

NEW YORK CITY
OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
ENVIRONMENTAL CONTROL BOARD

BOARD MEETING

Training Room 143, 12th Floor
100 Church Street, New York, New York

June 25, 2015

9:17 A.M. to 10:42 A.M.

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MEMBERS PRESENT:

Lt. Dan Albano, Esq. - Police Department
Hon. Ernest J. Cavallo - Citizen Member
Fidel F. Del Valle, Esq. - Commissioner, OATH, Chair, ECB
Joseph Gregory, Esq. - Fire Department
Renaldo Hylton - Exec. Dir., Dept. of Buildings
Elizabeth Knauer, Esq. - Citizen Member
Madelynn Liguori, Esq. - Dept. of Sanitation
Jorge Martinez, Esq. - Dept. of Health and Mental Hygiene
Russell Pecunies, Esq. - Dept. of Environmental Protection
Thomas D. Shpetner, Esq. - Citizen Member
Douglas Swann - Citizen Member

ALSO PRESENT:

Jim Macron, Esq. - Counsel to the Board, OATH/ECB
Frances Shine - Secretary to the Board, OATH/ECB
James Armstrong, Esq. - Agency Attorney, OATH
Helaine Balsam, Esq. - Deputy General Counsel, OATH
Denis Brogan, Esq. - Assistant General Counsel, OATH
John Burns, Esq. - First Deputy Commissioner, OATH
John Castelli, Esq. - Assistant Commissioner for
Legislative Affairs, OATH
Brandon Chiazza - Office of Management & Budget
Kelly Corso, Esq. - Assist. Director of Adjudications, ECB
Ryan Fennell - Intern, NYPD
Kathleen Futon - Intern, NYPD
Fana Garrick - Public Affairs Assistant, OATH
David Goldin, Esq. - Administrative Justice Coordinator,
Mayor's Office
Shamonda Graham - Department of Transportation
Vivienne Kahng, Esq. - Deputy Supervising Attorney,
Appeals, ECB
Peggy Kuo, Esq. - Deputy Commissioner and General Counsel,
OATH
Naffie Lamin - Intern, OATH
Amanda Magrone - Intern, NYPD
Christopher McConnell - NYPD
Maria Marchiano, Esq. - Sr. Counsel/Assistant
Commissioner, OATH
Carol Moran, Esq. - Deputy Commissioner of Health Tribunal
and Taxi and Limousine Tribunal, OATH
Denise Ortega - IT Support, OATH
Danielle Ravich - General Counsel Intern, OATH
Keana Rivera - Intern, NYPD

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Doris Stewart - Department of Transportation
Peter Schulman, Esq. - Assistant Director of Tribunal
Affairs, ECB
Amy Slifka, Esq. - Deputy Commissioner, ECB
Thomas Southwick, Esq. - Supervising Attorney, Appeals,
ECB
Guoyu Tao - General Counsel Intern, OATH
Bonnie Trunley - Intern, OATH

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(The public hearing commenced at 9:17
A.M.)

FIDEL F. DEL VALLE, ESQ., COMMISSIONER &
CHIEF ADMINISTRATIVE LAW JUDGE, OATH; CHAIRPERSON
and EXECUTIVE DIRECTOR, ECB: Good morning
everyone. Welcome to our first summer -- my first
summer meeting of the Environmental Control
Board. Before we get down to any business, is
there a motion to accept the minutes of the last
meeting? This appears to be unanimous I think.
And the minutes are accepted.

We have today a large number of guests
that we don't normally have, a lot of interns

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that wanted to get some idea of some of the deep, darkened things that nobody else seems to care about. And judging from the number of hits we get on YouTube, not including ours, there may be a dozen people out there somewhere who are interested. It might be on the International Space Station if they're bored and have nothing else to do up there.

We don't have a particularly large agenda but I want to give an update to everyone here, which in particular our interns might be interested in some of this stuff. As to things that have been going on and unearthed and so forth. This is my -- oh, hi.

MS. PEGGY KUO: I apologize ...

COMMISSIONER DEL VALLE: The glorious IRT again, yeah. I've been here for seven months. And in that process, I don't even have a list but that's what this thing sounds like. It's freaking me out. Things that I've looked at and compared to what original concepts were and how things have evolved over the last 35 years; so as part history lesson for our guests, the Environmental

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Control Board was conceived of in 1967 during the Lindsay Administration as a superagency. Which included the Sanitation Department, the Department of Environmental Protection and about half a dozen other agencies; whose mission was, as articulated by the Mayor's Office at that time, to be a super environmental enforcement agency of the City of New York.

