



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

A G E N D A

MEETING, NOVEMBER 1, 2013

A meeting of the South Coast Air Quality Management District Board will be held at 9:00 a.m., in the Auditorium at AQMD Headquarters, 21865 Copley Drive, Diamond Bar, California.

Questions About an Agenda Item

- The name and telephone number of the appropriate staff person to call for additional information or to resolve concerns is listed for each agenda item.
- In preparation for the meeting, you are encouraged to obtain whatever clarifying information may be needed to allow the Board to move expeditiously in its deliberations.

Meeting Procedures

- The public meeting of the AQMD Governing Board begins at 9:00 a.m. The Governing Board generally will consider items in the order listed on the agenda. However, any item may be considered in any order.
- After taking action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

Questions About Progress of the Meeting

- During the meeting, the public may call the Clerk of the Board's Office at (909) 396-2500 for the number of the agenda item the Board is currently discussing.

The agenda and documents in the agenda packet will be made available upon request in appropriate alternative formats to assist persons with a disability. Disability-related accommodations will also be made available to allow participation in the Board meeting. Any accommodations must be requested as soon as practicable. Requests will be accommodated to the extent feasible. Please telephone the Clerk of the Boards Office at (909) 396-2500 from 7:00 a.m. to 5:30 p.m. Tuesday through Friday.

All documents (i) constituting non-exempt public records, (ii) relating to an item on the agenda, and (iii) having been distributed to at least a majority of the Governing Board after the agenda is posted, are available prior to the meeting for public review at the South Coast Air Quality Management District Clerk of the Board's Office, 21865 Copley Drive, Diamond Bar, CA 91765.

The Agenda is subject to revisions. For the latest version of agenda items herein or missing agenda items, check the District's web page (www.aqmd.gov) or contact the Clerk of the Board, (909) 396-2500. Copies of revised agendas will also be available at the Board meeting.

Cleaning the air that we breathe...™

CALL TO ORDER

- Pledge of Allegiance
- Opening Comments: William A. Burke, Ed.D., Chair
Other Board Members
Barry R. Wallerstein, D. Env., Executive Officer
- Presentation of Retirement Award to Linda Jenkins Blakely **Burke**
- Presentation to Outgoing Hearing Board Members **Burke**
M. Michael Glovsky, M.D. and Marti L. Klein

Staff/Phone (909) 396-

CONSENT CALENDAR (Items 1 through 22)

Note: Consent Calendar items held for discussion will be moved to Item No. 23

1. Approve Minutes of October 4, 2013 Board Meeting **McDaniel/2500**
2. Set Public Hearings December 6, 2013 to Consider Amendments and/or Adoption to SCAQMD Rules and Regulations **Wallerstein/3131**
 - Amend Rule 1420.1 - Emission Standards for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recycling Facilities **Chang/3186**
 - Proposed Amended Rule 1420.1 establishes requirements for owners or operators of large lead-acid battery recycling facilities to reduce arsenic emissions and other key toxic air contaminant emissions. PAR 1420.1 includes requirements for ambient air concentration limits for arsenic, as well as hourly emission limits of arsenic, benzene, and 1, 3-butadiene. PAR 1420.1 also contains additional administrative, monitoring and source testing requirements for stack emissions. (Reviewed: Stationary Source Committee, October 18, 2013)

Budget/Fiscal Impact

3. Execute and Amend Contracts under Carl Moyer Program and SOON Provision and Execute Contracts for Technical Assistance **Miyasato/3249**

On September 4, 2013, project applications were received under the SOON Provision Program Announcement. In addition, other off-road projects were evaluated under the Carl Moyer Program that could not be done earlier due to insufficient information from applicants. These actions are to execute and amend contracts under the Carl Moyer Program and the SOON Provision in an amount not to exceed \$4,966,043 from the Carl Moyer Program Fund. Finally, this action is to execute contracts for technical assistance in the implementation of the Carl Moyer, the Voucher Incentive, and the Proposition 1B-Goods Movement Programs in an amount not to exceed \$330,000 from the administrative portions of the Carl Moyer and the Proposition 1B-Goods Movement Program funds. (Reviewed: Technology Committee, October 18, 2013, Recommended for Approval)

4. Execute Contract to Develop Hydrogen Storage Capability for Gas Blending Facility **E** **Miyasato/3249**

Hydrogen fuel cell vehicles have zero emissions, and hydrogen blended with other fuels, such as natural gas, has shown the potential to reduce emissions in mobile and stationary combustion sources. Hydrogen and natural gas blends may provide a near-term opportunity to displace petroleum-based fuels while reducing emissions. Testing of distributed generation devices, including micro-turbines and fuel cells, on different blends of hydrogen is a focus of the U.S. Department of Energy and California Energy Commission. This action is to execute a contract with the Advanced Power and Energy Program at the University of California, Irvine, to develop hydrogen storage capability for their gas blending facility at a cost not to exceed \$200,000 from the Clean Fuels Fund (31). (Reviewed: Technology Committee, October 18, 2013; Recommended for Approval)

5. Execute Contract to Upgrade Natural Gas Fueling Station **E** **Miyasato/3249**

At the September 10, 2010 meeting, the Board took action to recognize upon receipt \$2.9 million from the CEC AB 118 Alternative and Renewable Fuel and Vehicle Technology Program into the Clean Fuels Fund (31) for the construction of natural gas fueling stations. The projects were selected by CEC through a competitive solicitation process. This action is to execute a contract with the City of West Covina to upgrade one CNG station in an amount not to exceed \$200,000 from the Clean Fuels Fund (31). (Reviewed: Technology Committee, October 18, 2013; Recommended for Approval)

6. Issue RFP for Upgrading Existing Hydrogen Fueling Infrastructure and Execute Contract to Conduct Site-Evaluations for Hydrogen Station Certification  **Miyasato/3249**

The SCAQMD was awarded \$6,690,828 by the CEC to provide funding for upgrading existing hydrogen fueling stations. This action is to issue an RFP for competitive bidding for those upgrades. In addition, the California Department of Food and Agriculture, Division of Measurement Standards (DMS), is preparing to conduct site evaluations at existing hydrogen fueling stations to site-certify these stations, enabling the commercial sale of hydrogen. The California Fuel Cell Partnership, CARB and CEC are contributing \$350,000 toward this project. This action is also to execute a contract with DMS to conduct site evaluations and site-certify hydrogen fueling stations in an amount not to exceed \$100,000 from the Clean Fuels Fund (31) and \$100,000 from the Hydrogen Fueling Infrastructure Network Fund (63). (Reviewed: Technology Committee, October 18, 2013; Recommended for Approval)

7. Recognize Revenue and Appropriate Funds for PAMS Program, Recognize Section 103 Research Grant Revenue, Award Contract for Technical Support, Amend Contract for Technical Support and Issue Purchase Orders **Fine/2239**

U.S. EPA estimates awarding Section 105 funds in the amount of \$1,196,826 for the 22nd Year PAMS Program and has allocated Section 103 funds in the amount of \$60,000 for a research grant. This action is to: 1) recognize revenue and appropriate funds to the FY 2013-14 Budget for the 22nd year PAMS Program; 2) recognize Section 103 revenue; 3) award contract for technical support; 4) amend contract for technical support; and 5) issue purchase orders. (Reviewed: Administrative Committee, October 11, 2013. Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.)

8. Authorize Purchase of Ingres Relational Database Management System Software Support **Marlia/3148**

The Ingres Relational Database Management System is used for the implementation of the Central Information Repository database. This database is used by most enterprise-level software applications at the SCAQMD and currently supports a suite of client/server and web-based applications known collectively as the Clean Air Support System (CLASS). The CLASS applications are used to support all of the SCAQMD core activities. Maintenance support for this software expires November 29, 2013. This action is to obtain approval for the purchase of Ingres Database software maintenance support for an additional year. Funds in the amount of \$180,000 for this expense are included in the FY 2013-14 Budget. (Reviewed: Administrative Committee, October 11, 2013. Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.)

9. Amend Contract for Continuation of Air Quality Institute Program **Smith/3242**

On June 3, 2011, the Board approved a contract with the Cordoba Corporation to facilitate the continuation of the Air Quality Institute outreach program. The approved contract included options for two one-year extensions. The first one-year extension was exercised, and the work has been completed under a six-month no-cost extension. This action is to approve a second one-year extension of the existing contract with Cordoba Corporation, in an amount not to exceed \$133,470. (Reviewed: Administrative Committee, October 11, 2013. Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.)

10. Amend Contracts for Legislative Representation in Sacramento, California **Smith/3242**

The current contracts for legislative representation in Sacramento expire on December 31, 2013 for Gonzalez, Quintana & Hunter, LLC, and Joe A. Gonsalves & Son. Both consultant firms have continued to perform at a very high level and continued representation in Sacramento is necessary to further SCAQMD policy positions at the state level. The current contracts have options for two one-year extensions. This action is to approve the second one-year extension of the existing contracts for legislative consulting services in Sacramento for Calendar Year 2014. Total contract amounts for Gonzalez, Quintana & Hunter, LLC, and Joe A. Gonsalves & Son are proposed to be the current contract amounts plus a Consumer Price Index increase. (Reviewed: Administrative Committee, October 11, 2013. Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.)

11. Make Findings Regarding Board Member Assistant/Consultant **Wallerstein/3131**

This action is for the Board to act in place of the Administrative Committee to review a Board Member's Proposal for SCAQMD Board Member Consultant and make findings required by Board policy. (Reviewed: Administrative Committee, October 11, 2013. Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.)

12. Approve Contract Awards and Modifications Approved by MSRC **Pettis**

As part of their FYs 2012-14 AB 2766 Discretionary Fund Work Program, the MSRC approved awards to provide bus service to the 2014 Orange County Fair and to provide special Metrolink service to Angel Stadium for 2014 under the Event Center Transportation Program. The MSRC also approved modifications to a contract as part of the FY 2011-12 Work Program, and replacement contracts as part of the FYs 2005-06 and 2008-09 Work Programs, respectively. At this time, the MSRC seeks Board approval of the contract awards and modifications under the FYs 2005-06, 2008-09, 2011-12 and 2012-14 Work Programs. (Reviewed: Mobile Source Air Pollution Reduction Review Committee, October 17, 2013; Recommended for Approval)

Action Item/No Fiscal Impact

13. Establish Board Meeting Schedule for Calendar Year 2014 **Wallerstein/3131**

The proposed Board Meeting Schedule for Calendar Year 2014 (includes January 2015) is submitted for Board consideration. The Administrative Committee meeting schedule (second Friday of the month) is included for information only. (Reviewed: Administrative Committee, October 11, 2013. Less than a quorum was present; the Committee Members concurred that this item be presented to the Board for consideration.)

Items 14 through 22 - Information Only/Receive and File

14. Legislative & Public Affairs Report **Smith/3242**

This report highlights the September 2013 outreach activities of Legislative and Public Affairs, which include Environmental Justice Update, Community Events/Public Meetings, Business Assistance, and Outreach to Business and Federal, State and Local Government. (No Committee Review)

15. Hearing Board Report **Camarena/2500**

This reports the action taken by the Hearing Board during the period of September 1 through September 30, 2013. (No Committee Review)

16. Civil Filings and Civil Penalties Report **Wiese/3460**

This reports the monthly penalties from September 1 through September 30, 2013, and legal actions filed by the General Counsel's Office during September 1 through September 30, 2013. An Index of District Rules is attached with the penalty report. (Reviewed: Stationary Source Committee, October 18, 2013)

17. Lead Agency Projects and Environmental Documents Received by SCAQMD **Chang/3186**

This report provides, for the Board's consideration, a listing of CEQA documents received by the SCAQMD between September 1, 2013 and September 30, 2013, and those projects for which the SCAQMD is acting as lead agency pursuant to CEQA. (Reviewed: Mobile Source Committee, October 18, 2013)

18. Rule and Control Measure Forecast **Chang/3186**

This report highlights SCAQMD rulemaking activity and public workshops potentially scheduled for the year 2013 and portions of 2014. (No Committee Review)

19. Report of RFPs and RFQs Scheduled for Release in November **O'Kelly/2828**

This report summarizes the RFPs and RFQs for budgeted services over \$75,000 scheduled to be released for advertisement for the month of November. (Reviewed: Administrative Committee, October 11, 2013. Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.)

20. Audit Reports of AB 2766 Fee Revenue Recipients for Fiscal Years Ending June 30, 2010 and 2011 **O'Kelly/2828**

Health and Safety Code 44244.1 requires any agency that receives fee revenues subvended from the Department of Motor Vehicles to be audited once every two years. This audit of SCAQMD's share, MSRC's share, and local governments' share of such subvended funds, performed by independent Certified Public Accountants, has been completed. (Reviewed: Administrative Committee, October 11, 2013. Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.)

21. Annual Report on 457 Deferred Compensation Plan **Johnson/3018**

SCAQMD sponsors an IRS-approved 457 deferred compensation program for its employees. The Annual Report addresses the Board's responsibility for monitoring the activities of the Deferred Compensation Plan Committee and ensuring the Committee carries out its fiduciary duties and responsibilities under the Committee Charter. (Reviewed: Administrative Committee, October 11, 2013. Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.)

22. Status Report on Major Projects for Information Management Scheduled to Start During First Six Months of FY 2013-14 **Marlia/3148**

Information Management is responsible for data systems management services in support of all SCAQMD operations. This action is to provide the monthly status report on major automation contracts and projects to be initiated by Information Management during the first six months of FY 2013-14. (No Committee Review)

23. Items Deferred from Consent Calendar

BOARD CALENDAR

24. Administrative Committee (Receive & File) **Chair: Burke** **Wallerstein/3131**
25. Legislative Committee (Receive & File) **Chair: Gonzales** **Smith/3242**

- | | | | |
|-----|---|---------------------------|---------------|
| 26. | Mobile Source Committee (Receive & File) | Chair: Parker | Chang/3186 |
| 27. | Stationary Source Committee (Receive & File) | Chair: Yates | Nazemi/2662 |
| 28. | Technology Committee (Receive & File) | Chair: J. Benoit | Miyasato/3249 |
| 29. | Mobile Source Air Pollution Reduction Review Committee (Receive & File) | Board Liaison: Antonovich | Hogo/3184 |
| 30. | California Air Resources Board Monthly Report (Receive & File) | Board Rep: Mitchell | McDaniel/2500 |

PUBLIC HEARING

- | | | |
|-----|---|----------------|
| 31. | Amend Rule 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters and Rule 1146.1 – Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters | Tisopulos/3123 |
|-----|---|----------------|

The proposed amendments to Rules 1146 and 1146.1 will address a SIP approvability issue related to rule enforceability raised by U.S. EPA. As requested by U.S. EPA, the proposed rules clarify that source test results showing emissions in excess of rule limits are considered a rule violation. However, the proposed amended rules allow diagnostic emission checks for boiler maintenance purposes. None of the proposed changes will affect rule emission limits or result in any adverse environmental, socioeconomic, or cost impacts. This action is to adopt the resolution: 1) Determining Proposed Amended Rule 1146 and Proposed Amended Rule 1146.1 are exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 1146 and Amending Rule 1146.1. (Reviewed: Stationary Source Committee, September 20, 2013)

OTHER BUSINESS

32. Approve Amendments to SCPEA 2011-2014 MOU and Approve Comparable Terms for Non-Represented Employees **Johnson/3018**
(Continued from October 4, 2013 Board Meeting)

Chairman Burke requested this item be carried over one more month to the November 1, 2013 meeting to allow additional discussions with SCPEA representing the Professional employees and Teamsters Local 911 representing the Technical/Enforcement and Office Clerical and Maintenance bargaining units.

SCAQMD management and representatives of SCPEA representing the Professional employees bargaining unit have reached agreement on changes to the current 2011-2014 Memorandum of Understanding (MOU). This agreement provides an additional one-time payment of \$491 per employee in exchange for elimination of a previously negotiated benefit. Bargaining unit members have ratified this agreement, and this action is to present the ratified agreement to the Board for approval. This action is also to approve a 0.5% increase of annual base salary, as a one-time payment, for non-represented employees. (No Committee Review)

PUBLIC COMMENT PERIOD – (Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3)

BOARD MEMBER TRAVEL – (No Written Material)

Board member travel reports have been filed with the Clerk of the Boards, and copies are available upon request.

CONFLICT OF INTEREST DISCLOSURES – (No Written Material)

Under the approval authority of the Executive Officer, the District will enter into a contract modification (No. C116141) with Transportation Power, Inc. (TransPower). TransPower is a potential source of income for Governing Board Member Joseph Lyou, which qualifies for the remote interest exception of Section 1090 of the California Government Code. Dr. Lyou abstained from any participation in the making of the contract modification.

CLOSED SESSION - (No Written Material)

Wiese/3460

It is necessary for the Board to recess to closed session pursuant to Government Code sections 54956.9(a) and 54956.9(d)(1) to confer with its counsel regarding pending litigation which has been initiated formally and to which the District is a party. The actions are:

- Abayan, et al. v. SCAQMD, Los Angeles Superior Court Case No. BC499729;
- California Building Industry Association v. Bay Area AQMD, 1st Appellate District Case Nos. A135335 and A136212;

- CBE, CCAT v. EPA, U.S. Court of Appeals, Ninth Circuit, Case No. 12-72353 (1315);
- Communities for a Better Environment, et al. v. U.S. EPA, et al., U.S. Court of Appeals, Ninth Circuit, Case No. 13-70167 (Sentinel);
- Flashberg, et al. v. Dublin, et al., Los Angeles Superior Court Case No. BC463159;
- Medical Advocates for Healthy Air v. EPA, U.S. Court of Appeals, Ninth Circuit, Case No. 12-73386 (San Joaquin §185 Fees);
- NRDC, CBE v. U.S. EPA, U.S. Court of Appeals, Ninth Circuit, Case No. 13-70544 (Rule 317);
- Physicians for Social Responsibility, et al. v. U.S. EPA, U.S. Court of Appeals, Ninth Circuit, Case No. 12-70016 (Monitoring);
- Physicians for Social Responsibility, et al. v. U.S. EPA, U.S. Court of Appeals, Ninth Circuit, Case No. 12-70079 (PM2.5);
- SCAQMD v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BS143381;
- State of Alaska v. Kerry; U.S. EPA, No. 3:12-cv-00142 (D. AK. Filed July 16, 2012); and
- Helping Hand Tools v. San Diego APCD, et al, California Court of Appeal Fourth Dist. No. D063313 – (seeking leave to file amicus curiae brief in support of respondent).

It is also necessary for the Board to recess to closed session under Government Code sections 54956.9(a) and 54956.9(d)(4) to consider initiation of litigation (three cases).

In addition, it is also necessary for the Board to recess to closed session pursuant to Government Code section 54957.6 to confer regarding upcoming labor negotiations with:

- designated representatives regarding represented employee salaries and benefits or other mandatory subjects within the scope of representation [Negotiator: William Johnson; Represented Employees: Teamsters Local 911 & SCAQMD Professional Employees Association];

and to confer with:

- labor negotiators regarding unrepresented employees [Agency Designated Representative: William Johnson; Unrepresented Employees: Designated Deputies and Management and Confidential employees].

ADJOURNMENT

*****PUBLIC COMMENTS*****

Members of the public are afforded an opportunity to speak on any listed item before or during consideration of that item. Please notify the Clerk of the Board, (909) 396-2500, if you wish to do so. All agendas are posted at SCAQMD Headquarters, 21865 Copley Drive, Diamond Bar, California, at least 72 hours in advance of the meeting. At the end of the agenda, an opportunity is also provided for the public to speak on any subject within the SCAQMD's authority. Speakers may be limited to three (3) minutes each.

Note that on items listed on the Consent Calendar and the balance of the agenda any motion, including action, can be taken (consideration is not limited to listed recommended actions). Additional matters can be added and action taken by two-thirds vote, or in the case of an emergency, by a majority vote. Matters raised under Public Comments may not be acted upon at that meeting other than as provided above.

Written comments will be accepted by the Board and made part of the record, provided 25 copies are presented to the Clerk of the Board. Electronic submittals to cob@aqmd.gov of 10 pages or less including attachment, in MS WORD, plain or HTML format will also be accepted by the Board and made part of the record if received no later than 5:00 p.m., on the Tuesday prior to the Board meeting.

ACRONYMS

AQIP = Air Quality Investment Program	NESHAPS = National Emission Standards for Hazardous Air Pollutants
AVR = Average Vehicle Ridership	NGV = Natural Gas Vehicle
BACT = Best Available Control Technology	NO _x = Oxides of Nitrogen
Cal/EPA = California Environmental Protection Agency	NSPS = New Source Performance Standards
CARB = California Air Resources Board	NSR = New Source Review
CEMS = Continuous Emissions Monitoring Systems	PAMS = Photochemical Assessment Monitoring Stations
CEC = California Energy Commission	PAR = Proposed Amended Rule
CEQA = California Environmental Quality Act	PHEV = Plug-In Hybrid Electric Vehicle
CE-CERT =College of Engineering-Center for Environmental Research and Technology	PM ₁₀ = Particulate Matter ≤ 10 microns
CNG = Compressed Natural Gas	PM _{2.5} = Particulate Matter ≤ 2.5 microns
CO = Carbon Monoxide	PR = Proposed Rule
CTG = Control Techniques Guideline	RFP = Request for Proposals
DOE = U.S. Department of Energy	RFQ = Request for Quotations
EV = Electric Vehicle	SCAG = Southern California Association of Governments
FY = Fiscal Year	SIP = State Implementation Plan
GHG = Greenhouse Gas	SO _x = Oxides of Sulfur
HRA = Health Risk Assessment	SOON = Surplus Off-Road Opt-In for NO _x
IAIC = Interagency AQMP Implementation Committee	SULEV = Super Ultra Low Emission Vehicle
LEV = Low Emission Vehicle	TCM = Transportation Control Measure
LNG = Liquefied Natural Gas	ULEV = Ultra Low Emission Vehicle
MATES = Multiple Air Toxics Exposure Study	U.S. EPA = United States Environmental Protection Agency
MOU = Memorandum of Understanding	VMT = Vehicle Miles Traveled
MSERCs = Mobile Source Emission Reduction Credits	VOC = Volatile Organic Compound
MSRC = Mobile Source (Air Pollution Reduction) Review Committee	ZEV = Zero Emission Vehicle
NATTS =National Air Toxics Trends Station	

 [Back to Agenda](#)

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 1

MINUTES: Governing Board Monthly Meeting

SYNOPSIS: Attached are the Minutes of the October 4, 2013 meeting.

RECOMMENDED ACTION:

Approve Minutes of the October 4, 2013 Board Meeting.

Sandra McDaniel,
Clerk of the Boards

SM:dp

FRIDAY, OCTOBER 4, 2013

Notice having been duly given, the regular meeting of the South Coast Air Quality Management District Board was held at the Millennium Biltmore Hotel Los Angeles, 506 South Grand Avenue, Los Angeles, California. Members present:

William A. Burke, Ed.D., Chairman
Speaker of the Assembly Appointee

Mayor Dennis R. Yates, Vice Chairman
Cities of San Bernardino County

Supervisor Michael D. Antonovich (arrived at 9:55 a.m.)
County of Los Angeles

Councilmember Ben Benoit
Cities of Riverside County

Supervisor John J. Benoit
County of Riverside

Councilmember Joe Buscaino
City of Los Angeles

Councilmember Michael A. Cacciotti
Cities of Los Angeles County – Eastern Region

Dr. Joseph K. Lyou
Governor's Appointee

Mayor Pro Tem Judith Mitchell
Cities of Los Angeles County – Western Region

Dr. Clark E. Parker, Sr.
Senate Rules Committee Appointee

Mayor Miguel A. Pulido (arrived at 9:30 a.m. and left at 10:40 a.m.)
Cities of Orange County

Members Absent:

Supervisor Josie Gonzales
County of San Bernardino

Supervisor Shawn Nelson
County of Orange

CALL TO ORDER: Chairman Burke called the meeting to order at 9:05 a.m.

- Pledge of Allegiance: Led by Dr. Lyou.
- Opening Comments

Councilman Cacciotti. Asked staff to provide information regarding any impacts the government shutdown may have on District programs or services in the coming months.

Dr. Wallerstein replied that there does not appear to be any significant impact from the shutdown at this time; however, the second increment of the sequester in the upcoming federal budget year will cause a loss of some of the District's federal funding.

Dr. Lyou. Reported that he, along with Councilman Buscaino, attended the Port Tech LA conference on September 11, 2013 which focused on advancements in port technology; he attended the *On Begley Street* launch party on September 15, 2013, which is a new online series with the Begley family as they attempt to build the greenest house in America; he took part in CARB's Zbus Workshop on September 17, 2013; he also attended the Alt Car Expo Conference, along with Councilmember Cacciotti, on September 20, 2013 where discussion occurred about bi-fuel natural gas/gasoline vehicles; and finally, he attended the LAX Air Quality and Source Apportionment Study Public Symposium on September 28, 2013 which yielded some topics pertinent to the District for future discussion.

Councilman Benoit. Announced that he recently toured the satellite-producing Boeing Facility in El Segundo, and noted the large economic impact the facility has on the region.

Councilman Cacciotti. Noted that he and Dr. Lyou had the opportunity to meet with Ford's Fleet Sustainability and Technology Manager at the event for the Alt Car Expo in Santa Monica. They discussed the future of fleets with emerging technologies and presented him with the idea of developing alternatively-fueled Ford Explorers and other vehicles that police and city agencies utilize; and he was very receptive to expanding the use of CNG or alternative fuels to other fleet vehicles.

Supervisor Benoit. Announced that he attended the formal dedication of the Sentinel power plant in Desert Hot Springs on October 3; and noted that the plant's development was a project that required AQMD involvement and that eventually it resulted in a large mitigation fund that is making many important projects in the area possible. He added that he has received requests for additional monitoring of fine pollutants that might result from plant operations, and asked staff to further discuss how that would interact with current monitoring.

Dr. Parker. Reported that he met with representatives from Vision Motors and discussed their zero-emission experimental vehicles that have been rolled out in Texas and California, with the help of federal funding; and he looks forward to continuing to learn about the technology and report back to the Board.

- Presentation to Outgoing Board Member Jan Perry

Chairman Burke presented an award to Jan Perry for her service on the Board from October 2003 to July 2013 as the representative for the City of Los Angeles.

Ms. Perry reflected upon her experiences while serving on the Board and the lessons she will take with her to future endeavors.


CONSENT CALENDAR

1. Approve Minutes of September 6, 2013 Board Meeting
2. Set Public Hearing November 1, 2013 to Consider Amendments and/or Adoption to SCAQMD Rules and Regulations

Amend Rule 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters and Rule 1146.1 – Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters

Budget/Fiscal Impact

3. Approve Annual Report on AB 2766 Funds from Motor Vehicle Registration Fees for FY 2011-12
4. Execute Contract for Review of SCAQMD Socioeconomic Assessment
5. Amend Contracts to Provide Short- and Long-Term Systems Development, Maintenance and Support Services
6. Issue RFP for Phone System Replacement
7. Execute Contracts for FY 2012-13 “Year 15” Carl Moyer Program and Transfer Funds

8. Execute Contract for 2013 Leaf Blower Exchange Program
9. Recognize Revenue and Execute Contracts for Development, Integration, and Demonstration of Ultra-Low Emission Natural Gas Engines for On-Road Heavy-Duty Vehicles 
10. Issue Purchase Order for Three Jerome 631-X Hydrogen Sulfide Analyzer Systems
11. Remove Various Fixed Assets from SCAQMD Inventory
12. Approve Contracts for Consultant Services in Connection with Analysis of Odor Control Problems at Sunshine Canyon Landfill
13. Establish List of Pre-qualified Legal Counsel to Provide Employee and Labor Relations Legal Services
14. Approve Contract Award and Modifications Approved by MSRC

Items 15 through 21 - Information Only/Receive and File

15. Legislative & Public Affairs Report
16. Hearing Board Report
17. Civil Filings and Civil Penalties Report
18. Lead Agency Projects and Environmental Documents Received by SCAQMD
19. Rule and Control Measure Forecast
20. Report of RFPs and RFQs Scheduled for Release in October
21. Status Report on Major Projects for Information Management Scheduled to Start During First Six Months of FY 2013-14

Supervisor Benoit announced his abstention on Item No. 7 because of campaign contributions from Mali Basta Ranches, LLC and Sultan Ranches, LLC. Dr. Lyou announced his abstention on Item No. 9 because Cummins, Inc. and Cummins Westport, Inc. are potential sources of income to him and on Item No. 14 because Los Angeles County Metropolitan Transportation Authority is a potential source of income to him.

Agenda Item Nos. 4, 10, 19 and 21 were withheld for discussion and comment.

MOVED BY MITCHELL, SECONDED BY CACCIOTTI, AGENDA ITEMS 1 THROUGH 3, 5 THROUGH 9, 11 THROUGH 18 AND 20 APPROVED AS RECOMMENDED, BY THE FOLLOWING VOTE:

AYES: B. Benoit, J. Benoit (*except Item #7*), Burke, Buscaino, Cacciotti, Lyou (*except Items #9 & #14*), Mitchell, Parker, and Yates.

NOES: None.

ABSTAIN: J. Benoit (*Item #7 only*) and Lyou (*Items #9 & #14 only*).

ABSENT: Antonovich, Gonzales, Nelson and Pulido.

22. Items Deferred from Consent Calendar

4. Execute Contract for Review of SCAQMD Socioeconomic Assessment

Supervisor Benoit highlighted the importance of this beginning step in a necessary process to determine how the District will utilize independent socioeconomic evaluations.

MOVED BY J. BENOIT, SECONDED BY CACCIOTTI, AGENDA ITEM 4 APPROVED AS RECOMMENDED, BY THE FOLLOWING VOTE:

AYES: B. Benoit, J. Benoit, Burke, Buscaino, Cacciotti, Lyou, Mitchell, Parker and Yates.

NOES: None.

ABSENT: Antonovich, Gonzales, Nelson and Pulido.

(Mayor Pulido arrived at 9:30 a.m.)

10. Issue Purchase Order for Three Jerome 631-X Hydrogen Sulfide Analyzer Systems

The following individual addressed the Board on Agenda Item No. 10.

Tom Williams, Citizen Coalition for Safe Community, recommended that in addition to monitoring hydrogen sulfide from oil fields, the District should also monitor methane as a VOC and a GHG.

Dr. Wallerstein noted that the Governor's office is showing an increased interest in additional methane control for climate change purposes and that the issue of further controls of methane will be a significant one in the upcoming CARB scoping plan and could result in the need for amendments to certain District regulations to include cost-effective methane controls.

Councilman Cacciotti asked staff to clarify which pollutants will be monitored at drilling sites and what type of equipment is used.

Dr. Wallerstein responded that staff will be using a variety of monitors in the detection of hydrogen sulfide as well as measuring VOCs and taking additional field samples as needed to look for toxic compounds. The advanced notice portion of the rule requires that the District be provided with a list of the chemicals being used, so staff can then take appropriate equipment into the field to take measurements or to allow samples to be brought to the lab for further analysis.

In response to Mayor Yates' inquiry as to whether or not emissions data from fracking operations is shared with water management agencies, Dr. Wallerstein confirmed that staff will need to work hand-in-hand with a number of different agencies including DOGGR, to ensure that all information collected is being shared with everyone potentially impacted.

19. Rule and Control Measure Forecast

The following individual addressed the Board on Agenda Item No. 19.

Tom Williams, Sierra Club, alerted the Board to the potential for a necessary rule development as a result of the SR 710 expansion proposal that includes ventilation systems from traffic tunnels.

Dr. Wallerstein noted that the District's CEQA staff has been reviewing documentation for the freeway expansion and have been

heavily involved with various committee meetings associated with the proposals.

21. Status Report on Major Projects for Information Management Scheduled to Start During First Six Months of FY 2013-14

The following individual addressed the Board on Agenda Item No. 21.

Tom Williams, Sierra Club, commented that the District's information management department did a good job developing the Rule 1148.2 notification system in a very short time period; and requested that the actual monitoring be reported as well.

Dr. Wallerstein responded that he agrees that providing summaries on the website of the fieldwork being performed and measurements being taken would be beneficial to the public.

MOVED BY LYOU AND DULY SECONDED,
AGENDA ITEMS 10, 19 AND 21 APPROVED
AS RECOMMENDED, BY THE FOLLOWING
VOTE:

AYES: B. Benoit, J. Benoit, Burke,
Buscaino, Cacciotti, Lyou,
Mitchell, Parker, Pulido and
Yates.

NOES: None.

ABSENT: Antonovich, Gonzales and
Nelson.

BOARD CALENDAR

23. Administrative Committee
24. Legislative Committee
25. Mobile Source Committee
26. Stationary Source Committee
27. Technology Committee

28. Mobile Source Air Pollution Reduction Review Committee

29. California Air Resources Board Monthly Report

Agenda Items 24 and 25 were withheld for public comment.

MOVED BY PULIDO, SECONDED BY CACCIOTTI, AGENDA ITEMS 23 AND 26 THROUGH 29 APPROVED AS RECOMMENDED, RECEIVING AND FILING THE ADMINISTRATIVE, STATIONARY SOURCE, AND TECHNOLOGY COMMITTEES, MSRC, AND CARB REPORTS, BY THE FOLLOWING VOTE:

AYES: B. Benoit, J. Benoit, Burke, Buscaino, Cacciotti, Lyou, Mitchell, Parker, Pulido and Yates.

NOES: None.

ABSENT: Antonovich, Gonzales and Nelson.

24. Legislative Committee

25. Mobile Source Committee

Dr. Tom Williams, Sierra Club, waived comment on Agenda Item 25 and addressed the Board on Agenda Item 24 regarding the Clean Ports legislation. He noted that the most efficient way to clean up a port is to get the ships in and out as quickly as possible; and recommended that the Board support an amendment to the Clean Ports Act to include the facilitation of rail systems directly to port berths (i.e. on-dock loading).

MOVED BY PULIDO, SECONDED BY B. BENOIT, AGENDA ITEMS 24 AND 25 APPROVED AS RECOMMENDED, RECEIVING AND FILING THE LEGISLATIVE COMMITTEE AND MOBILE SOURCE COMMITTEE REPORTS, AND ADOPTING THE POSITIONS ON LEGISLATION AS SET FORTH BELOW, BY THE FOLLOWING VOTE:

AYES: B. Benoit, J. Benoit, Burke,
Buscaino, Cacciotti, Lyou,
Mitchell, Parker, Pulido and
Yates.

NOES: None.

ABSENT: Antonovich, Gonzales and
Nelson.

(Supervisor Antonovich arrived at 9:55 a.m.)

30. Clean Fuels Program Draft Plan Update 

Dr. Matt Miyasato, DEO/Science & Technology Advancement, gave the staff presentation.

Mayor Yates suggested the amount being invested in electric technology be reduced by half and that those funds be moved to the natural gas and hydrogen phases of the Plan. He explained that the power providers that benefit from electric technology could possibly be lured to action to partner with the AQMD if they see the potential financial benefit they could be receiving.

Chairman Burke raised the question of why the District is not supporting diesel technologies, since he is now seeing advertisements for diesel passenger vehicles from both Audi and BMW.

Dr. Wallerstein explained that the Board has funded the development of engines and other advanced technologies that have led to the cleanest diesel trucks available being used in the region. He noted that the focus often needs to be on the long-term and developing technologies that will aid in meeting federal standards, while remaining fuel neutral.

Mayor Pulido noted that economic considerations, market demand and the carbon footprint are all factors that decide what technologies will be utilized; and added that he looks forward to the changes to come in the future.

Dr. Parker explained that he has been invited to represent the Board in Sacramento to give a keynote speech regarding air quality and what effect AQMD is going to have on financing the various different technologies, so he is taking into consideration all of the variables being discussed.

Dr. Wallerstein noted that this discussion is the start of the process, and staff will utilize Board member comments along with the outcome of public review processes while continuing to work with the Technology Committee before bringing a finalized plan to the Board next year for approval.

Mayor Pro Tem Mitchell expressed support for the continued investigation of a combination of technologies; and urged for more incentives for hydrogen fuel

cells and electric vehicles, as opposed to CNG vehicles which are already incentivized by the market.

Supervisor Benoit commented that the success of Tesla and an increasing driving range seems to indicate that the future for the next five to ten years is going to be in electric vehicles; and urged the continued support of that market by forming partnerships with those willing to install chargers and providing incentives for consumers.

Dr. Lyou emphasized that the \$16.5 million dollars that is currently in question is not going to completely change the market, and staff is working to best prioritize the available funds. He added that the proposed prioritization to support zero and near-zero heavy-duty vehicles has the potential to make a difference in that market.

Councilman Cacciotti described his experience driving an EV for four years, and noted that the limited range is a continuing point of concern for many potential consumers.

Councilman Benoit noted that PUC restrictions are partly to blame for problems with electrification efforts and further work needs to be done with them to potentially change some of the regulations faced by the power providers.

RECEIVED AND FILED; NO ACTION NECESSARY.

OTHER BUSINESS

31. Approve Amendments to SCPEA 2011-2014 MOU and Approve Amendments to Salary Resolution for Non-Represented Employees (***Continued from September 6, 2013 Board Meeting***)

Chairman Burke requested that this item be continued to the November 1, 2013 Board Meeting to allow additional discussions with SCPEA representing the Professional employees and Teamsters Local 911 representing the Technical/Enforcement and Office Clerical and Maintenance bargaining units.

MOVED BY PULIDO, SECONDED BY LYOU, AND UNANIMOUSLY CARRIED (Absent: Gonzales and Nelson), THE BOARD CONTINUED ITEM 31 TO THE NOVEMBER 1, 2013 MEETING.

(Mayor Pulido left at 10:40 a.m.)

32. Provide Status Report of Electric Grid Reliability, Power Plants Siting and Seek Initial Board Direction on Existing Offset Issues

Mohsen Nazemi, DEO/Engineering & Compliance, gave the staff presentation explaining the unique challenges that Southern California faces with its electrical power needs due to the loss of San Onofre Generating Station (SONGS), Once Through Cooling (OTC), aged utility boilers and annual load growth. He detailed the components of the Governor Office's request for recommendations from the state energy agencies (PUC, CEC & CAISO) and a Reliability Task Force formed which includes state energy agencies, the two Southern California utilities (SCE & SDG&E) and SCAQMD. He stated that the Task Force released a Preliminary Report at the end of August and CEC and PUC held a workshop on September 9, 2013 and discussed the recommendations in the area of preferred resources, transmission and conventional gas-fired generation proposals, as well as the need for a contingency plan, and the status of power plant siting within the District. He noted staff's recommendation for near term (to allow access to new Greenfield and existing generating facilities, as well as projects which fall under permit modernization proposal to access SCAQMD's internal offset bank) and long term (address the overall offset issue in South Coast air basin) and to hold a special Board meeting to provide a more detailed staff recommendation and obtain initial Board feedback, host public workshops and provide briefings to the Stationary Source Committee.

Dr. Lyou expressed concern that the proposed plans may not result in a balanced generation of electricity in Southern Orange County and San Diego, and SCAQMD needs to insist San Diego do its share.

Dr. Wallerstein noted that that has been communicated to the Chair of the PUC, and the Chair of the CEC, and they understand that the South Coast air basin has less capacity to absorb the pollution from the power plants than the San Diego County area.

The following individuals addressed the Board on Agenda Item No. 32.

DAVID PETTIT, Natural Resources Defense Council

Urged the Board to wait to act until the PUC has completed its process regarding SONGS repowering and system reliability.

MICHAEL HERTEL, Southern California Edison

Expressed the need for the creation of a viable regulatory path to assure electric grid reliability while protecting air quality. He added that in anticipation of the loss of voltage support from San Onofre, they are asking the California PUC, with the support of the Energy Commission and the California Independent System Operators, for authority to look at three to four local sites for peaking generation.

LEE WALLACE, Southern California Gas & San Diego Gas & Electric

Noted their commitment to work with the District to develop solutions that will address electric grid reliability; and explained that they are aware that a lack of natural gas in San Diego County could impede natural gas-fired generation efforts.

MARK TURNER, Competitive Power Ventures

Expressed support for the AQMD's efforts to identify offsets for power generation in the region in order to build more plants like CPV Sentinel to provide grid reliability.

BARBARA MCBRIDE, Calpine Corporation

Explained that Calpine supplies approximately 21 percent of the state's consumed renewable energy and prides itself on a reputation of environmental leadership and they want to be part of the solution to help the Los Angeles area meet its generation capacity needs; and asked the Board to provide a path for a PM₁₀ offset program for developers of efficient and cost effective power plants.

ADRIAN MARTINEZ, Earthjustice

Asked that a sufficient public process be in place before the Board moves forward with providing recommendations to staff.

Dr. Wallerstein explained that staff's recommendation is to hold a special board meeting so the matters can be more thoroughly vetted and the public will have more opportunity to provide comments to the Board.

JANET WHITTICK, California Council for Environmental and Economic Balance

Asked that the Board work with stakeholders to recognize the value of the PM₁₀ standards and consider whether this provides new opportunities; and encouraged the Board to consider the permitting needs of all businesses in the South Coast and not just the power generators.

Dr. Lyou stressed the importance of using the District's leverage in negotiations with agencies that will need to partner with the District to reach attainment goals.

Dr. Wallerstein noted that discussions have opened up the beginnings of a true partnership with the energy agencies; and if necessary, staff can craft a rule that ensures necessary safeguards for pursuit of "preferred resources."

Mayor Pro Tem Mitchell commended staff on their efforts and working with state agencies to address the hurdles to come regarding the electric grid; and urged full transparency of the information provided to the public.

RECEIVED AND FILED; NO ACTION NECESSARY.

PUBLIC COMMENT PERIOD – (Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3)

Dr. Tom Williams, Sierra Club, encouraged the Board to focus on making plug-in vehicles more economically feasible and continuing to reduce GHGs, by promoting more efficient transportation and mobility options within a larger area.

CLOSED SESSION

The Board recessed to closed session at 11:35 a.m., pursuant to Government Code section 54956.9(d)(4) to consider initiation of litigation (one case).

Following Closed Session, General Counsel Kurt Wiese announced that there were no reportable actions taken in closed session.

ADJOURNMENT

There being no further business, the meeting was adjourned by Kurt Wiese at 12:00 p.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on October 4, 2013.

Respectfully Submitted,

Denise Pupo
Senior Deputy Clerk

Date Minutes Approved: _____

Dr. William A. Burke, Chairman

ACRONYMS

CARB = California Air Resources Board
CAISO = California Independent System Operator
CEC = California Energy Commission
CNG = Compressed Natural Gas
DOGGR = Division of Oil, Gas & Geothermal Resources
EV = Electric Vehicle
FY = Fiscal Year
GHG = Greenhouse Gas
MSRC = Mobile Source (Air Pollution Reduction) Review Committee
PUC = Public Utilities Commission
RFP = Request for Proposals
RFQ = Request for Quotations
SCAG = Southern California Association of Governments
SONGS = San Onofre Nuclear Generating Station
U.S. EPA = United States Environmental Protection Agency
VOC = Volatile Organic Compound



BOARD MEETING DATE: November 1, 2013

AGENDA NO. 2

PROPOSAL: Set Public Hearing December 6, 2013 to Consider Amendments and/or Adoption to AQMD Rules and Regulations:

Amend Rule 1420.1 – Emission Standards for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recycling Facilities. Proposed Amended Rule 1420.1 establishes requirements for owners or operators of large lead-acid battery recycling facilities to reduce arsenic emissions and other key toxic air contaminant emissions. PAR 1420.1 includes requirements for ambient air concentration limits for arsenic, as well as hourly emission limits of arsenic, benzene, and 1, 3-butadiene. PAR 1420.1 also contains additional administrative, monitoring and source testing requirements for stack emissions. (Reviewed: Stationary Source Committee, October 18, 2013)

The complete text of the proposed amendment, staff report, and other supporting documents are available from the District's Public Information Center, (909) 396-2550, and on the Internet (www.aqmd.gov) as of November 6, 2013.

RECOMMENDED ACTION:

Set Public Hearing December 6, 2013 to amend Rule 1420.1.

Barry R. Wallerstein, D.Env.
Executive Officer

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 3

PROPOSAL: Execute and Amend Contracts under Carl Moyer Program and SOON Provision and Execute Contracts for Technical Assistance

SYNOPSIS: On September 4, 2013, project applications were received under the SOON Provision Program Announcement. In addition, other off-road projects were evaluated under the Carl Moyer Program that could not be done earlier due to insufficient information from applicants. These actions are to execute and amend contracts under the Carl Moyer Program and the SOON Provision in an amount not to exceed \$4,966,043 from the Carl Moyer Program Fund. Finally, this action is to execute contracts for technical assistance in the implementation of the Carl Moyer, the Voucher Incentive, and the Proposition 1B-Goods Movement Programs in an amount not to exceed \$330,000 from the administrative portions of the Carl Moyer and the Proposition 1B-Goods Movement Program funds.

COMMITTEE: Technology, October 18, 2013, Recommended for Approval

RECOMMENDED ACTIONS:

- A. Authorize the Chairman to execute the following SOON Provision contracts with funds from the Carl Moyer Program AB 923 Fund (80) for a total of up to \$1,070,464:
1. Power Move for the repower of 2 off-road vehicles in an amount not to exceed \$215,060;
 2. County of LA, Department of Public Works for the replacement of 3 off-road vehicles in an amount not to exceed \$11,165;
 3. Peed Equipment for the repower and retrofit of 3 off-road vehicles in an amount not to exceed \$475,326;
 4. Penhall Company dba Penhall Rentals for the repower of 4 off-road vehicles in an amount not to exceed \$21,485; and
 5. Rentrac for the repower of 3 off-road vehicles in an amount not to exceed \$347,428.

