P65524 (issued on May 26, 2020); NOV P65548 (issued on January 29, 2021); and NOV P65549 (issued on February 18, 2021).

Respectfully submitted,



Bradley R. Hogin, General Counsel