And consistent with the philosophy of the time, that the City was too large to govern; everything was going to be governed by a committee. And this group would be the committee to deal with environmental issues and there were a zillion other committees that were created. If you get the City's Green Book out, you'll find out that the City's populated with a zillion committees, most of whom people never heard of; rarely convened and essentially do next to nothing -- seriously.

But some of them do. This is one of them. One of them is CCRB. Although I could spend the next half-hour just listening to flaws in many of those designs, including CCRB's. But the

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point being over time, people kind of sort of like figured out that that system didn't work. This system was very similar to the system that existed in 1918 in Moscow, to how to run the City of Moscow and they ultimately figured out it didn't work. This is right after the Russian Revolution. And when they figured out it didn't work, then they came up with the dictatorship of the proletariat; which lasted for another 90 years and then they found out that didn't work.

The point being is since then, in the intervening 35 years, CCRB has been chopped up. The Sanitation Department is now the Sanitation Department again. Department of Environmental Protection is the Department of Environmental Protection again. The Department of Health is the Department of Health again, etcetera, etcetera, etcetera. And what we have left is the tribunal functions of CCRB. Although when you look at the Charter, there is a lot of stuff in there that speaks in terms of enforcement; it implies that this is an enforcement agency when it's not. I get directly from the 311 system every inquiry

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that's made, complaint, letter, etcetera, about this agency and the rest of OATH. And invariably somebody is moaning and groaning about ECB agents going out and doing whatever: issuing summonses, notices of violation, etcetera.

I have met with a good portion of the members of the City Council; virtually none of whom knew what OATH did or ECB did. I have met with community groups, local citizens, etcetera. And uniformly they equate the Environmental Control Board with essentially the gestapo. There is an incredible cognitive disconnect between the perception of the Environmental Control Board by the people involved with the Environmental Control Board and with the Adjudications Unit of the Environmental Control Board and the public.

The public in general has absolutely no clue as to what we do here, what our responsibilities are and how we function. The terms that you hear are things like kangaroo court. You hear things like we're only interested in generating revenue for the City of New York. You hear things like: totally incompetent

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operation because I got a summons that says I'm supposed to go to a hearing at 8:30 in the morning and I see hearing officers sitting around doing nothing and they don't get to me until 2:00 in the afternoon. It is rather disheartening to hear that sort of stuff. And part of the problem is really one of perception. People jump to conclusions based on incomplete information and incomplete perception of things; something I hope to clean up.

I'll give you an example. When someone goes to a hearing and they see either reps from within an agency or these business reps appearing to have familiarity with staff or hearing officers or even going and using the same facilities and lunch room facilities as our hearing officers; they're going to assume that they're in bed together essentially. They're going to assume that the hearing officer from ECB and the inspector from whatever agency are colluding together to find them guilty of something.

Let me take a side-step over here for a

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second. The object of the exercise when OATH was created initially by Ed Koch and then was put on hold for about 30 years to a great extent, in 1978 was a recognition of that sort of perception. And his idea and my marching orders from the current Mayor are to execute that idea; is to make sure that the public understands that they have an unbiased, neutral forum where they can take their controversies with administrative agencies and get an unbiased, fair and just resolution.

And for those of us here who are attorneys, we understand that in our code of ethics that even the appearance of an impropriety is just as serious and is treated just as severely as an actual impropriety. And appearances can be very misleading and people can be very cynical as a consequence. One of the reasons that the Taxi Tribunal was moved into the orbit of OATH and the Health Tribunal and the Environmental Control Board Tribunal is to replicate what was very successful at OATH in creating in everybody's consciousness that it is

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a neutral, independent tribunal where everybody gets an even break.

I recall in 1978 when I was the advocate for the Probation Department and for the benefit of the interns, an agency advocate is somebody who is agency prosecutor for administrative discipline against employees; 98 percent of disciplinary cases went through the grievance procedure under the contract and very few went through the civil service procedure, which is under the Civil Service Law, which would bring you to OATH. That was year one.