- B. Authorize the Chairman to execute the following Carl Moyer Program contracts with funds from the Carl Moyer Program SB 1107 Fund (32) for a total of up to \$3,619,387:
1. Salsbury Engineering for the replacement of 2 off-road vehicles in an amount not to exceed \$322,446;
 2. City of Lawndale for the replacement of 1 off-road vehicle in an amount not to exceed \$46,035;
 3. Oasis Date Gardens for the replacement of 12 off-road vehicles in an amount not to exceed \$867,115;
 4. Reliable Wholesale Lumber for the retrofit of 8 off-road vehicles in an amount not to exceed \$173,974; and
 5. Rentrac for the replacement of 14 off-road vehicles in an amount not to exceed \$2,209,817.
- C. Amend the following projects and funding approved under the Carl Moyer Program and the SOON Provision, to repower the marine vessel engines with Tier 3 instead of Tier 2 engines, and to adjust the funding amount of one off-road vehicle project due to calculation error, resulting in a total increase of the funding amount for these projects by \$276,192, from the Carl Moyer Program SB 1107 Fund (32):
1. Shannon Rose Sportfishing for the repower of 2 main and 2 auxiliary engines of a marine vessel, to increase the funding amount by \$57,379 to the new total amount of \$561,776;
 2. Sal Boy for the repower of 1 main engine of a marine vessel, to increase the funding amount by \$21,900 to the new total amount of \$211,260;
 3. Newport Campus Church for the repower of 3 main and 2 auxiliary engines of a marine vessel, to increase the funding amount by \$95,650 to the new total amount of \$779,060;
 4. Katalina Phan for the repower of 1 main and 1 auxiliary engine of a marine vessel, to increase the funding amount by \$23,100 to the new total amount of \$207,860;
 5. Sundiver International for the repower of 2 main and 2 auxiliary engines of two marine vessels, to increase the funding amount by \$42,280 to the new total amount of \$215,545;
 6. Sage Green, LLC for the repower of 7 off-road vehicles, to increase the funding amount by \$35,883 to the new total amount of \$682,329; and
 7. Rentrac for a no cost amendment to replace 8 off-road vehicles from the total of 26 vehicles, instead of repowering them all.
- D. Authorize the Executive Officer to redistribute the source of funds between the Carl Moyer Program AB 923 (80) and SB 1107 (32) Funds for the previous, current, and future Board approved projects with outstanding contract balances under the Carl Moyer Program and the SOON Provision in order to expeditiously meet the program expenditure targets.

- E. Execute sole source contracts for technical assistance in an amount not to exceed \$330,000, from the administrative portions of the Carl Moyer and the Proposition 1B-Goods Movement Program funds as outlined below:
1. Gladstein, Neandross & Associates for the Voucher Incentive Program (VIP) in an amount not to exceed \$150,000 from the Carl Moyer Program SB 1107 Administrative Fund (32);
 2. Clean Fuels Connection for the Carl Moyer Program and the VIP in an amount not to exceed \$80,000 from the Carl Moyer Program SB 1107 Administrative Fund (32);
 3. Tetra Tech for the Proposition 1B-Goods Movement Program in an amount not to exceed \$100,000 from the Proposition 1B-Goods Movement Program Administrative Fund (81).

Barry R. Wallerstein, D.Env.
Executive Officer

MMM:FM

Background

On September 4, 2013, a total of eight proposals requesting approximately \$2.6 million in funding were received under the SOON Provision Program Announcement. In addition, there were proposals received earlier under the “Year 15” Carl Moyer Program Announcement whose evaluations could not be completed with other Carl Moyer projects due to insufficient information from applicants. The project evaluations under these programs have been completed and are ready for the Board’s consideration.

Proposal

Staff recommends the Board’s approval to execute and amend projects as outlined in Tables 1 and 2, under the Carl Moyer Program and the SOON Provision in an amount not to exceed \$4,966,043, comprised of \$3,895,579 from the Carl Moyer Program SB 1107 Fund (32), and \$1,070,464 from the Carl Moyer Program AB 923 Fund (80). The cost increase for marine vessel projects are due to the applicants’ willingness to repower the vessels with Tier 3 instead of Tier 2 engines, and for the off-road vehicles project is for adjusting the funding amount due to calculation error.

Total NOx and PM reductions from the recommended Carl Moyer projects are approximately 24.9 tons/year and 1.3 ton/year, respectively, and total NOx reductions from the recommended SOON projects are approximately 11.7 tons/year.

As outlined in Table 3, the total amount of projects funded in disproportionately impacted areas is \$559,406, while the total amount of projects funded solely based on cost-effectiveness is \$4,406,637. In summary, 11% of the projects are in disproportionately impacted areas. The Board at its November 2, 2012 meeting approved a large scale

passenger train project with Metrolink in the amount of over \$34 million. The trains are anticipated to operate mostly in and through disproportionately impacted areas. As such, the percentage of projects in disproportionately impacted areas will greatly exceed the minimum goal of 50%.

Staff also recommends the Board's approval to redistribute the source of funds between the Carl Moyer Program AB 923 (80) and SB 1107 (32) Funds for the previous, current, and future Board-approved projects with outstanding contract balances under the Carl Moyer Program and the SOON Provision in order to expeditiously meet the program expenditure targets.

Due to large number of projects and complicated reporting requirements of the Carl Moyer and the Proposition 1B-Goods Movement Programs, staff also recommends the Board's approval to execute contracts for technical assistance in the amount of \$330,000, from the administrative portions of the Carl Moyer and the Proposition 1B-Goods Movement Program funds. The proposed contracts will be with the following entities:

1. Gladstein, Neandross & Associates to assist in the VIP in an amount not to exceed \$150,000 from the Carl Moyer Program SB 1107 Fund (32);
2. Clean Fuels Connection to assist in the Carl Moyer Program and the VIP in an amount not to exceed \$80,000 from the Carl Moyer Program SB 1107 Fund (32); and
3. Tetra Tech to assist in the the Proposition 1B-Goods Movement Program in an amount not to exceed \$100,000 from the Proposition 1B-Goods Movement Program Fund (81).

Funding Distribution

Funding for projects has been recommended based on the priorities of the "Carl Moyer Program Guidelines under SB 1107 & AB 923" adopted by the Board on July 8, 2005. The priorities of the guideline are:

- Goods Movement (no less than 40%)
- Environmental Justice (no less than 50%)
- Cost Effectiveness
- Low Emission Engine/Vehicle Preference
- Early Commercialization of Advanced Technologies/Fuels
- Fleet Rules
- School Buses

The Board's allocation of funds for the implementation of the Proposition 1B-Goods Movement Program by far exceeds the goods movement objective. About 11% of the award dollars are recommended for projects under the Environmental Justice category in disproportionately impacted (DI) areas.

Disproportionate Impact (DI) Point Ranking

The requirements of AB 1390 are implemented according to the following criteria.

- 1) All projects must qualify for the Carl Moyer Program by meeting the cost-effectiveness limits established in the Program Announcement.
- 2) All projects will be evaluated according to the following criteria to qualify for funding as a disproportionately impacted area:
 - a. Poverty Level: All projects in areas where at least 10 percent of the population falls below the Federal poverty level based on the year 2000 census data are eligible to be included in this category, and
 - b. PM2.5 Exposure: All projects in areas with the highest 15 percent of PM2.5 concentration measured within a 2 km grid will be eligible to be ranked in this category. The highest 15 percent of PM2.5 concentration is 19.01 micrograms per cubic meter and above, on an annual average, or
 - c. Air Toxics Exposure: All projects in areas with a cancer risk of 865 in a million and above (based on Mates III estimates) will be eligible to be ranked in this category.

The maximum score is comprised of 40 percent for poverty level and 30 percent each for PM and toxic exposures. Special circumstances exist in some areas, such as the Ports of Long Beach and Los Angeles. Since there are no residents within the ports, poverty ranking could not be established. In this case, the poverty ranking from the adjacent on-shore areas was extended to the port since these populated areas are directly impacted by port activities.

Outreach

Relative to the Carl Moyer Program and SOON Provision projects, a public notice advertising the RFP/RFQ and inviting bids was published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside County Press Enterprise newspapers to leverage the most cost-effective method of outreach to the South Coast Basin, in accordance with SCAQMD's Procurement Policy and Procedure

Additionally, potential bidders may have been notified utilizing SCAQMD's own electronic listing of certified minority vendors. Notice of the RFP/RFQ has been e-mailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations, and placed on the Internet at SCAQMD's website (<http://www.aqmd.gov>). Information is also available on SCAQMD's bidder's 24-hour telephone message line (909) 396-2724.

Sole source justification is applied relative to the proposed technical assistance awards. A new solicitation will be issued next month for technical assistance services.

Sole Source Justification

Section VIII.B.2 of the Procurement Policy and Procedure identifies four major provisions under which a sole source award may be justified. It is requested that sole source awards be made under provision B.2.c.(1): The unique experience and capabilities of the proposed contractor or contractor team. In November 2011, all the three proposed contractors were initially selected from a competitive list of applicants for helping SCAQMD in implementation of the incentive funding programs. These consultants are familiar with the Carl Moyer and the Proposition 1B Programs and SCAQMD's procedures, and have provided valuable assistance in outreach, quality control, and project evaluations for these specific programs.

Benefits to AQMD

The successful implementation of the Carl Moyer Program and the SOON Provision will provide direct emissions reductions for both NOx and PM as required by the programs. Since the vehicles and equipment funded under this program will operate for many years, the emissions reductions will provide long-term benefits.

Resource Impacts

Funding for the Carl Moyer Program and the SOON Provision shall not exceed \$4,966,043 from the Carl Moyer Program Fund, comprised of \$3,895,579 from SB 1107 Fund (32), and \$1,070,464 from AB 923 Fund (80).

Funding for technical assistance shall not exceed \$330,000 comprised of \$230,000 from the Carl Moyer Program SB 1107 Administrative Fund (32), and \$100,000 from the Proposition 1B-Goods Movement Program Administrative Fund (81).

Attachments

1. Table 1 – Recommended SOON Provision Awards and Amendment
2. Table 2 – Recommended Carl Moyer Program Awards and Amendments
3. Table 3 – Funding Distribution of Recommended Awards

Table 1: Recommended SOON Provision Awards and Amendment

AB 923 Funds			
Power Move	\$215,060		County of LA, Dept of Public Works \$11,165
Peed Equipment	\$475,326		Penhall Co. dba Penhall Rentals \$21,485
Rentrac	\$347,428		
Total:			\$1,070,464
SB 1107 Funds			
Sage Green, LLC*	\$35,883		
Total:			\$35,883

Table 2: Recommended Carl Moyer Program Awards and Amendments

SB 1107 Funds			
Salsbury Engineering	\$322,446		City of Lawndale \$46,035
Oasis Date Gardens	\$867,115		Reliable Wholesale Lumber \$173,974
Rentrac	\$2,209,817		Sundiver International* \$42,280
Shannon Rose Sportfishing*	\$57,379		Sal Boy* \$21,900
Newport Campus Church*	\$95,650		Katalina Phan* \$23,100
Total:			\$3,859,696

* Additional funds to existing award amount.

Table 3: Funding Distribution of Recommended Awards

Awards in Disproportionately Impacted Areas			
Salsbury Engineering	\$322,446		Power Move \$215,060
Sal Boy	\$21,900		
Total:			\$559,406
Awards Solely Based on Cost Effectiveness			
City of Lawndale	\$46,035		Sundiver International \$42,280
Oasis Date Gardens	\$867,115		Reliable Wholesale Lumber \$173,974
Rentrac	\$2,209,817		Katalina Phan \$23,100
Newport Church Campus	\$95,650		Penhall Co. dba Penhall Rentals \$21,485
Peed Equipment	\$475,326		County of LA, Dept of Public Works \$11,165
Rentrac	\$347,428		Sage Green, LLC \$35,883
Shannon Rose Sportfishing	\$57,379		
Total:			\$4,406,637

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 4

PROPOSAL: Execute Contract to Develop Hydrogen Storage Capability for Gas Blending Facility 

SYNOPSIS: Hydrogen fuel cell vehicles have zero emissions, and hydrogen blended with other fuels, such as natural gas, has shown the potential to reduce emissions in mobile and stationary combustion sources. Hydrogen and natural gas blends may provide a near-term opportunity to displace petroleum-based fuels while reducing emissions. Testing of distributed generation devices, including micro-turbines and fuel cells, on different blends of hydrogen is a focus of the U.S. Department of Energy and California Energy Commission. This action is to execute a contract with the Advanced Power and Energy Program at the University of California, Irvine, to develop hydrogen storage capability for their gas blending facility at a cost not to exceed \$200,000 from the Clean Fuels Fund (31).

COMMITTEE: Technology, October 18, 2013; Recommended for Approval

RECOMMENDED ACTION:

Authorize the Chairman to execute a contract with the Advanced Power and Energy Program at the University of California, Irvine, to develop hydrogen storage capability for a gas-blending facility in an amount not to exceed \$200,000 from the Clean Fuels Fund (31).

Barry R. Wallerstein, D.Env.
Executive Officer

MMM:DS:LW

Background

Hydrogen as a fuel for both stationary and mobile source technologies is of great national interest because of its potential to reduce petroleum dependency, and reduce greenhouse gas and criteria pollutant emissions. The U.S. Department of Energy (DOE) has funded a large program for investigating the commercialization potential of

hydrogen fueling and fuel cell vehicles. The SCAQMD has been working with DOE, the automobile manufacturers, and the energy companies to facilitate this program. While the full implementation of a hydrogen economy is still several decades away, the transition to hydrogen will likely be aided using hydrogen and hydrogen blends in combustion applications. Such applications will allow utilization of the nascent hydrogen infrastructure and provide opportunities to assess the performance, emissions benefits, and optimization strategies in different applications (both mobile and stationary). Some technology examples include:

- Reducing NOx emissions from micro-turbines and large gas turbines using lean hydrogen combustion;
- Testing of new hydrogen dispensing components or balance of plant equipment (such as purification modules); and
- Optimization of hydrogen blends (with natural gas, carbon monoxide, carbon dioxide, and nitrogen) in combustion processes.

Proposal

This proposal is to cofund the hydrogen storage infrastructure at U.C. Irvine's Advanced Power and Energy Program (APEP) enabling the study of hydrogen and hydrogen/natural gas blends for distributed generation (DG) applications, such as gas turbines and automotive fueling system development. The capacity of the proposed system will be 100,000 standard cubic feet of compressed hydrogen stored at 2,200 psi. This capacity will allow the continuous operation of 30 kW of DG devices given a normal hydrogen delivery schedule and intermittent operation of a 250 kW distributed generation on an aggressive delivery schedule.

The bulk storage will also be integrated into the existing automotive fueling dispenser located at the APEP. The dispenser is equipped with the appropriate compressor to boost the pressure from the storage level of 2,200 psi to 5,000 psi, a pressure that all fuel cell vehicles can accept. This capability will provide:

1. Backup dispensing to the North Campus hydrogen fueling station;
2. Experimental flexibility to demonstrate new fueling components or balance of plant equipment without disturbing the main fueling station; and
3. Test a variety of equipment, e.g., hydrogen micro-turbines and fueling on-demand for advanced energy station concepts.

The storage facility will be located in the rear service yard of the Engineering Laboratory Facility, near the existing carbon dioxide and nitrogen storage tanks. The storage will comply with NFPA 2 and NFPA 55 and will have security features to prevent unauthorized access and ample ventilation.

Staff proposes to execute a contract with the Advanced Power and Energy Program at the University of California, Irvine, to develop hydrogen storage capability for a gas-blending facility.

Benefits to SCAQMD

Preliminary emission studies conducted by U.C. Irvine have shown the potential emission reductions in a Capstone 60 kW micro-turbine to be approximately 30% NOx and 80% CO when co-firing with a biomass fuel (syngas blend of hydrogen, CO, CO₂, nitrogen and natural gas). The SCAQMD has also demonstrated that hydrogen-CNG (HCNG) blends can achieve NOx emission reductions of up to 50% in a transit bus application. Developing this hydrogen storage and mixing capability at U.C. Irvine can help to identify further applications and quantify the emission benefits from lean burn hydrogen and hydrogen blend technologies. A further benefit of this facility will be the ability to investigate advanced “energy station” concepts.

The proposed project is included in the *Technology Advancement Office 2013 Plan Update*, under “Hydrogen and Fuel Cell Technologies and Infrastructure”. The AQMP relies on the expedited implementation of low-emission technologies and the implementation of this project will help the SCAQMD to achieve its clean air goals. The blending skid will support the deployment and use of hydrogen, CNG and LNG vehicles, which will displace the use of petroleum and reduce greenhouse gas emissions and criteria pollutants.

Sole Source Justification

Section VIII.B.2 of the *Procurement Policy and Procedure* identifies four major provisions under which a sole source award may be justified. This request is made under provision B.2.d.(1), “Project involving cost sharing by multiple sponsors” and (8) “Research and development efforts with educational institutions or nonprofit organizations.” The fuel-mixing facility has been developed by U.C. Irvine in partnership with U.S. DOE, CEC, Air Products, and the National Fuel Cell Research Center at U.C. Irvine.

Resource Impact

The funding amounts from the project partners for the proposed U.C. Irvine project are as follows:

Project Partner	Cost-Share	Percent
U.S. DOE	\$134,000	19%
CEC	\$241,000	35%
NFCRC	\$53,000	8%
Air Products	\$60,000	9%
SCAQMD (requested)	\$200,000	29%
Total	\$688,000	100%

Sufficient funds are available for this proposed project in the Clean Fuels Fund (31). This fund was established as a special revenue fund resulting from the state-mandated Clean Fuels Program. The Clean Fuels Program, under Health and Safety Code Sections

40448.5 and 40512 and Vehicle Code Section 9250.11, establishes mechanisms to collect revenues from mobile sources to support projects to increase the utilization of clean fuels, including the development of the necessary advanced enabling technologies. Funds collected from motor vehicles are restricted, by statute, to be used for projects and program activities related to mobile sources that support the objectives of the Clean Fuels Program.

[↑ Back to Agenda](#)

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 5

PROPOSAL: Execute Contract to Upgrade Natural Gas Fueling Station 

SYNOPSIS: At the September 10, 2010 meeting, the Board took action to recognize upon receipt \$2.9 million from the CEC AB 118 Alternative and Renewable Fuel and Vehicle Technology Program into the Clean Fuels Fund (31) for the construction of natural gas fueling stations. The projects were selected by CEC through a competitive solicitation process. This action is to execute a contract with the City of West Covina to upgrade one CNG station in an amount not to exceed \$200,000 from the Clean Fuels Fund (31).

COMMITTEE: Technology, October 18, 2013; Recommended for Approval

RECOMMENDED ACTION:

Authorize the Chairman to execute a contract with the City of West Covina for upgrading one CNG station in an amount of \$200,000 from the Clean Fuels Fund (31).

Barry R. Wallerstein, D.Env.
Executive Officer

MMM:DS:LW

Background

At the September 10, 2010 meeting, the Board took action to recognize upon receipt \$2.9 million from the CEC AB 118 Alternative and Renewable Fuel and Vehicle Technology Program into the Clean Fuels Fund (31) for natural gas fueling stations. The proposed infrastructure projects were selected by the CEC through a competitive solicitation process. Subsequently, on November 2, 2012, the Board authorized a contract with the City of Covina for \$200,000. However, staff incorrectly used the title of “Covina” instead of “West Covina” in that Board letter. The award should have been to the City of West Covina.

Proposal

This proposed action is to execute a contract with the City of West Covina. The City of West Covina has operated a public access CNG fueling station for many years. As the number of CNG vehicles operated in the area has increased, so has the utilization of the station, leading to the failure of the system and requiring installation of new compressors. The City has requested funding assistance to purchase additional CNG storage tanks, dispensers and compressors in order to meet the growing demand for CNG fueling at their station. The CEC award to West Covina will cost-share the purchase of equipment for the installation and upgrade of this natural gas fueling station. Staff proposes to execute a contract with the City of West Covina to upgrade one CNG station.

Benefits to SCAQMD

The proposed City of West Covina project is included in the *Technology Advancement Office 2013 Plan Update*, under “Infrastructure and Deployment.” The AQMP relies on the expedited implementation of low-emission technologies and the implementation of this natural gas infrastructure project will help the SCAQMD to achieve its clean air goals. The fueling station will support the deployment and use of CNG vehicles, which will displace the use of petroleum and reduce greenhouse gas emissions and criteria pollutants.

Sole Source Justification

Section VIII.B.2 of the *Procurement Policy and Procedure* identifies four major provisions under which a sole source award may be justified. This request is made under provision B.2.c.(3), “The contractor has ownership of key assets required for project performance.” The City of West Covina CNG has ownership of the city yard property and ancillary equipment required to supply fuel to the public. Furthermore, this station fills a critical gap in the region for CNG and promotes the utilization of the cleanest available fleet and passenger vehicles.

Resource Impacts

Of the \$2.9 million originally awarded to the SCAQMD by CEC under the AB 118 Alternative and Renewable Fuel and Vehicle Technology Program, the City of West Covina project will receive \$200,000. The total cost of the project is \$618,429 and the City is providing \$418,429 in cost share. No additional funds are required from the SCAQMD.

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 6

PROPOSAL: Issue RFP for Upgrading Existing Hydrogen Fueling Infrastructure and Execute Contract to Conduct Site-Evaluations for Hydrogen Station Certification 

SYNOPSIS: The SCAQMD was awarded \$6,690,828 by the CEC to provide funding for upgrading existing hydrogen fueling stations. This action is to issue an RFP for competitive bidding for those upgrades. In addition, the California Department of Food and Agriculture, Division of Measurement Standards (DMS), is preparing to conduct site evaluations at existing hydrogen fueling stations to site-certify these stations, enabling the commercial sale of hydrogen. The California Fuel Cell Partnership, CARB and CEC are contributing \$350,000 toward this project. This action is also to execute a contract with DMS to conduct site evaluations and site-certify hydrogen fueling stations in an amount not to exceed \$100,000 from the Clean Fuels Fund (31) and \$100,000 from the Hydrogen Fueling Infrastructure Network Fund (63).

COMMITTEE: Technology, October 18, 2013, Recommended for Approval

RECOMMENDED ACTIONS:

1. Approve issuance of RFP #P2014-09 to solicit proposals for upgrading existing hydrogen fueling stations; and
2. Authorize a temporary loan in an amount of \$100,000 from the Clean Fuels Fund (31) to the Hydrogen Fueling Infrastructure Network Fund (63) to be repaid upon reimbursement under the provisions of the CEC grant; and
3. Authorize the Chairman to execute a contract with the California Department of Food and Agriculture, DMS, for conducting site-evaluations at existing hydrogen fueling stations leading to site-certifications in an amount of \$200,000, which is comprised of \$100,000 from the Clean Fuels Fund (31) and \$100,000 from the Hydrogen Fueling Infrastructure Network Fund (63).

Barry R. Wallerstein, D.Env.
Executive Officer

Background

Upgrade of Existing Hydrogen Station

Assembly Bill 118 (Nunez) created the Alternative and Renewable Fuel and Vehicle Technology (ARFVT) program to develop and deploy alternative and renewable fuels and advanced transportation technologies including hydrogen fueling infrastructure. CEC's 2011/2012 Investment Plan directs the ARFVT program to match supply to demand by funding infrastructure projects with state financial support as needed to ensure a reliable supply of hydrogen fuel, and establish fueling stations.

The CEC released PON-12-606, Hydrogen Fuel Infrastructure, to fund projects that develop infrastructure necessary to dispense hydrogen transportation fuel. The intent of this solicitation was to upgrade public and private infrastructure investments, expand the network of publicly accessible and fleet fueling stations, and to develop infrastructure that will be needed to dispense hydrogen based on the population of existing and anticipated fuel cell vehicles (FCVs) and hydrogen internal combustion engine vehicles (HICEVs). The solicitation focused on the original equipment manufacturers' (OEM) deployment of FCVs and HICEVs in identified clusters and connector stations in California. In addition, PON-12-606, included a provision for the upgrade and/or refurbishment of existing hydrogen stations that are needed to support existing and future hydrogen-fueled vehicles. The CEC received seven proposals for new stations for a total award of approximately \$12 million; however, no proposals were received to upgrade existing stations.

Division of Measurement Standards

The commercial sale of hydrogen is a critical step to commercialization of hydrogen to have a business case as a transportation fuel. Station providers need to be able to sell hydrogen fuel by the kilogram, and consumers need to be able to accurately purchase the fuel by the kilogram. In order to enable such commercial sales, California regulations need to be established that allow appropriate dispenser accuracy tolerances.

The California Department of Food and Agriculture's (CDFA) Division of Measurement Standards (DMS) in cooperation with CARB, is undertaking a project to collect accuracy data from hydrogen-gas dispensers to determine current dispenser capabilities and provide certification for retail sale of hydrogen fuel. DMS has signed an agreement with the National Renewable Energy Laboratory (NREL) to develop a reference standard device for the measurement of compressed gaseous hydrogen in California. The device developed will be used to collect data at a number of existing hydrogen fueling stations and allow them to be certified for commercial sale.

Proposal

Upgrade of Existing Hydrogen Station

In order to maintain the existing hydrogen infrastructure funded in the early 2000's, the CEC has awarded the sum of \$6,690,828 from the CEC ARFVT program to the SCAQMD for the following actions:

- to develop, release, and manage a competitive request for proposals (RFP) for the upgrade of select existing stations;
- execute contracts with companies through the RFP process to provide funds for refurbishment and upgrades to existing, publicly accessible hydrogen fueling stations;
- contract directly for the refurbishment and upgrade of other existing, publicly accessible hydrogen fueling stations; and
- contract with DMS for site-evaluations leading to site-certifications of existing hydrogen fueling stations.

The CEC funds were recognized on June 7, 2013 into the Hydrogen Fueling Infrastructure Network Fund (63). Staff proposes to release RFP #P2014-09 to solicit proposals for upgrading existing hydrogen fueling stations.

Division of Measurement Standards

The DMS has enforcement authority of California weights and measures laws and regulations and will be tasked to determine hydrogen fuel quality and perform evaluations of dispensers for the commercial sale of hydrogen as a vehicle fuel. DMS also oversees the annual certification and testing performed at the region, county and local levels.

In order to meet the objectives of the Governor's Zero Emission Vehicle action plan and establish a business case for the use of hydrogen as transportation fuel, CEC, CARB and DMS have been working toward enabling the commercial sale of hydrogen. The sale of hydrogen on a commercial basis would allow for station operators to create a business case for investing in construction and operation of hydrogen fueling infrastructure.

Currently, all dispensers in California must meet an accuracy requirement of 1.5% and a measurement standard accuracy of 0.5%. Unfortunately, current flow meters cannot meet this criteria and neither a meter nor dispenser that can test to those standards has been built or certified by DMS. The CDFA through the DMS and in conjunction with CARB have proposed to conduct site evaluations at ten or more hydrogen fueling stations within California leading to certification of the station for the commercial sale of hydrogen.

DMS staff will determine the accuracy of the dispensers on site at each of the 10 locations in accordance with Handbook 44 Section 3.39 Hydrogen Gas – Measuring

Devices – Tentative Code, and all other applicable code sections, including 1.10 General Code, and Appendix A.

The California Fuel Cell Partnership, CARB and CEC are contributing \$350,000 toward this project. Staff proposes to cofund this project and execute a contract with DMS to conduct site-evaluations at existing hydrogen fueling stations for the purpose of site-certification leading to the commercial sale of hydrogen.

Benefits to SCAQMD

SCAQMD’s Clean Fuels Program has been active in funding the development and demonstration of low- and zero-emission technologies. Hydrogen fueling stations are necessary to facilitate the introduction and deployment of zero-emission fuel cell vehicles, and this effort will help the SCAQMD to meet its clean air goals, and also with CARB’s Zero Emission Vehicle and Zero Emission Bus regulations. The proposed project is included in the *Technology Advancement Office 2013 Plan Update* under “Hydrogen and Fuel Cell Technologies and Infrastructure.”

Outreach

In accordance with SCAQMD’s Procurement Policy and Procedure, a public notice advertising the RFP and inviting bids will be published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside County Press Enterprise newspapers to leverage the most cost-effective method of outreach to the Basin.

Additionally, potential bidders may be notified utilizing SCAQMD’s own electronic listing of certified minority vendors. Notice of the RFP will be e-mailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations, and placed on the Internet at SCAQMD’s website (<http://www.aqmd.gov>) where it can be viewed by making menu selections “Inside AQMD”/“Employment and Business Opportunities”/“Business Opportunities” or by going directly to <http://www.aqmd.gov/rfp/index.html>. Information is also available on SCAQMD’s bidder’s 24-hour telephone message line (909) 396-2724.

Resource Impacts

The \$6,690,828 CEC award will support projects to be solicited through RFP #P2014-09 for upgrading existing hydrogen fueling stations and to execute a contract with DMS. On June 7, 2013, SCAQMD’s Board approved the funds to be recognized upon receipt into the Hydrogen Fueling Infrastructure Network Fund (63).

For the DMS site evaluations and certification project, the cost-share is shown in the table below.

Funding Partners	Amount
CaFCP	\$150,000
CARB	\$100,000
CEC	\$100,000
SCAQMD (requested)	\$100,000
Total	\$450,000

Sufficient funds are available in the Clean Fuels Fund (31) and Hydrogen Fueling Infrastructure Network Fund (63) for the proposed RFP and the \$200,000 DMS hydrogen station site evaluation project. The loan to the Hydrogen Fueling Infrastructure Network Fund (63) in the amount of \$100,000 will be repaid to the Clean Fuels Fund (31) upon reimbursement under the provisions of the CEC grant.

The Clean Fuels Program, under Health and Safety Code Sections 40448.5 and 40512 and Vehicle Code Section 9250.11, establishes mechanisms to collect revenues from mobile sources to support projects to increase the utilization of clean fuels, including the development of the necessary advanced enabling technologies. Funds collected from motor vehicles are restricted, by statute, to be used for projects and program activities related to mobile sources that support the objectives of the Clean Fuels Program.

Attachment

RFP #P2014-09 – Upgrading Existing Hydrogen Fueling Infrastructure



South Coast Air Quality Management District

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT REQUEST FOR PROPOSALS

Upgrade of Existing Hydrogen Fueling Infrastructure

#P2014-09

The South Coast Air Quality Management District (SCAQMD) requests proposals for the following purpose according to terms and conditions attached. In the preparation of this Request for Proposals (RFP) the words "Proposer," "Contractor," and "Proponent" are used interchangeably.

PURPOSE

The SCAQMD is seeking proposals from well qualified Contractor Teams to contract for upgrading the ***existing*** network of hydrogen fueling stations within the State of California. Stations that are under contract but not yet constructed and dispensing hydrogen are not eligible. The purpose of the RFP is to provide financial assistance to Contractor Teams to upgrade existing hydrogen fueling stations to defined performance standards that appear in Section V: Statement of Work. Approximately \$6.6 million in funding is available for effecting the station upgrades. The SCAQMD will provide funding for equipment, construction, labor, and all "hard costs" associated with upgrading of existing hydrogen fueling stations. Hard costs would include ancillary equipment needed to supply hydrogen fuel to funded fueling stations, including fill equipment and transport trailers, provided that all such costs are incorporated into the budget for each proposed station. Ancillary equipment costs must be included in the total proposed station cost.

Following is a list of the existing stations that are eligible under this RFP:

Host Site	Location
AC Transit	Emeryville
Chevron - Mebtahi	Torrance
City of Burbank	Burbank
City of Riverside	Riverside
City of Santa Ana	Santa Ana
City of Santa Monica	Santa Monica
CSULA	Los Angeles
LAX East - Clean Energy	Los Angeles
Orange County Sanitation District	Fountain Valley
Shell - Newport Beach	Newport Beach
Shell - Santa Monica Blvd	Los Angeles
Shell - Torrance Pipeline	Torrance
SunLine Transit	Thousand Palms
UC Irvine	Irvine

No cost share is being required under this RFP; however additional points will be given to those applicants that provide cost share within their proposal. Cost share can include labor, materials, current or future operation and maintenance expenses (up to 24 months) etc. but not real estate. It is the intent of the SCAQMD to upgrade as many stations as is possible with these funds; hence the SCAQMD Project Officer may contact the applicant directly to determine if cost adjustments may be made to their proposal prior to an award.

This is a competitive solicitation: a current operator of a site is not assured of being awarded a contract for a station upgrade if the operation contract is to terminate within ten (10) months of the date of this RFP and a different contractor proposes a station that meets the desired performance standards with less cost. This RFP is not prescribing the type of technology that is to be used at any of the sites. It is not a requirement that the existing technology at a site be a guide for the technology being proposed for the upgrade. Proposed fueling technologies may include similar or different hydrogen generation or delivery technologies, traditional or advanced power generation technologies including fuel cells, traditional or advanced hydrogen storage methodologies, fuel processing or purification techniques, temporary or modular fueling and storage equipment, compressed and liquid hydrogen storage, and vehicle fueling at both 350 and 700 bar.

INDEX - The following are contained in this RFP:

Section I	Background/Information
Section II	Contact Person
Section III	Schedule of Events
Section IV	Participation in the Procurement Process
Section V	Statement of Work/Schedule of Deliverables
Section VI	Required Qualifications
Section VII	Proposal Submittal Requirements
Section VIII	Proposal Submission
Section IX	Proposal Evaluation/Contractor Selection Criteria
Section X	Funding/ Co-funding Requirements
Section XI	Draft Contract

Attachment A - Certifications and Representations

SECTION I: BACKGROUND/INFORMATION

Assembly Bill 118 (Nunez) created the Alternative and Renewable Fuel and Vehicle Technology (ARFVT) program to develop and deploy alternative and renewable fuels and advanced transportation technologies including hydrogen fueling infrastructure. The 2011/2012 Investment Plan directs the ARFVT program to match supply to demand by funding infrastructure projects with state financial support as needed to ensure a reliable supply of hydrogen fuel, and establish fueling stations.

The CEC released PON-12-606, Hydrogen Fuel Infrastructure, to fund projects that develop infrastructure necessary to dispense hydrogen transportation fuel. The intent of this solicitation was to upgrade public and private infrastructure investments, expand the network of publicly accessible and fleet fueling stations, and to develop infrastructure that will be needed to dispense hydrogen based on the population of existing and anticipated fuel cell

vehicles (FCVs) and hydrogen internal combustion engine vehicles (HICEVs). The solicitation focused on the original equipment manufacturers' (OEM) deployment of FCVs and HICEVs in identified clusters and connector stations in California. In addition, PON-12-606, included a provision for the upgrade and/or refurbishment of existing hydrogen stations that are needed to support existing and future hydrogen fueled vehicles; however, no such applications were received.

The CEC understands that existing hydrogen station upgrades/refurbishments are needed for the existing infrastructure and these existing stations are already suitably zoned and permitted which increase their ability to successfully complete upgrade projects within a short timeframe.

The SCAQMD is seeking proposals from well qualified Contractor Teams to contract for upgrading the **existing** network of hydrogen fueling stations within the State of California. Stations that are under contract but not yet constructed and dispensing hydrogen are not eligible. The purpose of the RFP is to provide financial assistance to Contractor Teams to upgrade existing hydrogen fueling stations to defined performance standards that appear in Section V: Statement of Work. Approximately \$6.6 million in funding is available for effecting the station upgrades. The SCAQMD will provide funding for equipment, construction, labor, and all "hard costs" associated with upgrading of existing hydrogen fueling stations. Hard costs would include ancillary equipment needed to supply hydrogen fuel to funded fueling stations, including fill equipment and transport trailers, provided that all such costs are incorporated into the budget for each proposed station. Ancillary equipment costs must be included in the total proposed station cost.

Following is a list of the existing stations that are eligible under this RFP:

Host Site	Location
AC Transit	Emeryville
Chevron - Mebtahi	Torrance
City of Burbank	Burbank
City of Riverside	Riverside
City of Santa Ana	Santa Ana
City of Santa Monica	Santa Monica
CSULA	Los Angeles
LAX East - Clean Energy	Los Angeles
Orange County Sanitation District	Fountain Valley
Shell - Newport Beach	Newport Beach
Shell - Santa Monica Blvd	Los Angeles
Shell - Torrance Pipeline	Torrance
SunLine Transit	Thousand Palms
UC Irvine	Irvine

No cost share is being required under this RFP; however additional points will be given to those applicants that provide cost share within their proposal. Cost share can include labor, materials, current or future operation and maintenance expenses (up to 24 months) etc. but not real estate. It is the intent of the SCAQMD to upgrade as many stations as is possible

with these funds; hence the SCAQMD Project Officer may contact the applicant directly to determine if cost adjustments may be made to their proposal prior to an award.

This is a competitive solicitation: a current operator of a site is not assured of being awarded a contract for a station upgrade if the operation contract is to terminate within ten (10) months of the date of this RFP and a different contractor proposes a station that meets the desired performance standards with less cost. This RFP is not prescribing the type of technology that is to be used at any of the sites. It is not a requirement that the existing technology at a site be a guide for the technology being proposed for the upgrade. Proposed fueling technologies may include similar or different hydrogen generation or delivery technologies, traditional or advanced power generation technologies including fuel cells, traditional or advanced hydrogen storage methodologies, fuel processing or purification techniques, temporary or modular fueling and storage equipment, compressed and liquid hydrogen storage, and vehicle fueling at both 350 and 700 bar.

It is incumbent on the applicant to specify a technology that will provide the desired hydrogen fueling results on a guaranteed basis and within the contract term. It is desirable that all stations contracted through this RFP will be fully commissioned and operational within twelve (12) months from the date of contract execution; however schedule allowances may be made for a variety of reasons and will be allowed at the sole discretion of the Project Officer. Schedule adjustments will be decided on a case-by-case basis.

Proposers' should endeavor to provide fuels cost-competitively where possible, in order to avoid penalizing customers for their vision and commitment to clean air. The successful applicant will install new hydrogen dispensing equipment and must agree that the upgraded station be fully accessible (meaning the project must dispense fuel without the use of access, liability, or user contracts for either corporate customers/partners or individual consumers) to all OEM fuel cell vehicles (FCVs). The successful applicant proposal will include all HAZOPS and allow all government agencies to perform any and all analysis or tests without cost to the agency. Successful applicants will be required to collect and submit station operation and performance data for a minimum of 36 months following station construction completion, including but not limited to, usage data for individual vehicles.

Total funding for this RFP will be determined as part of the bidding process and will be funded from the Hydrogen Fueling Infrastructure Network Fund (63). A time frame of twelve (12) months from contract execution to completion is desired. Based on the bids received, the SCAQMD may partially fund any or all qualifying proposals or deny funding to any and all applicants. All awards are subject to approval by the SCAQMD Governing Board. Any costs incurred before final execution of a contract between CONTRACTOR and the SCAQMD is at the risk to the applicant.

Eligible Applicants

Well-qualified Contractor Teams are eligible to apply in response to this RFP. A Contractor Team may consist of one or more of the following: an original equipment manufacturer (OEM), an energy provider(s), equipment vendor(s), public agencies, fleet owners, station owners/operators/lessees, academic institutions and business entity that can meet the requirements of this solicitation. Contractor Teams should have at a minimum a thorough and in-depth understanding of the types of equipment described above, have an ongoing

interaction with vehicle manufacturers of hydrogen fueled vehicles, and a thorough and comprehensive understanding of hydrogen fueling and fuel cell activities around the world. Applicants must have a business presence in California. Corporations, limited liability companies (LLCs) and limited partnerships (LPs) must be registered and in good standing with the California Secretary of State in order to enter into an agreement with the Energy Commission. If not currently registered with the California Secretary of State, Applicants are encouraged to contact the Secretary of State's Office as soon as possible to avoid potential delays in beginning the proposed project(s) should the Application be successful. For more information, contact the Secretary of State's Office via its website at www.sos.ca.gov.

The Contractor Team's key personnel, as identified in the Scope of Work (Attachment 3), must each have a minimum of three (3) years of recent (subsequent to 2008) experience in designing, planning, constructing, testing, operating, and/or maintaining gaseous fueling stations.

In order to meet the goals and purpose of this RFP the SCAQMD reserves the right to add or modify any special terms and conditions necessary to successfully administer a funding agreement resulting from this solicitation. No exceptions to these Terms and Conditions will be considered without approval by the Project Officer. Therefore, the SCAQMD recommends that both the Applicant and its subcontractors, including legal counsel, carefully review the Terms and Conditions before deciding to submit an Application. If an Applicant and/or subcontractor do not agree to the terms and conditions, the SCAQMD reserves the right to revoke funding to that Applicant and fund the next eligible application under this solicitation.

The SCAQMD will work closely with CARB, CEC and automakers and other stakeholders to identify the most critical existing hydrogen fueling stations that best meet the needs of upcoming roll-out infrastructure. This funding will not exclude stations that can serve multiple uses, such as non-road, trucks or transit applications.

The proposed RFP supports the implementation of advanced alternative fuel technology that could significantly reduce NOx emissions from on-road vehicles.

SECTION II: CONTACT PERSON:

Questions regarding the content or intent of this RFP or on procedural matters should be addressed to:

Larry Watkins
Program Supervisor
Technology Advancement Office
SCAQMD
21865 Copley Drive
Diamond Bar, CA 91765-4178
(909) 396-3246

SECTION III: SCHEDULE OF EVENTS

Event	Date
Board Approval of RFP	November 1, 2013
Release RFP	November 1, 2013
Bidders Conference*	November 14, 2013
Proposal Due no later than 5 p.m. PST	December 4, 2013
Proposal Evaluations	December 13, 2013
Technology Committee	December 20, 2013
Recommendation to Board	January 3, 2014
Anticipated Contract Start	February 3, 2014
Anticipated Contract Completion	December 31, 2016

*Participation in bidder's conference is **mandatory**. Such participation will assist in notifying potential bidders of any updates or amendments. Any questions from prospective bidders or interested parties should be directed, with reference to this RFP, to Larry Watkins, via fax at (909) 396-3879. Bidders planning to attend the bidder's conference should notify Larry Watkins by fax or email before the close of business day, November 12, 2013. The Bidders Conference will be held in Room GB at the SCAQMD Headquarters in Diamond Bar, California at 9:00 a.m. on Thursday, November 14, 2013.

SECTION IV: PARTICIPATION IN THE PROCUREMENT PROCESS

A. It is the policy of the South Coast Air Quality Management District to ensure that all businesses including minority business enterprises, women business enterprises, disabled veteran business enterprises and small businesses have a fair and equitable opportunity to compete for and participate in SCAQMD contracts.

B. Definitions:

The definition of minority, women or disadvantaged business enterprises set forth below is included for purposes of determining compliance with the affirmative steps requirement described in Paragraph G below on procurements funded in whole or in part with federal grant funds which involve the use of subcontractors. The definition provided for disabled veteran business enterprise, local business, small business enterprise, low-emission vehicle business and off-peak hours delivery business are provided for purposes of determining eligibility for point or cost considerations in the evaluation process.

1. "Women business enterprise" (WBE) as used in this policy means a business enterprise that meets all of the following criteria:
 - a. a business that is at least 51 percent owned by one or more women, or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more or women.
 - b. a business whose management and daily business operations are controlled by one or more women.
 - c. a business which is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign-based business.

2. "Disabled veteran" as used in this policy is a United States military, naval, or air service veteran with at least 10 percent service-connected disability who is a resident of California.
3. "Disabled veteran business enterprise" (DVBE) as used in this policy means a business enterprise that meets all of the following criteria:
 - a. is a sole proprietorship or partnership of which at least 51 percent is owned by one or more disabled veterans or, in the case of a publicly owned business, at least 51 percent of its stock is owned by one or more disabled veterans; a subsidiary which is wholly owned by a parent corporation but only if at least 51 percent of the voting stock of the parent corporation is owned by one or more disabled veterans; or a joint venture in which at least 51 percent of the joint venture's management and control and earnings are held by one or more disabled veterans.
 - b. the management and control of the daily business operations are by one or more disabled veterans. The disabled veterans who exercise management and control are not required to be the same disabled veterans as the owners of the business.
 - c. is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, firm, or other foreign-based business.
4. "Local business" as used in this policy means a company that has an ongoing business within the South Coast SCAQMD at the time of bid or proposal submittal and performs 90% of the work related to the contract within the South Coast AQMD and satisfies the requirements of subparagraph H below.
5. "Small business" as used in this policy means a business that meets the following criteria:
 - a. 1) an independently owned and operated business; 2) not dominant in its field of operation; 3) together with affiliates is either:
 - A service, construction, or non-manufacturer with 100 or fewer employees, and average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years, or
 - A manufacturer with 100 or fewer employees.
 - b. Manufacturer means a business that is both of the following:
 - 1) Primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products.
 - 2) Classified between Codes 311000 and 339000, inclusive, of the North American Industrial Classification System (NAICS) Manual published by the United States Office of Management and Budget, 2007 edition.

6. "Joint ventures" as defined in this policy pertaining to certification means that one party to the joint venture is a DVBE or small business and owns at least 51 percent of the joint venture.
7. "Low-Emission Vehicle Business" as used in this policy means a company or contractor that uses low-emission vehicles in conducting deliveries to the SCAQMD. Low-emission vehicles include vehicles powered by electric, compressed natural gas (CNG), liquefied natural gas (LNG), liquefied petroleum gas (LPG), ethanol, methanol, hydrogen and diesel retrofitted with particulate matter (PM) traps.
8. "Off-Peak Hours Delivery Business" as used in this policy means a company or contractor that commits to conducting deliveries to the SCAQMD during off-peak traffic hours defined as between 10:00 a.m. and 3:00 p.m.
9. "Benefits Incentive Business" as used in this policy means a company or contractor that provides janitorial, security guard or landscaping services to the SCAQMD and commits to providing employee health benefits (as defined below in Section VIII.D.2.d) for full time workers with affordable deductible and co-payment terms.
10. "Minority Business Enterprise" as used in this policy means a business that is at least 51 percent owned by one or more minority person(s), or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more or minority persons.
 - a. a business whose management and daily business operations are controlled by one or more minority persons.
 - b. a business which is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign-based business.
 - c. "Minority person" for purposes of this policy, means a Black American, Hispanic American, Native-American (including American Indian, Eskimo, Aleut, and Native Hawaiian), Asian-Indian (including a person whose origins are from India, Pakistan, and Bangladesh), Asian-Pacific-American (including a person whose origins are from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the United States Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia, and Taiwan).
11. "Disadvantaged Business Enterprise" as used in this policy means a business that is an entity owned and/or controlled by a socially and economically disadvantaged individual(s) as described by Title X of the Clean Air Act Amendments of 1990 (42 U.S.C. 7601 note) (10% statute), and Public Law 102-389 (42 U.S.C. 4370d)(8% statute), respectively;
 - a Small Business Enterprise (SBE);
 - a Small Business in a Rural Area (SBRA);
 - a Labor Surplus Area Firm (LSAF); or
 - a Historically Underutilized Business (HUB) Zone Small Business Concern or a concern under a successor program.

- C. Under Request for Quotations (RFQ), DVBEs, DVBE business joint ventures, small businesses, and small business joint ventures shall be granted a preference in an amount equal to 5% of the lowest cost responsive bid. Low-Emission Vehicle Businesses shall be granted a preference in an amount equal to 5 percent of the lowest cost responsive bid. Off-Peak Hours Delivery Businesses shall be granted a preference in an amount equal to 2 percent of the lowest cost responsive bid. Local businesses (if the procurement is not funded in whole or in part by federal grant funds) shall be granted a preference in an amount equal to 2% of the lowest cost responsive bid.
- D. Under Request for Proposals, DVBEs, DVBE joint ventures, small businesses, and small business joint ventures shall be awarded ten (10) points in the evaluation process. A non-DVBE or large business shall receive seven (7) points for subcontracting at least twenty-five (25%) of the total contract value to a DVBE and/or small business. Low-Emission Vehicle Businesses shall be awarded five (5) points in the evaluation process. On procurements which are not funded in whole or in part by federal grant funds local businesses shall receive five (5) points. Off-Peak Hours Delivery Businesses shall be awarded two (2) points in the evaluation process.
- E. SCAQMD will ensure that discrimination in the award and performance of contracts does not occur on the basis of race, color, sex, national origin, marital status, sexual preference, creed, ancestry, medical condition, or retaliation for having filed a discrimination complaint in the performance of SCAQMD contractual obligations.
- F. SCAQMD requires Contractor to be in compliance with all state and federal laws and regulations with respect to its employees throughout the term of any awarded contract, including state minimum wage laws and OSHA requirements.
- G. When contracts are funded in whole or in part by federal funds, and if subcontracts are to be let, the Contractor must comply with the following, evidencing a good faith effort to solicit disadvantaged businesses. Contractor shall submit a certification signed by an authorized official affirming its status as a MBE or WBE, as applicable, at the time of contract execution. The SCAQMD reserves the right to request documentation demonstrating compliance with the following good faith efforts prior to contract execution.
1. Ensure Disadvantaged Business Enterprises (DBEs) are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
 2. Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
 3. Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and Local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.

4. Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
 5. Using the services and assistance of the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.
 6. If the prime contractor awards subcontracts, require the prime contractor to take the above steps.
- H. To the extent that any conflict exists between this policy and any requirements imposed by federal and state law relating to participation in a contract by a certified MBE/WBE/DVBE as a condition of receipt of federal or state funds, the federal or state requirements shall prevail.
- I. When contracts are not funded in whole or in part by federal grant funds, a local business preference will be awarded. For such contracts that involve the purchase of commercial off-the-shelf products, local business preference will be given to suppliers or distributors of commercial off-the-shelf products who maintain an ongoing business within the geographical boundaries of the SCAQMD. However, if the subject matter of the RFP or RFQ calls for the fabrication or manufacture of custom products, only companies performing 90% of the manufacturing or fabrication effort within the geographical boundaries of the SCAQMD shall be entitled to the local business preference.
- J. In compliance with federal fair share requirements set forth in 40 CFR 35.6580, the SCAQMD shall establish a fair share goal annually for expenditures covered by its procurement policy.

SECTION V: STATEMENT OF WORK/SCHEDULE OF DELIVERABLES

A. Statement of Work

The SCAQMD is seeking proposals from well qualified Contractor Teams to contract for upgrading the ***existing*** network of hydrogen fueling stations within the State of California. Stations that are under contract but not yet constructed and dispensing hydrogen are not eligible. The purpose of the RFP is to provide financial assistance to Contractor Teams to upgrade existing hydrogen fueling stations to defined performance standards that appear in Section V: Statement of Work. Approximately \$6.6 million in funding is available for effecting the station upgrades. The SCAQMD will provide funding for equipment, construction, labor, and all “hard costs” associated with upgrading of existing hydrogen fueling stations. Hard costs would include ancillary equipment needed to supply hydrogen fuel to funded fueling stations, including fill equipment and transport trailers, provided that all such costs are incorporated into the budget for each proposed station. Ancillary equipment costs must be included in the total proposed station cost.

It is incumbent on the applicant to specify a technology that will provide the desired hydrogen fueling results on a guaranteed basis and within the contract term. It is desirable that all stations contracted through this RFP will be fully commissioned and operational within twelve (12) months from the date of contract execution; however schedule allowances may be made

for a variety of reasons and will be allowed at the sole discretion of the Project Officer. Schedules adjustments will be decided on a case-by-case basis.

Proposers' should endeavor to provide fuels cost-competitively where possible, in order to avoid penalizing customers for their vision and commitment to clean air. The successful applicant will install new hydrogen dispensing equipment and must agree that the upgraded station be fully accessible (meaning the project must dispense fuel without the use of access, liability, or user contracts for either corporate customers/partners or individual consumers) to all OEM fuel cell vehicles (FCVs). The successful applicant proposal will include all HAZOPS and allow all government agencies to perform any and all analysis or tests without cost to the agency. Successful applicants will be required to collect and submit station operation and performance data for a minimum of 36 months following station construction completion including, but not limited to, individual vehicle usage.

Proponents will be required to upgrade existing stations to the following performance specifications

1. **Hydrogen Quality:** The station(s)/dispenser(s) shall meet Society of Automotive Engineers International (SAE) J2719:2011, Information Report on the Development of a Hydrogen Quality Guideline for Fuel Cell Vehicles (www.sae.org). The hydrogen fueling stations must undergo bi-annual hydrogen purity tests to demonstrate compliance with SAE J 2719;2011.
2. **Fueling Protocols:** The station(s)/dispenser(s) shall meet SAE Technical Information Report (TIR) J2601:2010, Fueling Protocols for Light Duty Gaseous Hydrogen Surface Vehicles (www.sae.org). This includes the general requirements for operating conditions and hydrogen fueling protocols of light duty FCVs in SAE TIR J2601. The station(s)/dispenser(s) shall use Canadian Standards Association (CSA) Hydrogen Gas Vehicle (HGV) 4.3 (CSA HGV 4.3:2012), Test Methods for Hydrogen Fueling Parameter Evaluation as a test method and equipment specification to confirm that the performance of a station/fuel dispenser is consistent with SAE TIR J260 (www.csa.ca).
3. **Minimum Station Daily Fueling Capacity:** Each station shall have a minimum average daily fueling capacity of no less than 100 kg. The average daily station capacity (kg/day) shall be the total kg of hydrogen that can be delivered to 4 kg-capacity vehicles according to the SAE TIR J2601 Fueling Protocol, over a 12-hour period.
4. **Minimum Peak Fueling Capacity:** Five 4 kg Type A for 70 MPa or Type B for 70 MPa (as defined in SAE J2601) fills per hour Peak Fueling Capacity. The peak fueling capacity of the station(s)/dispenser(s) shall measure the succession rate at which 4 kg-capacity vehicles can be filled per one hour period at a station, back-to-back, without the station having to recharge. The peak fueling capacity shall be expressed in the number of 4 kg Type A for 70 MPa and/or Type B for 70 MPa fills per hour.
5. **Dual Dispenser Pressure:** Each hydrogen fueling station shall dispense fuel at both 700 bar and 350 bar and provide Type A for 70 MPa fueling according to SAE TIR J2601 Fueling Protocol.
6. **Operational Date:** The application must provide the contact name and phone number of the permitting authority and list all City requirements. The application must include all comments from the Design Review Committee meetings. The application must clearly detail how the hydrogen fueling station will be constructed, become operational and be open to the public by June 30, 2015.

7. **Future Increased Capacity:** Thoroughly describe how the station can be upgraded in the future with additional capacity, additional equipment and at what expense.
8. **Detailed Equipment List and Delivery Schedule:** Specifications for equipment call-outs, storage, delivery times and estimated costs within $\pm 10\%$.
9. **Station Layout:** A line drawing of the existing station including equipment placement, setback distances, utilities and property lines.

SECTION VI: REQUIRED QUALIFICATIONS

Well qualified Contractor Teams are eligible to apply in response to this RFP. A Contractor Team may consist of one or more of the following: an original equipment manufacturer (OEM), an energy provider(s), equipment vendor(s), public agencies, fleet owners, station owners/operators/lessees, academic institutions and business entity that can meet the requirements of this solicitation. Contractor Teams should have at a minimum a thorough and in-depth understanding of the types of equipment described above, have an ongoing interaction with vehicle manufacturers of hydrogen fueled vehicles, and a thorough and comprehensive understanding of hydrogen fueling and fuel cell activities around the world.

Applicants must have a business presence in California. Corporations, limited liability companies (LLCs) and limited partnerships (LPs) must be registered and in good standing with the California Secretary of State in order to enter into an agreement with the Energy Commission. If not currently registered with the California Secretary of State, Applicants are encouraged to contact the Secretary of State's Office as soon as possible to avoid potential delays in beginning the proposed project(s) should the Application be successful. For more information, contact the Secretary of State's Office via its website at www.sos.ca.gov.

The Contractor Team's key personnel, as identified in the Scope of Work, must each have a minimum of three (3) years of recent (subsequent to 2008) experience in designing, planning, constructing, testing, operating, and/or maintaining gaseous fueling stations.

Proposer must submit the following:

1. Resumes or similar statement of qualifications of the lead person and key persons assigned to the project. Substitution of project manager or lead person will not be permitted without prior written approval by SCAQMD.
2. List all key personnel assigned to the project by level, and name, and include resumes. Specify the estimated time to be spent by the lead person and key persons assigned to the project.
3. List specific portion of the project to be subcontracted. Include all subcontractors and their resumes or similar statement of qualification.
4. Summary of major similar projects handled during the last five years demonstrating experience hydrogen fueling infrastructure equipment or station design, construction, installation, maintenance and/or operation of such.
5. Executed agreements between all Contractor Team members and site owners. In the case of a site that is controlled via a Lessor/Lessee arrangement, an agreement between the Principle of the Contractor Team and Lessee must be presented along

with the applicant's proposal. Such documentation shall include any lease, lease-back, rent, royalty, and license or use fees.

SECTION VII: PROPOSAL SUBMITTAL REQUIREMENTS

Submitted proposals must follow the format outlined below and all requested information must be supplied. Failure to submit proposals in the required format may result in elimination from proposal evaluation.

Each proposal must be submitted in three separate volumes:

- Volume I - Technical Proposal
- Volume II - Cost Proposal
- Volume III - Certifications and Representations included in Attachment A to this RFP, should be executed by an authorized official of the Contractor.

A separate cover letter including the name, address, and telephone number of the contractor, and signed by the person or persons authorized to represent the firm should accompany the proposal submission. Firm contact information as follows should also be included in the cover letter:

1. Address and telephone number of office in, or nearest to, Diamond Bar, California.
2. Name and title of Contractor Teams' representative designated as contact.

A separate Table of Contents should be provided for Volumes I and II.

VOLUME I - TECHNICAL PROPOSAL

DO NOT INCLUDE ANY COST INFORMATION IN THE TECHNICAL VOLUME

Summary (Section A) - State overall approach to meeting the objectives and satisfying the scope of work to be performed, the sequence of activities, and a description of methodology or techniques to be used. The following information shall be provided specific to the scope of work to be performed:

1. **Hydrogen Quality:** The station(s)/dispenser(s) shall meet Society of Automotive Engineers International (SAE) J2719:2011, Information Report on the Development of a Hydrogen Quality Guideline for Fuel Cell Vehicles (www.sae.org). The hydrogen fueling stations must undergo bi-annual hydrogen purity tests to demonstrate compliance with SAE J 2719;2011.
2. **Fueling Protocols:** The station(s)/dispenser(s) shall meet SAE Technical Information Report (TIR) J2601:2010, Fueling Protocols for Light Duty Gaseous Hydrogen Surface Vehicles (www.sae.org). This includes the general requirements for operating conditions and hydrogen fueling protocols of light duty FCVs in SAE TIR J2601. The station(s)/dispenser(s) shall use Canadian Standards Association (CSA) Hydrogen Gas Vehicle (HGV) 4.3 (CSA HGV 4.3:2012), Test Methods for Hydrogen Fueling

- Parameter Evaluation as a test method and equipment specification to confirm that the performance of a station/fuel dispenser is consistent with SAE TIR J260 (www.csa.ca).
3. **Minimum Station Daily Fueling Capacity:** Each station shall have a minimum average daily fueling capacity of no less than 100 kg. The average daily station capacity (kg/day) shall be the total kg of hydrogen that can be delivered to 4 kg-capacity vehicles according to the SAE TIR J2601 Fueling Protocol, over a 12-hour period.
 4. **Minimum Peak Fueling Capacity:** Five 4 kg Type A for 70 MPa or Type B for 70 MPa (as defined in SAE J2601) fills per hour Peak Fueling Capacity. The peak fueling capacity of the station(s)/dispenser(s) shall measure the succession rate at which 4 kg-capacity vehicles can be filled per one hour period at a station, back-to-back, without the station having to recharge. The peak fueling capacity shall be expressed in the number of 4 kg Type A for 70 MPa and/or Type B for 70 MPa fills per hour.
 5. **Dual Dispenser Pressure:** Each hydrogen fueling station shall dispense fuel at both 700 bar and 350 bar and provide Type A for 70 MPa fueling according to SAE TIR J2601 Fueling Protocol.
 6. **Operational Date:** The application must provide the contact name and phone number of the permitting authority and list all City requirements. The application must include all comments from the Design Review Committee meetings. The application must clearly detail how the hydrogen fueling station will be constructed, become operational and be open to the public by June 30, 2015.
 7. **Future Increased Capacity:** Thoroughly describe how the station can be upgraded in the future with additional capacity, additional equipment and at what expense.
 8. **Detailed Equipment List and Delivery Schedule:** Specifications for equipment call-outs, storage, delivery times and estimated costs within \pm 10%.
 9. **Station Layout:** A line drawing of the existing station including equipment placement, setback distances, utilities and property lines.

Program Schedule (Section B) - Provide projected milestones or benchmarks for submitting reports within the total time allowed.

Project Organization (Section C) - Describe the proposed management structure, program monitoring procedures, and organization of the proposed team. At a minimum these items shall include:

- Proponent must identify each member of the project team in accordance with Section VI of this RFP.
- Proponent must provide a commitment letter from each team member defining their contributions and responsibilities to the proposed project.
- Proponent must provide adequate information about each team member such that the evaluation panel can assess each member's contributions, commitments, responsibilities, and experience.

Qualifications (Section D) - Describe the technical capabilities of the firm and all major subcontractors. Provide references of other similar studies performed during the last five years demonstrating ability to successfully complete the project. Include contact name, title, and telephone number for any references listed. Provide a statement of your firm's background and experience in performing similar projects for other governmental organizations.

Assigned Personnel (Section E) - Provide the following information on the staff to be assigned to this project:

1. List all key personnel assigned to the project by level and name. Provide a resume or similar statement of the qualifications of the lead person and all persons assigned to the project. Substitution of project manager or lead personnel will not be permitted without prior written approval of SCAQMD.
2. Provide a spreadsheet of the labor hours proposed for each labor category at the task level.
3. Provide a statement indicating whether or not 90% of the work will be performed within the geographical boundaries of the SCAQMD.
4. Provide a statement of the education and training program provided by, or required of, the staff identified for participation in the project, particularly with reference to management consulting, governmental practices and procedures, and technical matters.
5. Provide a summary of your firm's general qualifications to meet required qualifications and fulfill statement of work, including additional firm personnel and resources beyond those who may be assigned to the project.

Subcontractors (Section F) - This project may require expertise in multiple technical areas. List any subcontractors that may be used and the work to be performed by them.

Conflict of Interest (Section G) - Address possible conflicts of interest with other clients affected by actions performed by the firm on behalf of SCAQMD. Although the Proposer will not be automatically disqualified by reason of work performed for such firms, SCAQMD reserves the right to consider the nature and extent of such work in evaluating the proposal.

Additional Data (Section H) - Provide other essential data that may assist in the evaluation of this proposal.

VOLUME II - COST PROPOSAL

Name and Address - The Cost Proposal must list the name and complete address of the Proposer in the upper left-hand corner.

Cost Proposal – SCAQMD anticipates awarding a fixed price contract. Cost information must be provided as listed below:

1. Detail must be provided by the following categories:
 - A. Labor - List the total number of hours and the hourly billing rate for each level of professional staff. A breakdown of the proposed billing rates must identify the direct labor rate, overhead rate and amount, fringe benefit rate and amount, General and Administrative rate and amount, and proposed profit or fee. Provide a basis of estimate justifying the proposed labor hours and proposed labor mix.
 - B. Subcontractor Costs - List subcontractor costs and identify subcontractors by name. Itemize subcontractor charges per hour or per day.
 - C. Travel Costs - Indicate amount of travel cost and basis of estimate to include trip destination, purpose of trip, length of trip, airline fare or mileage expense, per diem costs, lodging and car rental.

- D. Other Direct Costs -This category may include such items as postage and mailing expense, printing and reproduction costs, etc. Provide a basis of estimate for these costs.
- E. Operation and Maintenance Costs: - This category must be included in the proposal and must be thoroughly detailed. For purposes of this provision, “property,” “real property,” “personal property,” and “construction” are as defined in the California Revenue and Tax Code and implementing regulations. The following types of O&M Costs shall be documented:
1. Maintenance of equipment purchased under the agreement that is reasonably necessary to keep the equipment in efficient operating condition, from the date of delivery until the end of the agreement, only if the maintenance does not add permanent value or appreciably prolongs the equipment’s intended life.
 2. Insurance on equipment purchased under the agreement, from the date of delivery until the end of the agreement, only if insurance does not protect the Recipient against the cost of its own defects in materials or workmanship.
 3. Coverage for loss, damage, destruction, or theft of the equipment does not limit or eliminate the Recipient’s liability for such loss under the grant agreement.
 4. Coverage does not include loss, damage, destruction, or theft which results from the willful misconduct or lack of good faith on the part of any of the Recipient’s ownership or managerial personnel.
 5. Coverage does not include lost profit.
 6. Coverage does not exceed the cost of acquisition, unless the Proposer has a formal written policy that assures that the property, if converted, will be valued at the book value of the replaced asset plus or minus the difference between the insurance proceeds and the actual replacement costs.
 7. Costs are consistent with competitive insurance prices.
 8. Insurance is equivalent to the insurance that the Proposer maintains for similar equipment not purchased under the Agreement.
 9. Overhead and administrative costs on the above items.
 10. Operations and Maintenance costs such as, but not limited to, personal property taxes or permitting fees, are not allowable under any resulting agreement.
 11. Costs under a resulting agreement are allowable if they are reasonable, allocable, and appropriate to the project as determined under applicable federal cost principles. Costs must be measurable and non-duplicative of other reimbursed or match share costs. For purposes of this provision, sections

31.201-2, 31.201-3, and 31.201-4 of Title 48 of the Code of Federal Regulations (CFR) are expressly incorporated by reference.

VOLUME III - CERTIFICATIONS AND REPRESENTATIONS (see Attachment A to this RFP)

SECTION VIII: PROPOSAL SUBMISSION

All proposals must be submitted according to specifications set forth in the section above. Failure to adhere to these specifications may be cause for rejection of proposal.

Signature - All proposals should be signed by an authorized representative of the Proposer.

Due Date - The Proposer shall submit six (6) complete copies of the proposal in a sealed envelope, plainly marked in the upper left-hand corner with the name and address of the Proposer and the words "Request for Proposals #2014-09." **All proposals are due no later than 5:00 p.m., December 4, 2013, and should be directed to:**

Procurement Unit
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4178
(909) 396-3520

Late bids/proposals will not be accepted under any circumstances. Any correction or resubmission done by the Proposer will not extend the submittal due date.

Grounds for Rejection - A proposal may be immediately rejected if:

- It is not prepared in the format described, or
- It is signed by an individual not authorized to represent the firm.

Disposition of Proposals - SCAQMD reserves the right to reject any or all proposals. All responses become the property of SCAQMD. One copy of the proposal shall be retained for SCAQMD files. Additional copies and materials will be returned only if requested and at the proposer's expense.

Modification or Withdrawal - Once submitted, proposals cannot be altered without the prior written consent of SCAQMD. All proposals shall constitute firm offers and may not be withdrawn for a period of ninety (90) days following the last day to accept proposals.

SECTION IX: PROPOSAL EVALUATION/CONTRACTOR SELECTION CRITERIA

- A. A panel selected by the SCAQMD will evaluate all submitted proposals. This panel may include members outside the SCAQMD. The panel will make a recommendation to the Executive Officer and/or the Governing Board of the SCAQMD for final selection of a contractor and negotiation of a contract. Each member of the evaluation panel shall be accorded equal weight in his or her rating of proposals. The evaluation panel members shall evaluate the proposals according to the specified criteria and numerical weightings set forth below.

- B. Well qualified Contractor Teams are eligible to apply in response to this RFP. A Contractor Team may consist of one or more of the following: an original equipment manufacturer (OEM), an energy provider(s), equipment vendor(s), public agencies, fleet owners, station owners/operators/lessees, academic institutions and business entity that can meet the requirements of this solicitation. Contractor Teams should have at a minimum a thorough and in-depth understanding of the types of equipment described above, have an ongoing interaction with vehicle manufacturers of hydrogen fueled vehicles, and a thorough and comprehensive understanding of hydrogen fueling and fuel cell activities around the world.
- C. Applicants If not currently registered with the California Secretary of State, Applicants are encouraged to contact the Secretary of State’s Office as soon as possible to avoid potential delays in beginning the proposed project(s) should the Application be successful. For more information, contact the Secretary of State’s Office via its website at www.sos.ca.gov.

Evaluation Criteria	Possible Points
<p>Technical Approach</p> <ul style="list-style-type: none"> • Demonstrated knowledge and understanding of hydrogen fueling equipment, station design, permitting, and construction of hydrogen fueling infrastructure. • Related past and current work and how the proposed effort builds on or expands from these prior efforts to ensure a production-intent design. • Responsiveness of applicant in addressing the desired goals of this RFP in meeting the Statement of Work. • A minimum of three (3) years of recent (subsequent to 2008) experience in designing, planning, constructing, testing, operating, and/or maintaining gaseous fueling stations • Soundness and technical feasibility of the proposed station upgrade. • Adequacy, reasonableness and soundness of the proposed project management approach. • Adequacy and appropriateness of the schedule including the duration and sequencing of tasks and the scheduling of project milestones and decision points. 	35
Contractor Qualifications/Previous Experience	35
<p>Applicant and Team Member Roles, Capabilities and Facilities</p> <ul style="list-style-type: none"> • Qualifications and capabilities of key personnel. • Ability to assemble a team necessary for the successful implementation of the program. 	25

<ul style="list-style-type: none"> Ability and adequacy of equipment, facilities, and other support necessary to be successful in the proposed work. Level of commitment from project partners documented in the form of agreements and commitment letters. 	
Project Cost and Cost Share <ul style="list-style-type: none"> The project cost is consistent with the work to be performed and is justified. Percentage of cost share commitment. Proposals with higher levels of cost share will be scored higher. 	5
Additional Preference Points <ul style="list-style-type: none"> Small Business or Small Business Joint Venture (10 points) DVBE or DVBE Joint Venture (10 points) Use of DVBE or Small Business Subcontractors (7 points) Local Business (5 points) Low Emissions Vehicle Business (5 points) Off-Peak Hours Delivery Business (2 points) <p>The cumulative points awarded for small business, DVBE, use of small business or DVBE subcontractors, low emission vehicle business, local business, and off-peak hours delivery business shall not exceed 15 points.</p> <p>Note: The award of these additional points shall be contingent upon Proposer completing the Self-Certification section of Attachment A – Certifications and Representations and/or inclusion of a statement in the proposal self-certifying that Proposer qualifies for additional points as detailed above.</p>	15
Total Possible Points	115

- To receive additional points in the evaluation process for the categories of Small Business or Small Business Joint Venture, DVBE or DVBE Joint Venture or Local Business (for non-federally funded projects), the proposer must submit a self-certification or certification from the State of California Office of Small Business Certification and Resources at the time of proposal submission certifying that the proposer meets the requirements set forth in Section III. To receive points for the use of DVBE and/or Small Business subcontractors, at least 25 percent of the total contract value must be subcontracted to DVBEs and/or Small Businesses. To receive points as a Low-Emission Vehicle Business, the proposer must demonstrate to the Executive Officer, or designee, that supplies and materials delivered to the SCAQMD are delivered in vehicles that operate on either clean-fuels or if powered by diesel fuel, that the vehicles have particulate traps installed. To receive points as an Off-Peak Hours Delivery Business, the proposer must submit, at proposal submission, certification of its commitment to delivering supplies and materials to SCAQMD between the hours of 10:00 a.m. and 3:00 p.m. The cumulative points awarded

for small business, DVBE, use of Small Business or DVBE Subcontractors, Local Business, Low-Emission Vehicle Business and Off-Peak Hour Delivery Business shall not exceed 15 points.

The Procurement Section will be responsible for monitoring compliance of suppliers awarded purchase orders based upon use of low-emission vehicles or off-peak traffic hour delivery commitments through the use of vendor logs which will identify the contractor awarded the incentive. The purchase order shall incorporate terms which obligate the supplier to deliver materials in low-emission vehicles or deliver during off-peak traffic hours. The Receiving department will monitor those qualified supplier deliveries to ensure compliance to the purchase order requirements. Suppliers in non-compliance will be subject to a two percent of total purchase order value penalty. The Procurement Manager will adjudicate any disputes regarding either low-emission vehicle or off-peak hour deliveries.

2. For procurement of Research and Development (R & D) projects or projects requiring technical or scientific expertise or special projects requiring unique knowledge and abilities, technical factors including past experience and contractor qualifications shall be weighted at 95 points and cost shall be weighted at 5 points. A proposal must receive at least 76 out of 95 points on R & D projects and projects requiring technical or scientific expertise or special projects requiring unique knowledge and abilities, in order to be deemed qualified for award.
 3. The lowest cost proposal will be awarded the maximum cost points available and all other cost proposals will receive points on a prorated basis. For example if the lowest cost proposal is \$1,000 and the maximum points available are 5 points, this proposal would receive the full 5 points. If the next lowest cost proposal is \$1,100 it would receive 4.5 points reflecting the fact that it is 10% higher than the lowest cost (90% of 5 points = 4.5 points).
- D. During the selection process the evaluation panel may wish to interview some proposers for clarification purposes only. No new material will be permitted at this time.
- E. The Executive Officer or Governing Board may award the contract to a proposer other than the proposer receiving the highest rating in the event the Governing Board determines that another proposer from among those technically qualified would provide the best value to SCAQMD considering cost and technical factors. The determination shall be based solely on the Evaluation Criteria contained in the Request for Proposal (RFP), on evidence provided in the proposal and on any other evidence provided during the bid review process. Evidence provided during the bid review process is limited to clarification by the Proposer of information presented in his/her proposal.
- F. Selection will be made based on the above-described criteria and rating factors. The selection will be made by and is subject to Executive Officer or Governing Board approval. Proposers may be notified of the results by letter.

- G. The Governing Board has approved a Bid Protest Procedure which provides a process for a bidder or prospective bidder to submit a written protest to the SCAQMD Procurement Manager in recognition of two types of protests: Protest Regarding Solicitation and Protest Regarding Award of a Contract. Copies of the Bid Protest Policy can be secured through a request to the SCAQMD Procurement Department.
- H. The Executive Officer or Governing Board may award contracts to more than one proposer if in (his or their) sole judgment the purposes of the (contract or award) would best be served by selecting multiple proposers.
- I. If additional funds become available, the Executive Officer or Governing Board may increase the amount awarded. The Executive Officer or Governing Board may also select additional proposers for a grant or contract if additional funds become available.
- J. Upon mutual agreement of the parties of any resultant contract from this RFP, the original contract term may be extended.

SECTION X: FUNDING/ CO-FUNDING

A. Available Funding

The SCAQMD, is expected to allocate a total of up to \$6,690,828 million to this RFP. Additional cost share funding is not expected from prospective contractors but it is encouraged. SCAQMD retains discretion to make full awards, partial awards, or no awards at all under this RFP. If the choice to make a partial award causes any prospective contractor to withdraw, the funds that would have been awarded to the prospective contractor will be re-allocated to the next prospective contractor on a SCAQMD Board approved ranked list.

B. Co-Funding Requirements

While matching funds or other significant co-funding under this RFP is not required proposals that provide higher levels of co-funding/matching funds will be scored higher.

As such, proposals must include co-funding/matching funds to be eligible for funding under this RFP. Co-funding/matching funds are that portion of the total contract cost not funded by the SCAQMD. The Clean Fuels Program has achieved a high degree of leverage with its technology advancement funds. Proponents will receive additional proposal evaluation points under Section VIII, based upon the amount of verified co-funding/matching funds. **Proponents are encouraged to provide maximum verifiable matching/cofunding funds for their projects.**

Co-funding/matching funds can come from a variety of sources. For purposes of this project, either a direct cash match and/or an in-kind contribution with a verifiable cash value will be considered as co-funding. Supporting documentation must be provided as part of the proposal to support the estimated value of any proposed in-kind contributions. Since cost points will be awarded in the evaluation process for the amount of co-funding proposed, proponents must submit firm letters of commitment or other binding documents evidencing the co-funding amounts as part of their proposal submission. **All Co-Funding For Successful Bidders Must Be Verified Prior To Contract Execution.**

The amounts and sources of all matching funds must be specified in the proposal. In addition, the proposal should contain a description of how co-funding will be used in relation to the project, and in relation to any awarded SCAQMD funds. Successful bidders need to keep track of these matching funds once the contract to proceed with the project is executed. **Please Note That Matching Funds Must Be Spent Concurrently With SCAQMD Funds.**

Proposed co-funding must be spent only on the project described in the proposal. In addition, as matching funds are spent, documentation on the types and amounts of the expenditures must be provided in writing to the SCAQMD.

Staff time, facility use, equipment, and most property may count toward co-funding as long as it is fully dedicated to the project for the time the property or equipment is required by the Contract. In all cases, the SCAQMD reserve the right to review and approve or disapprove the crediting of contributions and the amounts of those contributions as matching funds.

Property and equipment that do not qualify as co-funding include such items as standard office supplies and standard office equipment (excluding equipment used for demonstration purposes) that are part of the bidder's normal business operation.

SECTION XI: DRAFT CONTRACT (Provided as a sample only)



South Coast Air Quality Management District

1. PARTIES - The parties to this Contract are the South Coast Air Quality Management District (referred to here as "SCAQMD") whose address is 21865 Copley Drive, Diamond Bar, California 91765-4178, and *** (referred to here as "CONTRACTOR") whose address is ***.
2. RECITALS
 - A. SCAQMD is the local agency with primary responsibility for regulating stationary source air pollution in the South Coast Air Basin in the State of California. SCAQMD is authorized to enter into this Contract under California Health and Safety Code Section 40489. SCAQMD desires to contract with CONTRACTOR for services described in Attachment 1 - Statement of Work, attached here and made a part here by this reference. CONTRACTOR warrants that it is well-qualified and has the experience to provide such services on the terms set forth here.
 - B. CONTRACTOR is authorized to do business in the State of California and attests that it is in good tax standing with the California Franchise Tax Board.
 - C. All parties to this Contract have had the opportunity to have this Contract reviewed by their attorney.
 - D. CONTRACTOR agrees to obtain the required licenses, permits, and all other appropriate legal authorizations from all applicable federal, state and local jurisdictions and pay all applicable fees.
3. PERFORMANCE REQUIREMENTS
 - A. CONTRACTOR warrants that it holds all necessary and required licenses and permits to provide these services. CONTRACTOR further agrees to immediately notify SCAQMD in writing of any change in its licensing status.
 - B. CONTRACTOR shall submit reports to SCAQMD as outlined in Attachment 1 - Statement of Work. All reports shall be submitted in an environmentally friendly format: recycled paper; stapled, not bound; black and white, double-sided print; and no three-ring, spiral, or plastic binders or cardstock covers. SCAQMD reserves the right to review, comment, and request changes to any report produced as a result of this Contract.
 - C. CONTRACTOR shall perform all tasks set forth in Attachment 1 - Statement of Work, and shall not engage, during the term of this Contract, in any performance of work that is in direct or indirect conflict with duties and responsibilities set forth in Attachment 1 - Statement of Work.
 - D. CONTRACTOR shall be responsible for exercising the degree of skill and care customarily required by accepted professional practices and procedures subject to SCAQMD's final approval which SCAQMD will not unreasonably withhold. Any costs incurred due to the failure to meet the foregoing standards, or otherwise defective services which require re-performance, as directed by SCAQMD, shall be the responsibility of CONTRACTOR. CONTRACTOR's failure to achieve the performance goals and objectives stated in Attachment 1- Statement of Work, is not a basis for requesting re-performance unless work conducted by CONTRACTOR is deemed by SCAQMD to have failed the foregoing standards of performance.
 - E. CONTRACTOR shall post a performance bond in the amount of *** Dollars (\$***) from a surety authorized to issue such bonds within the State. **[USE IF REQUIRED]**
 - F. SCAQMD has the right to review the terms and conditions of the performance bond and to request modifications thereto which will ensure that SCAQMD will be compensated in the event CONTRACTOR fails to perform and also provides SCAQMD with the opportunity to review the qualifications of the entity

designated by the issuer of the performance bond to perform in CONTRACTOR's absence and, if necessary, the right to reject such entity. [USE IF REQUIRED]

G. CONTRACTOR shall ensure, through its contracts with any subcontractor(s), that employees and agents performing under this Contract shall abide by the requirements set forth in this clause.

4. TERM - The term of this Contract is from the date of execution by both parties (or insert date) to ***, unless further extended by amendment of this Contract in writing. No work shall commence until this Contract is fully executed by all parties.

5. TERMINATION

A. In the event any party fails to comply with any term or condition of this Contract, or fails to provide services in the manner agreed upon by the parties, including, but not limited to, the requirements of Attachment 1 – Statement of Work, this failure shall constitute a breach of this Contract. The non-breaching party shall notify the breaching party that it must cure this breach or provide written notification of its intention to terminate this contract. Notification shall be provided in the manner set forth in Clause 11. The non-breaching party reserves all rights under law and equity to enforce this contract and recover damages.

B. SCAQMD reserves the right to terminate this Agreement, in whole or in part, without cause, upon thirty (30) days' written notice. Once such notice has been given, CONTRACTOR shall, except as and to the extent or directed otherwise by SCAQMD, discontinue any Work being performed under this Agreement and cancel any of CONTRACTOR's orders for materials, facilities, and supplies in connection with such Work, and shall use its best efforts to procure termination of existing subcontracts upon terms satisfactory to SCAQMD. Thereafter, CONTRACTOR shall perform only such services as may be necessary to preserve and protect any Work already in progress and to dispose of any property as requested by SCAQMD.

C. CONTRACTOR shall be paid in accordance with this Agreement for all work performed before the effective date of termination under Clause 5.B. Before expiration of the thirty (30) days' written notice, CONTRACTOR shall promptly deliver to SCAQMD all copies of documents and other information and data prepared or developed by CONTRACTOR under this Agreement with the exception of a record copy of such materials, which may be retained by CONTRACTOR.

6. INSURANCE

A. CONTRACTOR shall furnish evidence to SCAQMD of workers' compensation insurance for each of its employees, in accordance with either California or other states' applicable statutory requirements prior to commencement of any work on this Contract.

B. CONTRACTOR shall furnish evidence to SCAQMD of general liability insurance with a limit of at least \$1,000,000 per occurrence, and \$2,000,000 in a general aggregate prior to commencement of any work on this Contract. SCAQMD shall be named as an additional insured on any such liability policy, and thirty (30) days written notice prior to cancellation of any such insurance shall be given by CONTRACTOR to SCAQMD.

C. CONTRACTOR shall furnish evidence to SCAQMD of automobile liability insurance with limits of at least \$100,000 per person and \$300,000 per accident for bodily injuries, and \$50,000 in property damage, or \$1,000,000 combined single limit for bodily injury or property damage, prior to commencement of any work on this Contract. SCAQMD shall be named as an additional insured on any such liability policy, and thirty (30) days written notice prior to cancellation of any such insurance shall be given by CONTRACTOR to SCAQMD.

D. CONTRACTOR shall furnish evidence to SCAQMD of Professional Liability Insurance with an aggregate limit of not less than \$5,000,000. [OPTIONAL FOR PROFESSIONAL SERVICES]

- E. If CONTRACTOR fails to maintain the required insurance coverage set forth above, SCAQMD reserves the right either to purchase such additional insurance and to deduct the cost thereof from any payments owed to CONTRACTOR or terminate this Contract for breach.
- F. All insurance certificates should be mailed to: SCAQMD Risk Management, 21865 Copley Drive, Diamond Bar, CA 91765-4178. **The SCAQMD Contract Number must be included on the face of the certificate.**
- G. CONTRACTOR must provide updates on the insurance coverage throughout the term of the Contract to ensure that there is no break in coverage during the period of contract performance. Failure to provide evidence of current coverage shall be grounds for termination for breach of Contract.

7. **INDEMNIFICATION** - CONTRACTOR agrees to hold harmless, defend and indemnify SCAQMD, its officers, employees, agents, representatives, and successors-in-interest against any and all loss, damage, costs, lawsuits, demands, judgments, legal fees, or any other expenses incurred or required to be paid by SCAQMD, its officers, employees, agents, representatives, or successors-in-interest arising from or related to any injury to persons or damage to property caused directly or indirectly, in whole or in part, by any willful or negligent act or omission of CONTRACTOR, its employees, subcontractors, agents or representatives in the performance of this Contract.

8. **CO-FUNDING [USE IF REQUIRED]**

- A. CONTRACTOR shall obtain co-funding as follows: *****, *** Dollars (\$***); ***, *** Dollars (\$***); ***, *** Dollars (\$***); ***, *** Dollars (\$***); and ***, *** Dollars (\$***).**
- B. If CONTRACTOR fails to obtain co-funding in the amount(s) referenced above, then SCAQMD reserves the right to renegotiate or terminate this Contract.
- C. CONTRACTOR shall provide co-funding in the amount of ***** Dollars (\$***)** for this project. If CONTRACTOR fails to provide this co-funding, then SCAQMD reserves the right to renegotiate or terminate this Contract.

9. **PAYMENT**

[FIXED PRICE]-use this one or the T&M one below.

- A. SCAQMD shall pay CONTRACTOR a fixed price of ***** Dollars (\$***)** for work performed under this Contract in accordance with Attachment 2 - Payment Schedule, attached here and included here by reference. Payment shall be made by SCAQMD to CONTRACTOR within thirty (30) days after approval by SCAQMD of an invoice prepared and furnished by CONTRACTOR showing services performed and referencing tasks and deliverables as shown in Attachment 1 - Statement of Work, and the amount of charge claimed. Each invoice must be prepared in duplicate, on company letterhead, and list SCAQMD's Contract number, period covered by invoice, and CONTRACTOR's social security number or Employer Identification Number and submitted to: South Coast Air Quality Management District, Attn: *******.
- B. An amount equal to ten percent (10%) shall be withheld from all charges paid until satisfactory completion and final acceptance of work by SCAQMD. **[OPTIONAL]**
- C. SCAQMD reserves the right to disallow charges when the invoiced services are not performed satisfactorily in SCAQMD sole judgment.

[T & M]-use this one or the Fixed Price one above.

- A. SCAQMD shall pay CONTRACTOR a total not to exceed amount of ***** Dollars (\$***)**, including any authorized travel-related expenses, for time and materials at rates in accordance with Attachment 2 – Cost Schedule, attached here and included here by this reference. Payment of charges shall be made by SCAQMD to CONTRACTOR within thirty (30) days after approval by SCAQMD of an itemized invoice prepared and furnished by CONTRACTOR referencing line item expenditures as listed in Attachment 2 and the amount of charge claimed. Each invoice must be prepared in duplicate, on company letterhead,

and list SCAQMD's Contract number, period covered by invoice, and CONTRACTOR's social security number or Employer Identification Number and submitted to: South Coast Air Quality Management District, Attn: ***.

- B. CONTRACTOR shall adhere to total tasks and/or cost elements (cost category) expenditures as listed in Attachment 2. Reallocation of costs between tasks and/or cost category expenditures is permitted up to One Thousand Dollars (\$1,000) upon prior written approval from SCAQMD. Reallocation of costs in excess of One Thousand Dollars (\$1,000) between tasks and/or cost category expenditures requires an amendment to this Contract.
- C. SCAQMD's payment of invoices shall be subject to the following limitations and requirements:
 - i) Charges for equipment, material, and supply costs, travel expenses, subcontractors, and other charges, as applicable, must be itemized by CONTRACTOR. Reimbursement for equipment, material, supplies, subcontractors, and other charges shall be made at actual cost. Supporting documentation must be provided for all individual charges (with the exception of direct labor charges provided by CONTRACTOR). SCAQMD's reimbursement of travel expenses and requirements for supporting documentation are listed below.
 - ii) CONTRACTOR's failure to provide receipts shall be grounds for SCAQMD's non-reimbursement of such charges. SCAQMD may reduce payments on invoices by those charges for which receipts were not provided.
 - iii) SCAQMD shall not pay interest, fees, handling charges, or cost of money on Contract.
- D. SCAQMD shall reimburse CONTRACTOR for travel-related expenses only if such travel is expressly set forth in Attachment 2 – Cost Schedule of this Contract or pre-authorized by SCAQMD in writing.
 - i) SCAQMD's reimbursement of travel-related expenses shall cover lodging, meals, other incidental expenses, and costs of transportation subject to the following limitations:
 - Air Transportation - Coach class rate for all flights. If coach is not available, business class rate is permissible.
 - Car Rental - A compact car rental. A mid-size car rental is permissible if car rental is shared by three or more individuals.
 - Lodging - Up to One Hundred Fifty Dollars (\$150) per night. A higher amount of reimbursement is permissible if pre-approved by SCAQMD.
 - Meals - Daily allowance is Fifty Dollars (\$50.00).
 - ii) Supporting documentation shall be provided for travel-related expenses in accordance with the following requirements:
 - Lodging, Airfare, Car Rentals - Bill(s) for actual expenses incurred.
 - Meals - Meals billed in excess of \$50.00 each day require receipts or other supporting documentation for the total amount of the bill and must be approved by SCAQMD.
 - Mileage - Beginning each January 1, the rate shall be adjusted effective February 1 by the Chief Financial Officer based on the Internal Revenue Service Standard Mileage Rate
 - Other travel-related expenses - Receipts are required for all individual items.
- E. SCAQMD reserves the right to disallow charges when the invoiced services are not performed satisfactorily in SCAQMD sole judgment.

10. INTELLECTUAL PROPERTY RIGHTS - Title and full ownership rights to any software, documents, or reports developed under this Contract shall at all times remain with SCAQMD. Such material is agreed to be SCAQMD proprietary information.

- A. Rights of Technical Data - SCAQMD shall have the unlimited right to use technical data, including material designated as a trade secret, resulting from the performance of services by CONTRACTOR under this Contract. CONTRACTOR shall have the right to use technical data for its own benefit.

B. Copyright - CONTRACTOR agrees to grant SCAQMD a royalty-free, nonexclusive, irrevocable license to produce, translate, publish, use, and dispose of all copyrightable material first produced or composed in the performance of this Contract.