Today it is the exact opposite. And the reason it's the exact opposite, when I talk to union presidents, it's because they believe that they get a fair break at OATH and that OATH is not influenced by what the Commissioner of a particular agency wants or doesn't want; as opposed to the grievance procedure, where ultimately it goes to an arbitrator and the arbitrator is selected -- one by the City and one by the union and historically what happens is they always make decisions; 50 percent for the

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City and 50 percent for the union. And people don't know what rhyme or reason, why it falls one way or the other. I'm not knocking arbitrators but if you don't make both sides happy, you don't get to be appointed an arbitrator again. And that's just plain reality on purpose.

In particular, with what the point I'm making is the Environmental Control Board Tribunal was moved in under OATH's orbit about five years ago, something like that. With it, as well by the way, the other two agencies I mentioned -- TLC and Health, a lot of legacy stuff was pulled in at the same time; stuff that is totally inappropriate for an adjudicatory body.

I don't think every other City agency has quite gotten the memo that this is a neutral tribunal and that everybody stands the same. By that I mean, it doesn't matter whether you're an agency or you're a respondent or a complainant and a respondent or some of them are civilian complainants that is people from the public. As far as OATH is concerned, they are all equal

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litigants. That is to say, the agency's a petitioner and the person who got the summons or the charges and specifications is the respondent and either the agency makes its case or the respondent makes their case but they both walk in with equal standing. Nobody gets any special help; attention or whatever and you sink or swim.

There has been some pushback, shall I say, from staff people who were moved over from other City agencies, who seem to think that they have an obligation to resolve things on behalf of the other City agency or provide services to the other City agency. We're not DCAS. We're not the City's Department of Administrative Services that provides paperclips or paper or services to other city agencies. We are not providing services to City agencies. We are providing a tribunal, an administrative tribunal to the City of New York.

In 1940, administrative agencies like we know them today that basically run the government didn't exist. And that started with the New Deal. There's another piece of history lesson here. Since then virtually every citizen's contact in

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this country with anything relating to government has to go through some kind of administrative agency, whether it's as basic as DMV or getting a parking ticket; that's it. Very few people wind up in serious court. Very few people really wind up in criminal court or State Supreme Court in a lawsuit or something like that. And their view of what government is depends on their contact with that administrative agency or that tribunal. And we're the tribunal for the City of New York.

And if you're standing on line for three hours at DMV to get your driver's license renewed, you're not going to walk away with a very nice opinion of the State of New York. And if you come in at 8:30 in the morning because an agency gave you a summons that said it was returnable at 8:30 in the morning and that agency doesn't supply enough personnel to prosecute the summonses they issued at 8:30 in the morning and they're standing around; they have hearing officers standing around not doing cases because the cases aren't going through, there's a bottleneck and I get my summons heard at 2:00 in

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the afternoon, I'm going to think the Environmental Control Board is run by a bunch of clowns and incompetents. And what's more I'm going to think that the Environmental Control Board issued the summons to begin with.

So that's not very cool. And that's going to stop, among other things. It's going to be very difficult to disabuse a lot of the City Council as to what this group is about, what we're about, what we do. We have a very good reputation on the historical side, on the OATH side.

My conversation with Bill de Blasio last October, which lasted about five minutes when he offered me this position; essentially said that what he wants is every citizen of the City of New York, every inhabitant of the City of New York to believe that when they have a hearing, that it is fair, neutral and impartial, period. That's my marching orders. And that's what we're going to accomplish one way or another. And that is involving right now a lot of new rulemaking going on, a lot of procedural stuff going on. Teasing

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apart things that do not belong in an adjudication environment; things like revenue collection.

If you're an impartial tribunal, you have to be totally disinterested as to whether or not there's any revenue at the end of the tunnel. That is the Department of Finance's problem, not ours. We will not be chasing people to pay their fines. If we adjudicate somebody owes the City of New York money that is an issue for the City of New York.

Just like if you get sued in civil court and there's a judgment against you, it's not the court that chases you around to make sure that you pay. The plaintiff or whomever gets the judgment is the one who has to go to the sheriff or the marshal or go to the bank and put a lien or levy on your property. It's not the court that does not because that makes the court look biased and partial. If somebody screws up at a proceeding, you can always hit the reset button. But nobody's going to be cut -- slapped one way or the other. It's going to be very, very

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neutral. We've already had some issues at some of our facilities where representatives from certain agencies were upset that they couldn't use our bathrooms or our lunch area.