11. NOTICES - Any notices from either party to the other shall be given in writing to the attention of the persons listed below, or to other such addresses or addressees as may hereafter be designated in writing for notices by either party to the other. Notice shall be given by certified, express, or registered mail, return receipt requested, and shall be effective as of the date of receipt indicated on the return receipt card.

SCAQMD: South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4178
Attn: ***

CONTRACTOR: ***

Attn: ***

12. EMPLOYEES OF CONTRACTOR

- A. SCAQMD reserves the right to review the resumes of any of CONTRACTOR employees, and/or any subcontractors selected to perform the work specified here and to disapprove CONTRACTOR choices. CONTRACTOR warrants that it will employ no subcontractor without written approval from SCAQMD. CONTRACTOR shall be responsible for the cost of regular pay to its employees, as well as cost of vacation, vacation replacements, sick leave, severance pay and pay for legal holidays.
- B. CONTRACTOR, its officers, employees, agents, representatives or subcontractors shall in no sense be considered employees or agents of SCAQMD, nor shall CONTRACTOR, its officers, employees, agents, representatives or subcontractors be entitled to or eligible to participate in any benefits, privileges, or plans, given or extended by SCAQMD to its employees.
- C. SCAQMD requires Contractor to be in compliance with all state and federal laws and regulations with respect to its employees throughout the term of this Contract, including state minimum wage laws and OSHA requirements.

13. CONFIDENTIALITY - It is expressly understood and agreed that SCAQMD may designate in a conspicuous manner the information which CONTRACTOR obtains from SCAQMD as confidential. CONTRACTOR agrees to:

- A. Observe complete confidentiality with respect to such information, including without limitation, agreeing not to disclose or otherwise permit access to such information by any other person or entity in any manner whatsoever, except that such disclosure or access shall be permitted to employees or subcontractors of CONTRACTOR requiring access in fulfillment of the services provided under this Contract.
- B. Ensure that CONTRACTOR's officers, employees, agents, representatives, and independent contractors are informed of the confidential nature of such information and to assure by agreement or otherwise that they are prohibited from copying or revealing, for any purpose whatsoever, the contents of such information or any part thereof, or from taking any action otherwise prohibited under this clause.
- C. Not use such information or any part thereof in the performance of services to others or for the benefit of others in any form whatsoever whether gratuitously or for valuable consideration, except as permitted under this Contract.

- D. Notify SCAQMD promptly and in writing of the circumstances surrounding any possession, use, or knowledge of such information or any part thereof by any person or entity other than those authorized by this clause.
- E. Take at CONTRACTOR expense, but at SCAQMD's option and in any event under SCAQMD's control, any legal action necessary to prevent unauthorized use of such information by any third party or entity which has gained access to such information at least in part due to the fault of CONTRACTOR.
- F. Take any and all other actions necessary or desirable to assure such continued confidentiality and protection of such information.
- G. Prevent access to such information by any person or entity not authorized under this Contract.
- H. Establish specific procedures in order to fulfill the obligations of this clause.
- I. Notwithstanding the above, nothing herein is intended to abrogate or modify the provisions of Government Code Section 6250 et.seq. (Public Records Act).

14. PUBLICATION

- A. SCAQMD shall have the right of prior written approval of any document which shall be disseminated to the public by CONTRACTOR in which CONTRACTOR utilized information obtained from SCAQMD in connection with performance under this Contract.
- B. Information, data, documents, or reports developed by CONTRACTOR for SCAQMD, pursuant to this Contract, shall be part of SCAQMD public record unless otherwise indicated. CONTRACTOR may use or publish, at its own expense, such information provided to SCAQMD. The following acknowledgment of support and disclaimer must appear in each publication of materials, whether copyrighted or not, based upon or developed under this Contract.

"This report was prepared as a result of work sponsored, paid for, in whole or in part, by the South Coast Air Quality Management District (SCAQMD). The opinions, findings, conclusions, and recommendations are those of the author and do not necessarily represent the views of SCAQMD. SCAQMD, its officers, employees, contractors, and subcontractors make no warranty, expressed or implied, and assume no legal liability for the information in this report. SCAQMD has not approved or disapproved this report, nor has SCAQMD passed upon the accuracy or adequacy of the information contained herein."

- C. CONTRACTOR shall inform its officers, employees, and subcontractors involved in the performance of this Contract of the restrictions contained herein and require compliance with the above.

15. NON-DISCRIMINATION - In the performance of this Contract, CONTRACTOR shall not discriminate in recruiting, hiring, promotion, demotion, or termination practices on the basis of race, religious creed, color, national origin, ancestry, sex, age, or physical or mental disability and shall comply with the provisions of the California Fair Employment & Housing Act (Government Code Section 12900 et seq.), the Federal Civil Rights Act of 1964 (P.L. 88-352) and all amendments thereto, Executive Order No. 11246 (30 Federal Register 12319), and all administrative rules and regulations issued pursuant to said Acts and Order. CONTRACTOR shall likewise require each subcontractor to comply with this clause and shall include in each such subcontract language similar to this clause.

16. SOLICITATION OF EMPLOYEES - CONTRACTOR expressly agrees that CONTRACTOR shall not, during the term of this Contract, nor for a period of six months after termination, solicit for employment, whether as an employee or independent contractor, any person who is or has been employed by SCAQMD during the term of this Contract without the consent of SCAQMD.

17. PROPERTY AND SECURITY - Without limiting CONTRACTOR obligations with regard to security, CONTRACTOR shall comply with all the rules and regulations established by SCAQMD for access to and activity in and around SCAQMD premises.
18. ASSIGNMENT - The rights granted hereby may not be assigned, sold, licensed, or otherwise transferred by either party without the prior written consent of the other, and any attempt by either party to do so shall be void upon inception.
19. NON-EFFECT OF WAIVER - The failure of CONTRACTOR or SCAQMD to insist upon the performance of any or all of the terms, covenants, or conditions of this Contract, or failure to exercise any rights or remedies hereunder, shall not be construed as a waiver or relinquishment of the future performance of any such terms, covenants, or conditions, or of the future exercise of such rights or remedies, unless otherwise provided for herein.
20. ATTORNEYS' FEES - In the event any action is filed in connection with the enforcement or interpretation of this Contract, each party shall bear its own attorneys' fees and costs.
21. FORCE MAJEURE - Neither SCAQMD nor CONTRACTOR shall be liable or deemed to be in default for any delay or failure in performance under this Contract or interruption of services resulting, directly or indirectly, from acts of God, civil or military authority, acts of public enemy, war, strikes, labor disputes, shortages of suitable parts, materials, labor or transportation, or any similar cause beyond the reasonable control of SCAQMD or CONTRACTOR.
22. SEVERABILITY - In the event that any one or more of the provisions contained in this Contract shall for any reason be held to be unenforceable in any respect by a court of competent jurisdiction, such holding shall not affect any other provisions of this Contract, and the Contract shall then be construed as if such unenforceable provisions are not a part hereof.
23. HEADINGS - Headings on the clauses of this Contract are for convenience and reference only, and the words contained therein shall in no way be held to explain, modify, amplify, or aid in the interpretation, construction, or meaning of the provisions of this Contract.
24. DUPLICATE EXECUTION - This Contract is executed in duplicate. Each signed copy shall have the force and effect of an original.
25. GOVERNING LAW - This Contract shall be construed and interpreted and the legal relations created thereby shall be determined in accordance with the laws of the State of California. Venue for resolution of any disputes under this Contract shall be Los Angeles County, California.
26. CITIZENSHIP AND ALIEN STATUS
 - A. CONTRACTOR warrants that it fully complies with all laws regarding the employment of aliens and others, and that its employees performing services hereunder meet the citizenship or alien status requirements contained in federal and state statutes and regulations including, but not limited to, the Immigration Reform and Control Act of 1986 (P.L. 99-603). CONTRACTOR shall obtain from all covered employees performing services hereunder all verification and other documentation of employees' eligibility status required by federal statutes and regulations as they currently exist and as they may be hereafter amended. CONTRACTOR shall have a continuing obligation to verify and document the continuing employment authorization and authorized alien status of employees performing services under this Contract to insure continued compliance with all federal statutes and regulations.

- B. Notwithstanding paragraph A above, CONTRACTOR, in the performance of this Contract, shall not discriminate against any person in violation of 8 USC Section 1324b.
- C. CONTRACTOR shall retain such documentation for all covered employees for the period described by law. CONTRACTOR shall indemnify, defend, and hold harmless SCAQMD, its officers and employees from employer sanctions and other liability which may be assessed against CONTRACTOR or SCAQMD, or both in connection with any alleged violation of federal statutes or regulations pertaining to the eligibility for employment of persons performing services under this Contract.

- 27. FEDERAL FAIR SHARE POLICY - As a recipient of Environmental Protection Agency (EPA) grant funds, SCAQMD is required to flow down to all of its contractors the provisions of 40 CFR Section 31.36(e) which addresses affirmative steps for contracting with small-and-minority firms, women's business enterprises, and labor surplus area firms. CONTRACTOR agrees to comply with these provisions.
- 28. REQUIREMENT FOR FILING STATEMENT OF ECONOMIC INTERESTS - In accordance with the Political Reform Act of 1974 (Government Code Sec. 81000 et seq.) and regulations issued by the Fair Political Practices Commission (FPPC), SCAQMD has determined that the nature of the work to be performed under this Contract requires CONTRACTOR to submit a Form 700, Statement of Economic Interests for Designated Officials and Employees, for each of its employees assigned to work on this Contract. These forms may be obtained from SCAQMD's District Counsel's office. **[USE IF REQUIRED]**
- 29. COMPLIANCE WITH SINGLE AUDIT ACT REQUIREMENTS **[OPTIONAL - TO BE INCLUDED IN CONTRACTS WITH FOR-PROFIT CONTRACTORS WHICH HAVE FEDERAL PASS-THROUGH FUNDING]** - During the term of the Contract, and for a period of three (3) years from the date of Contract expiration, and if requested in writing by the SCAQMD, CONTRACTOR shall allow the SCAQMD, its designated representatives and/or the cognizant Federal Audit Agency, access during normal business hours to all records and reports related to the work performed under this Contract. CONTRACTOR assumes sole responsibility for reimbursement to the Federal Agency funding the prime grant or contract, a sum of money equivalent to the amount of any expenditures disallowed should the SCAQMD, its designated representatives and/or the cognizant Federal Audit Agency rule through audit exception or some other appropriate means that expenditures from funds allocated to the CONTRACTOR were not made in compliance with the applicable cost principles, regulations of the funding agency, or the provisions of this Contract.

[OPTIONAL - TO BE INCLUDED IN CONTRACTS WITH NON-PROFIT CONTRACTORS WHICH HAVE FEDERAL PASS-THROUGH FUNDING] - Beginning with CONTRACTOR's current fiscal year and continuing through the term of this Contract, CONTRACTOR shall have a single or program-specific audit conducted in accordance with the requirements of the Office of Management and Budget (OMB) Circular A-133 (Audits of States, Local Governments and Non-Profit Organizations), if CONTRACTOR expended Five Hundred Thousand Dollars (\$500,000) or more in a year in Federal Awards. Such audit shall be conducted by a firm of independent accountants in accordance with Generally Accepted Government Audit Standards (GAGAS). Within thirty (30) days of Contract execution, CONTRACTOR shall forward to SCAQMD the most recent A-133 Audit Report issued by its independent auditors. Subsequent A-133 Audit Reports shall be submitted to the SCAQMD within thirty (30) days of issuance.

CONTRACTOR shall allow the SCAQMD, its designated representatives and/or the cognizant Federal Audit Agency, access during normal business hours to all records and reports related to the work performed under this Contract. CONTRACTOR assumes sole responsibility for reimbursement to the Federal Agency funding the prime grant or contract, a sum of money equivalent to the amount of any expenditures disallowed should the SCAQMD, its designated representatives and/or the cognizant Federal Audit Agency rule through audit exception or some other appropriate means that expenditures from funds allocated to the CONTRACTOR were

not made in compliance with the applicable cost principles, regulations of the funding agency, or the provisions of this Contract.

OPTION TO EXTEND THE TERM OF THE CONTRACT - SCAQMD reserves the right to extend the contract for a one-year period commencing *****(enter date) at the (option price or Not-to-Exceed Amount) set forth in Attachment 2. In the event that SCAQMD elects to extend the contract, a written notice of its intent to extend the contract shall be provided to CONTRACTOR no later than thirty (30) days prior to Contract expiration. [USE IF REQUIRED]

30. KEY PERSONNEL - *insert person's name* is deemed critical to the successful performance of this Contract. Any changes in key personnel by CONTRACTOR must be approved by SCAQMD. All substitute personnel must possess qualifications/experience equal to the original named key personnel and must be approved by SCAQMD. SCAQMD reserves the right to interview proposed substitute key personnel. [USE IF REQUIRED]

31. PREVAILING WAGES – [USE FOR INFRASTRUCTURE PROJECTS] CONTRACTOR is alerted to the prevailing wage requirements of California Labor Code section 1770 et seq. Copies of the prevailing rate of per diem wages are on file at the SCAQMD's headquarters, of which shall be made available to any interested party on request. Notwithstanding the preceding sentence, CONTRACTOR shall be responsible for determining the applicability of the provisions of California Labor Code and complying with the same, including, without limitation, obtaining from the Director of the Department of Industrial Relations the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work, making the same available to any interested party upon request, paying any applicable prevailing rates, posting copies thereof at the job site and flowing all applicable prevailing wage rate requirements to its subcontractors. CONTRACTOR shall indemnify, defend and hold harmless the South Coast Air Quality Management District against any and all claims, demands, damages, defense costs or liabilities based on failure to adhere to the above referenced statutes.

32. APPROVAL OF SUBCONTRACT

A. If CONTRACTOR intends to subcontract a portion of the work under this Contract, written approval of the terms of the proposed subcontract(s) shall be obtained from SCAQMD's Executive Officer or designee prior to execution of the subcontract. No subcontract charges will be reimbursed unless such approval has been obtained.

B. Any material changes to the subcontract(s) that affect the scope of work, deliverable schedule, and/or cost schedule shall also require the written approval of the Executive Officer or designee prior to execution.

C. The sole purpose of SCAQMD's review is to insure that SCAQMD's contract rights have not been diminished in the subcontractor agreement. SCAQMD shall not supervise, direct, or have control over, or be responsible for, subcontractor's means, methods, techniques, work sequences or procedures or for the safety precautions and programs incident thereto, or for any failure of subcontractor to comply with any local, state, or federal laws, or rules or regulations.

33. ENTIRE CONTRACT - This Contract represents the entire agreement between the parties hereto related to CONTRACTOR providing services to SCAQMD and there are no understandings, representations, or warranties of any kind except as expressly set forth herein. No waiver, alteration, or modification of any of the provisions herein shall be binding on any party unless in writing and signed by the party against whom enforcement of such waiver, alteration, or modification is sought.

IN WITNESS WHEREOF, the parties to this Contract have caused this Contract to be duly executed on their behalf by their authorized representatives.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT ***

By: _____ By: _____
Barry R. Wallerstein, D.Env., Executive Officer Name:
Dr. William A. Burke, Chairman, Governing Board Title:

Date: _____ Date: _____

ATTEST:
Saundra McDaniel, Clerk of the Board

By: _____

APPROVED AS TO FORM:
Kurt R. Wiese, General Counsel

By: _____

ATTACHMENT A

CERTIFICATIONS AND REPRESENTATIONS



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-417
(909) 396-2000 • www.aqmd.gov

Business Information Request

Dear SCAQMD Contractor/Supplier:

The South Coast Air Quality Management District (SCAQMD) is committed to ensuring that our contractor/supplier records are current and accurate. If your firm is selected for award of a purchase order or contract, it is imperative that the information requested herein be supplied in a timely manner to facilitate payment of invoices. In order to process your payments, we need the enclosed information regarding your account. **Please review and complete the information identified on the following pages, complete the enclosed W-9 form, remember to sign both documents for our files, and return them as soon as possible to the address below:**

**Attention: Accounts Payable, Accounting Department
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4178**

If you do not return this information, we will not be able to establish you as a vendor. This will delay any payments and would still necessitate your submittal of the enclosed information to our Accounting department before payment could be initiated. Completion of this document and enclosed forms would ensure that your payments are processed timely and accurately.

If you have any questions or need assistance in completing this information, please contact Accounting at (909) 396-3777. We appreciate your cooperation in completing this necessary information.

Sincerely,

Michael B. O'Kelly
Chief Financial Officer

DH:tm

Enclosures: Business Information Request
Disadvantaged Business Certification
W-9
Form 590 Withholding Exemption Certificate
Federal Contract Debarment Certification
Campaign Contributions Disclosure
Direct Deposit Authorization

REV 3/13



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

BUSINESS INFORMATION REQUEST

Business Name	
Division of	
Subsidiary of	
Website Address	
Type of Business <i>Check One:</i>	<input type="checkbox"/> Individual <input type="checkbox"/> DBA, Name _____, County Filed in _____ <input type="checkbox"/> Corporation, ID No. _____ <input type="checkbox"/> LLC/LLP, ID No. _____ <input type="checkbox"/> Other _____

REMITTING ADDRESS INFORMATION

Address			
City/Town			
State/Province		Zip	
Phone	() - Ext	Fax	() -
Contact		Title	
E-mail Address			
Payment Name if Different			

All invoices must reference the corresponding Purchase Order Number(s)/Contract Number(s) if applicable and mailed to:

Attention: Accounts Payable, Accounting Department

South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4178

DISADVANTAGED BUSINESS CERTIFICATION

Federal guidance for utilization of disadvantaged business enterprises allows a vendor to be deemed a small business enterprise (SBE), minority business enterprise (MBE) or women business enterprise (WBE) if it meets the criteria below.

- is certified by the Small Business Administration or
- is certified by a state or federal agency or
- is an independent MBE(s) or WBE(s) business concern which is at least 51 percent owned and controlled by minority group member(s) who are citizens of the United States.

Statements of certification:

As a prime contractor to the SCAQMD, _____ (name of business) will engage in good faith efforts to achieve the fair share in accordance with 40 CFR Section 33.301, and will follow the six affirmative steps listed below **for contracts or purchase orders funded in whole or in part by federal grants and contracts.**

1. Place qualified SBEs, MBEs, and WBEs on solicitation lists.
2. Assure that SBEs, MBEs, and WBEs are solicited whenever possible.
3. When economically feasible, divide total requirements into small tasks or quantities to permit greater participation by SBEs, MBEs, and WBEs.
4. Establish delivery schedules, if possible, to encourage participation by SBEs, MBEs, and WBEs.
5. Use services of Small Business Administration, Minority Business Development Agency of the Department of Commerce, and/or any agency authorized as a clearinghouse for SBEs, MBEs, and WBEs.
6. If subcontracts are to be let, take the above affirmative steps.

Self-Certification Verification: Also for use in awarding additional points, as applicable, in accordance with SCAQMD Procurement Policy and Procedure:

Check all that apply:

- Small Business Enterprise/Small Business Joint Venture Women-owned Business Enterprise
 Local business Disabled Veteran-owned Business Enterprise/DVBE Joint Venture
 Minority-owned Business Enterprise

Percent of ownership: _____ %

Name of Qualifying Owner(s): _____

I, the undersigned, hereby declare that to the best of my knowledge the above information is accurate. Upon penalty of perjury, I certify information submitted is factual.

B. NAME TITLE

C. TELEPHONE NUMBER DATE

Definitions

Disabled Veteran-Owned Business Enterprise means a business that meets all of the following criteria:

- is a sole proprietorship or partnership of which is at least 51 percent owned by one or more disabled veterans, or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more disabled veterans; a subsidiary which is wholly owned by a parent corporation but only if at least 51 percent of the voting stock of the parent corporation is owned by one or more disabled veterans; or a joint venture in which at least 51 percent of the joint venture's management and control and earnings are held by one or more disabled veterans.
- the management and control of the daily business operations are by one or more disabled veterans. The disabled veterans who exercise management and control are not required to be the same disabled veterans as the owners of the business.
- is a sole proprietorship, corporation, partnership, or joint venture with its primary headquarters office located in the United States and which is not a branch or subsidiary of a foreign corporation, firm, or other foreign-based business.

Joint Venture means that one party to the joint venture is a DVBE and owns at least 51 percent of the joint venture. In the case of a joint venture formed for a single project this means that DVBE will receive at least 51 percent of the project dollars.

Local Business means a business that meets all of the following criteria:

- has an ongoing business within the boundary of the SCAQMD at the time of bid application.
- performs 90 percent of the work within SCAQMD's jurisdiction.

Minority-Owned Business Enterprise means a business that meets all of the following criteria:

- is at least 51 percent owned by one or more minority persons or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more minority persons.
- is a business whose management and daily business operations are controlled or owned by one or more minority person.
- is a business which is a sole proprietorship, corporation, partnership, joint venture, an association, or a cooperative with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign business.

“Minority” person means a Black American, Hispanic American, Native American (including American Indian, Eskimo, Aleut, and Native Hawaiian), Asian-Indian American (including a person whose origins are from India, Pakistan, or Bangladesh), Asian-Pacific American (including a person whose origins are from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the United States Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia, or Taiwan).

Small Business Enterprise means a business that meets the following criteria:

- a. 1) an independently owned and operated business; 2) not dominant in its field of operation; 3) together with affiliates is either:
 - **A service, construction, or non-manufacturer with 100 or fewer employees, and average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years, or**
 - A manufacturer with 100 or fewer employees.
- b. Manufacturer means a business that is both of the following:
 - 1) Primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products.
 - 2) Classified between Codes 311000 to 339000, inclusive, of the North American Industrial Classification System (NAICS) Manual published by the United States Office of Management and Budget, 2007 edition.

Small Business Joint Venture means that one party to the joint venture is a Small Business and owns at least 51 percent of the joint venture. In the case of a joint venture formed for a single project this means that the Small Business will receive at least 51 percent of the project dollars.

Women-Owned Business Enterprise means a business that meets all of the following criteria:

- is at least 51 percent owned by one or more women or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more women.
- is a business whose management and daily business operations are controlled or owned by one or more women.
- is a business which is a sole proprietorship, corporation, partnership, or a joint venture, with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign business.

Request for Taxpayer Identification Number and Certification

**Give Form to the
 requester. Do not
 send to the IRS.**

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return)	
	Business name/disregarded entity name, if different from above	
	Check appropriate box for federal tax classification: <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ <input type="checkbox"/> Exempt payee <input type="checkbox"/> Other (see instructions) ▶ _____	
	Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	City, state, and ZIP code	
List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number									

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Employer identification number									

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here	Signature of U.S. person ▶	Date ▶
------------------	----------------------------	--------

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,
- The U.S. grantor or other owner of a grantor trust and not the trust, and
- The U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person, do not use Form W-9. Instead, use the appropriate Form W-8 (see Publication 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a “saving clause.” Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-8.

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS a percentage of such payments. This is called “backup withholding.” Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the Part II instructions on page 3 for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the instructions below and the separate instructions for the Requester of Form W-9.

Also see *Special rules for partnerships* on page 1.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account, for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Name

If you are an individual, you must generally enter the name shown on your income tax return. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first, and then circle, the name of the person or entity whose number you entered in Part I of the form.

Sole proprietor. Enter your individual name as shown on your income tax return on the “Name” line. You may enter your business, trade, or “doing business as (DBA)” name on the “Business name/disregarded entity name” line.

Partnership, C Corporation, or S Corporation. Enter the entity’s name on the “Name” line and any business, trade, or “doing business as (DBA) name” on the “Business name/disregarded entity name” line.

Disregarded entity. Enter the owner’s name on the “Name” line. The name of the entity entered on the “Name” line should never be a disregarded entity. The name on the “Name” line must be the name shown on the income tax return on which the income will be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a domestic owner, the domestic owner’s name is required to be provided on the “Name” line. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity’s name on the “Business name/disregarded entity name” line. If the owner of the disregarded entity is a foreign person, you must complete an appropriate Form W-8.

Note. Check the appropriate box for the federal tax classification of the person whose name is entered on the “Name” line (Individual/sole proprietor, Partnership, C Corporation, S Corporation, Trust/estate).

Limited Liability Company (LLC). If the person identified on the “Name” line is an LLC, check the “Limited liability company” box only and enter the appropriate code for the tax classification in the space provided. If you are an LLC that is treated as a partnership for federal tax purposes, enter “P” for partnership. If you are an LLC that has filed a Form 8832 or a Form 2553 to be taxed as a corporation, enter “C” for C corporation or “S” for S corporation. If you are an LLC that is disregarded as an entity separate from its owner under Regulation section 301.7701-3 (except for employment and excise tax), do not check the LLC box unless the owner of the LLC (required to be identified on the “Name” line) is another LLC that is not disregarded for federal tax purposes. If the LLC is disregarded as an entity separate from its owner, enter the appropriate tax classification of the owner identified on the “Name” line.

Other entities. Enter your business name as shown on required federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name/disregarded entity name" line.

Exempt Payee

If you are exempt from backup withholding, enter your name as described above and check the appropriate box for your status, then check the "Exempt payee" box in the line following the "Business name/disregarded entity name," sign and date the form.

Generally, individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends.

Note. If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.

The following payees are exempt from backup withholding:

1. An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2),
2. The United States or any of its agencies or instrumentalities,
3. A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities,
4. A foreign government or any of its political subdivisions, agencies, or instrumentalities, or
5. An international organization or any of its agencies or instrumentalities.

Other payees that may be exempt from backup withholding include:

6. A corporation,
7. A foreign central bank of issue,
8. A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States,
9. A futures commission merchant registered with the Commodity Futures Trading Commission,
10. A real estate investment trust,
11. An entity registered at all times during the tax year under the Investment Company Act of 1940,
12. A common trust fund operated by a bank under section 584(a),
13. A financial institution,
14. A middleman known in the investment community as a nominee or custodian, or
15. A trust exempt from tax under section 664 or described in section 4947.

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 15.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 9
Broker transactions	Exempt payees 1 through 5 and 7 through 13. Also, C corporations.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 5
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 7 ²

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney, and payments for services paid by a federal executive agency.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-member LLC that is disregarded as an entity separate from its owner (see *Limited Liability Company (LLC)* on page 2), enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note. See the chart on page 4 for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration office or get this form online at www.ssa.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/businesses and clicking on Employer Identification Number (EIN) under Starting a Business. You can get Forms W-7 and SS-4 from the IRS by visiting IRS.gov or by calling 1-800-TAX-FORM (1-800-829-3676).

If you are asked to complete Form W-9 but do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note. Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded domestic entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, below, and items 4 and 5 on page 4 indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on the "Name" line must sign. Exempt payees, see *Exempt Payee* on page 3.

Signature requirements. Complete the certification as indicated in items 1 through 3, below, and items 4 and 5 on page 4.

1. **Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983.** You must give your correct TIN, but you do not have to sign the certification.
2. **Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983.** You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.
3. **Real estate transactions.** You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

Note. If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records from Identity Theft

Identity theft occurs when someone uses your personal information such as your name, social security number (SSN), or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Publication 4535, Identity Theft Prevention and Victim Assistance.

Victims of identity theft who are experiencing economic harm or a system problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes. Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at: spam@uce.gov or contact them at www.ftc.gov/idtheft or 1-877-IDTHEFT (1-877-438-4338).

Visit IRS.gov to learn more about identity theft and how to reduce your risk.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor ²
4. a. The usual revocable savings trust (grantor is also trustee) b. So-called trust account that is not a legal or valid trust under state law	The grantor-trustee ¹ The actual owner ¹
5. Sole proprietorship or disregarded entity owned by an individual	The owner ³
6. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulation section 1.671-4(b)(2)(i)(A))	The grantor [*]
For this type of account:	Give name and EIN of:
7. Disregarded entity not owned by an individual	The owner
8. A valid trust, estate, or pension trust	Legal entity ⁴
9. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
10. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
11. Partnership or multi-member LLC	The partnership
12. A broker or registered nominee	The broker or nominee
13. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
14. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulation section 1.671-4(b)(2)(i)(B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or "DBA" name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships* on page 1.

*Note. Grantor also must provide a Form W-9 to trustee of trust.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.

2013 Withholding Exemption Certificate

590

This form can only be used to certify exemption from nonresident withholding under California Revenue and Taxation Code (R&TC) Section 18662. Do not use this form for exemption from wage withholding.

File this form with your withholding agent. (Please type or print)

Withholding agent's name _____

Payee's name _____

Payee's SSN or ITIN FEIN
 CA corp. no. CA SOS file no.

Address (number and street, PO Box, or PMB no.) _____

Apt. no./ Ste. no. _____

City _____

State _____

ZIP Code _____

Read the following carefully and check the box that applies to the payee.

I certify that for the reasons checked below, the payee named on this form is exempt from the California income tax withholding requirement on payment(s) made to the entity or individual.

Individuals — Certification of Residency:

I am a resident of California and I reside at the address shown above. If I become a nonresident at any time, I will promptly notify the withholding agent. See instructions for General Information D, Who is a Resident, for the definition of a resident.

Corporations:

The above-named corporation has a permanent place of business in California at the address shown above or is qualified through the California Secretary of State (SOS) to do business in California. The corporation will file a California tax return and withhold on payments of California source income to nonresidents when required. If this corporation ceases to have a permanent place of business in California or ceases to do any of the above, I will promptly notify the withholding agent. See instructions for General Information F, What is a Permanent Place of Business, for the definition of permanent place of business.

Partnerships or limited liability companies (LLC):

The above-named partnership or LLC has a permanent place of business in California at the address shown above or is registered with the California SOS, and is subject to the laws of California. The partnership or LLC will file a California tax return and will withhold on foreign and domestic nonresident partners or members when required. If the partnership or LLC ceases to do any of the above, I will promptly inform the withholding agent. For withholding purposes, a limited liability partnership (LLP) is treated like any other partnership.

Tax-Exempt Entities:

The above-named entity is exempt from tax under California Revenue and Taxation Code (R&TC) Section 23701 _____ (insert letter) or Internal Revenue Code Section 501(c) _____ (insert number). The tax-exempt entity will withhold on payments of California source income to nonresidents when required. If this entity ceases to be exempt from tax, I will promptly notify the withholding agent. Individuals cannot be tax-exempt entities.

Insurance Companies, Individual Retirement Arrangements (IRAs), or Qualified Pension/Profit Sharing Plans:

The above-named entity is an insurance company, IRA, or a federally qualified pension or profit-sharing plan.

California Trusts:

At least one trustee and one noncontingent beneficiary of the above-named trust is a California resident. The trust will file a California fiduciary tax return and will withhold on foreign and domestic nonresident beneficiaries when required. If the trustee becomes a nonresident at any time, I will promptly notify the withholding agent.

Estates — Certification of Residency of Deceased Person:

I am the executor of the above-named person's estate. The decedent was a California resident at the time of death. The estate will file a California fiduciary tax return and will withhold on foreign and domestic nonresident beneficiaries when required.

Nonmilitary Spouse of a Military Servicemember:

I am a nonmilitary spouse of a military servicemember and I meet the Military Spouse Residency Relief Act (MSRRA) requirements. See instructions for General Information E, MSRRA.

CERTIFICATE: Please complete and sign below.

Under penalties of perjury, I hereby certify that the information provided in this document is, to the best of my knowledge, true and correct. If conditions change, I will promptly notify the withholding agent.

Payee's name and title (type or print) _____ Daytime telephone no. _____

Payee's signature _____ Date _____

Instructions for Form 590

Withholding Exemption Certificate

References in these instructions are to the California Revenue and Taxation Code (R&TC).

General Information

For purposes of California income tax, references to a spouse, husband, or wife also refer to a Registered Domestic Partner (RDP) unless otherwise specified. For more information on RDPs, get FTB Pub. 737, Tax Information for Registered Domestic Partners.

Private Mail Box (PMB) – Include the PMB in the address field. Write “PMB” first, then the box number. Example: 111 Main Street PMB 123.

Foreign Address – Enter the information in the following order: City, Country, Province/Region, and Postal Code. Follow the country’s practice for entering the postal code. Do not abbreviate the country’s name.

A Purpose

Use Form 590, Withholding Exemption Certificate, to certify an exemption from nonresident withholding. California residents or entities should complete and present Form 590 to the withholding agent. The withholding agent is then relieved of the withholding requirements if the agent relies in good faith on a completed and signed Form 590 unless told by the Franchise Tax Board (FTB) that the form should not be relied upon.

Important – This form cannot be used for exemption from wage and real estate withholding.

- If you are an employee, any wage withholding questions should be directed to the FTB General Information number, 800.852.5711. Employers should call 888.745.3886 or go to edd.ca.gov.
- Sellers of California real estate use Form 593-C, Real Estate Withholding Certificate, to claim an exemption from real estate withholding.

B Requirement

R&TC Section 18662 requires withholding of income or franchise tax on payments of California source income made to nonresidents of California.

Withholding is required on the following, but is not limited to:

- Payments to nonresidents for services rendered in California.
- Distributions of California source income made to domestic nonresident S corporation shareholders, partners and members and allocations of California source income made to foreign partners and members.
- Payments to nonresidents for rents if the payments are made in the course of the withholding agent’s business.
- Payments to nonresidents for royalties with activities in California.

- Distributions of California source income to nonresident beneficiaries from an estate or trust.
- Prizes and winnings received by nonresidents for contests in California.

However, withholding is optional if the total payments of California source income are \$1,500 or less during the calendar year.

For more information on withholding get FTB Pub. 1017, Resident and Nonresident Withholding Guidelines. To get a withholding publication see General Information H, Publications, Forms, and Additional Information.

Backup Withholding – Beginning on or after January 1, 2010, with certain limited exceptions, payers that are required to withhold and remit backup withholding to the Internal Revenue Service (IRS) are also required to withhold and remit to the FTB. The California backup withholding rate is 7% of the payment. For California purposes, dividends, interests, and any financial institutions release of loan funds made in the normal course of business are exempt from backup withholding. For additional information on California backup withholding, go to ftb.ca.gov and search for **backup withholding**.

If a payee has backup withholding, the payee must contact the FTB to provide a valid Taxpayer Identification Number (TIN) before filing a tax return. The following are acceptable TINs: social security number (SSN); individual taxpayer identification number (ITIN); federal employer identification number (FEIN); California corporation number (CA Corp No.); or California Secretary of State (SOS) file number. Failure to provide a valid TIN will result in the denial of the backup withholding credit. For more information go to ftb.ca.gov and search for **backup withholding**.

Who is Excluded from Withholding – The following are excluded from withholding and completing this form:

- The United States and any of its agencies or instrumentalities
- A state, a possession of the United States, the District of Columbia, or any of its political subdivisions or instrumentalities
- A foreign government or any of its political subdivisions, agencies, or instrumentalities

C Who Certifies this Form

Form 590 is certified by the payee. An incomplete certificate is invalid and the withholding agent should not accept it. If the withholding agent receives an incomplete certificate, the withholding agent is required to withhold tax on payments made to the payee until a valid certificate is received. In lieu of a completed certificate on the preprinted form, the

withholding agent may accept as a substitute certificate a letter from the payee explaining why the payee is not subject to withholding. The letter must contain all the information required on the certificate in similar language, including the under penalty of perjury statement and the payee’s taxpayer identification number. The withholding agent must retain a copy of the certificate or substitute for at least four years after the last payment to which the certificate applies, and provide it upon request to the FTB.

For example, if an entertainer (or the entertainer’s business entity) is paid for a performance, the entertainer’s information must be provided. Do not submit the entertainer’s agent or promoter information.

The grantor of a grantor trust shall be treated as the payee for withholding purposes.

Therefore, if the payee is a grantor trust and one or more of the grantors is a nonresident, withholding is required. If all of the grantors on the trust are residents, no withholding is required. Resident grantors can check the box on Form 590 labeled “Individuals — Certification of Residency.”

D Who is a Resident

A California resident is any individual who is in California for other than a temporary or transitory purpose or any individual domiciled in California who is absent for a temporary or transitory purpose.

An individual domiciled in California who is absent from California for an uninterrupted period of at least 546 consecutive days under an employment-related contract is considered outside California for other than a temporary or transitory purpose.

An individual is still considered outside California for other than a temporary or transitory purpose if return visits to California do not total more than 45 days during any taxable year covered by an employment contract.

This provision does not apply if an individual has income from stocks, bonds, notes, or other intangible personal property in excess of \$200,000 in any taxable year in which the employment-related contract is in effect.

A spouse/RDP absent from California for an uninterrupted period of at least 546 days to accompany a spouse/RDP under an employment-related contract is considered outside of California for other than a temporary or transitory purpose.

Generally, an individual who comes to California for a purpose which will extend over a long or indefinite period will be considered a resident. However, an individual who comes to perform a particular contract of short duration will be considered a nonresident.

For assistance in determining resident status, get FTB Pub. 1031, Guidelines for Determining Resident Status, and FTB Pub. 1032, Tax Information for Military Personnel, or call the FTB at 800.852.5711 or 916.845.6500.

E Military Spouse Residency Relief Act (MSRRA)

Generally, for tax purposes you are considered to maintain your existing residence or domicile. If a military servicemember and nonmilitary spouse have the same state of domicile, the MSRRA provides:

- A spouse shall not be deemed to have lost a residence or domicile in any state solely by reason of being absent to be with the servicemember serving in compliance with military orders.
- A spouse shall not be deemed to have acquired a residence or domicile in any other state solely by reason of being there to be with the servicemember serving in compliance with military orders.

Domicile is defined as the one place:

- Where you maintain a true, fixed, and permanent home
- To which you intend to return whenever you are absent

A military servicemember's nonmilitary spouse is considered a nonresident for tax purposes if the servicemember and spouse have the same domicile outside of California and the spouse is in California solely to be with the servicemember who is serving in compliance with Permanent Change of Station orders.

Note: California may require nonmilitary spouses of military servicemembers to provide proof that they meet the criteria for California personal income tax exemption as set forth in the MSRRA.

Income of a military servicemember's nonmilitary spouse for services performed in California is not California source income subject to state tax if the spouse is in California to be with the servicemember serving in compliance with military orders, and the servicemember and spouse have the same domicile in a state other than California.

For additional information or assistance in determining whether the applicant meets the MSRRA requirements, get FTB Pub. 1032.

F What is a Permanent Place of Business

A corporation has a permanent place of business in California if it is organized and existing under the laws of California or if it is a foreign corporation qualified to transact intrastate business by the California SOS. A corporation that has not qualified to transact intrastate business (e.g., a corporation engaged exclusively in interstate commerce) will be considered as having a permanent place of business in California only if it maintains a permanent office in California that is permanently staffed by its employees.

G Withholding Agent

Keep Form 590 for your records. Do not send this form to the FTB unless it has been specifically requested.

For more information, contact Withholding Services and Compliance, see General Information H.

The payee must notify the withholding agent if any of the following situations occur:

- The individual payee becomes a nonresident.
- The corporation ceases to have a permanent place of business in California or ceases to be qualified to do business in California.
- The partnership ceases to have a permanent place of business in California.
- The LLC ceases to have a permanent place of business in California.
- The tax-exempt entity loses its tax-exempt status.

The withholding agent must then withhold and report the withholding using Form 592, Resident and Nonresident Withholding Statement, and remit the withholding using Form 592-V, Payment Voucher for Resident and Nonresident Withholding. Form 592-B, Resident and Nonresident Withholding Tax Statement, is retained by the withholding agent and a copy is given to the payee.

H Additional Information

To get additional nonresident withholding information, contact the Withholding Services and Compliance.

WITHHOLDING SERVICES AND COMPLIANCE MS F182
FRANCHISE TAX BOARD
PO BOX 942867
SACRAMENTO CA 94267-0651

Telephone: 888.792.4900

916.845.4900

Fax: 916.845.9512

You can download, view, and print California tax forms and publications at ftb.ca.gov.

OR to get forms by mail write to:

TAX FORMS REQUEST UNIT MS F284
FRANCHISE TAX BOARD
PO BOX 307
RANCHO CORDOVA CA 95741-0307

For all other questions unrelated to withholding or to access the TTY/TDD numbers, see the information below.

Internet and Telephone Assistance

Website: ftb.ca.gov

Telephone: 800.852.5711 from within the United States
916.845.6500 from outside the United States

TTY/TDD: 800.822.6268 for persons with hearing or speech impairments

Asistencia Por Internet y Teléfono

Sitio web: ftb.ca.gov

Teléfono: 800.852.5711 dentro de los Estados Unidos
916.845.6500 fuera de los Estados Unidos

TTY/TDD: 800.822.6268 personas con discapacidades auditivas y del habla



United State Environmental Protection Agency
Washington, DC 20460

Certification Regarding Debarment, Suspension, and Other Responsibility Matters

The prospective participant certifies to the best of its knowledge and belief that it and the principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgement rendered against them or commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction: violation of Federal or State antitrust statute or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Typed Name & Title of Authorized Representative

Signature of Authorized Representative Date

I am unable to certify to the above statements. My explanation is attached.

EPA Form 5700-49 (11-88)



CAMPAIGN CONTRIBUTIONS DISCLOSURE

In accordance with California law, bidders and contracting parties are required to disclose, at the time the application is filed, information relating to any campaign contributions made to South Coast Air Quality Management District (SCAQMD) Board Members or members/alternates of the MSRC, including: the name of the party making the contribution (which includes any parent, subsidiary or otherwise related business entity, as defined below), the amount of the contribution, and the date the contribution was made. 2 C.C.R. §18438.8(b).

California law prohibits a party, or an agent, from making campaign contributions to SCAQMD Governing Board Members or members/alternates of the Mobile Source Air Pollution Reduction Review Committee (MSRC) of more than \$250 while their contract or permit is pending before the SCAQMD; and further prohibits a campaign contribution from being made for three (3) months following the date of the final decision by the Governing Board or the MSRC on a donor's contract or permit. Gov't Code §84308(d). For purposes of reaching the \$250 limit, the campaign contributions of the bidder or contractor plus contributions by its parents, affiliates, and related companies of the contractor or bidder are added together. 2 C.C.R. §18438.5.

In addition, SCAQMD Board Members or members/alternates of the MSRC must abstain from voting on a contract or permit if they have received a campaign contribution from a party or participant to the proceeding, or agent, totaling more than \$250 in the 12-month period prior to the consideration of the item by the Governing Board or the MSRC. Gov't Code §84308(c).

The list of current SCAQMD Governing Board Members can be found at the SCAQMD website (www.aqmd.gov). The list of current MSRC members/alternates can be found at the MSRC website (<http://www.cleantransportationfunding.org>).

SECTION I.

Contractor (Legal Name): _____

<input type="checkbox"/> DBA, Name _____, County Filed in _____ <input type="checkbox"/> Corporation, ID No. _____ <input type="checkbox"/> LLC/LLP, ID No. _____

List any parent, subsidiaries, or otherwise affiliated business entities of Contractor:
(See definition below).

SECTION II.

Has Contractor and/or any parent, subsidiary, or affiliated company, or agent thereof, made a campaign contribution(s) totaling \$250 or more in the aggregate to a current member of the South Coast Air Quality Management Governing Board or member/alternate of the MSRC in the 12 months preceding the date of execution of this disclosure?

Yes No **If YES, complete Section II below and then sign and date the form. If NO, sign and date below. Include this form with your submittal.**

Campaign Contributions Disclosure, continued:

Name of Contributor _____

Governing Board Member or MSRC Member/Alternate Amount of Contribution Date of Contribution

Name of Contributor _____

Governing Board Member or MSRC Member/Alternate Amount of Contribution Date of Contribution

Name of Contributor _____

Governing Board Member or MSRC Member/Alternate Amount of Contribution Date of Contribution

Name of Contributor _____

Governing Board Member or MSRC Member/Alternate Amount of Contribution Date of Contribution

I declare the foregoing disclosures to be true and correct.

By: _____

Title: _____

Date: _____

DEFINITIONS

Parent, Subsidiary, or Otherwise Related Business Entity (2 Cal. Code of Regs., §18703.1(d).)

- (1) Parent subsidiary. A parent subsidiary relationship exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation.
- (2) Otherwise related business entity. Business entities, including corporations, partnerships, joint ventures and any other organizations and enterprises operated for profit, which do not have a parent subsidiary relationship are otherwise related if any one of the following three tests is met:
 - (A) One business entity has a controlling ownership interest in the other business entity.
 - (B) There is shared management and control between the entities. In determining whether there is shared management and control, consideration should be given to the following factors:
 - (i) The same person or substantially the same person owns and manages the two entities;
 - (ii) There are common or commingled funds or assets;
 - (iii) The business entities share the use of the same offices or employees, or otherwise share activities, resources or personnel on a regular basis;
 - (iv) There is otherwise a regular and close working relationship between the entities; or
 - (C) A controlling owner (50% or greater interest as a shareholder or as a general partner) in one entity also is a controlling owner in the other entity.



South Coast
AIR QUALITY MANAGEMENT DISTRICT
 21865 Copley Dr., Diamond Bar, CA 91765
 www.aqmd.gov

Direct Deposit Authorization

STEP 1: Please check all the appropriate boxes

- | | |
|--|--|
| <input type="checkbox"/> Individual (Employee, Governing Board Member) | <input type="checkbox"/> New Request |
| <input type="checkbox"/> Vendor/Contractor | <input type="checkbox"/> Cancel Direct Deposit |
| <input type="checkbox"/> Changed Information | |

STEP 2: Payee Information

Last Name		First Name		Middle Initial	Title
Vendor/Contractor Business Name (if applicable)					
Address				Apartment or P.O. Box Number	
City		State	Zip	Country	
Taxpayer ID Number		Telephone Number		Email Address	

Authorization

- I authorize South Coast Air Quality Management District (AQMD) to direct deposit funds to my account in the financial institution as indicated below. I understand that the authorization may be rejected or discontinued by AQMD at any time. If any of the above information changes, I will promptly complete a new authorization agreement. If the direct deposit is not stopped before closing an account, funds payable to me will be returned to AQMD for distribution. This will delay my payment.
- This authorization remains in effect until AQMD receives written notification of changes or cancellation from you.
- I hereby release and hold harmless AQMD for any claims or liability to pay for any losses or costs related to insufficient fund transactions that result from failure within the Automated Clearing House network to correctly and timely deposit monies into my account.

STEP 3:

You must verify that your bank is a member of an Automated Clearing House (ACH). Failure to do so could delay the processing of your payment. You must attach a voided check or have your bank complete the bank information and the account holder must sign below.

To be Completed by your Bank

Staple Voided Check Here	Name of Bank/Institution		
	Account Holder Name(s)		
	<input type="checkbox"/> Saving <input type="checkbox"/> Checking	Account Number	Routing Number
	Bank Representative Printed Name	Bank Representative Signature	Date
	ACCOUNT HOLDER SIGNATURE:		Date

For AQMD Use Only

Input By _____

Date _____

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 7

PROPOSAL: Recognize Revenue and Appropriate Funds for PAMS Program, Recognize Section 103 Research Grant Revenue, Award Contract for Technical Support, Amend Contract for Technical Support and Issue Purchase Orders

SYNOPSIS: U.S. EPA estimates awarding Section 105 funds in the amount of \$1,196,826 for the 22nd Year PAMS Program and has allocated Section 103 funds in the amount of \$60,000 for a research grant. This action is to: 1) recognize revenue and appropriate funds to the FY 2013-14 Budget for the 22nd year PAMS Program; 2) recognize Section 103 revenue; 3) award contract for technical support; 4) amend contract for technical support; and 5) issue purchase orders.

COMMITTEE: Administrative, October 11, 2013. Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.

RECOMMENDED ACTIONS:

1. Appropriate and recognize revenue of \$763,278 for the estimated U.S. EPA Section 105 22nd year PAMS award of \$1,196,826 to the Major Objects in the Science & Technology Advancement and Planning, Rule Development & Area Sources FY 2013-14 Budgets as set forth in Attachment 1. Since the appropriation is based on an estimate, once the final award amount is determined, the appropriation will be adjusted accordingly. (Revenue recognized in this action excludes \$392,179 already included in the FY 2013-14 Budget and appropriations exclude \$41,369 in possible federal sequestration reductions.)
2. Recognize up to \$60,000 in revenue from the U.S. EPA Section 103 grant. Grant activities will be performed by existing staff (already included in the adopted budget), therefore, an expenditure appropriation is not required.

3. Authorize the Executive Officer to:
 - a. Execute a sole source contract with Technical & Business Systems, Inc. in an amount not to exceed \$40,000 to upgrade the meteorological systems and data communications at the air monitoring stations as budgeted in the 22nd year PAMS award;
 - b. Amend an existing contract with Sonoma Technology, Inc. in an amount not to exceed \$50,000 for data management support and air quality data analysis as budgeted in the 22nd year PAMS award;

4. Authorize the Procurement Manager to:
 - a. Issue a sole source purchase order with Atmospheric Systems, Inc. for extended warranty services for four upper air Sodar profiling systems at a total cost not to exceed \$30,000 as budgeted in the 22nd year PAMS award; and
 - b. Issue a purchase order to a pre-qualified vendor at the lowest responsive bid price for two computer servers, one for ozone prediction models and one for the network data management system, at a total cost not to exceed \$26,000 each, as budgeted in the 22nd year PAMS award.

Barry R. Wallerstein, D.Env.
Executive Officer

MMM:PMF:JCL:cv

Background

PAMS Program

In February 1993, the U.S. EPA promulgated the PAMS regulations for areas classified as serious, severe or extreme nonattainment. These regulations require SCAQMD to conduct monitoring for ozone precursors with enhanced monitoring equipment at a total of seven sites. The PAMS program is also funding the meteorological upper air profilers sited at LAX and Ontario airports, the upper air site installed at Moreno Valley in Riverside County, and the upper air site in Orange County. Since the onset of the PAMS program, U.S. EPA has annually allocated Section 105 supplemental grant funds in support of this requirement.

Section 103 Funds Research Grant

In the spring of 2013, SCAQMD submitted an application in response to the U.S. EPA's Regional Applied Research Effort (RARE) announcement "Prioritizing Black Carbon Emissions Sources within the South Coast Air Basin to Target for Reduced Climate Impacts." SCAQMD was recently notified of an award of \$60,000 in response to the U.S. EPA RARE announcement.

Black carbon has been shown to be the second most important global climate forcing agent below carbon dioxide. Sources of black carbon in the Basin are largely from diesel exhaust and other transportation emissions such as ocean going vessels. The measurement of black carbon is of particular interest in the MATES investigations to understand the health risks associated with these emission sources. These funds will be used in the MATES-IV data review to develop estimates of black carbon emissions from sources within the Basin, estimate the atmospheric residence time of black carbon and help determine the climate forcing impacts of these emissions. Results of this study will help provide a model framework for other air districts, help develop mitigation strategies, and help enable the implementation of black carbon as a climate forcing agent within the states greenhouse reduction programs under AB 32.

Proposal

PAMS Program

U.S. EPA estimated that the 22nd year PAMS Program will be funded at \$1,196,826; however, the previous year's award was reduced due to sequestration. A similar reduction has been factored into the 22nd year PAMS estimate for possible on-going sequestration. The proposed appropriation of the 22nd year PAMS funds is provided in Attachment 1. An amount of \$392,179 associated with Salary and Employee Benefits was previously included in the Board-approved FY 2013-14 Budget. The U.S. EPA concurs with staff's proposed allocation. To ensure that the SCAQMD is able to continue program activities prior to receiving the award, staff is recommending that \$763,278 be appropriated to the specified Major Objects in Science & Technology Advancement's and Planning, Rule Development & Area Sources' FY 2013-14 Budgets. Appropriations exclude \$41,369 for possible federal sequestration reductions. The appropriation will be adjusted once the final grant award amount is determined.

Section 103 Funds Research Grant

The U.S. EPA has awarded \$60,000 to SCAQMD in Section 103 grant funding for the investigation of climate impacts and sources of black carbon in the Basin. These funds have been awarded for the September 1, 2013 to August 31, 2015 time period. This action will recognize up to \$60,000 in revenue into the general fund.

Award a Sole Source Contract for Meteorology Network Upgrades

Technical & Business Systems, Inc. (T&B Systems) has provided technical support to upgrade the meteorological systems and data communications at the air monitoring stations, under a previous contract. Through that effort, approximately 18 stations have been completed. This new contract will continue that work to upgrade the network. Working with the same consultant for this highly specialized work will maintain consistency and quality across the SCAQMD network. Therefore, staff recommends that the Board authorize the Executive Officer to execute a sole source contract with Technical & Business Systems, Inc. in an amount not to exceed \$40,000 for upgrades to the SCAQMD meteorology network as budgeted in the 22nd year PAMS award.

Amend Existing Contract for Data Management Support and Air Quality Data Analysis
Sonoma Technology, Inc. is currently under contract to develop an enhanced Air Quality Data Management System to store, validate, analyze and archive data from the SCAQMD monitoring network. As the system was implemented in FY 2011-12, there is a need for continuing technical support as well as some additional tasks related to improving functionality. There is also a need for technical support in the analysis of air quality data, and Sonoma Technology, Inc. is uniquely positioned to provide this support given their familiarity with SCAQMD's data systems as well as their experience with similar analysis efforts on a national scale. Therefore, staff recommends that the Board authorize the Executive Officer to extend and amend an existing contract with Sonoma Technology, Inc. in an amount not to exceed \$50,000 for data management support and air quality data analysis as budgeted in the 22nd year PAMS award.

Issue a Sole Source Purchase Order for Extended Warranty Services for Four Sodar Profiling Systems

Staff is recommending that the Board authorize the Procurement Manager to issue a sole source purchase order with Atmospheric Systems, Inc, in an amount not to exceed \$30,000 for extended warranty services for four upper air Sodar profiling systems as budgeted in the 22nd year PAMS award.

Issue Purchase Order for One Server for Ozone Prediction Models and Analyses

Currently, SCAQMD daily air quality forecasts primarily employ statistical models that use measured and predicted meteorological data. Staff has demonstrated that the state-of-the-science grid-based meteorological and air quality models, such as those used for the regional modeling in the AQMP (WRF-CMAQ), can provide supplemental data and improve air quality forecasts when run in a predictive mode. They are also a powerful analysis tool for understanding the meteorological and chemical processes involved in producing ozone and other pollutants in the Basin. The models require significant computing resources, especially when considering the need to provide timely results to inform daily forecasts. This is best accomplished with a dedicated server. Staff recommends that the Board authorize the Procurement Manager to award a purchase order for a computer server for ozone prediction models to a SCAQMD pre-qualified vendor at the lowest responsive bid price at a cost not to exceed \$26,000, as budgeted in the 22nd year PAMS award.

Issue Purchase Order for One Server for a Data Management System

Currently SCAQMD fulfills U.S. EPA/AirNow requirements for real-time submittal of preliminary air monitoring data. Continuous data acquisition, validation and submittal from the SCAQMD air monitoring network requires significant computing resources, especially when considering the need to provide timely results. SCAQMD has developed a new data management system to accommodate new requirements and will implement it to completely replace the critical tasks of the old system. For this task,

additional computing resources are needed to conduct concurrent testing and development of the new system without impacting the continuous air monitoring data acquisition, validation and submittal. This is best accomplished with a dedicated server. Staff recommends that the Board authorize the Procurement Manager to award a purchase order for a computer server for a data management system to a SCAQMD pre-qualified vendor at the lowest responsive bid price at a cost not to exceed \$26,000, as budgeted in the 22nd year PAMS award.

Sole Source Justification

Section VIII, B.3 of the Procurement Policy and Procedure identifies four major provisions under which a sole source award may be justified for federally funded procurement.

The requests for sole source purchases of the extended warranty and data management services are made under Section VIII, B.3.a of the Procurement Policy and Procedure which states: For contracts funded in whole or in part with federal funds, written justification for sole source award must be provided documenting that awarding a contract is infeasible under small purchase procedures, sealed bids or competitive proposals and that one of the following circumstances applies: (a) The item is available only from a single source; (b) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation; (c) The awarding federal agency authorizes noncompetitive proposals; or (d) After solicitation of a number of sources, competition is determined inadequate.

Atmospheric Systems, Inc. is the only company capable of providing repair parts and services for the equipment they manufacture. Sonoma Technology is uniquely qualified as the developer of the Air Quality Data Management System to provide support for the system. Technical and Business Systems, Inc. is uniquely qualified to continue the meteorology network upgrades in order to maintain consistency, quality control and compatibility across the SCAQMD network, including the programming of data loggers, wiring, instrument set-up, communications, and data management. U.S. EPA staff concurs with the sole source purchase as also meeting U.S. EPA requirements for category (a).

Resource Impacts

U.S. EPA Section 105 Grant funding will support the 22nd year operation of the PAMS Program, including equipment, temporary services, supplies and services, and Salaries and Employee Benefits necessary to meet the objectives of the program. The U.S. EPA Section 103 RARE grant will support staff costs up to \$60,000.

Attachment

1 - Proposed PAMS 22nd Year Expenditures

ATTACHMENT 1

PROPOSED PAMS 22ND YEAR EXPENDITURES

	Budget Code	Program Code	Quantity	Estimated Expenditure
A. Fixed Assets				\$122,000
CNG Vehicle	77000	47530	1	\$40,000
NOx Analyzer	77000	47530	1	\$15,000
QA NOx Analyzer	77000	47530	1	\$15,000
Server - Ozone Prediction Models	77000	26530	1	\$26,000
Server - Data Management System	77000	47530	1	\$26,000
B. Temporary Agency Services				\$78,000
A.Q. Instrument Specialist	67460	47530	2	\$40,000
Chemist	67460	47530	1	\$22,000
Lab Technician	67460	47530	1	\$16,000
C. Laboratory Supplies				\$80,000
Misc. Supplies	68050	47530		\$80,000
D. Maintenance of Equipment				\$75,000
Misc. Parts	67600	47530		\$30,000
Misc. Parts	67600	26530		\$45,000
E. Office Expense				\$15,000
Office Supplies	68100	47530		\$5,000
Office Supplies	68100	26530		\$10,000
F. Building Maintenance Operation				\$20,000
Building Maintenance	67650	47530		\$15,000
Building Maintenance	67650	26530		\$5,000
G. Contracts				\$270,000
Upper Air Warranties	67450	26530		\$30,000
Data Management and Analysis	67450	47530		\$50,000
Technical Support	67450	26530		\$100,000
Meteorology Network Upgrades	67450	47530		\$40,000
Emissions Reconciliation and Model Validation	67450	26530		\$50,000
H. Small Tools				\$25,600
Miscellaneous Tools	68300	47530		\$25,000
Miscellaneous Tools	68300	26530		\$600
I. Communications				\$18,000
Communications Expenses	67900	26530		\$18,000
J. Travel				\$6,000
Travel Expenses	67800	47530		\$3,000
Travel Expenses	67800	26530		\$3,000

	Budget Code	Program Code	Quantity	Estimated Expenditure
K. Rents and Leases of Structures				\$22,000
Upper Air Leases	67350	26530		\$20,000
Station Leases	67350	47530		\$2,000
L. Training				\$2,000
Training Expenses	69500	26530		\$2,000
M. Conference Registration				\$1,000
Conference Registration	69500	26530		\$1,000
N. Demurrage				\$20,000
Demurrage Expenses	67550	47530		\$20,000
O. Postage				\$150
Misc. Postage	68060	26530		\$150
P. Taxes				\$128
Misc. Taxes	69600	47530		\$128
Q. Rents and Leases of Equipment				\$400
Misc. Equipment	67300	26530		\$200
Misc. Equipment	67300	47530		\$200
R. Auto Mileage				\$8,000
Auto Mileage - Temporary Staff	67700	47530		\$8,000
Subtotal				\$763,278
S. Salaries and Benefits				\$392,179
Salaries and Benefits	51000	44530		
Salaries and Benefits	51000	26530		
Total (EPA Estimated 22nd Year 105 Grant factoring in a 3.5% reduction for possible ongoing sequestration)				\$1,155,457

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 8

PROPOSAL: Authorize Purchase of Ingres Relational Database Management System Software Support

SYNOPSIS: The Ingres Relational Database Management System is used for the implementation of the Central Information Repository database. This database is used by most enterprise-level software applications at the SCAQMD and currently supports a suite of client/server and web-based applications known collectively as the Clean Air Support System (CLASS). The CLASS applications are used to support all of the SCAQMD core activities. Maintenance support for this software expires November 29, 2013. This action is to obtain approval for the purchase of Ingres Database software maintenance support for an additional year. Funds in the amount of \$180,000 for this expense are included in the FY 2013-14 Budget.

COMMITTEE: Administrative, October 11, 2013. Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.

RECOMMENDED ACTION:

Authorize the Executive Officer to execute a contract to purchase Ingres Relational Database Management System software maintenance support for one year from Actian Corporation (formerly Ingres Corporation) in an amount not to exceed \$180,000, which is allocated in the FY 2013-14 Budget.

Barry R. Wallerstein, D.Env.
Executive Officer

Background

In November 2006, the SCAQMD entered into an annual support and maintenance agreement for Ingres Relational Database Management System (RDBMS) software.

The RDBMS software runs on three database servers for production, development, and ad hoc reporting. The production server hosts the Central Information Repository database (DBCIR). This database supports a collection of more than 30 client/server and web-based applications known as the Clean Air Support System (CLASS). The CLASS application suite supports permits administration and processing of command-and-control and facility-based permits; emissions offsetting, monitoring and inventory management for New Source Review, RECLAIM and annual emission reporting operations; compliance-related complaint, inspection, assignment, notification, investigation and settlement operations; and financial accounts receivable operations. The development server supports software development for the CLASS and for other mini-computers and micro-computers accessing the Central Information Repository. The decision support server supports CLASS system ad-hoc query and reporting; and web-based inquiry applications. These applications are an integral component of the SCAQMD's day-to-day responsibilities. The Ingres software maintenance support expires on November 29, 2013.

Ingres maintenance includes the following services:

Software Maintenance	Licensed product updates, enhancements, and repairs; and
Software Support	Assistance in resolving online operating difficulties, system failures, Ingres application-related problems, potential system bugs, and installation and upgrade issues.

Sole Source Justification

Section VIII.B.2 of the Procurement Policy and Procedure identifies circumstances under which a sole source purchase award may be justified. These requests for a sole source award are made under provision VIII.B.2.c.(2) the project involves the use of proprietary technology, and (3) the contractor has ownership of key assets required for project performance. Previous quotes indicated it would cost well over \$1 Million to convert the CLASS applications to another relational database. Actian Corporation (formerly Ingres Corporation) is the sole manufacturer and provider of this software and therefore the only source for its maintenance and support licensing agreements.

Proposal

Staff recommends the purchase of one year of Ingres Relational Database Management System Software maintenance support to provide continued support for SCAQMD's CLASS applications in an amount not to exceed \$180,000.

Resource Impacts

Sufficient funds are included in Information Management's FY 2013-14 Budget, Services and Supplies Major Object, under Professional and Special Services account.

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 9

PROPOSAL: Amend Contract for Continuation of Air Quality Institute Program

SYNOPSIS: On June 3, 2011, the Board approved a contract with the Cordoba Corporation to facilitate the continuation of the Air Quality Institute outreach program. The approved contract included options for two one-year extensions. The first one-year extension was exercised, and the work has been completed under a six-month no-cost extension. This action is to approve a second one-year extension of the existing contract with Cordoba Corporation, in an amount not to exceed \$133,470.

COMMITTEE: Administrative, October 11, 2013. Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.

RECOMMENDED ACTIONS:

1. Transfer \$50,000 from the Air Quality Studies Fund (10) to the Emission Reduction and Outreach Fund (53).
2. Authorize the Chairman to execute the second one-year extension of the contract with Cordoba Corporation in an amount not to exceed \$133,470 from the Emission Reduction and Outreach Fund (53).

Barry R. Wallerstein, D.Env.
Executive Officer

Background

On June 3, 2011, the Governing Board approved a contract with Cordoba Corporation (Contractor) to facilitate continuation of the SCAQMD Air Quality Institute (AQI) outreach program, under the direction of the agency's Executive Officer, Deputy Executive Officer and Assistant Deputy Executive Officer of Legislative & Public Affairs.

Through a series of targeted AQI briefings the program has effectively informed a variety of public members, ranging from prominent leaders and policymakers, newly elected local, state and federal officials to community group members and high school, college and university students living in environmental justice communities. The events have been used to disseminate strategic messages to broader audiences, emphasizing the SCAQMD Governing Board's initiatives and priorities with special focus on the critical need to reduce mobile source emissions, and the importance of public participation in the agency's efforts to improve air quality and reduce public health impacts.

As a result of the AQI outreach program – as guided by input provided by the program's advisory committee, the AQI Board of Counselors – the SCAQMD has established and maintained productive relationships with local government officials, as well as state and federal legislators. Legislatively, the briefings as well as strategically targeted one-on-one meetings have enabled the agency to identify and work towards cultivating relationships and champions. Targeted briefings reaching out to broader audiences are helping SCAQMD to increase public awareness of the agency, letting residents know the importance of the work the SCAQMD is doing and its relevance to their everyday lives.

Overview of Past Year's Results

In 2012-13, during the current contract term, Cordoba Corporation coordinated the following eight AQI briefings:

1. Woodbury University's 2012 Advancing Sustainability Business and Design Symposium (Burbank, October 2012, attendees: 149)

Through its collaboration with Woodbury University, the SCAQMD staff made a presentation as part of the university's annual conference entitled "The Choices We Make: Transportation and the Impact on Clean Air." The event focus was on land use, the impact of mobile sources on our region, and an explanation of up and coming technology solutions.

2. JPy Think Clean Go Clean Art Contest and Festival (Torrance, January 2013, attendees: 46)

SCAQMD, in partnership with JPy Magazine, hosted the “Think Clean, Go Clean Eco Festival.” The AQI component of the event included a panel on Sustainable and Healthy Living, which featured speakers from SCAQMD, Toyota, and Southern California Edison. Information was shared on SCAQMD’s ‘Healthy Hearths’ gas log program, ‘Clean Air Choices’ household cleaner certification program, Clean Air Solvent Certification program, and the lawnmower exchange program. The panelists also discussed energy upgrades that save money, new car technologies, and other healthy, clean air tips.

3. California Hospital Medical Center Foundation & Los Angeles Center for Women’s Health (Los Angeles, February 2013, attendees: 32)

The AQI briefing targeted health professionals, public health students and members of women and children’s organizations. The briefing educated attendees on air quality issues in the region, ongoing efforts to clean our air and ways in which air pollution affects the lives and health of Southern California’s women and children.

4. Bishop Mora Salesian High School (Los Angeles, February 2013, attendees: 420)

This AQI was tailored to high school students who attend school in Boyle Heights, a targeted community for the Clean Communities Plan pilot project. Students were introduced to SCAQMD during a general assembly, and then they participated in a series of interactive workshops to raise their consciousness on the built environment around them and how it impacts air quality, public health and their daily lives.

5. Santa Ana College (Santa Ana, April 2013, attendees: 174)

As part of the college’s Sustain-a-Palooza Earth Day event at Santa Ana College, this briefing targeted college students, faculty, and staff primarily within the Santa Ana and Orange County communities, as well as the general public. The SCAQMD presentation informed students of the effects of air pollution in Southern California and about various environmental programs and initiatives. SCAQMD also participated in an exhibition located at the center of the campus where students were able to learn about a variety of clean vehicles on display.

6. Santiago Canyon College (Orange, April 2013, attendees: 68)

An AQI briefing was incorporated into the Hawk Earth Fest at Santiago Canyon College to inform students of the effects of air pollution in Southern California and about various environmental programs and initiatives. SCAQMD staff also participated in the Student/Local Business Exhibition located at the center of the campus where students were able to take test rides in alternative fuel clean vehicles.

7. Washington, DC AQI (Washington, DC, May 2013, attendees: 12)

Members of Congress and Congressional staff attended a special AQI briefing and participated in an engaging discussion on emerging clean technologies and what can be done collectively to ensure energy security, boost our economy, and create healthier, more sustainable environments. In attendance were three Members of Congress, Reps. John Garamendi, Alan Lowenthal (Long Beach) and Frank Pallone (NJ) and staffers from various offices across the country including the Chief of Staff to Illinois Rep. Bobby Rush who participated in a discussion on the need to move to cleaner transportation technologies.

8. Sacramento AQI (Diamond Bar, July 2013, attendees: 5)

This special AQI briefing which targeted Members of the California State Assembly, initiated a focused discussion on air quality issues, emerging clean technologies and what can be done to collectively create healthier communities. Assembly Member Jimmy Gomez (along with two staff) and Assembly Member Anthony Rendon (accompanied by one staffer) participated. After SCAQMD overview presentations, the guests toured the SCAQMD laboratory and learned more about the variety of alternative clean air vehicles that were on display.

In addition, the AQI Board of Counselors was reconstituted. Under the chairmanship of state Senator Carol Liu, the Board met in June 2013. Through the coming year the Board will help develop proposals for future AQI events in which board members can be partners and attend as speakers, panelists, or audience members, as well as to help tailor messaging for targeted audiences.

Proposal

In 2014, staff proposes another series of AQI briefings facilitated by the Contractor that will continue to create multi-level partnerships and expand public awareness of the SCAQMD and its programs, resulting in increased support of the agency's efforts to achieve clean air mandates established for the Southern California region.

A series of eight (8) AQI briefings will be planned for the second year contract extension. These will have much broader-based outreach, targeting audiences who and communities that have increased air quality concerns, such as the Coachella Valley and the Inland Empire. Briefings will cover all four counties within SCAQMD's jurisdiction.

Briefing content will continue to address the causes, impacts, challenges and possible solutions to the South Coast Air Basin's air pollution problem, with subject matter to include, but not be limited to: Air Quality Management Plan implementation, goods movement, port emissions, land-use planning and compatible land-uses, continuation of the Clean Communities Plan, advanced technology solutions, environmental justice and community-specific air quality issues.

In addition to the briefings, staff proposes the continuation of the Board of Counselors. As the program's advisory committee, the Board of Counselors will help guide the direction of the AQI outreach program. A minimum of four (4) regularly scheduled meetings and/or conference calls will be held throughout the contract extension year to maintain communication and interaction among the Contractor, Board of Counselors and SCAQMD's Legislative & Public Affairs staff.

Following each briefing SCAQMD's Legislative & Public Affairs staff, along with the Contractor and the Board of Counselors, will meet to analyze the effectiveness of the outreach and how the momentum and relationships established during the briefing can be continued to promote "green" lifestyle changes and/or support for SCAQMD programs and initiatives.

Therefore, staff recommends approval of the second one-year extension of the contractor's existing contract for a total amount not to exceed \$133,470.

Resource Impacts

Upon transfer of \$50,000 from the Air Quality Studies Fund (10), sufficient funds will be available in the Emissions Reduction and Outreach Fund (53) to cover the costs of the Air Quality Institute outreach program. The Air Quality Studies Fund (10) consists primarily of interest earned on residual balance of monies received prior to 1993.

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 10

PROPOSAL: Amend Contracts for Legislative Representation in Sacramento, California

SYNOPSIS: The current contracts for legislative representation in Sacramento expire on December 31, 2013 for Gonzalez, Quintana & Hunter, LLC, and Joe A. Gonsalves & Son. Both consultant firms have continued to perform at a very high level and continued representation in Sacramento is necessary to further SCAQMD policy positions at the state level. The current contracts have options for two one-year extensions. This action is to approve the second one-year extension of the existing contracts for legislative consulting services in Sacramento for Calendar Year 2014. Total contract amounts for Gonzalez, Quintana & Hunter, LLC, and Joe A. Gonsalves & Son are proposed to be the current contract amounts plus a Consumer Price Index increase.

COMMITTEE: Administrative, October 11, 2013. Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.

RECOMMENDED ACTIONS:

1. Approve a one-year extension of the contract with Gonzalez, Quintana & Hunter, LLC for the amount of \$119,070, which represents the current contract amount plus CPI, and
2. Approve a one-year extension of the contract with Joe A. Gonsalves & Son for the amount of \$123,248, which represents the current contract amount plus CPI.

Barry R. Wallerstein, D.Env.
Executive Officer

Background

In 2013, the lobbying firms of Gonzalez, Quintana & Hunter, LLC and Joe A. Gonsalves & Son professionally represented the SCAQMD in Sacramento to a very high standard of performance.

SCAQMD has benefited from a continued partnership with Gonzalez, Quintana and Hunter. The firm's Principal, Will Gonzalez, has represented the SCAQMD since 2006. With over 15 years of legislative and political experience, he specializes in legislative advocacy on transportation, environmental, and energy issues. Mr. Gonzalez has repeatedly demonstrated his policy expertise and close bipartisan relationships. Prior to starting his own lobbying firm, he served as Legislative Director to then Assemblyman Darrell Steinberg, the current Senate Pro Tem. Mr. Gonzalez also served as Consultant to the Assembly Labor Committee and the Native American Repatriation Select Committee. Before representing the SCAQMD, he was the lobbyist for the California Air Pollution Control Officers Association.

Joe A. Gonsalves & Son is a Sacramento lobbying firm with decades of experience and strong ties to legislators on both sides of the aisle, as well as many cities throughout the state, including numerous within SCAQMD's jurisdiction. With over 30 years of experience, the firm's principals are well-respected and knowledgeable on many local and statewide issues. They also have worked well with both Democratic and Republican Governors and their administrations. Over the years, prior to contracting with SCAQMD, the firm has frequently partnered with our agency as they represented their clients in support of SCAQMD positions before the Legislature.

Throughout the year, the two firms have closely coordinated with each other and SCAQMD to advance the Governing Board's interests. With great effectiveness, they have moved the Board's legislative agenda forward by meeting with legislators and staff, testifying in committees, and keeping SCAQMD's Legislative Committee and staff apprised of the latest developments in Sacramento. They have successfully negotiated language with legislative offices and committee staff and, when necessary, worked to have bills held in committee or otherwise not move forward if they were detrimental to SCAQMD Board's legislative/policy positions.

The two firms also worked closely with SCAQMD to ensure that staff was aware of all policy and political considerations related to legislative proposals. The constant communication among the firms and SCAQMD was also essential in ensuring that SCAQMD communicated the correct message to Sacramento legislators and staffers in a timely fashion. Most recently, they contributed significantly to collaborative support of legislation to extend the sunset date on the Carl Moyer and Alternative and Renewable Fuel and Vehicle Technology programs. Their diligent efforts and ability to gather and communicate key information in a highly time-sensitive atmosphere were critical to the progress made on that important effort.

In summary, the two firms have forged together to create an efficiently effective consultant team for SCAQMD. Their policy and political insights inform SCAQMD and strengthen the agency's presence, creditability, and ability to support the Governing Board's policy priorities in Sacramento. At this critical point in time, it is important that the momentum and political and stakeholder partnerships continue in the coming year as we continue to work towards successful outcomes pertaining to air quality related legislation, consistent with SCAQMD's mission and policy goals.

Proposal

The contracts with the two firms expire on December 31, 2013. SCAQMD staff is highly satisfied with the performance of the two firms and recommend that the Board retain them for Calendar Year 2014.

The present contracts, based on a competitive selection process, have options for two one-year extensions that may be exercised at the Board's discretion pursuant to the original RFP. This proposal is to approve the second one-year extension for each of the contracts.

Resource Impacts

The Legislative & Public Affairs Budget for FY 2013-14 contains sufficient funds for legislative advocacy in Sacramento.

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 11

PROPOSAL: Make Findings Regarding Board Member Assistant/Consultant

SYNOPSIS: This action is for the Board to act in place of the Administrative Committee to review a Board Member's Proposal for SCAQMD Board Member Consultant and make findings required by Board policy.

COMMITTEE: Administrative, October 11, 2013. Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.

RECOMMENDED ACTIONS:

1. Determine that the proposed compensation rate is consistent with the required qualifications for Consultant as described in the attached proposal; and
2. Determine that the proposed Board Consultant meets the requirement set forth in the Board policy and will serve as an independent contractor.

Barry R. Wallerstein, D.Env.
Executive Officer

GC

Background

By Board policy established February 10, 1995, the Administrative Committee reviews proposed contracts for Board Member Assistants and/or Consultants and is charged with the responsibility to:

"...determine if the proposed compensation rate is consistent with the required qualifications...and, with advice of District Counsel, make a case-by-case determination of whether a person proposed to provide assistance is a Board Member Assistant or a Board Member Consultant. If the determination is made that the person is a Board Member Consultant, the Administrative Committee also shall determine whether the Board Member Consultant is an employee not eligible for District benefits or an independent contractor" (policy, paragraph 4).

At the October 11, 2013 Administrative Committee, Councilman Joe Buscaino presented the proposal to appoint Jacob Haik as his Board Consultant. Because less than a quorum was present, no action could be taken. Therefore, the Committee Members concurred that this item be taken to the Board for consideration. Staff and Counsel concur that Mr.

Haik's resume sets forth qualifications sufficient to serve as Board Consultant, including a B.S. degree and substantial experience.

Proposal

This action is for the Board to act in place of the Administrative Committee to make timely determination that: the proposed compensation rate is consistent with the required qualifications for Consultant as described in the attached proposal, and that the proposed Board Consultant meets the requirements set forth in the Board policy and will serve as an independent contractor.

Attachments

Proposal for SCAQMD Board Member Consultants to Councilman Joe Buscaino.

Proposal for SCAQMD Board Member Assistant/Consultant

To: Administrative Cmte For meeting on October 11, 2013 From: Councilman Joe Buscaino JB

In accordance with the policy adopted by the Governing Board February 10, 1995, and amended May 8, 1998, I submit this proposal to hire the individual named below, in the capacity indicated, to assist me in my duties as a member of the Governing Board of the SCAQMD effective October 11, 2013 and ending June 30, 2014.

Candidate Information

Name: Jacob Haik

Qualifications (education, professional experience, etc.): See Attached Resume

Proposed Capacity (check one)

- Board Member Assistant (employee)** - the work to be performed primarily will entail the duties indicated below for an Assistant.
- Board Member Consultant (employee)** - the work to be performed primarily will entail the duties indicated below for a Consultant.
- Board Member Consultant (independent contractor)** - the work to be performed primarily will entail the duties indicated below for a Board Member Consultant and in performing such duties the independent contractor will be responsible for selecting the appropriate method and means of achieving the required results. My proposed Board Member Consultant does /does not have a business license. If so, the type of business is _____, and the business license number is _____ issued by the _____.

Proposed Scope of Duties (check one)

- Assistant (up to \$30.44/hour)** - Performs for Board Member a variety of tasks ranging from liaison with constituent public entities, other Board Members, the public, and District staff related to clerical functions. Typical functions may include preparing narrative and statistical reports, preparing correspondence, filing and maintaining records, arranging meetings and other group functions; monitoring various programs and projects; responding to inquiries from constituent public entities, District Board Members, the public and District staff.
 Examples of duties are set forth in the attachment (OPTIONAL)
- Consultant (up to \$54.80/hour)** - Performs for Board Member a variety of professional-level assignments in the development and formulation of policy, data analysis, reports, plans, assessments, and strategies for District programs; provides advice and recommendations to the Board Member regarding matters subject to the Board Member's decision-making authority; may provide liaison with the public on behalf of the Board Member. Typical functions may include planning, organizing, and developing a wide variety of programs on the Board Member's behalf and evaluating the effectiveness of various approaches.
 Examples of duties are set forth in the attachment (OPTIONAL)

Proposed Rate of Compensation (fill in all blanks)

\$ 3,142.25 per month up to a maximum payable during the contract period not to exceed \$31,422.50 (FY 2013-14 maximum is \$37,707 per Board Member, except the Chair and Vice Chair's Assistants receive \$113,121.)

For Administrative Committee Use:

Reviewed by Administrative Committee with advice of District Counsel. Based on the scope of duties, the individual is a:
 Assistant (employee) Consultant (employee) Consultant (independent contractor)

By _____ for the Administrative Committee

c: Human Resources

Rev. 10/9/13

Jacob Lee Haik

Employment History

◆ CITY OF LOS ANGELES, OFFICE OF COUNCILMAN JOE BUSCAINO – Los Angeles, CA Deputy Chief of Staff, February 2012 to Present

- Over see all field staff, field operations, field offices, public work projects and City services for Council District 15. Council District 15 includes over 250,000 residents and the communities of San Pedro, Wilmington, Harbor City, Harbor gateway and Watts.
- Manage a variety of public work projects including \$120 Million Machado Lake Prop O water quality project, 10 new/refurbished parks, sewer rehabilitation, storm drain and streetscape improvements. This also includes interacting with over 50 Departments and Bureaus. Some services include street resurfacing/construction, sidewalk repair/construction, tree trimming, transportation improvements, sanitation, storm system, public improvements and many others.
- Communicate and manage relationships with neighboring Cities elected officials and departments. Coordinate services and projects with Federal, State of California, Los Angeles County, neighboring Cities and Los Angeles Unified School District.
- Advise the Councilman with technical support for Port of Los Angeles projects/programs, water quality, air emissions, refinery upgrades/compliance projects, pipelines, above ground storage tanks, terminal island renewable energy project, waste water reclamation, renewable energy programs, storm water runoff and greening projects.
- Advise Councilman on a variety of legislation with the City, County, State and Federal level. This includes new City ordinances, pushing legislation and monitor legislation that impacts the City of Los Angeles.
- Represent the Councilman at the South Bay Cities Council of Governments. Attend all regular board meetings and provide updates and assistance form the City of Los Angeles. Provide regular updates to the Council on SCAQMD Local Government & Small Business Assistance Advisory Group

◆ SOUTHERN CALIFORNIA AIR QUALITY MANAGEMENT DISTRICT – Los Angeles, CA Local Government & Small Business Assistance Advisory Group Member, January 2006 to Present

- Provide policy level recommendations on issues within the agency's jurisdiction that impact local governments and small businesses. Provide input on implementation of the Air Quality Management Plan (AQMP), public outreach, role of local government in achieving clean air, and small business issues; review and make recommendations.
- Jurisdiction of Southern California Air Quality Management District is: Los Angeles County, San Bernardino County, Orange County and Riverside County.

◆ LOS ANGELES UNIFIED SCHOOL DISTRICT, OFFICE OF BOARD MEMBER DR. VLADOVIC – Los Angeles, CA Chief of Staff, August 2008 to February 2012

- Staff Board Vice President for Los Angeles Unified School District Board, Committees and Los Angeles City Commission meetings. This includes preparing materials and analyzing items impacting the Los Angeles Unified School District and Board District. Write Board Member motions and work with other Board Members, Local District Superintendents and labor for support.
- Serve as liaison to Federal, State of California, Los Angeles County/City, District contract cities (City of Gardena, Carson and Lomita) and other LAUSD Board offices. This includes maintaining relationships and regularly meeting with elected officials and staff regarding LAUSD legislation, local school issues and new construction/modernization.
- Liaison to Los Angeles Unified School District Facilities and South Region. This includes covering 170 existing schools, constructing 11 new schools valued at \$1 Billion and overseeing existing school

Jacob Lee Haik

modernization including 1 design build project valued at \$70 Million. Experience in K-12 planning, development, design and construction. Involvement includes scope, scheduling, budget and estimating. Modernization projects included coordinating identification of projects, funding (hard and soft costs), project execution, schools and community.

- Oversee all operations including budget updates, contracts, labor relations, school police, communications, charter schools, new construction, measure Q planning, green technology, information technology and school site operations.
- Oversee office staff of ten. This includes coordinating field operations, assignments, special projects and communications.
- LAUSD liaison to Port of Los Angeles Harbor Community Benefits Foundation for school air filtration projects at 30 schools near the San Pedro bay.

◆ CITY OF LOS ANGELES, OFFICE OF COUNCILWOMAN JANICE HAHN – Los Angeles, CA Director of Environmental Affairs, December 2003 to July 2008

- Staff Councilwoman at community events, hearings, Los Angeles City Council and Committees as needed. This includes preparing all materials and analyzing each item's impact on the City of Los Angeles on all community, environmental and emergency preparedness issues including and not limited to: the Ports of Los Angeles/Long Beach, refineries, bulk fuels, pipelines, sanitation treatment plants, water quality, Southern California Air Quality Management District and California Air Resource Board.
- Notable projects I worked on: Tsunami Task Force, TraPac Terminal EIR, Wilmington Waterfront, San Pedro Waterfront, Clean Air Action Plan, Terminal Island Renewable Energy Project, Wilmington CRA road improvements, Kaiser Hospital Expansion/Modernization, Vermont Avenue Street Widening/Reconstruction, Machado Lake/Wilmington Drain Prop O Project, ConocoPhillips Wet Gas Scrubber Project, Tree Plantings in Harbor City/Wilmington and various Prop K/Quimby projects.
- Served as liaison to Federal, State of California, Los Angeles County, neighboring Cities and other City of Los Angeles offices.
- Worked with community leaders, Neighborhood Councils and City Departments on issues and City services for Watts, San Pedro, Harbor City and Wilmington.

Education and Certifications

◆ UNIVERSITY CALIFORNIA, SANTA BARBARA – SANTA BARBARA, CA Bachelor's of Science Degree in Bio/Chemistry, 2003

◆ LOS ANGELES HARBOR COLLEGE – WILMINGTON, CA Associate Degree in General Education, 2000

◆ CERTIFICATION: CALIFORNIA STATE UNIVERSITY, DOMINGUEZ HILLS Construction Project Management 2011

◆ CERTIFICATION: DESIGN BUILD INSTITUTE OF AMERICA Associate Certificate in Design Build Construction, 2011

Memberships

- ◆ Design Build Institute of America
- ◆ American Chemical Society
- ◆ National Resource Defense Council
- ◆ Los Angeles Paleontological Society
- ◆ Board Member, San Pedro/Wilmington YMCA
- ◆ Wilmington Rotary



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BOARD MEETING DATE: November 1, 2013

AGENDA NO. 12

SYNOPSIS: As part of their FYs 2012-14 AB 2766 Discretionary Fund Work Program, the MSRC approved awards to provide bus service to the 2014 Orange County Fair and to provide special Metrolink service to Angel Stadium for 2014 under the Event Center Transportation Program. The MSRC also approved modifications to a contract as part of the FY 2011-12 Work Program, and replacement contracts as part of the FYs 2005-06 and 2008-09 Work Programs, respectively. At this time the MSRC seeks Board approval of the contract awards and modifications under the FYs 2005-06, 2008-09, 2011-12 and 2012-14 Work Programs.

COMMITTEE: Mobile Source Air Pollution Reduction Review, October 17, 2013, Recommended for Approval

RECOMMENDED ACTIONS:

1. Approve new/replacement contract, as part of the FY 2005-06 Work Program, with City of Santa Monica in the amount of \$149,925 to purchase three natural gas vehicles and install a CNG station, as described in this letter;
2. Approve new/replacement contract, as part of the FY 2008-09 Work Program, with County of Los Angeles Department of Public Works in the amount of \$400,000 to modify their existing vehicle repair facility in Downey to accommodate the maintenance of gaseous-fueled vehicles, as described in this letter;
3. Approve modified award to the City of La Puente, substituting three liquefied petroleum gas vehicles for three natural gas vehicles, as part of the FY 2011-12 Work Program, as described in this letter;

4. Approve a contract award to the Orange County Transportation Authority in an amount not to exceed \$601,187 to provide bus service to the 2014 Orange County Fair, from the funding previously allocated for the Event Center Transportation Program, as part of approval of FYs 2012-14 AB 2766 Discretionary Fund Work Program, as described in this letter;
5. Approve a contract award to the Orange County Transportation Authority in an amount not to exceed \$208,520 to provide special Metrolink service for 2014 Angels games, from the funding previously allocated for the Event Center Transportation Program, as part of approval of FYs 2012-14 AB 2766 Discretionary Fund Work Program, as described in this letter;
6. Authorize MSRC the authority to adjust contract awards up to five percent, as necessary and previously granted in prior work programs; and
7. Authorize the Chairman of the Board to execute new and modified contracts under FYs 2005-06, 2008-09, 2011-12 and 2012-14 Work Programs, as described above and in this letter.

Greg Pettis,
Chair, MSRC

MM:HH:CR

Background

In September 1990 Assembly Bill 2766 was signed into law (Health & Safety Code Sections 44220-44247) authorizing the imposition of an annual \$4 motor vehicle registration fee to fund the implementation of programs exclusively to reduce air pollution from motor vehicles. AB 2766 provides that 30 percent of the annual \$4 vehicle registration fee subvented to the SCAQMD be placed into an account to be allocated pursuant to a work program developed and adopted by the MSRC and approved by the Board.

The MSRC completed selecting categories and targeted funding amounts for the FYs 2012-14 Work Program in May 2013. Five solicitation documents have already been developed and released. At its October 17, 2013 meeting, the MSRC considered recommended awards for major event center transportation service, as well as recommended contract modifications and replacements. Details are provided below in the Proposals section.

Outreach

In accordance with SCAQMD's Procurement Policy and Procedure, a public notice advertising the Major Event Center Transportation Program Announcement was published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside County Press Enterprise newspapers to leverage the most cost-effective method of outreach to the South Coast Basin. In addition, the solicitation was advertised in the Desert Sun newspaper for expanded outreach in the Coachella Valley.

Additionally, potential bidders may have been notified utilizing SCAQMD's own electronic listing of certified minority vendors. Notice of the solicitations was e-mailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations, and placed on the Internet at SCAQMD's Website (<http://www.aqmd.gov>). Information is also available on SCAQMD's bidder's 24-hour telephone message line (909) 396-2724. Further, the solicitations were posted on the MSRC's website at <http://www.cleantransportationfunding.org> and electronic notifications were sent to those subscribing to this website's notification service.

Proposals

At its October 17, 2013 meeting, the MSRC considered recommendations from its MSRC-TAC and unanimously approved the following:

FY 200506 Local Government Match Program

As an element of the FY 2005-06 Work Program, the City of Santa Monica was awarded a \$149,925 contract to purchase three heavy-duty CNG vehicles and install a time-fill CNG station. In May 2013, the MSRC approved the City's request for a vehicle substitution and 40-month term extension. The contract modification to effectuate the changes was not executed by all appropriate parties prior to the contract's July 11, 2013 expiration date. The City requested, and the MSRC approved, a new/replacement contract with the City in the amount of \$149,925. The new contract term would extend until November 2016, which is five years from the in-service date of all vehicles and the station.

FY 2008-09 Local Government Match Program

As an element of the FY 2008-09 Work Program, the County of Los Angeles Department of Public Works was awarded a \$400,000 contract to modify their existing vehicle repair facility in Downey to accommodate the maintenance of gaseous-fueled vehicles. While attempting to resolve issues with the contractor performing the work, the County did not request a contract term extension from the MSRC prior to the contract's June 14, 2013 expiration date. The County subsequently requested, and the MSRC approved, a new/replacement 12-month contract with the County in the amount of \$400,000.