Because the public sees them, you know, hanging out, attorneys for -- actually it's one of the agencies here that I'm talking about; they see somebody from that agency, a prosecutor from that agency hanging out in the lunchroom with the hearing officers: Yeah, right, I'm getting a fair deal. And they may be getting a fair deal but that's not the perception. And like I said before, the perception is just as bad as the fact that's what's really happening. And like I said before, the guys in this room who are attorneys are very sensitive to that because if we're not, we can get disbarred, among other things, which it's not very nice.

So that's what I have been finding in the last seven months. And what I've been involved with in the last seven months is working with the Mayor's Office of Operations as our resource to come up with new and better designs

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to functionally work these things through. The most public one will be very soon when we start printing new summonses. One of the weird things that I found out is that we actually provide -- print the summonses for everybody, right, rather than each agency printing its own; which I found kind of weird. If you've ever been to one of the basements of Police Headquarters, they've got a print shop down there that makes the *New York Times* jealous.

Starting very soon, summonses will say across the top what agency is issuing the summons; instead of just a code number. People are not going to think that the Environmental Control Board issued them a summons for recycling. They're going to know it's the Sanitation Department or the Department of Environmental Protection or whatever. They're going to know that the summons came from the Health Department.

It's going to be very; very clear that the summons came from the Taxi and Limousine Commission, not from OATH; and that OATH is not

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the Taxi and Limousine Commission. Actually that's a weird scenario where it's the exact opposite of what I'm talking about. If you go to Long Island City where most of the taxi tribunals are, you talk to the drivers; they think they're at TLC. They don't think they're at OATH. A lot of it is because of the legacy stuff that was brought over and it's got all the trappings of TLC there.

That messes up the whole view of what administrative adjudication is. And I don't want ten years from now, while I'm sitting on the beach in Tahiti -- hopefully, to read that there's a Justice Department study that was done in New York City akin to the one that was done in Ferguson, Missouri; where they concluded that their administrative cases were basically just a farce to generate money. Ain't gonna happen, at least not if I'm here.

So that's essentially a very broadly, without getting into the details and I'll be happy to go into the details with anybody who wants to explore as to what our future plans are.

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But that's where we came from, where we are at and I hope I'm describing where we're going. And we'll see if it works. So, that said, now we get to the fun part of the meeting, the business part; the ones who get paid all this money for -- at least the Citizen Members. I'm being facetious. They don't get paid anything really. I'm saying that for the benefit of the patrons. We have a presentation on our final rulemaking.

MS. HELAINE BALSAM, ESQ., DEPUTY GENERAL COUNSEL, OATH: Helaine Balsam, Deputy General Counsel for OATH. Good morning everybody.

ALL: Good morning.

MS. BALSAM: We have two final rules today. The first one is additions to the Department of Sanitation penalty schedule for violations pertaining to the recovery of refrigerants. The Law Department held a public hearing. The Law Department cleared it. Any questions on that one? Okay. Do we vote on them together or separately?

COMMISSIONER DEL VALLE: Unless anybody's got any controversy or questions on any

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particular one, I guess we're going to do them all together.

MS. BALSAM: Okay. And then the second final rule pertains to ECB's procedural rules. We made two changes. The first allows for personal service of decisions and orders on somebody if they don't want to get it in the mail. And the second change is to service for cease and desist orders from certified mail, return receipt requested to regular mail. Any questions on that one? Yeah?

MR. RENALDO HYLTON, EXECUTIVE DIRECTOR, DEPARTMENT OF BUILDINGS: I just wondered if you had a chance to review National Grid's response - - inquiry; I guess their comments on it?

COMMISSIONER DEL VALLE: Yes. I think National Grid's idea is a great idea. I want to set up a way that we can get an E-mail address. Obviously, getting an E-mail address from big respondents like National Grid is going to be easy because you're going to have a set thing. But I want to have a mechanism whereby basically anybody could register an E-mail address with

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OATH for receipt of service; similar to what is in place in federal court. If I'm admitted to federal court and Eastern District and the Southern District have my E-mail address, if anything is filed in either the Eastern District or the Southern District that relates to me, I get an E-mail immediately with a copy of whatever was filed. Which I think is a neat -- it's a terrific idea. It's going to be something else for me to give our IT people a headache with. But, you know, the snail mail is becoming history. I very much like National Grid's idea.

MR. HYLTON: Would that require any amendment to; will that require any changes to the rule to be able to do that?