FY 2011-12 Local Government Match Program

As an element of the FY 2011-12 Work Program, the MSRC approved an award to the City of La Puente to purchase five medium- and two heavy-duty natural gas vehicles. Recently, the MSRC and SCAQMD Board approved the substitution of one additional heavy-duty vehicle for three of the medium-duty vehicles. It has subsequently been discovered that the City also wishes to change the specified fuel type of all three heavy-duty vehicles, substituting liquefied petroleum gas (LPG) for natural gas. The FY 2011-12 Local Government Match Program offered funding for both LPG and natural gas vehicles and the emissions of the LPG vehicles would be comparable. The MSRC considered and approved the City's requested modification.

FYs 2012-14 Event Center Transportation Program

As part of the FYs 2012-14 Work Program, the MSRC allocated \$4 million for event center transportation programs and released a Program Announcement to solicit projects for traffic-impacted centers. In response to the Program Announcement, the Orange County Transportation Authority (OCTA) requested the MSRC consider an award of \$601,187 to implement express bus service for the 2014 Orange County Fair. The service would include transportation to and from Fullerton Park & Ride, the Depot at Santa Ana, Goldenwest Transportation Center, the Anaheim Canyon Metrolink Station, Laguna Hills Transportation Center, Irvine Transportation Center, Junipero Serra Park & Ride and the Village at Orange. Service would be provided every 30 to 60 minutes, depending upon the location and time of day. In addition to allowing Fair attendees to use public transportation for all or a portion of their trip, the service would also reduce vehicle traffic in and around the Fair. Elimination of traffic congestion, especially reductions in automobile stop and go driving and queuing, has a direct link to reduced vehicle exhaust emissions. OCTA and its project partners would collectively contribute \$606,500 in co-funding including fare box revenue, marketing design and production, and advertising and marketing purchases. The MSRC approved a contract award to OCTA in an amount not to exceed \$601,187 to implement the 2014 Orange County Fair Express.

Also in response to the Event Center Transportation Program Announcement, OCTA requested the MSRC consider an award of \$208,520 to implement special Metrolink service for the 2014 Angels season. The service would be provided in support of an anticipated 48 Angels home games with two dedicated trains that would run along Metrolink's Orange County Line corridor from Oceanside in the south and Los Angeles Union Station in the north to the terminus at Anaheim station, approximately 700 feet from Angels Stadium. A portion of the southern trips will be regular Metrolink service, and OCTA will not seek reimbursement for those trips. In addition, limited service would be provided on Metrolink's Inland Empire-Orange County line from Riverside Downtown to Orange, followed by a transfer at Orange to Anaheim, for 13 Friday games. Service would promote the use of public transit, including bus and rail, in lieu of personal automobile. Elimination of traffic congestion, especially reductions in automobile stop and go driving and queuing, has a direct link to reduced vehicle exhaust emissions.

OCTA would contribute at least \$215,000 in co-funding. In accordance with the Program terms, OCTA would only seek reimbursement for rail trips performed using Metrolink's cleanest locomotives, rated at Tier 2. The MSRC approved a contract award to OCTA in an amount not to exceed \$208,520 to implement the 2014 Angels Express service.

At this time the MSRC requests the SCAQMD Board to approve the contract awards and modifications as part of approval of the FYs 2005-06, 2008-09, 2011-12 and 2012-14 AB 2766 Discretionary Fund Work Programs as outlined above. The MSRC also requests the Board authorize the SCAQMD Chairman of the Board the authority to execute all agreements described in this letter. The MSRC further requests authority to adjust the funds allocated to each project specified in this Board letter by up to five percent of the project's recommended funding. The Board has granted this authority to the MSRC for all past Work Programs.

Resource Impacts

The SCAQMD acts as fiscal administrator for the AB 2766 Discretionary Fund Program (Health & Safety Code Section 44243). Money received for this program is recorded in a special revenue fund (Fund 23) and the contracts specified herein, as well as any contracts awarded in response to the solicitation, will be drawn from this fund.

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BOARD MEETING DATE: November 1, 2013

AGENDA NO. 13

REPORT: Establish Board Meeting Schedule for Calendar Year 2014

SYNOPSIS: The proposed Board Meeting Schedule for Calendar Year 2014 (includes January 2015) is submitted for Board consideration. The Administrative Committee meeting schedule (second Friday of the month) is included for information only.

COMMITTEE: Administrative, October 11, 2013. Less than a quorum was present; the Committee Members concurred that this item be presented to the Governing Board for consideration.

RECOMMENDED ACTION:
Adopt the 2014 Board Meeting Schedule.

Dr. William A. Burke, Chair
Administrative Committee

gc

Each winter, the Governing Board approves the Board's monthly meeting schedule for the upcoming year. The proposed schedule for calendar 2014 is provided below along with the associated Administrative Committee meeting dates.

The proposed October 3, 2014 monthly Governing Board meeting coincides with the Jewish holiday of Yom Kippur. Dr. Lyou has raised the question of whether the Board may want to depart from past practice and select a different date for the October meeting to avoid any potential conflict.

Calendar Year 2014 Board Meeting Schedule
with CY 2014 Administrative Committee Meetings

<u>MONTH</u>	<u>DATE</u>	<u>TIME</u>	<u>ASSOCIATED ADMINISTRATIVE COMMITTEE MEETING</u>
January:	January 10*	9:00 a.m. - end	December 13, 2013
February:	February 7	9:00 a.m. - end	January 17, 2014*
March:	March 7	9:00 a.m. - end	February 14, 2014
April:	April 4	9:00 a.m. - end	March 14, 2014
May:	May 2	9:00 a.m. - end	April 11, 2014
June:	June 6	9:00 a.m. - end	May 9, 2014
July:	July 11*	9:00 a.m. - end	June 13, 2014
September:	September 5	9:00 a.m. - end	July 18, 2014*
October:	October 3	9:00 a.m. - end	September 12, 2014
November:	November 7	9:00 a.m. - end	October 10, 2014
December:	December 5	9:00 a.m. - end	November 14, 2014
January 2015	January 9, 2015	9:00 a.m. - end	December 12, 2014

* The January and July Board meetings have been moved to accommodate the holidays, which have moved the Administrative Committee meetings to the third Friday of the month. Also, there is no meeting scheduled in August.

Attachment
Resolution

RESOLUTION NO. 13-

A Resolution of the South Coast Air Quality Management Governing Board setting the time and place of regular meetings.

WHEREAS, the regular meetings of the South Coast Air Quality Management Governing Board have been established by Resolution in the past, and

WHEREAS, the Governing Board is establishing the regularly scheduled meetings for Calendar Year 2014.

NOW, THEREFORE, BE IT RESOLVED that, effective January, 2014, the regular meetings of the Governing Board shall be held at 9:00 a.m. on the first Friday of each month, except for January and July to accommodate holidays and August where there is no meeting scheduled, in the Auditorium at SCAQMD Headquarters, 21865 Copley Dr., Diamond Bar, California.

AYES:

NOES:

ABSTAIN:

ABSENT:

Dated: _____

Saundra McDaniel, Clerk of the Board

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BOARD MEETING DATE: November 1, 2013

AGENDA NO. 14

PROPOSAL: Legislative and Public Affairs Report

SYNOPSIS: This report highlights the September 2013 outreach activities of Legislative and Public Affairs, which include: Environmental Justice Update, Community Events/Public Meetings, Business Assistance, and Outreach to Business and Federal, State, and Local Government.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Barry R. Wallerstein, D.Env.
Executive Officer

LBS:DJA:MC:DM

BACKGROUND

This report summarizes the activities of Legislative and Public Affairs for September 2013. The report includes four major areas: Environmental Justice Update; Community Events/Public Meetings (including the Speakers Bureau/Visitor Services, Communications Center, and Public Information Center); Business Assistance; and Outreach to Business and Federal, State, and Local Governments.

ENVIRONMENTAL JUSTICE UPDATE

The following are key environmental justice-related activities in which staff participated during the month of September. These events involve communities that may suffer disproportionately from adverse air quality impacts.

September 11

- SCAQMD staff met with the City of Bell to discuss Exide Technologies, a lead-acid battery recycling facility in Vernon.

September 12

- Staff attended a community meeting in Riverside which was held to discuss the health effects of goods movement and distribution centers in the Inland Empire.

September 18

- SCAQMD hosted a working group meeting in Los Angeles to discuss Proposed Amended Rule 1420.1 which will reduce public exposure to emissions from large lead-acid battery recycling facilities.

September 26

- Green Apple Day of Service, Health & Wellness Fair at Victoria Elementary School in San Bernardino: Staff participated in the event and provided information on Clean Communities Plan project as well as the air filtration systems currently being used at the school.

September 27

- Healthy African-American Families Prevention, Treatment, and Control of Cancer in Our Community III in Los Angeles: Staff attended and provided information on the health effects of poor air quality.

COMMUNITY EVENTS/PUBLIC MEETINGS

Each year, thousands of residents engage in valuable information exchanges through events and meetings that SCAQMD sponsors either alone or in partnership with others. Attendees typically receive the following information:

- Tips on reducing their exposure to smog and its health effects.
- Clean air technologies and their deployment.
- Invitations or notices of conferences, seminars, workshops and other public events.
- Ways to participate in SCAQMD's rule and policy development.
- Assistance in resolving air pollution-related problems.

The events that SCAQMD staff attended and/or provided information and updates include:

September 4

- 5th Annual Filipino American Chamber of Commerce of Orange County, (FACCOC) Green, Conserve and Health Expo, Southern California Energy Center

September 5

- Black Chamber of Orange County's 22nd Annual Awards Banquet, Disneyland Hotel, Anaheim

September 10

- La Mirada High School's Back to School with an Electrifying Engineering Education Event

September 20-21

- Rendezvous Back to Route 66, San Manuel Baseball Stadium
- Rialto Health and Safety Fair Expo

September 21

- 19th Annual River Rally, 2013 River Clean-Up and Environmental Expo, Newhall Community Center, Santa Clarita
- American Youth Soccer Organization Region 214 Picture Day Event, South Pasadena
- AltCar Expo and Conference, Santa Monica Civic Auditorium
- Rialto Pollution Prevention Fair, Rialto Government Center

September 25

- Riverside State of the County Meeting, Palm Springs

September 26

- Western Riverside County Council of Governments, Advancing the Choice Expo, Morongo Golf Club, Beaumont
- Hula for Good Health Rideshare/Health Fair, Orange Civic Center

September 27

- Rancho Cucamonga Senior Health Fair, James L. Brulte Senior Center

September 28

- National Plug In Day Event, South Coast Air Quality Management District Headquarters, Diamond Bar

SPEAKERS BUREAU/VISITOR SERVICES

SCAQMD regularly receives requests for staff to speak on air quality-related issues from a wide variety of organizations, such as: trade associations, chambers of commerce, community-based groups, schools, hospitals and health-based organizations. SCAQMD also hosts visitors from around the world who meet with staff on a wide range of air quality issues.

September 3

- Provided four days of presentations on SCAQMD rules, regulations, programs and laboratory methods, and tours at SCAQMD's Diamond Bar Headquarters to 20 representatives from the Taiwan Environmental Protection Agency.

September 20

- Provided an overview presentation on SCAQMD and air quality, a laboratory tour, and demonstrated cleaner alternative fueled vehicles, at SCAQMD's Diamond Bar Headquarters to two (2) representatives from the Electric Vehicle Association of Southern California.

COMMUNICATION CENTER STATISTICS

The Communication Center handles calls on the SCAQMD main line, 1-800-CUT-SMOG® line and Spanish line. Calls received in the month of September 2013 are summarized below:

Main Line Calls	2,488
1-800-CUT-SMOG® Line	1,760
After Hours Calls*	508
Spanish Line Calls	<u>55</u>
<i>Total Calls</i>	4,811

* Saturdays, Sundays, holidays, and after 7:00 p.m.
Monday through Friday.

PUBLIC INFORMATION CENTER STATISTICS

The Public Information Center (PIC) handles phone calls and walk-in requests for general information. Information for the month of September 2013 is summarized below:

Calls Received by PIC Staff	47
Calls to Automated System	<u>1,145</u>
<i>Total Calls</i>	1,192
Visitor Transactions	243

BUSINESS ASSISTANCE

SCAQMD notifies local businesses of proposed regulations so they can participate in the agency's rule development process of these rules. SCAQMD also works with other agencies and governments to identify efficient, cost-effective ways to reduce air pollution and shares that information broadly. Additionally, staff provides personalized assistance to small businesses both over the telephone and via on-site consultation. The information is summarized below.

- Provided permit application assistance to 133 companies
- Issued 20 clearance letters
- Conducted two free on-site consultations

Types of business assisted:

Restaurants	Telecommunications company
Canoe manufacturer	Forest products manufacturer
Auto body shops	Vitamin manufacturer
Wood finisher/refinisher	Bank
Gas station	Architect company
Furniture manufacturer	Medical products manufacturer

OUTREACH TO BUSINESS AND FEDERAL, STATE, AND LOCAL GOVERNMENTS

Field visits and communications were conducted with elected officials or staff from the following cities:

Alhambra	Colton	Hermosa Beach	Lomita
Agoura Hills	Commerce	Hidden Hills	Long Beach
Aliso Viejo	Compton	Highland	Los Alamitos
Anaheim	Corona	Huntington Beach	Los Angeles
Arcadia	Costa Mesa	Huntington Park	Lynwood
Artesia	Covina	Indian Wells	Malibu
Avalon	Cudahy	Indio	Manhattan Beach
Azusa	Culver City	Industry	Maywood
Baldwin Park	Cypress	Inglewood	Menifee
Banning	Dana Point	Irvine	Mission Viejo
Beaumont	Desert Hot Springs	Irwindale	Monrovia
Bell	Diamond Bar	Jurupa Valley	Montclair
Bell Gardens	Downey	La Cañada Flintridge	Montebello
Bellflower	Duarte	La Habra	Monterey Park
Beverly Hills	Eastvale	La Habra Heights	Moreno Valley
Big Bear Lake	El Monte	La Mirada	Murrieta
Bradbury	El Segundo	La Palma	Newport Beach
Brea	Fontana	La Puente	Norco
Buena Park	Fountain Valley	La Quinta	Norwalk
Burbank	Fullerton	La Verne	Ontario
Calabasas	Garden Grove	Laguna Beach	Orange
Calimesa	Gardena	Laguna Hills	Palm Desert
Canyon Lake	Glendale	Laguna Niguel	Palm Springs
Carson	Glendora	Laguna Woods	Palos Verdes Estates
Cathedral City	Grand Terrace	Lake Elsinore	Paramount
Cerritos	Hawaiian Gardens	Lake Forest	Pasadena
Chino	Hawthorne	Lakewood	Perris
Chino Hills	Hemet	Lawndale	Pico Rivera
Claremont		Loma Linda	Placentia
Coachella			

Pomona	Rolling Hills	Santa Clarita	Tustin
Rancho Cucamonga	Estates	Santa Fe Springs	Upland
Rancho Mirage	Rosemead	Santa Monica	Vernon
Rancho Palms Verdes	San Bernardino	Seal Beach	Villa Park
Rancho Santa Margarita	San Clemente	Sierra Madre	Walnut
Redlands	San Dimas	Signal Hill	West Covina
Redondo Beach	San Fernando	South El Monte	West Hollywood
Rialto	San Gabriel	South Gate	Westlake Village
Riverside	San Jacinto	South Pasadena	Westminster
Rolling Hills	San Juan	Stanton	Whittier
	Capistrano	Temecula	Wildomar
	San Marino	Temple City	Yorba Linda
	Santa Ana	Torrance	Yucaipa

Visits and/or communications were conducted with elected officials or staff from the following state and federal offices:

- U.S. Congressman Duncan Hunter
- U.S. Congressman Mark Takano
- State Senator Ricardo Lara
- State Senator Fran Pavley
- State Senator Richard Roth
- Assembly Member Cheryl Brown
- Assembly Member Eric Linder
- Assembly Member Bonnie Lowenthal
- Assembly Member Jose Medina
- Assembly Member Melissa Melendez
- Assembly Member Mike Morrell

Staff represented SCAQMD and/or provided a presentation to the following groups:

American Lung Association in California
Alhambra Chamber of Commerce
East Los Angeles Library
Greater Riverside Chambers of Commerce
Friends of Parks, San Bernardino Golf Course
Hemet/San Jacinto Chamber of Commerce
Hollenbeck Police Department
Irwindale Chamber of Commerce
Lake Elsinore Chamber of Commerce
Lake Elsinore Senior Center
Maywood Academy High School
Moreno Valley Chamber of Commerce
North Orange County Legislative Alliance
Orange County City Managers Association
Orange County Transportation Authority
Perris Valley Chamber of Commerce
Perris Senior Center

Riverside County
Riverside County Health Coalition
Riverside County Transportation Commission
Riverside Transit Agency
San Bernardino Area Chamber of Commerce
San Gabriel Valley Economic Partnership
San Gabriel Valley Council of Governments
Southern California Association of Governments
Temecula Chamber of Commerce
Upland Chamber of Commerce
Valley Industry Chamber Association, Van Nuys
Western Riverside County Council of Governments
Western Riverside County Transportation Now Coalitions
Wildomar Chamber of Commerce

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BOARD MEETING DATE: November 1, 2013

AGENDA NO. 15

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of September 1 through September 30, 2013.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:

Receive and file this report.

Edward Camarena
Chairman of Hearing Board

DP

Two summaries are attached: **Rules From Which Variances and Orders for Abatement Were Requested in 2013** and **September 2013 Hearing Board Cases**.

The total number of appeals filed during the period September 1 to September 30, 2013 is 0; and total number of appeals filed during the period of January 1 to September 30, 2013 is 2.

Rules from which Variances and Order for Abatements were Requested in 2013

	2013	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
468														0
468(a)														0
468(b)														0
1102														0
1102(c)(2)														0
1102(c)(5)														0
1105.1(d)(1)									1					1
1105.1(d)(1)(A)(i)														0
1105.1(d)(1)(A)(iii)														0
1106(c)(1)														0
1106.1(c)(1)														0
1106.1(c)(1)(A)														0
1107(c)(1)														0
1107(c)(2)														0
1107(c)(7)														0
1107														0
1110.1														0
1110.2						2								2
1110.2(c)(14)														0
1110.2(d)														0
1110.2(d)(1)(A)														0
1110.2(d)(1)(B)(ii)														0
1110.2(d)(1)(C)														0
1110.2(d)(1)(D)														0
1110.2(d)(1)(E)														0
1110.2(e)(1)(A)														0
1110.2(e)(1)(B)(i)(II)														0
1110.2(e)(1)(B)(i)(III)														0
1110.2(e)(4)(B)														0
1110.2(f)														0
1110.2(f)(1)(A)														0
1110.2(f)(1)(A)(iii)(I)														0
1113(c)(2)														0
1113(d)(3)														0
1118(c)(4)														0
1118(c)(5)														0
1118(d)(1)(2)														0
1118(d)(1)(2)														0
1118(d)(2)														0
1118(d)(3)														0
1118(d)(4)(B)														0
1118(d)(5)(A)														0
1118(d)(5)(B)														0
1118(d)(10)														0
1118(d)(12)														0
1118(e)														0
1118(g)(1)									1					1

Report of September 2013 Hearing Board Cases

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
1. Asia Plastics Inc. Case No. 5957-1 (N. Sanchez)	203(a) 1130(c)(1)	Petitioner using noncompliant printing inks since 1999.	Not Opposed/Denied	RV denied for lack of beyond reasonable control.	N/A
2. California Amforge Corporation Case No. 5945-1 (M. Lorenz)	1147(c)(1)	Petitioner operating furnace in violation of R1147 NOx limits. Petitioner cannot find compliant technology.	Not Opposed/Granted	MFCD/EXT granted commencing 9/24/13 and continuing through 9/23/14.	NOx: 1.4 lbs/day
3. SCAQMD vs. Hemet Unified School District, Hamilton Elementary School and Hamilton High School Case No. 5956-1 (N. Sanchez)	1470(c)(3)(C)(iii)	Respondent operating two diesel-fired emergency ICEs.	Not Stipulated/Issued	O/A issued commencing 9/17/13 and continuing through 3/29/14. The Hearing Board shall retain jurisdiction over this matter until 3/29/13.	N/A
4. SCAQMD vs Placentia-Linda Hospital Case No. 5953-1 (Consent Calendar; No Appearance)	222(d)(1)(C) 222(e)(1) 1146.2(c)(1) 1146.2(c)(3)	Respondent operating four noncompliant boilers.	Stipulated/Issued	O/A issued commencing 9/5/13 and continuing through 12/13/13. The Hearing Board shall retain jurisdiction over this matter until 12/13/13.	N/A
5. SCAQMD vs. Rim of the World Unified School District and Rim of the World High School Case No. 5366-3 (N. Feldman)	1146.2(c)(3) 1470(c)(3)(C)(iii)	Respondent operating two noncompliant boilers and two noncompliant emergency ICEs.	Stipulated/Issued	O/A issued commencing 9/11/13 and continuing through 1/15/14. The Hearing Board shall retain jurisdiction over this matter until 1/15/14.	N/A
6. SCAQMD vs. Valvoline, a division of Ashland Inc. Case No. 5958-1 (Consent Calendar; No Appearance)	1146.1(c)(2) 1146.1(e)(1)	Respondent operating noncompliant boiler.	Stipulated/Issued	O/A issued commencing 9/26/13 and continuing through 12/31/13. The Hearing Board shall retain jurisdiction over this matter until 12/31/13.	N/A
7. Universal City Studios, LLC Case No. 4935-11 (Consent Calendar; No Appearance)	401(b)(1) CH&S Code §41701	Petitioner will use fog making machine for Halloween shows that will result in excess opacity.	Not Opposed/Granted	SV granted commencing 9/16/13 and continuing through 11/3/13 for a maximum of 35 non-consecutive days.	Opacity: TBD by 10/1/13

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
8. Western Medical Center – Santa Ana Case No. 5892-2 (R. Fernandez)	1146.(c)(1)(l)	Petitioner operating two noncompliant boilers.	Opposed/Denied	SV denied for failure to make all of the six findings.	N/A

Acronyms

CO: Carbon Monoxide
 ESP: Electrostatic Precipitator
 EV: Emergency Variance
 FCD: Final Compliance Date
 GDF: Gasoline Dispensing Facility
 H&S: Health & Safety Code
 ICE: Internal Combustion Engine
 I/P: Increments of Progress
 IV: Interim Variance
 MFCD/EXT: Modification of a Final Compliance Date and Extension of a Variance
 Mod. O/A: Modification of an Order for Abatement
 N/A: Not Applicable
 NH3: Ammonia
 NOx: Oxides of Nitrogen
 O/A: Order for Abatement
 PM: Particulate Matter
 ROG: Reactive Organic Gas
 RV: Regular Variance
 SCR: Selective Catalytic Reduction
 SO2: Sulfur Dioxide
 SOx: Oxides of Sulfur
 SV: Short Variance
 TBD: To be determined
 VOC: Volatile Organic Compounds
 VRS: Vapor Recovery System

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BOARD MEETING DATE: November 1, 2013

AGENDA NO. 16

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This reports the monthly penalties from September 1 through September 30, 2013, and legal actions filed by the General Counsel's Office during September 1 through September 30, 2013. An Index of District Rules is attached with the penalty reports.

COMMITTEE: Stationary Source, October 18, 2013, Reviewed

RECOMMENDED ACTION:
Receive and file this report.

Kurt R. Wiese
General Counsel

KRW:lc

Violations

Civil Actions Filed

2 Air Plaza, Inc dba Airtel
Los Angeles Superior Court – Van Nuys Courthouse East
Case No. LC100754; Filed: 9.6.13 (NAS)
P51636, P58159
R. 1146.2 – Emissions of Oxides of Nitrogen from Large Water Heaters
and Small Boilers and Process Heaters

1 Violation

1 Case

Attachment
September 2013 Penalty Reports
Index of District Rules and Regulations

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
General Counsel's Office**

September 2013 Settlement Penalty Report

Total Penalties

Civil Penalties:	\$165,600.00
Self-Reported Violation:	\$13,000.00
MSPAP Penalties:	\$41,845.00
Hearing Board Penalties:	\$11,500.00
Total Cash Penalties:	\$231,945.00
Total SEP Value:	\$0.00

Fiscal Year through September 2013 Cash Total:	\$1,334,159.00
Fiscal Year through September 2013 SEP Value Only Total:	\$10,500.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
<u>CIVIL PENALTIES:</u>							
48849	COMMUNITY HOSPITAL OF HUNTINGTON PARK	1146.2 1470		9/27/2013	KCM	P58683	\$11,000.00
800075	LA CITY, DWP SCATTERGOOD GENERATING	402, 41700 402, 41700	Y	9/18/2013	NSF	P37225 P37226	\$5,000.00
44173	LOS ANGELES AIRPORT HILTON	1146.1		9/5/2013	MJR	P57981	\$27,500.00
173153	MWH AMERICAS INC	3002		9/19/2013	MJR	P61054	\$14,200.00
21728	PLACENTIA LINDA HOSPITAL	222 1146.2		9/5/2013	TRB	P58942	\$6,000.00
94272	RGF ENTERPRISES INC	3002(C)(1)		9/19/2013	RRF	P58074	\$1,000.00
800129	SFPP, L.P.	462	Y	9/26/2013	RRF	P37229	\$7,000.00
126961	SODEXO HO MANAGEMENT INC	203 (B)		9/17/2013	ML	P50698	\$2,500.00
156002	SRJ MARKETING INC Small Claims	461(E)(2)(C) 203(B), 461(E)(2)(C)		9/13/2013	PH	P59958 P59238	\$900.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
11119	THE GAS CO./ SEMPRA ENERGY	2004 2004	Y	9/11/2013	KCM	P52619 P51977	\$61,000.00
TOTAL CIVIL PENALTIES:		\$165,600.00					
SELFREPORTED VIOLATIONS:							
128243	BURBANK CITY,BURBANK WATER & POWER	218 2004	Y	9/26/2013	NAS	SRV96	\$13,000.00
TOTAL SRV VIOLATIONS:		\$13,000.00					
MSPAP SETTLEMENTS:							
133100	6TH & CATALINA CHEVRON, KOHANOFF	461 (E) (1) 41960.2		9/19/2013		P59993	\$2,990.00
153157	ALL FORTUNE GROUP LLC	203		9/11/2013		P59704	\$715.00
109968	ALUMAFOLD PACIFIC, INC.	203 (B)		9/17/2013		P59620	\$840.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
48574	APPLE MARKETS INC, APPLE MARKET ONE	203 (B) 461		9/17/2013		P59929	\$1,620.00
118917	APRO INC #8	203(B), 461, 41960.2		9/4/2013		P62226	\$1,050.00
160603	ARCO #83101	203		9/24/2013		P59129	\$2,700.00
168121	B & B VENTURES INC	461(C)(2)(B)		9/17/2013		P56836	\$495.00
14931	BAU FURNITURE MANUFACTURING	3003		9/19/2013		P56981	\$600.00
151740	BEST CLEANER	203 (A)		9/17/2013		P57634	\$550.00
155468	BOB'S 76 SERVICES	461(C)(2)(B) 41960.2		9/18/2013		P62317	\$550.00
174039	BOYD'S CONCRETE PUMPING	203 (A)		9/4/2013		P61175	\$200.00
160350	BOYLE GAS STATION, 4TH & 5 MART, INC.	461		9/18/2013		P60058	\$1,600.00
136705	BURBANK SHELL, JAGDISH KHANGURA DBA	461 41960.2		9/27/2013		P35789	\$400.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
148782	CANYON FOOD & MINI MART	203 (B) 461(C)(2)(B)		9/17/2013		P59933	\$495.00
154458	CHERRY DEVELOPMENT CORP	203 (B), 461		9/17/2013		P59924	\$330.00
137018	CHEVRON DEALER, JAMAL SAYEGH #90477	41960.2 461(C)(2)(B)		9/4/2013		P35788	\$600.00
153226	CHINO VALLEY FUELS	461		9/27/2013		P62314	\$550.00
169530	CIRCLE K #2709472 CIRCLE K STORES, INC.	203 (B), 41960.2 461(C)(1)(A)		9/10/2013		P62403	\$900.00
152707	CPV SENTINEL LLC	201, 203, 3002	Y	9/11/2013		P52621	\$550.00
46316	CRENSHAW LUMBER CO	461		9/10/2013		P50730	\$600.00
169743	CULVER CITY CHEVRON	461 (E) (1)		9/4/2013		P62222	\$330.00
28512	FREEDOM ORANGE COUNTY INFORMATION	203 (B), 1415		9/24/2013		P58887	\$2,250.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
165784	GREEN PLANET FUEL	461(E)(5)		9/11/2013		P59142	\$500.00
167281	JOE AND TONY SCHEIB, INC THEE EARL	203 (A)		9/24/2013		P62353	\$200.00
132364	K.D.M. ENTERPRISES	203 (B)		9/17/2013		P56829	\$800.00
170730	LYON'S SERVICE	461		9/27/2013		P60215	\$225.00
93019	MILLERS CLEANERS, FRANCISCO VALLEJO	1421 203 (B)		9/4/2013		P56299	\$1,500.00
171363	OAK VALLEY CHEVRON	461 41960.2		9/4/2013		P56834	\$550.00
38014	ORANGE CITY, WATER DEPT	1470		9/27/2013		P55790	\$550.00
164636	PACIFIC SCREENPRINT INTERNATIONAL	109, 1171		9/4/2013		P58932	\$1,000.00
172900	RDB LA GROUP, INC	201 201		9/6/2013		P58189 P58190	\$1,000.00
161240	RGB SYSTEMS INC, DBA EXTRON ELECTRONIC	1470		9/27/2013		P56096	\$900.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
170815	RVT'S PLAYA VISTA/MAHBUBAR RAHMAN	461		9/17/2013		P62223	\$600.00
170728	S & F ALRABADI INC.	461		9/24/2013		P60216	\$1,275.00
170728	S & F ALRABADI INC.	461(E)(2)(C)		9/24/2013		P59249	\$470.00
128584	S & S OIL INC	461		9/18/2013		P62231	\$720.00
155425	SANTA FE ENERGY, INC.	41960.2 461(C)(2)(B)		9/19/2013		P62312	\$420.00
4477	SO CAL EDISON CO	201, 203 (A)	Y	9/18/2013		P52190	\$1,000.00
163690	STERICYCLE, INC	1146 203(B)		9/18/2013		P58685	\$1,100.00
132814	SUN CLEANERS	203 (A)		9/19/2013		P56095	\$550.00
164345	SUNSHINE CAR WASH	41960.2 461(C)(1)(A)		9/12/2013		P62400	\$550.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
174389	TIM GREENLEAF ENGINEERING	403 403(D)(1) 403(D)(2)		9/27/2013		P56097	\$3,300.00
150584	TISHMAN SPEYER PROPERTIES L.P.	203		9/24/2013		P57991	\$600.00
9217	VEOLIA ENERGY LOS ANGELES, INC	2004	Y	9/6/2013		P57067	\$550.00
73691	WESTWOOD HORIZONS CORPORATION	1146.2		9/18/2013		P57994	\$1,200.00
170215	WINDY COVE MARKET & GAS	461 203 (B)		9/6/2013		P59925	\$600.00
63155	WORLD OIL COMPANY #68	461(C)(1)(A)		9/18/2013		P59999	\$420.00
165281	YANG'S CHEVRON	41960.2 461		9/4/2013		P61453	\$350.00
TOTAL MSPAPP SETTLEMENTS:							\$41,845.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
HEARING BOARD SETTLEMENTS:							
147371	INLAND EMPIRE UTILITIES AGENCY Hearing Board Case No. 5209-4 IEVA agrees to pay \$1,000/month for operation of equipment in violation of permit conditions.	203, 3002		9/4/2013	KCM	HRB2177	\$1,000.00
147371	INLAND EMPIRE UTILITIES AGENCY Hearing Board Case No. 5209-4 IEVA agrees to pay \$1,000/month for operation of equipment in violation of permit conditions.	203, 3002		9/12/2013	KCM	HRB2179	\$1,000.00
49111	SUNSHINE CANYON LANDFILL Hearing Board Case No. 3448-13 Settlement agreement states facility agrees to pay sum of \$2500/month for the ongoing operation of the facility's temp flare. Penalty is for July and August 2013.	402		9/4/2013	NAS	HRB2176	\$5,000.00
12505	VALLEY PRESBYTERIAN HOSPITAL Hearing Board Case No. 5920-2 Facility must pay \$500/month it operates boilers during the Order for Abatement period.	1146		9/11/2013	KCM	HRB2178	\$500.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
138372	VERIZON WIRELESS Hearing Board Case Nos. 5900-1 and 5660-4 Failure to install diesel particulate filters operating 6 ICEs greater than 50 bhp without control equipment in January 2013	203, 1470		9/3/2013		HRB2175	\$3,000.00
165209	WESTCOAST PLATING, INC. Hearing Board Case No. 5840-1 Stipulated penalty until permits obtained for plating line.	201, 203, 1469		9/3/2013		HRB2174	\$1,000.00

TOTAL HEARING BOARD SETTLEMENTS: \$11,500.00

DISTRICT RULES AND REGULATIONS INDEX FOR SEPTEMBER 2013 PENALTY REPORTS

REGULATION I - GENERAL PROVISIONS

Rule 109 Recordkeeping for Volatile Organic Compound Emissions (*Amended 5/2/03*)

REGULATION II – PERMITS

List and Criteria Identifying Information Required of Applicants Seeking A Permit to Construct from the South Coast Air Quality Management - District (*Amended 4/10/98*)

Rule 201 Permit to Construct (*Amended 1/5/90*)

Rule 203 Permit to Operate (*Amended 12/3/04*)

Rule 218 Continuous Emission Monitoring (*Amended 5/14/99*)

Rule 222 Filing Requirements for Specific Emission Sources Not Requiring a Written permit Pursuant to Regulation II. (*Amended 5/19/00*)

REGULATION IV - PROHIBITIONS

Rule 402 Nuisance (*Adopted 5/7/76*)

Rule 403 Fugitive Dust (*Amended 12/11/98*) *Pertains to solid particulate matter emitted from man-made activities.*

Rule 461 Gasoline Transfer and Dispensing (*Amended 6/15/01*)

Rule 462 Organic Liquid Loading (*Amended 5/14/99*)

REGULATION XI - SOURCE SPECIFIC STANDARDS

Rule 1146.1 Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters (*Amended 5/13/94*)

Rule 1146.2 Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers (*Adopted 1/9/98*)

Rule 1171 Solvent Cleaning Operations (*Amended 10/8/99*)

REGULATION XIV - TOXICS

Rule 1415 Reduction of Refrigerant Emissions from Stationary Refrigeration and Air Conditioning Systems (*Amended 10/14/94*)

Rule 1421 Control of Perchloroethylene Emissions from Dry Cleaning Operations (*Amended 6/13/97*)

Rule 1469 Hexavalent Chromium Emissions From Chrome Plating and Chromic Acid Anodizing Operations (*Adopted 10/9/98*)

Rule 1470 Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines

REGULATION XX - REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

Rule 2004 Requirements (*Amended 4/6/07*)

REGULATION XXX - TITLE V PERMITS

Rule 3002 Requirements (*Amended 11/14/97*)

Rule 3003 Applications (*Amended 3/16/01*)

CALIFORNIA HEALTH AND SAFETY CODE § 41700

41700 Violation of General Limitations

41960.2 Gasoline Vapor Recovery

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BOARD MEETING DATE: November 1, 2013

AGENDA NO. 17

REPORT: Lead Agency Projects and Environmental Documents Received by the SCAQMD

SYNOPSIS: This report provides, for the Board's consideration, a listing of CEQA documents received by the SCAQMD between September 1, 2013 and September 30, 2013, and those projects for which the SCAQMD is acting as lead agency pursuant to CEQA.

COMMITTEE: Mobile Source, October 18, 2013, Reviewed

RECOMMENDED ACTION:
Receive and file.

Barry R. Wallerstein, D.Env.
Executive Officer

EC:LT:SN:MK:IM:AK

Background

CEQA Document Receipt and Review Logs (Attachments A and B) – Each month, the SCAQMD receives numerous CEQA documents from other public agencies on projects that could adversely affect air quality. A listing of all documents received during the reporting period of, September 1, 2013, through September 30, 2013 is included in Attachment A. A list of active projects from previous reporting periods for which SCAQMD staff is continuing to evaluate or prepare comments is included as Attachment B.

The Intergovernmental Review function, which consists of reviewing and commenting on the adequacy of the air quality analysis in CEQA documents prepared by other lead agencies, is consistent with the Governing Board's 1997 Environmental Justice Guiding Principles and Initiative #4. Consistent with the Environmental Justice Program Enhancements for FY 2002-03 approved by the Board in September 2002, each of the attachments notes those proposed projects where the SCAQMD has been contacted regarding potential air quality-related environmental justice concerns. The SCAQMD has established an internal central contact to receive information on projects with

potential air quality-related environmental justice concerns. The public may contact the SCAQMD about projects of concern by the following means: in writing via fax, email, or standard letters; through telephone communication; as part of oral comments at SCAQMD meetings or other meetings where SCAQMD staff is present; or submitting newspaper articles. The attachments also identify for each project the dates of the public comment period and the public hearing date, as reported at the time the CEQA document is received by the SCAQMD. Interested parties should rely on the lead agencies themselves for definitive information regarding public comment periods and hearings as these dates are occasionally modified by the lead agency.

At the January 6, 2006 Board meeting, the Board approved the Workplan for the Chairman's Clean Port Initiatives. One action item of the Chairman's Initiatives was to prepare a monthly report describing CEQA documents for projects related to goods movement and to make full use of the process to ensure the air quality impacts of such projects are thoroughly mitigated. In response to describing goods movement CEQA documents, Attachments A and B are organized to group projects of interest into the following categories: goods movement projects; schools; landfills and wastewater projects; airports; and general land use projects, etc. In response to the mitigation component, guidance information on mitigation measures were compiled into a series of tables relative to: off-road engines; on-road engines; harbor craft; ocean-going vessels; locomotives; fugitive dust; and, greenhouse gases. These mitigation measure tables are on the CEQA webpages portion of the SCAQMD's website. Staff will continue compiling tables of mitigation measures for other emission sources including airport ground support equipment, etc.

As resources permit, staff focuses on reviewing and preparing comments for projects: where the SCAQMD is a responsible agency; that may have significant adverse regional air quality impacts (e.g., special event centers, landfills, goods movement, etc.); that may have localized or toxic air quality impacts (e.g., warehouse and distribution centers); where environmental justice concerns have been raised; and those projects for which a lead or responsible agency has specifically requested SCAQMD review.

During the period September 1, 2013 through September 30, 2013, the SCAQMD received 94 CEQA documents. Of the total of 115 documents listed in Attachments A and B:

- 22 comment letters were sent;
- 16 documents were reviewed, but no comments were made;
- 32 documents are currently under review;
- 8 documents did not require comments (e.g., public notices, plot plans, Final Environmental Impact Reports);
- 0 documents were not reviewed; and
- 37 were screened without additional review.

Copies of all comment letters sent to lead agencies can be found on the SCAQMD's CEQA webpage at the following internet address: www.aqmd.gov/ceqa/letters.html.

SCAQMD Lead Agency Projects (Attachment C) – Pursuant to CEQA, the SCAQMD periodically acts as lead agency for stationary source permit projects. Under CEQA, the lead agency is responsible for determining the type of CEQA document to be prepared if the proposal is considered to be a “project” as defined by CEQA. For example, an Environmental Impact Report (EIR) is prepared when the SCAQMD, as lead agency, finds substantial evidence that the proposed project may have significant adverse effects on the environment. Similarly, Negative Declaration (ND) or Mitigated Negative Declaration (MND) may be prepared if the SCAQMD determines that the proposed project will not generate significant adverse environmental impacts, or the impacts can be mitigated to less than significance. The ND and MND are written statements describing the reasons why proposed projects will not have a significant adverse effect on the environment and, therefore, do not require the preparation of an EIR.

Attachment C to this report summarizes the active projects for which the SCAQMD is lead agency and is currently preparing or has prepared environmental documentation. Through the end of September, the SCAQMD received two new requests to be the lead agency for stationary source permit application projects. As noted in Attachment C, through the end of September 2013, the SCAQMD continued working on the CEQA documents for nine active projects.

Through the end of September 2013, SCAQMD staff has been responsible for preparing or having prepared CEQA documents for nine permit application projects, six continuing from 2012 and three beginning in 2013.

Attachments

- A. Incoming CEQA Documents Log
- B. Ongoing Active Projects for Which SCAQMD Has or Will Conduct a CEQA Review
- C. Active SCAQMD Lead Agency Projects

ATTACHMENT A**
INCOMING CEQA DOCUMENTS LOG
SEPTEMBER 1, 2013 TO SEPTEMBER 30, 2013

<u>SCAQMD LOG-IN NUMBER</u> PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
Warehouse & Distribution Centers LAC130924-01 Malt Avenue Business Center	The proposed project consists of a 140,509 square-foot warehouse distribution center on a 5.43-acre site. Comment Period: N/A Public Hearing: N/A	ND	City of Commerce	Document under review as of 9/30/13
Warehouse & Distribution Centers RVC130912-01 Plot Plan No. 25422	This document consists of an initial case transmittal for an industrial development comprised of 3 buildings totaling 918,150 square feet. Comment Period: 9/12/2013 - 9/26/2013 Public Hearing: N/A	Other	County of Riverside	Document does not require comments
Warehouse & Distribution Centers RVC130917-01 Planned Development No. 1 and Parcel Map No. 19496	The proposed project consists of constructing a 771,839 square-foot warehouse/distribution center on 35.59 acres on a proposed parcel map located on the north side of Lugonia Avenue, the south side of Almond Avenue, and the east side of California Street. Comment Period: N/A Public Hearing: 9/23/2013	PN	City of Redlands	Document does not require comments
Airports LAC130912-03 Atlantic Aviation Los Angeles International Airport (LAX) Hangar and Office Development Project	The proposed project consists of constructing a hangar and office building on its leasehold located within the airport airside at LAX. The proposed hangar would be 36,550 square feet with an adjoining 4,900 square-foot one-story office building and a 2,000 square-foot one-story hangar support building. Comment Period: 9/12/2013 - 10/2/2013 Public Hearing: N/A	ND	City of Los Angeles, Los Angeles World Airports	Document reviewed - No comments sent
Airports LAC130919-06 Runway 7L/25R RSA and Associated Improvements Project	The proposed project consists of extending and improving Runway 7L/25R. Comment Period: 9/19/2013 - 11/4/2013 Public Hearing: N/A	DEIR	City of Los Angeles	Document under review as of 9/30/13

**Sorted by Land Use Type (in order of land uses most commonly associated with air quality impacts), followed by County, then date received.

NOP - Notice of Preparation

DEIR - Draft Environmental Impact Report

FEIR - Final Environmental Impact Report

RDEIR - Revised Draft Environmental Impact Report

SEIR - Subsequent Environmental Impact Report

IS - Initial Study

MND - Mitigated Negative Declaration

NOI - Notice of Intent to prepare an EIS

DEA - Draft Environmental Assessment

EIS - Environmental Impact Statement

FONSI - Finding of No Significant Impact

PN - Public Notice

Other - Typically notices of public meetings

N/A - Not Applicable

- Project has potential environmental justice concerns due to the nature and/or location of the project.

**ATTACHMENT A
INCOMING CEQA DOCUMENTS LOG
SEPTEMBER 1, 2013 TO SEPTEMBER 30, 2013**

SCAQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Industrial and Commercial</i> LAC130919-05 Diamond Bar Office Building	This document consists of an architectural site plan for a new 4,400 square-foot, three-story, professional office building at 1111-1149 North Diamond Bar Boulevard. Comment Period: N/A Public Hearing: N/A	Other	City of Diamond Bar	Document screened - No further review conducted
<i>Industrial and Commercial</i> LAC130925-11 ENV-2013-2418/5718 S. Western Avenue; South Los Angeles	The proposed project consists of constructing a new 1,695 square-foot, 1-story, 35 feet tall, five-bay coin-operated car wash (self-serve) with five vacuums. An existing 518 sq. ft. building will be retained and used as an office building. Comment Period: 9/25/2013 - 10/16/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted
<i>Waste and Water-related</i> LAC130903-08 Whittier Narrows Dam Safety Modifications Study Report Comment Letter	This document consists of comments from U.S. EPA on the Army Corps of Engineers notice of intent to prepare a Draft EIS. The project will study potential improvement to the Whittier Narrows Dam.	Other	U.S. EPA	Document does not require comments
<i>Waste and Water-related</i> LAC130904-06 Hyperion Treatment Plan Digester Gas Utilization Project	This document consists of a response to SCAQMD comments. The proposed project consists of modifying the facility to beneficially use the renewable digester gas, while ensuring that the Hyperion Treatment Plant has reliable and adequate electricity and steam for plant use. To optimize the use of the renewable digester resources, the Bureau of Sanitation (BOS) will consider a wide range of equipment that will address utilization of the digas, plant electricity demand, and plant steam demand. To accommodate this project BOS may need to remove equipment from existing buildings and enclosures. Comment Period: N/A Public Hearing: N/A	Other	City of Los Angeles	Document reviewed - No comments sent
<i>Waste and Water-related</i> LAC130906-02 Los Angeles Groundwater Replenishment Project	The proposed project consists of the construction of an advanced water purification facility that would treat secondary or tertiary effluent produced by the Donald C. Tillman Water Reclamation Plant using advanced treatment technology. Comment Period: 9/6/2013 - 10/21/2013 Public Hearing: N/A	NOP/IS	City of Los Angeles	SCAQMD staff commented 9/20/2013

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<i>Waste and Water-related</i> LAC130910-09 Ace Recycling Consolidation	This document consists of request for comments on a Conditional Use Permit to allow the expansion and operation of an existing metal recycling collection and processing facility. Comment Period: 9/10/2013 - 9/18/2013 Public Hearing: N/A	Mitigated ND	City of Huntington Park	Document reviewed - No comments sent
<i>Waste and Water-related</i> LAC130910-15 Emerson Middle School	This document consists of a community survey regarding the proposed soil cleanup for the Emerson Middle School Redevelopment site. The clean up would take place behind the former wood and metal shop and would take place following the demolition of these buildings. Comment Period: 9/10/2013 - 9/23/2013 Public Hearing: N/A	Other	Department of Toxic Substances Control	Document does not require comments
<i>Waste and Water-related</i> LAC130918-13 NASA's Santa Susana Field Laboratory	The proposed project consists of remediating the environment to a level that meets NASA's cleanup responsibilities and to perform demolition actions necessary to support both remediation and property disposition of the NASA-administered portion of Santa Susana Field Laboratory. This document was sent by a third party. Comment Period: 9/18/2013 - 10/1/2013 Public Hearing: 10/22/2013	DEIS	Department of Toxic Substances Control	Document under review as of 9/30/13
<i>Waste and Water-related</i> LAC130919-04 Los Angeles River Ecosystem Restoration Feasibility Study	The proposed project consists of alternatives considered to restore approximately 11 miles of the Los Angeles River from approximately Griffith Park to downtown Los Angeles. Restoration would occur by reestablishing riparian strand, freshwater marsh, and aquatic habitat communities and reconnecting the River to major tributary confluences and its historic floodplain, while maintaining existing levels of flood risk management. Comment Period: 9/19/2013 - 11/5/2013 Public Hearing: N/A	DEIS/EIR	U.S. Army Corps of Engineers	Document under review as of 9/30/13
<i>Waste and Water-related</i> ORC130903-07 Ascon Landfill	The proposed project consists of remediating the former Ascon landfill site in Huntington Beach. The preferred remedial alternative includes partial removal of contaminated materials and installation of a cap. Comment Period: N/A Public Hearing: N/A	Other	Department of Toxic Substances Control	Document under review as of 9/30/13
<i>Waste and Water-related</i> ORC130910-10 Laguna Beach Water Tank Ravine Burn Site Remediation and Restoration Project	The proposed project consists of removing, transporting and disposing of all hazardous waste generated by historic trash collection and incineration activities from the three locations of the project area that two site investigations have determined contain contaminated materials. Comment Period: 9/10/2013 - 10/10/2013 Public Hearing: N/A	NOP/IS	City of Laguna Beach	SCAQMD staff commented 9/20/2013

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<i>Waste and Water-related</i> RVC130911-03 DWR Perris Dam Emergency Release Facility Project EIR	The proposed project consists of modifying the existing valve and control system, and constructing an emergency release facility that would convey up to 3,800 cubic feet per second of water from the Perris Dam over State-owned land to the Perris Valley Channel. Comment Period: 9/11/2013 - 9/19/2013 Public Hearing: N/A	NOP (No IS Attached)	California Department of Water Resources	SCAQMD staff commented 9/24/2013
<i>Waste and Water-related</i> SBC130919-07 Rehabilitation of Lake Gregory Dam	The proposed project consists of constructing physical improvements to the dam, earthen material hauling and processing, relocation of utilities on Lake Drive, and interim traffic detour routes. Comment Period: 9/20/2013 - 10/21/2013 Public Hearing: N/A	NOP (No IS Attached)	County of San Bernardino	Document under review as of 9/30/13
<i>Utilities</i> LAC130925-10 ENV-2013-2334/2515 W. Pico Boulevard, Pico Union; Wilshire	The proposed project consists of a Conditional Use entitlement for a new wireless facility consisting of 12 panel antennas and a microwave dish mounted on a 57-foot monopalm, with a generator. Comment Period: N/A Public Hearing: N/A	PN	City of Los Angeles	Document under review as of 9/30/13
<i>Utilities</i> LAC130918-07 ENV-2013-1567/ 8454 N. Sepulveda Blvd, Mission Hills-Panorama City-North Hills	The project consists of the installation, operation and maintenance of a 60-foot high unmanned wireless telecommunications facility disguised as a palm tree along with a 50-kilowatt standby generator. Comment Period: 9/18/2013 - 10/9/2013 Public Hearing: N/A	PN	City of Los Angeles	Document under review as of 9/30/13
<i>Utilities</i> LAC130925-08 ENV-2013-1461/ 3720 E. Division Street; Northeast Los Angeles	The proposed project consists of the construction, use, and maintenance of a new 33-foot tall, three-story, 2,563 square-foot single family residence with an attached 770 square foot three-car garage. Project requires the cut and export of approximately 1,820 cubic yards of earth. Comment Period: 9/25/2013 - 10/16/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted
<i>Utilities</i> LAC130925-09 ENV-2013-1902/ 7685 Foothill Boulevard; Sunland-Tujunga-Shadow Hills-East La Tuna Canyon	The proposed project consists of the construction, use and maintenance of a new, rooftop Wireless Telecommunications facility including 12 six-foot panel antennas, 24 remote radio units, five surge suppressors behind a screen wall with maximum height for 40 feet and a 15-foot by 20-foot equipment shelter including two GPS antennas with a maximum height of 11 feet. Comment Period: 9/25/2013 - 10/16/2013 Public Hearing: N/A	PN	City of Los Angeles	Document under review as of 9/30/13

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<i>Transportation</i> LAC130912-02 Glendale Boulevard-Hyperion Avenue Complex of Bridges Improvement Project	The proposed project consists of improving geometrical design, increasing seismic strength, and improving pedestrian, bicycle and motor vehicle travel associated with the viaduct complex. Major project features include widening of the Glendale Boulevard bridges by eight feet each, realigning the I-5 northbound off-ramp to allow left turns onto southbound Glendale Boulevard, adding a median barrier on the Hyperion Avenue viaduct roadway, creating a wider sidewalk on the northwest side of Hyperion Avenue, and eliminating the southeastern sidewalk. Comment Period: 9/12/2013 - 9/27/2013 Public Hearing: N/A	Envi ron ment al Asse ssme nt	California Department of Transportation	Document reviewed - No comments sent
<i>Transportation</i> ORC130910-12 Interstate 5 Widening Project from State Route 73 to El Toro Road	The proposed project consists of widening the Interstate 5 from State Route 73 to El Toro Road. The project would add general-purpose lanes in each direction on I-5 between Avery Parkway and Alicia Parkway and extend the second high-occupancy vehicle lane from Alicia Parkway to El Toro Road. Comment Period: 9/10/2013 - 10/7/2013 Public Hearing: 9/25/2013	Envi ron ment al Asse ssme nt	California Department of Transportation	Document under review as of 9/30/13
<i>Institutional (schools, government, etc.)</i> LAC130903-01 Mt. San Antonio College 2012 Facility Master Plan	The proposed project consists of the 2012 Facility Master Plan which identifies future new buildings proposed on campus, and the existing buildings to be renovated. Comment Period: 9/3/2013 - 10/21/2013 Public Hearing: N/A	Sub EIR	Mt. San Antonio College	Document under review as of 9/30/13
<i>Institutional (schools, government, etc.)</i> LAC130903-05 Van De Kamp Innovation Center	The proposed project consists of scaling back plans to establish a satellite campus at the Van de Kamp Innovation Center. Currently, the Los Angeles Community College District maintains offices at the project site and leases facilities to tenants with an educational focus. The current tenants include a charter high school, and various worker training programs. Comment Period: N/A Public Hearing: 9/25/2013	Sub FEIR	Los Angeles Community College District	SCAQMD staff commented 9/20/2013
<i>Institutional (schools, government, etc.)</i> LAC130906-03 Jordan High School Major Renovation Project	The proposed project would include implementation of the proposed campus master plan in approximately six phases starting in January 2014, with the full buildout being completed over several years as funding becomes available. To implement the campus master plan, the proposed project would include demolition of approximately 10 permanent buildings and 32 portable buildings, renovation of approximately 240,000 square feet of new building space, to replace the classrooms that were demolished. At full buildout, the project site would consist of approximately 453,000 square feet of total building space. Comment Period: 9/5/2013 - 10/19/2013 Public Hearing: N/A	DEIR	Long Beach Unified School District	Document reviewed - No comments sent

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<i>Institutional (schools, government, etc.)</i> LAC130906-05 Los Angeles Street Civic Building Project	The proposed project consists of reactivating the existing Parker Center Property to provide office space for City of Los Angeles employees. Three potential build alternatives are considered and are as follows: Rehabilitation with various improvements; Partial Demolition Rehabilitation, and Addition, which includes rehabilitation of majority of the building combined with an expansion of 522,255 square feet; and Demolition and Build, which includes full demolition and construction of 753,753 square feet. Comment Period: 9/5/2013 - 10/21/2013 Public Hearing: 10/15/2013	DEIR	City of Los Angeles	Document under review as of 9/30/13
<i>Institutional (schools, government, etc.)</i> LAC130918-12 ENV-2013-740/ 1539-1568	The proposed project consists of the construction, use, and maintenance of a new two-story, 28,485 square-foot public charter high school located on a 1.22 acre lot across the street from Belmont High School. Comment Period: 9/18/2013 - 10/9/135 Public Hearing: N/A	PN	City of Los Angeles	Document under review as of 9/30/13
<i>Institutional (schools, government, etc.)</i> LAC130924-09 Master's College Master Plan Modification	The proposed project consists of a modification to the Master Plan. The modification creates a new, secondary circulation access point and adjusts the phasing of the Master Plan accordingly. Comment Period: 9/19/2013 - 10/21/2013 Public Hearing: 10/2/2013	NOP/IS	City of Santa Clarita	Document under review as of 9/30/13
<i>Institutional (schools, government, etc.)</i> LAC130925-07 ENV-2013-1152/ 8741 N. Hayvenhurst Avenue; Mission Hills-Panorama City- North Hills	The proposed project consists of the continued use, expansion, and maintenance of an existing private school (preschool and grades K-8) with a maximum enrollment of 660 students, and operational hours from 7:00 am to 9:30 pm Monday through Friday, and 9:00 am to 6:30 pm Saturday and Sunday. New construction is proposed in three phases consisting of two new classroom buildings, one new administration building, and one new gymnasium containing a total of approximately 49,270 square feet of new floor area, including 20 new elementary classrooms. A total of 117 off-street surface parking spaces are provided for the on-site uses. Comment Period: 9/26/2013 - 10/16/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted
<i>Institutional (schools, government, etc.)</i> ORC130924-08 High School No. 5	The proposed project consists of a new high school with a maximum enrollment of 2,600 students with a full complement of buildings and recreational amenities. Comment Period: 9/24/2013 - 10/22/2013 Public Hearing: N/A	Sup DEIR	Irvine Unified School District	Document under review as of 9/30/13

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Medical Facility LAC130918-10 ENV-2013-2232/ 7200 N. Medical Center Drive; Canoga Park-Winnetka-Woodland Hills-West Hills	The proposed project consists of a Conditional Use Permit and Zone Variance to establish a roof-top emergency medical heliport on top of the two-story lower building of the emergency department/intensive care unit of the West Hills Hospital Medical Facility. The helipad would be the same height as the adjoining mechanical penthouse parapet. The existing elevator would be vertically extended to provide access to the helipad. Additionally, the helipad facility would require the inclusion of two, 22-foot tall wind cone assemblies on top of the elevator penthouse and also on top of the adjacent 6-story medical building. Comment Period: 9/18/2013 - 10/9/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted
Medical Facility SBC130913-02 Loma Linda University Health Master Plan Project	The proposed project of a Master Plan to include: 1) a seven-story approximately 250,000 square-foot, 760-space patient and visitor parking structure; 2) a 13-story (approximately 215 feet in height), approximately 730,00 square-foot hospital with 464 beds to replace a portion of the seismically-non compliant existing hospital, and 80 parking spaces; 3) an approximate 34,000 square-foot new or retrofitted utility plant; 4) an approximately 14,000 square-foot Southern California Edison upgraded on-site or new off-site electrical substation; 5) a two-story, approximately 9,000 square-foot addition to the existing dental school; 6) a four-story approximately 90,000 square-foot research building; and 7) tenant improvements and reuse of the vacated portions of the existing hospital. Comment Period: 9/13/2013 - 10/28/2013 Public Hearing: N/A	Draft PEIR	City of Loma Linda	Document under review as of 9/30/13
Retail LAC130903-04 Cinemark Theaters at South Bay Pavilion	The proposed project consists of a new 57,352 square-foot, 14-screen movie theater at the South Bay Pavilion. Comment Period: 9/3/2013 - 9/18/2013 Public Hearing: 9/24/2013	Mitigated ND	City of Carson	Document reviewed - No comments sent
Retail LAC130910-07 ENV-2013-2283/ 950 N. Avalon Blvd., Wilmington-Harbor City	The proposed project consists of a Conditional Use to permit the sale of beer and wine only for off-site consumption in conjunction with an existing 1,790 square-foot mini-market and gasoline station open 24 hours with alcohol sales occurring between 8:00 am and 2:00 am daily. Comment Period: 9/10/2013 - 10/2/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted

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Retail LAC130913-01 IKEA Retail Store	The proposed project consists of constructing a new 470,000 square-foot IKEA retail store with 1,726 parking spaces, and an extension of First Street from its current terminus at E. Santa Anita Avenue to the project site located at 805 S. San Fernando Boulevard. Comment Period: 9/13/2013 - 10/28/2013 Public Hearing: N/A	DEIR	City of Burbank	Document under review as of 9/30/13
Retail LAC130918-03 ENV-2013-427/ 2100 W. 11th Street/1107 S. Alvarado Street, Westlake	The project consists of a request to allow the sale and dispensation of a full line of alcohol for on-site consumption at an existing restaurant in conjunction with live music and dancing. The restaurant is located within a strip center constructed in 1987. Comment Period: 9/18/2013 - 10/9/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted
Retail LAC130918-05 ENV-2013-1012/ 580 S. Mateo Street, Central City North	The proposed project consists of allowing the sale of a full line of alcoholic beverages for on- and off-site consumption in conjunction with a new restaurant/market consisting of 7,800 square feet and 155 seats indoors, 36 seats on a 600 square-foot outdoor dining area and 25 seats on a 1,500 square-foot covered patio dining area, with hours of operation from 7:00 am to 2:00 am, daily, located within an existing commercial building. Comment Period: 9/18/2013 - 10/21/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted
Retail LAC130918-09 ENV-2013-2713/ 1635 S. Abbot Kinney Blvd., Venice	The proposed project consists of legalizing the change in use of a 1,013 square-foot office and a 553 square-foot take-out restaurant into 1,566 square-feet of restaurant use, to be combined with the expansion of an existing 1,390 square-foot sit-down restaurant, resulting in a 2,956 square-foot sit-down restaurant. Comment Period: 9/18/2013 - 10/21/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted
Retail LAC130918-11 ENV-2013-1400/ 4214 South Lincoln Boulevard, Venice	The proposed project consists of a Conditional Use to allow the sale of a full line of alcoholic beverages for off-site consumption in conjunction with a new 4,552 square-foot specialty store, specifically BevMo, including a 100 square feet of tasting area for on-site consumption of a full line of alcoholic beverages, with proposed hours of operation of 9:00 a.m. to 10:00 p.m., daily. The project includes the demolition of the existing building. Comment Period: 9/18/2013 - 10/9/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted

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Retail LAC130925-01 ENV-2013-2195/ 1911 North Hillhurst Avenue	The proposed project involves tenant improvements/change of use associated with the establishment, use and maintenance of a new gourmet wine shop (which includes a wine tasting area) located within an existing 1,613 square-foot tenant space. Comment Period: 9/25/2013 - 10/16/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted
Retail RVC130903-09 Appeal No. 2013-002, appeal of Minor Plot Plan No. 2012-185 "Minor Revision to McDonalds PP 2011-146"	The proposed project consists of a minor change to an approved plot plan for a 3,729 square-foot McDonalds PP restaurant with drive-thru on 1.14 acres. Comment Period: N/A Public Hearing: 9/10/2013	PN	City of Menifee	Document screened - No further review conducted
Retail RVC130917-03 Arco AM-PM	This document consists of a planning application. The proposed project consists of a conditional use permit for the construction and operation of a gasoline service station, 2,900 square feet of convenience store and carwash on a 1.89-acre parcel. Comment Period: 9/17/2013 - 9/27/2013 Public Hearing: N/A	Other	City of Menifee	Document does not require comments
General Land Use (residential, etc.) LAC130904-01 ENV-2013-958/ 807 N. Hudson Ave., Hollywood	The proposed project consists of the construction of a four-story, 45-foot tall building with 23 residential dwelling units that includes two units for very low income households, 44 parking spaces, and a total of approximately 32,389 square feet of floor space, as well as the demolition of existing duplexes and one apartment building. As proposed, 5,300 cubic yards of dirt would be exported from the site. Comment Period: 9/4/2013 - 9/25/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted
General Land Use (residential, etc.) LAC130904-02 ENV-2012-3188/ 3124 1/2 Wilshire Blvd., Westlake	The proposed project consists of the demolition of two three-story existing office buildings for the construction of a six-story, approximately 73-foot tall building with 52 residential dwelling units, 54 parking spaces, approx. 5,281 square feet of ground floor neighborhood serving retail, and a total of approximately 56,598 square feet of floor space. Comment Period: 9/4/2013 - 10/7/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted

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General Land Use (residential, etc.) LAC130904-03 ENV-2013-986/ 7133 N. Woodley Avenue, Van Nuys-North Sherman Oaks	The proposed project consists of the construction of a 126 unit apartment building on two adjoining vacant lots. The proposed project size is 138,296 square feet of floor area and will be 45 feet in height. The project will provide 224 parking spaces. The project also includes 22,500 cubic yards of dirt exported from the site. Comment Period: 9/4/2013 - 9/25/2013 Public Hearing: N/A	PN	City of Los Angeles	Document reviewed - No comments sent
General Land Use (residential, etc.) LAC130904-04 ENV-2013-1133/ 9272 W. Robin Dr., Hollywood	The proposed project consists of the demolition of an existing 45-year old, single-family dwelling and the construction of a two-story, 7,349 square-foot single-family dwelling with attached garage and basement, including new pool, spa, deck, and retaining walls. There are 43 existing trees (not protected species), that will be removed. As proposed, the project requires an approval of a haul route to permit the exporting of 8,750 cubic yards of soil. Comment Period: 9/4/2013 - 9/25/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted
General Land Use (residential, etc.) LAC130904-05 ENV-2013-2201/ 2435-2441 South Walnut Avenue, Venice	The proposed project consists of the construction, use and maintenance of a proposed new four-unit condominium complex on an 11,700 square-foot site comprised of two adjoining record lots. Comment Period: 9/4/2013 - 10/7/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted
General Land Use (residential, etc.) LAC130906-04 Tentative Tract Map No. TT-18889 (TT-13-02)	The proposed project consists of subdividing a parcel into 15 separate lots in order to construct 15 single-family residences ranging from approximately 2,600 to 3,400 square feet on lots ranging from 10,000 to 11,915 square feet and all associated improvements. Comment Period: 9/6/2013 - 10/7/2013 Public Hearing: N/A	Mitigated ND	City of Upland	Document under review as of 9/30/13
General Land Use (residential, etc.) LAC130910-01 ENV-2012-1508/ 837 N. Pacific Ave., San Pedro	The proposed project consists of a Zone Variance to allow the continued use and maintenance of an existing auto body shop with a 268 square-foot spray paint booth, located within 500 feet of a residential zone, with hours of operation from 8:00 am to 5:00 pm, Monday through Saturday. Comment Period: 9/10/2013 - 10/2/2013 Public Hearing: N/A	PN	City of Los Angeles	Document reviewed - No comments sent

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General Land Use (residential, etc.) LAC130910-02 ENV-2012-2540/ 1600 S. Beverly Dr., West Los Angeles	The proposed project consists of construction of a new eight-unit condominium project including two density bonus units of which one is an affordable unit, a slight modification for an elevator shaft height increase, 49.5-feet in lieu of 45-feet and a haul route to export 4,000 cubic yards of dirt. Comment Period: 9/10/2013 - 10/2/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted
General Land Use (residential, etc.) LAC130910-03 ENV-2012-2584/ 8734, 8736, 8738 W. Venice Blvd. and 3203 Sherbourne Dr., West Adams-Baldwin Hills-Leimert	The project proposed consists of the demolition of existing structures and the construction, use, and maintenance of four live/work duplex rental units for a total of eight units. Comment Period: 9/10/2013 - 10/2/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted
General Land Use (residential, etc.) LAC130910-04 ENV-2013-445/ 2240 N. Mountain Oak Drive, Hollywood	The proposed project consists of the construction, use and maintenance of a 930 square-foot addition to an existing 1,973 square-foot, single-family dwelling and a 144-foot long 12-foot high retaining wall. Comment Period: 9/10/2013 - 10/15/2013 Public Hearing: N/A	PN	City of Los Angeles	Document under review as of 9/30/13
General Land Use (residential, etc.) LAC130910-05 ENV-2013-1684/ 3107 N. Amethyst St., Northeast Los Angeles	The proposed project consists of the construction of a new, 2-story, approximately 26-foot high, 2,346 square-foot single-family dwelling, inclusive of an attached approximately 434 square-foot, 2-car garage, with an approximately 380 square-foot balcony on the second floor (street level) and an approx. 380 square-foot deck on the first floor (below), high retaining walls within the required side yard setbacks, and a septic waste disposal system (septic tank and seepage pit) in the rear. Comment Period: 9/10/2013 - 10/2/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted
General Land Use (residential, etc.) LAC130910-06 ENV-2013-2126/ 530 E. Grand Blvd., Venice	The proposed project consists of demolishing an existing duplex and constructing 3 single family dwellings. Comment Period: 9/10/2013 - 10/15/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted

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SEPTEMBER 1, 2013 TO SEPTEMBER 30, 2013**

SCAQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>General Land Use (residential, etc.)</i> LAC130913-03 Glendale Link Project	The proposed Glendale Link Project is located on a 1.05-acre parcel on the northwest corner of the intersection of San Fernando Road and Central Avenue at 3901-3915 San Fernando Road. The proposed project includes 142 multi-family residential units; approximately 11,600 square feet of commercial floor area, 5,000 square feet of commercial studio space, 1,500 square feet of lobby/leasing area, supporting parking facilities, and recreation and open space amenities. A total of 244 parking spaces would be provided on the ground floor and within a two-level subterranean parking garage. Comment Period: 9/13/2013 - 10/14/2013 Public Hearing: N/A	DEIR	City of Glendale	Document reviewed - No comments sent
<i>General Land Use (residential, etc.)</i> LAC130913-05 8150 Sunset Boulevard Mixed-Use Project	The proposed project consists of redeveloping the 2.56-acre property with a mixed-use residential and retail project. The total development would include approximately 333,870 square feet of commercial and residential space. Comment Period: 9/13/2013 - 10/15/2013 Public Hearing: 10/2/2013	NOP (No IS Attached)	City of Los Angeles	SCAQMD staff commented 9/27/2013
<i>General Land Use (residential, etc.)</i> LAC130913-07 City Venture's Projects - Fire Museum, Oak Street Townhomes, and Alondra Boulevard Live/Work Townhomes	The proposed project consists of three projects. The proposed Fire Museum will provide exhibits and displays of fire equipment, engines, a theater with stage area, a lobby area, banquet facilities, bathrooms, offices, conference and meeting rooms, and a balcony area. The proposed Oak Street Townhomes Project will construct 20 townhome units and open space areas. The proposed Alondra Boulevard Live/Work Townhomes Project will provide 10 live/work units facing Alondra Boulevard, comprised of 10 residential and 10 commercial units, and another 57 townhome units that face Clark Avenue. Comment Period: 9/17/2013 - 10/7/2013 Public Hearing: 10/7/2013	Mitigated ND	City of Bellflower	Document reviewed - No comments sent
<i>General Land Use (residential, etc.)</i> LAC130918-01 ENV-2012-911-REC-1/ 6217 Waring Avenue, Hollywood	The proposed project consists of a Tentative Tract Map in conjunction with the proposed demolition of two existing duplexes, and removal of all existing trees, and the construction of a new, four-story, 45-foot-in-height, approximately 31,150-square-foot multifamily complex with 23 condominium units on an approximately 13,625-square-foot parcel. The project will involve hauling approximately 5800 cubic yards of dirt. Comment Period: 9/18/2013 - 10/9/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted

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<i>General Land Use (residential, etc.)</i> LAC130918-02 ENV-2012-1501/ 1435 W. Third Street, Westlake	The proposed project consists of demolishing 9 buildings with 22 single and multi-family residential units and approximately 2,000 square feet of commercial floor area and the construction of a new 5-story mixed-use residential building. The residential component of the building will include 122 residential units with 11 units reserved for very low income households, and a total of 93,885 square feet of floor area, and 122 parking spaces. The building will also include 3,500 square feet of commercial floor area, and 7 additional parking spaces for commercial use. Comment Period: 9/18/2013 - 10/21/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted
<i>General Land Use (residential, etc.)</i> LAC130918-04 ENV-2013-735/ 603 N. Las Palmas Avenue, Hollywood	The proposed project consists of the expansion, use, and maintenance of a single family dwelling unit for a total of 4,081 square feet which exceeds the residential floor area by 9% as otherwise permitted by the Municipal Code. Comment Period: 9/18/2013 - 10/9/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted
<i>General Land Use (residential, etc.)</i> LAC130918-06 ENV-2013-1298/ 3627 S. Hughes Ave., Palms-Mar Vista-Del Rey	The proposed project consists of the construction of a 27-unit apartment building on the southeast corner of Hughes Avenue near Tabor Street. The project site is approximately 108 feet by 150 feet, and on three legal lots totaling 16,054 net square feet. There are three single-family dwellings at the project site, one on each lot that are slated to be demolished. Comment Period: 9/18/2013 - 10/21/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted
<i>General Land Use (residential, etc.)</i> LAC130918-08 ENV-2013-1716/ 11743 W. Laurelwood Dr.; Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass	The proposed project consists of the construction, use and maintenance of a new, 5,050 square-foot three-story, single-family dwelling. Comment Period: 9/18/2013 - 10/9/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted
<i>General Land Use (residential, etc.)</i> LAC130924-06 Lark Ellen Residential Project	The proposed project consists of demolishing and removing all of the existing uses on site and constructing 45 single-family homes on a 5.7- acre site. Comment Period: 9/20/2013 - 10/10/2010 Public Hearing: N/A	Mitigated ND	City of West Covina	Document screened - No further review conducted

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General Land Use (residential, etc.) LAC130925-02 ENV-2013-1164/ 1514-1516 South Bedford Street/ TTM No. 72261	The proposed project consists of the construction of five new single-family homes in accordance with the Small Lot Ordinance No. 176,354 on a 0.15 net square-foot site with 10 parking spaces Comment Period: 9/25/2013 - 10/16/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted
General Land Use (residential, etc.) LAC130925-03 ENV-2013-1723/ 4086-4108 South Del Rey Avenue; Palms-Mar Vista-Del Rey	The proposed project consists of construction, use, and maintenance of a 51-unit apartment building. The project will include 6,020 square feet of open space, consisting of 1,980 square feet of courtyard space, 1,380 square feet of roof garden space, 1,950 square feet of private balcony space, and 710 square feet of additional amenities. The project includes a subterranean and above ground parking structure. Comment Period: 9/25/2013 - 10/16/2013 Public Hearing: N/A	PN	City of Los Angeles	Document screened - No further review conducted
General Land Use (residential, etc.) LAC130925-04 ENV-2013-2742/ 5650 N. Fair Avenue; North Hollywood-Valley Village	The proposed project consists of legalizing the conversion of a recreation room to a studio apartment and the creation of two additional studio apartment units from two previous three-bedroom apartment units reduced to 2-bedroom units, for a total of 31 dwelling units on a 31,030 square foot. lot.	PN	City of Los Angeles	Document screened - No further review conducted
General Land Use (residential, etc.) LAC130925-05 ENV-2013-851/ 1501, 1503, 1515, 1524, 1523, 1525 W. Wilshire Boulevard and 1506, 1516, 1522 W. Shatto Street; Westlake	The proposed project consists of the demolition of approximately 44,168 square feet of commercial office and multi-family residential land uses and the construction of a mixed-use project with 218 residential apartment units and 4,441 square feet of neighborhood serving commercial land uses on the ground floor. Comment Period: 9/25/2013 - 10/16/2013 Public Hearing: N/A	PN	City of Los Angeles	Document under review as of 9/30/13
General Land Use (residential, etc.) LAC130926-02 655 Westminster Drive - Reuse of Desiderio Army Reserve Center	The proposed project consists of reuse of the 5.1-acre Desiderio US Army Reserve Center. The project includes two primary components, a 3.87-acre City Park, and nine single-family detached bungalow homes in a courtyard formation. The homes would be developed by Habitat for Humanity. Comment Period: 9/25/2013 - 10/25/2013 Public Hearing: N/A	NOP (No IS Attached)	City of Pasadena	Document under review as of 9/30/13

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<i>General Land Use (residential, etc.)</i> ORC130913-06 Portola Center Development	This document consists of response to comments. The proposed project consists of allowing the development of 930 residential units, 10,000 square feet of non-residential space, a 5-acre public Community Park, and required infrastructure, such as streets and utilities. Comment Period: N/A Public Hearing: 9/26/2013	Sub FEIR	City of Lake Forest	Document reviewed - No comments sent
<i>General Land Use (residential, etc.)</i> ORC130924-04 Heritage Fields	The proposed project consists of amending the City of Irvine General Plan and Zoning Ordinance to: (1) add 3,412 residential units within the Proposed Project Site, in addition to the 4,894 units already approved by the City (2) reduce the overall non-residential intensity within Combined Planned Area 51 by 410,000 square feet to: (a) 3,364,000 square feet of Medical and Science; (b) 220,000 square feet of Community Commercial; and 1,318,200 square feet of Multi-Use. The Draft EIR had previously been reviewed by SCAQMD staff. Comment Period: N/A Public Hearing: 10/3/2013	PN	City of Irvine	Document does not require comments
<i>General Land Use (residential, etc.)</i> ORC130926-01 The Preserves at San Juan	The proposed project consists of constructing 52 single-family residences on 583.2 acres in the unincorporated portion of Orange County, adjacent to unincorporated Riverside County. In addition, the proposed project includes development of 25 to 50 acres of vineyards that would be located through the site. Of the 583.2 acres, 406.6 acres would remain as open space. Comment Period: 9/26/2013 - 10/25/2013 Public Hearing: 10/16/2013	NOP/IS	County of Orange County	Document under review as of 9/30/13
<i>General Land Use (residential, etc.)</i> RVC130903-03 Nine-Unit Condominium	The proposed project consists of developing a nine-unit condominium complex with common outdoor areas, off-street parking and landscaping on an approximately 35,756 square-foot property. Comment Period: 8/27/2013 - 9/16/2013 Public Hearing: 9/11/2013	ND	City of Palm Springs	Document reviewed - No comments sent
<i>General Land Use (residential, etc.)</i> RVC130910-14 Golden Eagle Multi-Family Properties (Case# GPA 2012-3266, ZC-2012-3265 and DP-2012-3267)	The proposed project consists of constructing a 112 unit multi-family project with associated recreational amenities - swimming pool, gym, tennis court, tot lot and clubhouse on an approximately 7.47-acre site. Comment Period: 9/10/2013 - 9/25/2013 Public Hearing: N/A	Mitigated ND	County of Riverside	Document screened - No further review conducted

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General Land Use (residential, etc.) RVC130924-10 Tentative Tract Map No. 30966R1, Amended Map No. 1	This document consists of a case transmittal. The proposed project consists of dividing 40 acres into 202 residential lots with lot sizes ranging from approximately 4,440 square feet to 8,600 square feet as a Planned Residential Development for Senior Citizens. Comment Period: 9/24/2013 - 10/17/2013 Public Hearing: N/A	Other	County of Riverside	Document does not require comments
General Land Use (residential, etc.) SBC130924-02 COA-13-005/ 27226 Main Street	The proposed project consists of allowing widening of an existing shared asphalt driveway from 9 feet to 14 feet and installation of a landscape planter within the shared driveway. Comment Period: N/A Public Hearing: 10/3/2013	PN	City of Highlands	Document screened - No further review conducted
Plans and Regulations LAC130903-02 5th Cycle (2013-2021) Housing Element Update to the Hermosa Beach General Plan	The proposed project consists of an amendment to the Housing Element of the Hermosa Beach General Plan for the 2013-2021 planning period. Comment Period: N/A Public Hearing: 9/10/2013	PN	City of Hermosa Beach	Document screened - No further review conducted
Plans and Regulations LAC130906-01 Pasadena General Plan Update	The proposed project consists of an update to the City's General Plan that meets California Code requirements for a general plan and specific plan amendments to update the development caps within each specific plan area. Comment Period: 9/6/2013 - 10/21/2013 Public Hearing: N/A	NOP/IS	City of Pasadena	SCAQMD staff commented 9/20/2013
Plans and Regulations LAC130910-08 Los Angeles County Housing Element 2014-2021	The proposed project consists of an updated Housing Element. The proposed revisions to the Housing Element serves as a policy guide for meeting the existing and future housing needs for all economic segments of the unincorporated areas of Los Angeles County for the period 2014 through 2021. Comment Period: 9/10/2013 - Public Hearing: 10/9/2013	ND	County of Los Angeles	Document reviewed - No comments sent

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<i>Plans and Regulations</i> LAC130917-02 Housing Element Update 2014-2021	The proposed project consists of updating the Housing Element of the General Plan for the 2014-2021 period. Comment Period: N/A Public Hearing: 9/23/2013	PN	City of Santa Fe Springs	Document screened - No further review conducted
<i>Plans and Regulations</i> LAC130919-01 Duarte Station Specific Plan (General Plan Amendment 13-1 and Zone Change 13-1)	The proposed project consists of amending the General Plan designation and change the zoning of the site and is intended to establish the general type, parameters, and character of an integrated transit-oriented development that is also compatible with the surrounding area. Comment Period: 9/19/2013 - 11/4/2013 Public Hearing: 10/21/2013	DEIR	City of Duarte	Document under review as of 9/30/13
<i>Plans and Regulations</i> LAC130919-02 Sierra Madre General Plan	The proposed project consists of an update to the Sierra Madre General Plan. The General Plan Update is an opportunity to take a comprehensive look at the City as a system and in a regional context, to address contemporary conditions and laws, and to reflect the latest aspirations for the future of the community. Comment Period: 9/23/2013 - 10/23/2013 Public Hearing: N/A	NOP (No IS Attached)	City of Sierra Madre	Document under review as of 9/30/13
<i>Plans and Regulations</i> LAC130919-03 Atlantis Gardens Specific Plan	The proposed project consists of a six lot subdivision encompassing 5.14 acres of land located off of Silver Valley Trail north of Spur Trail. The subdivision includes construction of Sunny Brook Trail that will provide access to the proposed lots. Comment Period: 9/19/2013 - 10/2/2013 Public Hearing: 10/2/2013	Revised Mitigated ND	City of Walnut	Document reviewed - No comments sent
<i>Plans and Regulations</i> LAC130924-05 City of Santa Monica Downtown Specific Plan	The proposed project consists of the Downtown Specific Plan which will outline the goals, development standards, preservation strategies, circulation improvements, and implementation strategies for the Downtown District Comment Period: 9/24/2013 - 10/21/2013 Public Hearing: 10/3/2013	NOP (No IS Attached)	City of Santa Monica	Document under review as of 9/30/13

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<i>Plans and Regulations</i> RVC130911-01 Temecula Valley Wine Country Community Plan	The proposed project consists of updates to the existing General Plan Amendment No. 1077 of the existing Southwest Area Plan. Comment Period: 9/11/2013 - 9/19/2013 Public Hearing: 9/24/2013	Final PEIR	City of Temecula	Document reviewed - No comments sent
<i>Plans and Regulations</i> RVC130913-04 City of Menifee General Plan	The proposed project consists of the City of Menifee's first General Plan. The plan includes forecasts of long-term conditions and outlines development goals and policies. It guides growth and development within the City by designating land uses and a long-term vision for the City. The Menifee General Plan designates land use for up to 63,754 dwellings and up to 10,751,227 square feet of commercial retail, and 41,569,476 square feet of nonretail uses. Comment Period: 9/13/2013 - 10/28/2013 Public Hearing: 9/24/2013	DEIR	City of Menifee	Document under review as of 9/30/13
<i>Plans and Regulations</i> SBC130917-04 City of Chino Climate Action Plan (CAP)	The proposed project consists of the Chino Climate Action Plan (CAP), an amendment to the Chino General Plan to add and amend policies and actions related to the proposed CAP, and an amendment to Title 15 of the Chino Municipal Code to add provisions related to the proposed CAP. Comment Period: 9/17/2013 - 10/31/2013 Public Hearing: N/A	DEIR	City of Chino	Document under review as of 9/30/13
<i>Plans and Regulations</i> SBC130924-03 Accessory Sign Review No. ASR-13-023	The proposed project consists of allowing modification to the Stoney Creek Village sign program. Comment Period: N/A Public Hearing: 10/1/2013	PN	City of Highland	Document screened - No further review conducted

TOTAL DOCUMENTS RECEIVED THIS REPORTING PERIOD: 94

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ATTACHMENT B
ONGOING ACTIVE PROJECTS FOR WHICH AQMD HAS
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Waste and Water-related RVC130802-02 Existing City Terrace Recycling, Material Recovery Facility and Transfer Station in East Los Angeles	This document consists of Air Quality and GHG Impact Analyses for the Southland Disposal Recycling Material Facility and Transfer Station. Comment Period: N/A Public Hearing: N/A	Other	City of Los Angeles	Document under review as of 9/30/13
Utilities RVC130808-02 Palen Solar Electric Generating System	The proposed project consists of developing a 500-megawatt energy plant in Riverside County, using concentrating solar thermal power tower technology on an approximately 3,794 acres site. Comment Period: N/A Public Hearing: N/A	EIS	California Energy Commission	Document under review as of 9/30/13
General Land Use (residential, etc.) LAC130830-05 Oak Village Residences Project	This Project consists of demolition of the existing commercial structure and construction of an approximately 182,575 square-foot, 142-unit residential townhome/condominium development. The Project consists of six separate buildings, two condominium buildings, and four duplex townhome buildings. Comment Period: 8/29/2013 - 10/14/2013 Public Hearing: N/A	DEIR	City of Los Angeles	Document under review as of 9/30/13
Plans and Regulations LAC130711-01 General Plan Update	This document consists of a request for comments on the revised Draft General Plan. The Los Angeles General Plan Update is a comprehensive update to the 1980 General Plan. It provides the policy framework for how and where the unincorporated areas of Los Angeles will grow through the year 2035. Comment Period: N/A Public Hearing: N/A	Other	County of Los Angeles	Document under review as of 9/30/13
Plans and Regulations RVC130816-08 City of Wildomar Housing Element Update 2013-2021	The proposed project consists of the City's 2013-2021 Housing Element, designed to address the projected housing needs of current and future city residents and to comply with state law requiring amendment of the Housing Element every eight years. Comment Period: 8/16/2013 - 11/20/2013 Public Hearing: N/A	DEIR	City of Wildomar	Document under review as of 9/30/13
Goods Movement LAC130806-03 Baker Cold Storage Facility Project	The proposed project consists of constructing and operating a roughly 250,000 square-foot cold storage facility to receive, sort, store, and distribute perishable commodities. The project would be served by trucks and rail. Comment Period: 8/7/2013 - 9/6/2013 Public Hearing: N/A	Mitigated ND	Port of Long Beach	SCAQMD staff commented 9/6/2013

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Warehouse & Distribution Centers RVC130717-04 Pelican Industrial Project	The proposed project consists of constructing and operating of up to 600,000 gross square feet (GSF) of light industrial/warehouse uses. Building 1 would be approximately 480,000 gsf and would accommodate high-cube warehouse/distribution uses. Building 2 would be approximately 120,000 gsf and would accommodate light industrial uses. Comment Period: 7/17/2013 - 9/3/2013 Public Hearing: N/A	DEIR	City of Perris	SCAQMD staff commented 9/3/2013
Airports LAC130823-01 Los Angeles International Airport Runway 6L-24R Safety Area and Associated Improvements	The proposed project consists of implementing the declared distances by reducing the Runway 6L accelerate-stop distance available and landing distance available by 359 feet; realigning portions of two service roads; covering a portion of the Argo Ditch; rehabilitating portions of the Runway 6L-24R pavement; relocating or removing security gates and an Air Operations Area fence; and parking area closures. Comment Period: 8/23/2013 - 9/23/2013 Public Hearing: N/A	NOP/IS	City of Los Angeles, Los Angeles World Airports	SCAQMD staff commented 9/13/2013
Waste and Water-related LAC130726-01 David H. Fell and Company, Inc.	This document consists of a public notice for the notice of class 2 standardized permit modification and 60-day public comment period. If approved, the plan would allow the Evaporator Unit to accept the waste stream generated from the onsite lab and currently permitted waste water from washing glassware in the laboratory and metals will be processed in the evaporator. The addition of these waste codes will not change the overall operation of the facility and will not increase the storage or treatment capacity. Comment Period: 7/25/2013 - 9/23/2013 Public Hearing: N/A	Other	Department of Toxic Substances Control	SCAQMD staff commented 9/20/2013
Waste and Water-related LAC130807-01 Universal Waste Systems, Inc.	The proposed project consists of a request by Universal Waste Systems, to obtain a Conditional Use Permit to operate a Material Recovery Facility and Transfer Station at their existing collection truck storage and repair facility. If approved, it will provide a full range of solid waste processing and recycling activities within the project site. Comment Period: N/A Public Hearing: N/A	Mitigated ND	City of Santa Fe Springs	SCAQMD staff commented 9/6/2013
Waste and Water-related LAC130829-02 Whittier Narrows Dam Safety Modification Study	This document consists of a notice of Public Scoping Meeting. The proposed project consists of the Whittier Narrows Dam Safety Modification Study. Comment Period: N/A Public Hearing: N/A	Other	US Army Corps of Engineers	SCAQMD staff commented 9/17/2013

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RDEIR - Revised Draft Environmental Impact Report

SEIR - Subsequent Environmental Impact Report

IS - Initial Study

MND - Mitigated Negative Declaration

NOI - Notice of Intent to prepare an EIS

DEA - Draft Environmental Assessment

EIS - Environmental Impact Statement

FONSI - Finding of No Significant Impact

PN - Public Notice

Other - Typically notices of public meetings

N/A - Not Applicable

- Project has potential environmental justice concerns due to the nature and/or location of the project.