COMMISSIONER DEL VALLE: It might. But before we know -- before we make those changes in the rules, I want to find out what the technical hoops have to be. I don't want to tell them -- my concern is that we don't wind up with a bunch of stale E-mail addresses. Because I know National Grid is going to always be National Grid. But John Doe or whatever, you know, this year may

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have an AOL address and next time they may have a Gmail address and one dies and they never look at it; that kind of thing.

MR. HYLTON: I agree with you. But I'm saying that for the agencies in particular and of course as National Grid points out, to their benefit also, this is a great idea in terms of cutting back on cost and actually delivering decisions by the push of a button. It goes directly to an agency E-mail, similar to how we do it right now; we get decisions from the appeals court. So this is really good. I think if we were to try to accommodate that by rule or, you know...

COMMISSIONER DEL VALLE: Yeah, the great part of it is it winds up on the desk of somebody who can do something with it right away.

MR. HYLTON: Right.

COMMISSIONER DEL VALLE: Rather than it bouncing around up the bureaucracy for two months before somebody says: Oh, we were supposed to do that 30 days ago. How lovely.

MR. HYLTON: Right.

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MS. BALSAM: Any other questions, comments? That's it.

COMMISSIONER DEL VALLE: Is that it?

MS. BALSAM: Yeah, just this one.

COMMISSIONER DEL VALLE: Is there motion on either of these or both of these together? I think it's unanimous. I vote too. DEP has a request?

MR. RUSSELL PECUNIES, ESQ. DEPARTMENT OF ENVIRONMENTAL PROTECTION: Good morning. Russell Pecunies, Assistant Counsel, DEP. This month DEP has requests for cease and desist orders, the usual monthly batch of 28 requests for failure to comply with orders to install backflow prevention devices; and also 18 requests for cease and desist orders relating to expired certificates of operation for boilers that are using number 6 oil.

The statute, the new law banning the use of number 6 takes effect on Tuesday, the 30th. We have something on the order of about a hundred buildings right now at various stages of the cease and desist process coming into compliance.

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So far the issuance of the orders has been very effective in terms of getting sort of the laggards and the people who inevitably whenever anything like this happens always wait until the last minute to do it. It's been very effective so far.

Since we do have people whose certificates are valid through June, we will have sort of a continuing trickle of these in the second half of the year. Because we have to issue a violation first and get that adjudicated before we can bring the request for the cease and desist order. But so far the program has been going very well and has been very effective. So DEP is requesting that the Board approve the 18 boiler-related requests, as well as the 28 backflow related requests.

COMMISSIONER DEL VALLE: Any questions? Is there a motion? It's unanimous with one abstention.

MR. PECUNIES: Thank you.

COMMISSIONER DEL VALLE: That was short and sweet. Now this is where we get serious.

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MS. KELLY CORSO, ESQ., ASSISTANT DIRECTOR OF ADJUDICATIONS, ECB: Good morning. I'm Kelly Corso, the Assistant Director of Adjudications for ECB. And I'm going to talk about the pre-sealing reports. We have 19 pre-sealing reports today. And very exciting, we have one post-sealing report to talk about. Ten of the pre-sealing reports pertain to backflow violations. In all of those cases, the hearing officers recommended that there be no sealing or other action because the respondents were able to show at the hearings that backflow devices had been installed and tested at the premises.

The remaining pre-sealing reports pertain to one noise code violation and eight air code violations. The noise code case, in this case the DEP representative requested that the proceeding be discontinued because a recent inspection of the premises showed that the respondent had moved out of the cited premises and the equipment had been removed. The hearing officer agreed with that recommendation and the hearing officer recommended that the proceeding

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be discontinued.

Moving on to the air code cases, there are eight of these. And at four of those cases, the respondents' representatives did provide proof that they had obtained valid operating certificates for the boilers and burners that had been cited and they had come into compliance with the air code. Based on that evidence of compliance, the hearing officers in all four cases recommended that no further action be taken because of the compliance of the respondents.

In the three remaining air code cases, DEP requested that the C&D proceedings be discontinued because the respondents had obtained valid operating certificates for alternative fuel sources, bringing the boilers and burners into compliance with the air code. And the hearing officers in all three of those cases agreed with that recommendation and recommended that the C&D proceedings be discontinued.

In the last air code case, this one involved a spray booth; DEP requested at the hearing that the C&D proceeding be discontinued.

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And that is because the respondent had moved from the cited premises and the cited premises is now vacant. And the hearing officer agreed with DEP's recommendation that the C&D proceeding against the respondent be discontinued.

So that is the summary of the 19 pre-sealing reports. I'm not sure if you want to deal with them first and then the post-sealing report or everything together?

COMMISSIONER DEL VALLE: Well, let's do it because it comes first. Is there any question on any of those? Is there a motion on any of those? It's unanimous.

MS. CORSO: Okay. The post-sealing report pertains to a noise code violation that occurred at a restaurant in Manhattan. It dates back to 2013. It involves TJ Food Corporation. And they had an air conditioner at their restaurant which was exceeding the 42 decibels, which is required by the air code and they received a violation from DEP. In July of 2013, they entered into a stipulation. And in September of 2014, it was revealed that a DEP inspection

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showing that the respondent had not complied with the code; so a C&D order was approved by the Board in October of 2014.

At the pre-sealing hearing in November of 2014, the hearing officer recommended that based on the evidence that the respondent was able to show that they had come into compliance, that DEP re-inspect the equipment and the equipment remain unsealed if the initial re-inspection showed that there was no other violations. And the Board adopted the hearing officer's recommendation.

Subsequent to that, in May of 2015, DEP re-inspected the equipment and found that the unit was exceeding the noise code's allowable decibels and they resealed the equipment. The respondent quickly replaced the equipment in May; and they appeared at a post-sealing hearing to request that the equipment remain unsealed. Subsequent to that, DEP inspected that equipment and found that the new equipment was in compliance and recommended that there be no further action, given the respondent's compliance

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and the hearing officer approved the recommendations that the equipment remained unsealed.

COMMISSIONER DEL VALLE: Isn't it absolutely amazing how they complied the moment we sealed it after all those years? That's an editorial comment guys. Is there a motion to accept? It's unanimous. Thank you. Now, we're going to go into executive session. Which for the benefit of the interns, etcetera, who may not be aware of it; whenever an administrative agency that has a Board or a public hearing have situations [unintelligible tape disturbance] [00:38:47] into executive session and we'll resume in a few minutes.

[OFF THE RECORD]

[ON THE RECORD]

MR. THOMAS SOUTHWICK, ESQ., SUPERVISING ATTORNEY, APPEALS, ECB: With respect to the full Board's review of the appeal in New York City v. I&L Contractor Service, alternative one before the Board remains as was provided. Alternative two has been revised as follows. The final three

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paragraphs are revised to read: Respondent's representative did not move to dismiss the NOV from proper section of law. Respondent's representative showed no confusion over the section of law charged. The hearing officer read the correct section of law into the record. Section 3-53(b) of 48RCNY allows amendment to an NOV at any time to conform to the evidence. The Board is persuaded that respondent was not prejudiced or unfairly surprised by the omission of a period between the last digits of the section of law as written by the IO.

Consequently, the Board hereby amends the NOV for the site, BC 3304 of .3.1 as a section of law charged. Accordingly, the Board reverses the hearing officer's recommended decision and order; sustains the amended charge of BC 3304.3.1 and imposes a civil penalty of \$1,200.

COMMISSIONER DEL VALLE: Is there a motion to accept that version? That is eight in favor, one abstention and one voting against. And there's another set, right? Don't forget the --

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MR. SOUTHWICK: We have before the Board the recommendations of the June 4th and June 18th appeals panels as provided. Is there a motion to accept those recommendations?

LT. DANIEL ALBANO, ESQ. Tom, just if you could?

MR. SOUTHWICK: Yes.

LT. ALBANO: There were two cases that I had recused myself from?

MR. SOUTHWICK: Right. I should mention that on the June 4th panel, Lt. Albano was the agency member. Two decisions -- on the two appeals rather, involving vendors were decided by a panel that included Renaldo Hylton as the agency member, replacing Lt. Albano.

COMMISSIONER DEL VALLE: Thank you. Is there a motion to accept? It's unanimous.

MR. SOUTHWICK: Thank you.

COMMISSIONER DEL VALLE: I think that wraps up today's fun meeting. And I thank you. Is there a motion to adjourn? We are adjourned.

(The public hearing concluded at 10:42 A.M.)

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CERTIFICATE OF ACCURACY

I, Andrew Slawsky, certify that the foregoing transcript of the Environmental Control Board Meeting on June 25, 2015 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By

A handwritten signature in cursive script, appearing to read 'AS', is positioned above a horizontal line.

Date: June 26, 2015

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