**ATTACHMENT B
ONGOING ACTIVE PROJECTS FOR WHICH AQMD HAS
OR IS CONTINUING TO CONDUCT A CEQA REVIEW**

SCAQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Waste and Water-related</i> RVC130808-03 Coachella Valley Compost Solid Waste Facility Permit Revision	The proposed project consists of revisions of the Coachella Valley Compost (CVC) Solid Waste Facility Permit (SWFP). The proposed revisions involve the following: increase the maximum daily tonnage of compostable and non-comparable organic materials processed at the CVC from 250 tons per day (TPD) to 785 TPD; compost up to 450 tpd of organic materials; add 200 tpd of construction/demolition waste processing; increase the number of days of operations from 6 to 7 days per week; add gray water to the list of permitted liquids at the facility; increase the maximum gallons per day of grease trap liquids and gray water received at the facility from 12,500 gallons to 55,000 gallons; increase the total numbers of daily vehicles from 169 vehicles to 536 vehicles; and various minor site improvements and administrative changes. Comment Period: 8/8/2013 - 9/30/2013 Public Hearing: N/A	Mitigated ND	Riverside County Waste Management Department	SCAQMD staff commented 9/27/2013
<i>Waste and Water-related</i> RVC130823-04 Conditional Use Permit No. 3674	This document consists of a notice of public hearing and intent to adopt a Mitigated Negative Declaration. The proposed project consists of operating an aggregate material recycling facility on 10.8 acres of a 14.5 gross acre parcel. The aggregate recycling facility, consisting of broken concrete, asphalt and reinforced concrete, is located on 10.8 gross acres of project site. Comment Period: N/A Public Hearing: 9/18/2013	Other	County of Riverside	SCAQMD staff commented 9/17/2013
<i>Utilities</i> RVC130813-10 Planning Application 2013-146 - SCE Valley Substation Control Building	The proposed project consists of a Planning Application No. 2013-146 which proposes a public use permit for the construction and operation of a new 10,287 square-foot freestanding "control building" and demolition of an existing maintenance building as part of Southern California Edison's existing Valley Substation within a 0.96-acre project site on a 79.58-acre parcel. Comment Period: N/A Public Hearing: N/A	Other	City of Menifee	SCAQMD staff commented 9/5/2013
<i>Retail</i> LAC130809-02 El Monte Walmart Project	The proposed project consists of approximately 182,429 square feet of new retail/commercial uses within the approximately 15.41-acre site. Comment Period: 8/9/2013 - 9/10/2013 Public Hearing: N/A	NOP/IS	City of El Monte	SCAQMD staff commented 9/6/2013
<i>General Land Use (residential, etc.)</i> LAC130813-03 North Central Avenue Apartments Project	The proposed project consists of two sites; Site A and Site B. The Project on Site A is proposed as a 5-story apartment building with 315 apartment units and 456 parking spaces. The project on Site B is proposed as a five-story apartment building with 192 units and 275 parking spaces. Comment Period: 8/13/2013 - 9/26/2013 Public Hearing: N/A	DEIR	City of Glendale	SCAQMD staff commented 9/27/2013

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**ATTACHMENT B
ONGOING ACTIVE PROJECTS FOR WHICH AQMD HAS
OR IS CONTINUING TO CONDUCT A CEQA REVIEW**

<u>SCAQMD LOG-IN NUMBER</u> PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
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<p align="center"> TOTAL NUMBER OF REQUESTS TO AQMD FOR DOCUMENT REVIEW THIS REPORTING PERIOD: 94 TOTAL NUMBER OF COMMENT LETTERS SENT OUT THIS REPORTING PERIOD: 22 TOTAL NUMBER OF DOCUMENTS REVIEWED, BUT NO COMMENTS WERE SENT: 16 TOTAL NUMBER OF DOCUMENTS CURRENTLY UNDER REVIEW: 33 TOTAL NUMBER OF DOCUMENTS THAT DID NOT REQUIRE COMMENTS: 7 TOTAL NUMBER OF DOCUMENTS THAT WERE NOT REVIEWED: 0 TOTAL NUMBER OF DOCUMENTS THAT WERE SCREENED WITHOUT ADDITIONAL REVIEW: 37 </p>

NOP - Notice of Preparation

DEIR - Draft Environmental Impact Report

FEIR - Final Environmental Impact Report

RDEIR - Revised Draft Environmental Impact Report

SEIR - Subsequent Environmental Impact Report

IS - Initial Study

MND - Mitigated Negative Declaration

NOI - Notice of Intent to prepare an EIS

DEA - Draft Environmental Assessment

EIS - Environmental Impact Statement

FONSI - Finding of No Significant Impact

PN - Public Notice

Other - Typically notices of public meetings

N/A - Not Applicable

- Project has potential environmental justice concerns due to the nature and/or location of the project.

ATTACHMENT C
ACTIVE AQMD LEAD AGENCY PROJECTS
THROUGH SEPTEMBER 30, 2013

PROJECT DESCRIPTION	PROPONENT	TYPE OF DOCUMENT	STATUS	CONSULTANT
Operators of the Ultramar Wilmington Refinery are proposing to construct and install a 49 MW cogeneration unit to reduce the Refinery's reliance on electricity from the Los Angeles Department of Water and Power and produce steam to meet internal needs. No other refinery modifications are proposed.	Ultramar Wilmington Refinery	ND	Staff revising responses to the 3 comment letters received on Draft ND.	Environmental Audit, Inc.
The Phillips 66 (formerly ConocoPhillips) Los Angeles Refinery Ultra Low Sulfur Diesel project was originally proposed to comply with federal state and SCAQMD requirements to limit the sulfur content of diesel fuels. Litigation against the CEQA document was filed. Ultimately, the California Supreme Court concluded that the SCAQMD had used an inappropriate baseline and directed the SCAQMD to prepare an EIR, even though the project has been built and has been in operation since 2006. The purpose of this CEQA document is to comply with the Supreme Court's direction to prepare an EIR.	Phillips 66 (formerly ConocoPhillips), Los Angeles Refinery	EIR	The Notice of Preparation was circulated for a 30-day public comment period on March 26, 2012. The comment period ended on April 26, 2012. The consultant submitted the administrative Draft EIR to SCAQMD in late July 2013. SCAQMD staff is currently reviewing the Draft EIR.	Environmental Audit, Inc.
The Phillips 66 Los Angeles Refinery operators are proposing to install one new 615,000-barrel crude oil storage tank with a geodesic dome to accommodate larger marine vessels delivering crude oil. The proposed project also includes increasing the throughput on two existing tanks and adding geodesic domes to these tanks, installing one new 14,000-barrel water draw surge tank and installing one new electrical power substation.	Phillips 66 Los Angeles Refinery Carson Plant	ND	Draft ND was released for a 30-day public review and comment period on September 10, 2013.	Environmental Audit, Inc.
The Tesoro Refining and Marketing Los Angeles Refinery operators are proposing to replace two existing tanks with two new larger tanks with fixed roofs and internal floating roofs. The proposed project also includes replacing an onsite eight-inch pipeline to the new tanks with a 24-inch diameter pipeline.	Tesoro Refining and Marketing Company Los Angeles Refinery	ND	SCAQMD staff has reviewed the Draft ND and submitted comments to the consultant. Consultant is currently finalizing the Draft ND.	Environmental Audit, Inc.
Warren E & P, Inc. is proposing a modification to a Subsequent MND that was certified by the SCAQMD on July 19, 2011. Warren has submitted a supplemental ND detailing a gas sales project designed to replace the gas re-injection portion of the 2011 project.	Warren E & P, Inc.	Supplemental ND	SCAQMD staff has reviewed the Draft Supplemental ND and submitted comments to the consultant. Consultant is currently finalizing the Supplemental ND.	Environ
Operators of the Ultramar Wilmington Refinery are proposing to add rail service to their facility.	Ultramar Wilmington Refinery	EIR	The consultant is preparing an Initial Study.	Environmental Audit, Inc.
Operators of the KinderMorgan Lomita Terminal are proposing to deliver crude oil by expanding their rail facility.	KinderMorgan Lomita Terminal	To Be Determined	The consultants are preparing initial emission estimates to determine the type of CEQA document to be prepared.	SABS Consulting and TRC
Operators of the Petro Diamond Marine terminal are proposing to increase the number of ship calls delivering ethanol.	Petro Diamond	To Be Determined	The consultant is preparing control emission estimates to determine the type of CEQA document to be prepared.	SABS Consulting
The proposed project would clean up and modify existing equipment to process biomass into diesel and jet fuel.	Paramount Petroleum	To Be Determined	To Be Determined	Environmental Audit, Inc.

A shaded row indicates a new project.

#=AQMD was contacted regarding potential environmental justice concerns due to the natural and/or location of the project.

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 18

REPORT: Rule and Control Measure Forecast

SYNOPSIS: This report highlights SCAQMD rulemaking activity and public workshops potentially scheduled for the year 2013 and portions of 2014.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Barry R. Wallerstein, D.Env.
Executive Officer

EC:LT:cg

The Rule and Control Measure Forecast Report provides the Board with a monthly update of SCAQMD's rulemaking and control measure implementation schedule.

Reg. III	Fees
Regulation III is being moved from December to May 2014 so that staff can undertake a more comprehensive review of the fee program.	
1168	Adhesive and Sealant Applications
Rule 1168 is being moved from December 2013 to the first quarter of 2014 to allow staff time to evaluate industry profiles and inventory data.	
4001	Backstop to Ensure AQMP Emission Reduction Targets Are Met at Commercial Marine Ports (IND-01)
Proposed Rule 4001 is being moved from December 2013 to January 2014 to allow for additional staff analysis.	

2013 MASTER CALENDAR (continued)

Below is a list of all rulemaking activity scheduled for the year 2013. The last four columns refer to the type of rule adoption or amendment. A more detailed description of the proposed rule adoption or amendment is located in the Attachments (A through D) under the type of rule adoption or amendment (i.e. AQMP, Toxics, Other and Climate Change).

**An asterisk indicates that the rulemaking is a potentially significant hearing.*

+This proposed rule will reduce criteria air contaminants and assist toward attainment of ambient air quality standards.

¹Subject to Board approval

California Environmental Quality Act shall be referred to as "CEQA."

Socioeconomic Analysis shall be referred to as "Socio."

2013

December		AQMP	Toxics	Other	Climate Change
1420.1 [*]	Emissions Standards for Lead from Lead-Acid Battery Recycling Facilities		√		

2013 TO-BE DETERMINED

TBD		AQMP	Toxics	Other	Climate Change
463	Storage of Organic Liquids			√	
1107 ⁺	Coating of Metal Parts and Products	√			
1118	Control of Emissions from Refinery Flares			√	√
1144	Metalworking Fluids and Direct-Contact Lubricants			√	

2013 MASTER CALENDAR (continued)

2013 TO-BE DETERMINED

TBD		AQMP	Toxics	Other	Climate Change
1147	NOx Reductions from Miscellaneous Sources			√	
1148	Thermally Enhanced Oil Recovery Wells		√		
1148.1	Oil and Gas Production Wells		√		
1151 ^{*+}	Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations			√	
1153.1	Emissions of Oxides of Nitrogen from Commercial Food Ovens			√	
1155	Particulate Matter (PM) Control Devices			√	
1166	Volatile Organic Compound Emissions from Decontamination of Soil			√	
1171	Solvent Cleaning Operations (CTS-02)	√		√	
1173	Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants			√	√
1190 Series	Fleet Vehicle Requirements			√	
Reg. XIII	New Source Review			√	
1469	Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations		√		
1469.1	Spraying Operations Using Coatings Containing Chromium		√		
1902	Transportation Conformity	√			
Reg. XX	Regional Clean Air Incentives Market (RECLAIM)			√	
2511	Credit Generation Program for Locomotive Head End Power Unit Engines			√	

2013 MASTER CALENDAR (continued)

2013 TO-BE DETERMINED

TBD	(continued)	AQMP	Toxics	Other	Climate Change
2512	Credit Generation Program for Ocean-Going Vessels at Berth			√	
Reg. XXVII	Climate Change				√
Reg. IV, IX, X, XI, XIV, XX and XXX Rules	Various rule amendments may be needed to meet the requirements of state and federal laws, address variance issues/technology-forcing limits, or to seek additional reductions to meet the SIP short-term measure commitment. The Clean Communities Plan (CCP) has been updated to include new measures to address toxic emissions in the basin. The CCP includes a variety of measures that will reduce exposure to air toxics from stationary, mobile, and area sources. Rule amendments may include updates to provide consistency with CARB Statewide Air Toxic Control Measures.	√	√	√	√

Note: SCAQMD may add control measures necessary to satisfy federal requirements, to abate a substantial endangerment to public health or welfare, state regulatory requirements or SIP commitment.

2014

1st Qtr.		AQMP	Toxics	Other	Climate Change
415	Odors from Rendering Plants			√	
1123	Improved Start-up, Shutdown and Turnaround Procedures (MCS-03)	√			
1130	Graphic Arts (CTS-02)	√			

2013 MASTER CALENDAR (continued)

2014

1st Qtr.	(continued)	AQMP	Toxics	Other	Climate Change
1168 ¹	Adhesive and Sealant Applications			√	
1420 1420.2	Emissions Standard for Lead Emission Standard for Lead from Medium Sources		√ √		
Reg. XX	Regional Clean Air Incentives Market (RECLAIM) (CMB-01)	√			
2301	Control of Emissions from New or Redevelopment Projects (EGM-01)	√			
2305	Indirect Sources		√	√	
4010 4020	General Provisions and Requirements for Ports of Los Angeles and Long Beach (IND-01) Backstop Requirements for Ports of Los Angeles and Long Beach (IND-01)	√ √	√ √		
January					
4001 ¹	Backstop to Ensure AQMP Emission Reduction Targets Are Met at Commercial Marine Ports (IND-01)	√			
May					
Reg. III ¹	Fees			√	

ATTACHMENT A

AQMP Rule Activity Schedule

This attachment lists those control measures that are being developed into rules or rule amendments for Board consideration that are designed to implement the amendments to the 2007 and 2012 Air Quality Management Plans.

2013

To-Be Determined 2013

To-Be Determined	
1107 ⁺	Coating of Metal Parts and Products <i>[Projected Emission Reduction: TBD]</i> Amendments to Rule 1107 would further reduce VOC emissions and improve rule clarity and enforceability. <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i>
1171	Solvent Cleaning Operations <i>[Projected Emission Reduction: N/A]</i> The proposed amendment may consider technology assessments for the cleanup of affected equipment. <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i>
1902	Transportation Conformity <i>[Projected Emission Reduction: TBD]</i> Amendments to Rule 1902 will bring the District's Transportation Conformity rule in line with current U.S. EPA requirements. <i>Carol Gomez 909.396.3264 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i>
Reg. IV, IX, X, XI, XIV, XX and XXX Rules	Various rule amendments may be needed to meet the requirements of state and federal laws, address variance issues/technology-forcing limits, or to seek additional reductions to meet the SIP short-term measure commitment.

ATTACHMENT A

AQMP Rule Activity Schedule (continued)

2014

1st Qtr.	
1123	<p>Improved Start-up, Shutdown and Turnaround Procedures (MCS-03) <i>[Projected Emission Reduction: TBD]</i> Proposed Rule 1123 will, if needed, implement Phase 1 of Control Measure MCS-03 of the 2012 AQMP by establishing procedures that better quantify emission impacts from start-up, shutdown or turnarounds. <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
1130	<p>Graphic Arts (CTS-02) <i>[Projected Emission Reduction: TBD]</i> The proposed amendment will review fountain solutions and other technologies to align requirements with existing rules and U.S. EPA’s Control Techniques Guidelines (CTG) recommendations. <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
Reg. XX	<p>Regional Clean Air Incentives Market (RECLAIM) <i>[Projected Emission Reduction: 3-5 TPD]</i> Proposed amendments to Regulation XX will seek to implement a minimum contingency measure CMB-01 of the 2012 AQMP and possibly Phase II of the control measure if the technology assessment can be completed within the allotted time for this rulemaking. <i>Joe Cassmassi 909.396.3155 909.396.3155 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
2301	<p>Control of Emissions from New or Redevelopment Projects (EGM-01) <i>[Projected Emission Reduction: Committed to reduce 0.5 tons per day of VOC, 0.8 tons per day of NOx, and 0.5 tons per day of PM2.5 in 2023.]</i> The proposed rule will implement the 2007 AQMP Control Measure EGM-01 – Emission Reductions from New or Redevelopment Projects. Since the initial proposal was released for PR 2301, CARB in compliance with an SB 375 requirement has set greenhouse gas emission reduction targets for each metropolitan planning organization (MPO). SCAG’s 2012 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) contains the plan for how these target emission reductions will be met. In light of this development, PR 2301 will be drafted as a backstop/contingency measure to ensure that the co-benefits of VOC, NOx, and PM 2.5 emission reductions from the SCS will meet the 2007 AQMP targets. <i>Carol Gomez 909.396. 3264 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>

ATTACHMENT A

AQMP Rule Activity Schedule (continued)

2014

1st Qtr.	(continued)
4010	<p>General Provisions and Requirements for Ports of Los Angeles and Long Beach (IND-01)</p>
4020	<p>Backstop Requirements for Ports of Los Angeles and Long Beach (IND-01) <i>[Projected Emission Reduction: TBD]</i> If triggered, the proposed rules will address cost-effective NO_x, SO_x, and PM_{2.5} emission reduction strategies from port-related sources to ensure emission reductions claimed or emission targets assumed in the AQMP are maintained. <i>Randall Pasek 909.396.2251 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
January	
4001 ¹	<p>Backstop to Ensure AQMD Emission Reduction Targets Are Met at Commercial Marine Ports <i>[Projected Emission Reduction: TBD]</i> If triggered, the proposed rule will address cost-effective NO_x, SO_x, and PM_{2.5} emission reduction strategies from port-related sources to ensure emission reductions claimed or emission targets assumed in the 2012 AQMP for the 24-hr PM_{2.5} standard are maintained. <i>Randall Pasek 909.396.2251 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>

**ATTACHMENT B
Toxics Rule Activity Schedule**

This attachment lists those rules or rule amendments for Board consideration that are designed to implement the Air Toxics Control Plan.

2013

December	
1420.1*	<p>Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities <i>[Projected Emission Reduction: TBD]</i> SCAQMD staff is proposing amendments to Rule 1420.1 to address toxic emissions from large lead-acid battery recycling facilities. <i>Susan Nakamura 909.396.3105 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>

To-Be Determined 2013

To-Be Determined	
1148 1148.1	<p>Thermally Enhanced Oil Recovery Wells Oil and Gas Production Wells <i>[Projected Emission Reduction: TBD]</i> Rules 1148 and 1148.1 will be evaluated to determine if additional requirements need to be added to address hydraulic fracturing activities. <i>Susan Nakamura 909.396.3105 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
1469 1469.1	<p>Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations Spraying Operations Using Coatings Containing Chromium <i>[Projected Emission Reduction: TBD]</i> Staff will evaluate opportunities for reducing chrome emissions from various spray coating operations. <i>Susan Nakamura 909.396.3105 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
Reg. IV, IX, X, XI, XIV, XX and XXX Rules	<p>Various rule amendments may be needed to meet the requirements of state and federal laws, address variance issues/technology-forcing limits. Rule amendments may include updates to provide consistency with CARB Statewide Air Toxic Control Measures.</p>

ATTACHMENT B

Toxics Rule Activity Schedule (continued)

2014

1st Qtr.	
<p>1420*</p> <p>1420.2</p>	<p>Emissions Standard for Lead</p> <p>Emissions Standard for Lead from Medium Sources <i>[Projected Emission Reduction: TBD]</i> In October 2008, U.S. EPA lowered the National Ambient Air Quality Standard for lead from 1.5 to 0.15 ug/m3. Proposed Amended Rule 1420 and Proposed Rule 1420.2 will apply to lead sources and will include requirements to ensure the Basin meets the new lead standard. <i>Susan Nakamura 909.396.3105 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
<p>2305*</p>	<p>Indirect Sources <i>[Projected Emission Reduction: TBD]</i> Proposed Rule 2305 will identify approaches to reduce exposure to diesel particulate emissions and localized NO2 emissions from facilities associated with large indirect sources (i.e., facilities that attract mobile sources). <i>Susan Nakamura 909.396.3105 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
<p>4010</p> <p>4020</p>	<p>General Provisions and Requirements for Ports of Los Angeles and Long Beach (IND-01)</p> <p>Backstop Requirements for Ports of Los Angeles and Long Beach (IND-01) <i>[Projected Emission Reduction: TBD]</i> If triggered, the proposed rules will address cost-effective NOx, SOx, and PM2.5 emission reduction strategies from port-related sources to ensure emission reductions claimed or emission targets assumed in the AQMP are maintained. <i>Randall Pasek 909.396.2251 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>

ATTACHMENT C
Other Rule Activity Schedule

This attachment lists those rules or rule amendments for Board consideration that are designed to improve rule enforceability, SIP corrections, or implementing state or federal regulations.

To-Be Determined 2013

To-Be Determined	
463	<p>Storage of Organic Liquids <i>[Projected Emission Reduction: TBD]</i> Staff will evaluate the opportunity of harmonizing Rules 463 and 1178 into one and be prepared to address any stakeholder feedback in response to recent amendments to Rule 463. <i>Susan Nakamura 909.396.3154 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
1118	<p>Control of Emissions from Refinery Flares <i>[Projected Emission Reduction: TBD]</i> Amendments may be necessary to address results of the additional analysis required by the adopting resolution for the last amendment. Amendments may also be necessary to implement an AB 32 measure. <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
1144	<p>Metalworking Fluids and Direct-Contact Lubricants <i>[Projected Emission Reduction: N/A]</i> Proposed amendments may be necessary to incorporate results from ongoing technology assessments for specific facilities. <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
1147	<p>NOx Reductions from Miscellaneous Sources <i>[Projected Emission Reduction: N/A]</i> Proposed amendments will provide ongoing staff reports to committee relative to impacts to less-than-one-ton-per-day sources. <i>Joe Cassmassi 909.396.3155 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
1151 ^{*+}	<p>Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations <i>[Projected Emission Reduction: N/A]</i> Amendments to the rule may be necessary to reflect further findings relative to recordkeeping requirements for tertiary butyl acetate (TBAC). <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
1153.1	<p>Emissions of Oxides of Nitrogen from Commercial Food Ovens <i>Projected Emission Reduction: N/A]</i> Proposed Rule 1153.1 will establish equipment-specific nitrogen oxides emission limits and other requirements for the operation of commercial food ovens. <i>Joe Cassmassi 909.396.31553 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>

ATTACHMENT C

Other Rule Activity Schedule (continued)

To-Be Determined 2013

To-Be Determined	(continued)
1155	<p>Particulate Matter (PM) Control Devices <i>[Projected Emission Reduction: TBD]</i> With the implementation of Rule 1155, amendments may be necessary to address the potential exemption of small PM emitters to minimize adverse impacts of the rule requirements where there is no real impact on visible emissions. <i>Philip Fine 909.396.2239 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
1166	<p>Volatile Organic Compound Emissions from Decontamination of Soil <i>[Projected Emission Reduction: N/A]</i> Amendments to Rule 1166 may be necessary to clarify certain elements of the rule. <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
1171	<p>Solvent Cleaning Operations <i>[Projected Emission Reduction: N/A]</i> The proposed amendment may consider technology assessments for the cleanup of affected equipment. <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
1173	<p>Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants <i>[Projected Emission Reduction: TBD]</i> Amendment to Rule 1173 may be necessary to address greenhouse gas emissions from petroleum facilities and chemical plants and clarify other provisions of the rule. <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
1190 Series	<p>Fleet Vehicle Requirements <i>[Projected Emission Reduction: TBD]</i> Amendments to Rule 1190 series fleet rules may be necessary to address remaining outstanding implementation issues and in the event the court's future action requires amendments. In addition, the current fleet rules may be expanded to achieve additional air quality and air toxic benefits. <i>Dean Saito 909.396.2647 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
Reg. XIII	<p>New Source Review <i>[Projected Emission Reduction: TBD]</i> Proposed amendments will address U.S. EPA comments on SIP approvability issues and/or requirements that may result from U.S. EPA amendments, legislation or CARB requirements. Amendments may also be proposed for clarity and improved enforceability. <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>

ATTACHMENT C

Other Rule Activity Schedule (continued)

To-Be Determined 2013

To-Be Determined	(continued)
Reg. XX	<p>Regional Clean Air Incentives Market (RECLAIM) <i>[Projected Emission Reduction: N/A]</i> Staff will explore opportunities to improve the administrative efficiency of the program. <i>Joe Cassmassi 909.396.3155 909.396.3155 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
2511	<p>Credit Generation Program for Locomotive Head End Power Unit Engines <i>[Projected Emission Reduction: TBD]</i> Develop a rule to allow generation of PM mobile source emission reduction credits from Locomotive Head End Power Unit Engines. Credits will be generated by retrofitting engines with PM controls or replacing the engines with new lower-emitting engines. <i>Randall Pasek 909.396.2251 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
2512	<p>Credit Generation Program for Ocean-Going Vessels at Berth <i>[Projected Emission Reduction: TBD]</i> Develop a rule to allow generation of PM, NO_x and SO_x emission reduction credits from ocean-going vessels while at berth. Credits will be generated by controlling the emissions from auxiliary engines and boilers of ships while docked. <i>Randall Pasek 909.396.2251 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
Reg. IV, IX, X, XI, XIV, XX and XXX Rules	<p>Various rule amendments may be needed to meet the requirements of state and federal laws, and/or address variance issues/technology-forcing limits.</p>

2014

1 ST Qtr.	
415	<p>Odors from Rendering Plants <i>[Projected Emission Reduction: TBD]</i> Proposed Rule 415 will address odors from rendering plants. <i>Susan Nakamura 909.396.3105 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
1168 ¹	<p>Adhesive and Sealant Applications (CTS-02) <i>[Projected Emission Reduction: N/A]</i> Amendments to Rule 1168 will partially implement CTS-02 and reflect improvements in adhesive and sealants technology. <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>

ATTACHMENT C

Other Rule Activity Schedule (continued)

2014

1 ST Qtr.	(continued)
2305*	<p>Indirect Sources <i>[Projected Emission Reduction: TBD]</i> Proposed Rule 2305 will identify approaches to reduce exposure to diesel particulate emissions and localized NO2 emissions from facilities associated with large indirect sources (i.e., facilities that attract mobile sources).</p> <p><i>Susan Nakamura 909.396.3105 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
May	
Reg. III ¹	<p>Fees <i>[Projected Emission Reduction: N/A]</i> Proposed amendments to Reg. III are intended to align fee revenues to recover SCAQMD program costs.</p> <p><i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>

ATTACHMENT D

Climate Change

This attachments lists rules or rule amendments for Board consideration that are designed to implement SCAQMD’s Climate Change Policy or for consistency with state or federal rules.

To-Be Determined 2013

To-Be Determined	
1118	<p>Control of Emissions from Refinery Flares <i>[Projected Emission Reduction: TBD]</i> Amendments may be necessary to address findings from the additional analysis required by the adopting resolution for the last amendment. Amendments may also be necessary to implement an AB 32 measure. <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
1173	<p>Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants <i>[Projected Emission Reduction: TBD]</i> Amendment to Rule 1173 may be necessary to address greenhouse gas emissions from petroleum facilities and chemical plants and clarify other provisions of the rule. <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
Reg. XXVII	<p>Climate Change <i>[Projected Emission Reduction: TBD]</i> Additional protocols may be added to Rules 2701 and 2702. <i>Philip Fine 909.396.2239 CEQA: Krause 909.396.2706 Socio: Lieu 909.396.3059</i></p>
Reg. IV, IX, X, XI, XIV, XX and XXX Rules	<p>Various rule amendments may be needed to meet the requirements of state and federal laws, and/or to address variance issues/technology-forcing limits.</p>

 Back to Agenda

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 19

PROPOSAL: Report of RFPs and RFQs Scheduled for Release in November

COMMITTEE: Administrative, October 11, 2013. Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.

RECOMMENDED ACTION:

Approve the release of RFPs/RFQs for the month of November.

Barry R. Wallerstein, D.Env.
Executive Officer

MBO:lg

Background

At its January 8, 2010 meeting, the Board approved a revised Procurement Policy and Procedure. Under the revised policy, RFPs and RFQs for budgeted items over \$75,000, which follow the Procurement Policy and Procedure, no longer require individual Board approval. However, a monthly report of all RFPs and RFQs over \$75,000 is included as part of the Board agenda package and the Board may, if desired, take individual action on any item. The report provides the title and synopsis of the RFP or RFQ, the budgeted funds available, and the name of the Deputy Executive Officer/Asst. Deputy Executive Officer responsible for that item. Further detail including closing dates, contact information, and detailed proposal criteria will be available online at <http://www.aqmd.gov/rfp/index.html> following Board approval on November 1, 2013.

Outreach

In accordance with SCAQMD's Procurement Policy and Procedure, a public notice advertising the RFP/RFQ and inviting bids will be published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside County Press

Enterprise newspapers to leverage the most cost-effective method of outreach to the South Coast Basin.

Additionally, potential bidders may be notified utilizing SCAQMD's own electronic listing of certified minority vendors. Notice of the RFP/RFQ will be e-mailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations, and placed on the Internet at SCAQMD's website (<http://www.aqmd.gov> where it can be viewed by making menu selections "Inside AQMD"/"Employment and Business Opportunities"/"Business Opportunities" or by going directly to <http://www.aqmd.gov/rfp/index.html>). Information is also available on SCAQMD's bidder's 24-hour telephone message line (909) 396-2724.

Proposal Evaluation

Proposals received will be evaluated by applicable diverse panels of technically qualified individuals familiar with the subject matter of the project or equipment and may include outside public sector or academic community expertise.

Attachment

Report of RFPs and RFQs Scheduled for Release in November 2013

**November 1, 2013 Board Meeting
Report on RFPs and RFQs Scheduled for Release on November 1, 2013**

**(For detailed information visit SCAQMD's website at
<http://www.aqmd.gov/rfp/index.html> following Board approval on November 1, 2013)**

STANDARDIZED SERVICES

RFP #P2014-08 Issue Request for Proposals for Replacement of Auditorium Seating at Diamond Bar Headquarters JOHNSON/3018

The current FY 2013-14 Budget includes funds for the purchase and replacement of aging fixed-base seating used in the auditorium at SCAQMD's Diamond Bar headquarters. This action is to issue an RFP to solicit proposals from qualified contractors interested in performing this work. The anticipated cost of this contract is not to exceed \$150,000. Funds for this contract are available in District General's FY 2013-14 Budget

REQUESTS FOR QUALIFICATIONS - Prequalified Vendor List

RFQQ 2014-01 Issue Request for Qualifications and Quotations to Prequalify Vendors for Computer, Network, Printer, Hardware and Software MARLIA/3148

On February 3, 2012, the Board approved a vendor list for the purchase of personal computer hardware, software, and installation services for a period of two years. The current vendor list expires on February 3, 2014. SCAQMD operational efficiency is dependent on staff's desktop computer systems, and many software applications (both off-the-shelf and in-house developed applications) are exceeding the capacity of the present desktop systems. New desktop computer systems, with adequate capacity to support current software applications, are needed to replace older desktop systems. These replacements are in accord with SCAQMD's Information Management Strategic Plan. This action is to issue a Request for Qualifications and Quotations to competitively develop a new list of vendors for computer, network and printer; hardware and software for a two-year term. Funds for these purchases (\$300,000) made under this prequalified vendors lists are included in the FY 2013-14 Budget.

RESEARCH AND DEVELOPMENT OR SPECIAL TECHNICAL EXPERTISE

NONE

REQUEST FOR QUOTATIONS – Commercial Off-the-Shelf Equipment

NONE

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 20

REPORT: Audit Reports of AB 2766 Fee Revenue Recipients for Fiscal Years Ending June 30, 2010 and 2011

SYNOPSIS: Health and Safety Code 44244.1 requires any agency that receives fee revenues subvended from the Department of Motor Vehicles to be audited once every two years. This audit of SCAQMD's share, MSRC's share, and local governments' share of such subvended funds, performed by independent Certified Public Accountants, has been completed.

COMMITTEE: Administrative, October 11, 2013. Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.

RECOMMENDED ACTION:
Receive and file report.

Barry R. Wallerstein, D.Env.
Executive Officer

MBO:JK

Background

AB 2766 was chaptered into law as Health and Safety Code Sections 44220-44247 which were enacted to authorize air pollution control districts to impose fees on motor vehicles. These fees are to be expended specifically for the purpose of mobile source air pollution reduction measures pursuant to the California Clean Air Act of 1988 or the SCAQMD's AQMP pursuant to Article 5 of Chapter 5.5 of Part 3 of the Health and Safety Code.

The fee revenue is collected by the Department of Motor Vehicles (\$4.00 per vehicle registration) and subvended to the SCAQMD for distribution as follows: thirty percent (\$1.20) goes to support SCAQMD-approved programs for the reduction of emissions from mobile sources; forty percent (\$1.60) is placed in the Air Quality Improvement Trust Fund for quarterly disbursement to local governments; and thirty percent (\$1.20)

is placed in the Mobile Source Air Pollution Reduction Trust Fund for projects awarded by the Mobile Source Air Pollution Reduction Review Committee (MSRC) under a work program approved by the SCAQMD's Board.

Audit Summary

SCAQMD's Use of AB 2766 Fee Revenues – Segment 1

The audit of the SCAQMD's use of the motor vehicle registration revenues resulted in no findings. The audit report is included in Attachment I. The cost of auditing the SCAQMD's use of the AB 2766 revenues was \$6,220, paid from the SCAQMD's portion of the fee revenues.

Local Government Use of AB 2766 Fee Revenues – Segment 2

The audit of local governments' use of AB 2766 funds resulted in 33 findings from 27 agencies, all of which have been resolved in accordance with AB 2766 program guidelines. The audit reports are included in attachments II and III. Below is a summary of the types of audit findings.

Fiscal Year(s)	# of Findings	Finding Description	# of Agency's
FY 09-10	1	Noncompliance in Advancing Monies to Other Funds	1
FY 09-10	1	Late Submission of Audited Financial Statements	1
FY 09-10	1	Adoption of Annual Budget Before 7/20/10	1
FY 09-10 & 10-11	6	Exceeded 5% Administrative CAP	5
FY 10-11	1	Unsupported Allocation between Administrative and Program Costs	1
FY 10-11	2	Internal Control Deficiencies	1
FY 09-10 & 10-11	3	Unallowable Expenditures	3
FY 09-10 & 10-11	3	Expenditures Without Supporting Documentation	2
FY 09-10 & 10-11	1	AB 2766 Funds not Accounted for Separately	1
FY 09-10 & 10-11	14	No Submission of Annual Audited Financial Statements	11
Totals	33		27

The total cost to audit the local government recipients was \$65,090. The cost of the audit is allocated and paid from the local governments' portion of the fee revenues in accordance with AB 2766 program guidelines.

MSRCs Use of AB 2766 Fee Revenues – Segment 3

The audit of projects from the MSRC Work Program resulted in no findings and the audit of the MSRC fund noted that the MSRC-TAC committee had two vacant positions. The audit reports are included in attachments IV and V. The MSRC reviewed the summary audit reports at its September 19, 2013 meeting. The cost of auditing the MSRC and their use of program revenues was \$7,200 and will be deducted from the fee revenues subvended to the MSRC. The auditors have issued two summary reports (Attachments IV & V).

Attachments

- I. SCAQMD's Use of AB 2766 Fee Revenues – Segment 1
- II. Local Governments Use of AB 2766 Fee Revenues Summary of Audit Reports – Segment 2.
- III. Local Governments Use of AB 2766 Fee Revenues Summary of Audit Reports – Segment 2, Subgroup 1
- IV. MSRC's Use of AB 2766 Fee Revenues Summary Audit Report – Segment 3
- V. MSRC Projects Audit – Segment 3, Projects

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

*AIR QUALITY IMPROVEMENT FUND
(SEGMENT 1)*

*INDEPENDENT ACCOUNTANT'S REPORT ON
APPLYING AGREED-UPON PROCEDURES*

FOR THE YEARS ENDED JUNE 30, 2011 AND 2010





SIMPSON & SIMPSON
CERTIFIED PUBLIC ACCOUNTANTS

FOUNDING PARTNERS
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Independent Accountant's Report on Applying Agreed-Upon Procedures

The Governing Board of
The South Coast Air Quality Management District

We have performed the procedures enumerated below, which were agreed to by the management of the South Coast Air Quality Management District (SCAQMD), solely to assist you in determining whether motor vehicle registration fee revenues (AB 2766 funds) received by the SCAQMD during fiscal years 2009-10 and 2010-11 were spent on the reduction of air pollution from motor vehicles pursuant to the California Clean Air Act of 1988 or the SCAQMD's Air Quality Management Plan (AQMP) prepared pursuant to Article 5 of Chapter 5.5 of Part 3 of the California Health and Safety Code (CHSC). The SCAQMD's management is responsible for the use of AB 2766 funds in accordance with the cited criteria. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or any other purpose.

Our procedures and results are as follows.

1. We obtained an understanding of how the SCAQMD accounts for AB 2766 funds – Segment 1, including whether the AB 2766 funds are maintained in a separate fund or if there is a separate accounting of the AB 2766 funds maintained by another means.

Result

We noted that the AB 2766 funds - Segment 1 (District Funds) are recorded under the General Fund of the SCAQMD.



2. We conducted interviews and tested significant controls to identify significant deficiencies in the design or operation of the SCAQMD's internal control procedures over the receipt and use of AB 2766 funds.

Result

We noted no exceptions in performing this procedure.

3. We obtained the California Department of Motor Vehicle's (DMV) fee distribution record for AB 2766 revenues and agreed them to the SCAQMD's AB 2766 revenues recorded in the general ledger.

Result

We noted no exceptions to recorded revenues.

4. We recalculated the SCAQMD's allocation of AB 2766 revenue fees to recipients to verify that the allocation was in accordance with CHSC Section 44243, after deducting administrative costs pursuant to Section 44229, and any audit costs pursuant to Section 44244.1(a).

Result

We noted no exceptions on the allocation of AB 2766 revenue fees to the recipients.

5. We conducted interviews in order to obtain an understanding of how the SCAQMD allocates interest earned and determined the reasonableness of the interest allocation and that interest was used for the same purposes for which AB 2766 funds were allocated to the SCAQMD.

Result

We noted no exceptions to interest allocation earned or use of interest earned.

6. We verified that the SCAQMD's governing board adopted a resolution to document the intent and use of AB 2766 funds exclusively for the reduction of air pollution from motor vehicles in accordance with the California Clean Air Act of 1988.

Result

We noted no exceptions in performing this procedure.

7. We obtained the SCAQMD's cost allocation schedule. We conducted interviews and recalculated allocations on a test basis to determine the reasonableness and mathematical accuracy of the cost allocation method.

Result

We noted no exceptions on the cost allocation schedule.

8. We tested AB 2766 direct and indirect non-labor project expenditures for each year to determine:
 - a) allowability, reasonableness, adequacy of supporting documentation, proper approval, clearly identified the project, and were incurred during the fiscal year;
 - b) that the funds were spent in accordance with CHSC Section 44220(b), which requires that AB 2766 fund expenditures were incurred solely to reduce air pollution from motor vehicles and for related planning, monitoring, enforcement and technical studies necessary for implementation of the California Clean Air Act of 1988; and
 - c) in accordance with CHSC Section 44235, the SCAQMD did not use AB 2766 fees for the purpose of establishing or maintaining the district as a direct provider of the car pool, van pool, or other ridesharing or transit services.

Result

We noted no exceptions in performing this procedure.



9. We tested AB 2766 direct payroll expenditures, reviewed related payroll registers and employee records to verify hours worked, mathematical accuracy, and salary rates.

Result

We noted no exceptions to the AB 2766 direct payroll expenditures.

10. We analyzed AB 2766 administrative expenditures to verify, in accordance with CHSC Section 44233, that the SCAQMD did not use more than 5% of the AB 2766 fees distributed for administrative expenditures.

Result

We noted no exceptions in performing this procedure.

11. We obtained the SCAQMD expenditures to verify, in accordance with CHSC Section 44244.1(d), that the SCAQMD expended AB 2766 fees within one year of the program or project completion date.

Result

We noted no exceptions in performing this procedure.

12. We obtained the SCAQMD reports to verify, in accordance with CHSC Section 44247, that the SCAQMD submitted a report to the State Board on the use of the fees and results of the programs funded, and to verify that the SCAQMD's control measures were in compliance with Title 42 of the United States Code control measures.

Result

We noted no exceptions in performing this procedure.



We were not engaged to and did not conduct an examination, the objective of which would be the expression of an opinion on the SCAQMD's compliance with the California Clean Air Act of 1988 or the SCAQMD's Air Quality Management Plan (AQMP) prepared pursuant to Article 5 of Chapter 5.5 of Part 3 of the California Health and Safety Code (CHSC). Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the governing board and management of the SCAQMD, and is not intended to be and should not be used by anyone other than these specified parties.

A handwritten signature in cursive script that reads "Simpson & Simpson".

Los Angeles, California
March 6, 2013

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

SUMMARY REPORT ON

AB 2766 FEE REVENUES
FOR LOCAL GOVERNMENT RECIPIENTS
UNDER HEALTH AND SAFETY CODE SECTION 44243(b)
(Segment 2)

FOR THE YEARS ENDED JUNE 30, 2011 AND 2010

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

***AB 2766 FEE REVENUES FOR LOCAL GOVERNMENT RECIPIENTS
UNDER HEALTH AND SAFETY CODE SECTION 44243(b)
(Segment 2)***

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Governing Board
South Coast Air Quality Management District
Diamond Bar, California

This report provides a summary of the findings and questioned costs contained in the financial and compliance audit reports and reports on applying agreed-upon procedures completed for Segment 2 for the Biennial Audit of Fee Revenues Under AB 2766 for fiscal years ended June 30, 2011 and 2010. The audit findings are described in the Summary of Findings in Attachment A. See Attachment B for a list of the reports included in this summary.

For the purpose of determining whether motor vehicle registration fees (AB 2766 funds) subvended to the South Coast Air Quality Management District (SCAQMD) were expended for air pollution measures pursuant to the California Clean Air Act of 1988 or the SCAQMD's Air Quality Management Plan (AQMP) prepared pursuant to Article 5 of Chapter 5.5 of Part 3 of the California Health and Safety Code (CHSC), the SCAQMD requested that we perform financial and compliance audits or agreed-upon procedures reviews for six subgroups of local governments receiving Segment 2 funds. Segment 2 funds are the 40% of motor vehicle fee revenues subvended to the SCAQMD that are distributed to local governments on a quarterly basis. The SCAQMD placed local governments into subgroups based on the amount of Segment 2 funds received and whether the entity had provided Air Quality Improvement Fund audited financial statements and progress reports to the SCAQMD. Local governments in Segment 2 include cities, counties and consortiums of local governments. These consortiums are legal entities created through joint power agreements entered into by cities and counties in a common geographical area. Local governments are permitted to pool their resources for implementing the requirements for the use of AB 2766 funds and to undertake regional projects to reduce air pollution from motor vehicles.

For local governments in Subgroup 1, we reviewed audit reports prepared by other auditors and summarized audit findings included in the reports. The Subgroup 1 summary was provided in a separate report dated July 19, 2013.



For purposes of this report, we have summarized audit findings and questioned costs for local government entities in Subgroups 2, 3, 4, 5 and 6 into five categories, as described on the following:

CATEGORY	DESCRIPTION OF FINDING
1	Unallowable Expenditures
2	Expenditures Without Supporting Documentation
3	Administrative Cost In Excess of 5% Cap
4	AB 2766 Funds Not Accounted For Separately
5	Submission of Annual Audited Financial Statements

This report is intended solely for the information and use of the governing board and management of the SCAQMD, and is not intended to be and should not be used by anyone other than these specified parties.

Los Angeles, California
July 19, 2013

***SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
AIR QUALITY IMPROVEMENT FUND***

**SUMMARY OF FINDINGS
For the Years Ended June 30, 2011 and 2010**

1. Unallowable Expenditures

We noted the following cities charged unallowable expenditures to AB 2766 funds. California Health and Safety Code Section 44243 require that AB 2766 funds be used for programs to reduce air pollution from mobile sources. According to the SCAQMD Resource Guide Section 1-C, allowable costs include: the full cost of alternative fuels, for up to three years after vehicle purchase, but only the differential cost thereafter. Also, section 1-g stated "Maintenance and upkeep of infrastructure and alternative fuel vehicles, or electric vehicles are not allowable expenditures."

<u>Fiscal Year 2010</u>	<u>Description</u>	<u>Amount</u>
<u>Los Angeles County</u>		
City of El Monte	Cost of fuel for vehicle purchased more than three years ago	\$ 4,875
<u>Orange County</u>		
City of Villa Park	Maintenance/repair cost for NGV vehicles	\$ 3,830
<u>Fiscal Year 2011</u>	<u>Description</u>	<u>Amount</u>
<u>Los Angeles County</u>		
City of South Gate	Cost of fuel for a street sweeper purchased more than three years ago	\$ 12,608

***SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
AIR QUALITY IMPROVEMENT FUND***

**SUMMARY OF FINDINGS
For the Years Ended June 30, 2011 and 2010
(Continued)**

2. Expenditures Without Supporting Documentation

According to the AB 2766 Resource Guide, Financial Administration section, Segment 17, “Expenditures on equipment, materials, and subcontractor services must be supported by a warrant and other source document clearly showing that the payment was for an expenditure charged against the fund and included in the annual program report to the AQMD. It is also important that the source document (invoice, requisition, equipment rental charge, and other pertinent data) clearly identify the project to establish a readily discernible audit trail.” The following cities did not provide supporting documentation to validate the expenditures charged to the Air Quality Improvement Fund.

<u>Fiscal Year 2011</u>	<u>Amount</u>
<u>Los Angeles County</u>	
City of Bell	\$ 240
<u>San Bernardino County</u>	
City of San Bernardino	\$ 17,087
<u>Fiscal Year 2010</u>	<u>Amount</u>
<u>Los Angeles County</u>	
City of Bell	\$ 1,921

***SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
AIR QUALITY IMPROVEMENT FUND***

SUMMARY OF FINDINGS
For the Years Ended June 30, 2011 and 2010
(Continued)

3. Administrative Cost In Excess of 5% Cap

In accordance with California Health and Safety Code Section 44233, the City or County may not use more than 5% of the AB 2766 fees distributed for administrative expenditures. We noted that the following cities' administrative expenditures exceeded the 5% limit:

Fiscal Year 2011	Amount in Excess of Cap	Fiscal Year 2010	Amount in Excess of Cap
<u>Los Angeles County</u>			
City of South Gate	\$ 1,038		
<u>San Bernardino County</u>		<u>San Bernardino County</u>	
City of Rialto	\$ 208	City of Rialto	\$ 407
City of San Bernardino	\$ 23,298	City of Grand Terrace	\$ 934

4. AB 2766 Funds Not Accounted For Separately

Western Riverside Council for Governments

We noted Western Riverside Council for Governments (WRCOG) used AB2766 funds to partly finance the expenditures of its Clean Cities Program (an outreach program to promote clean air quality). As such, disbursements of AB2766 funds are included in the expenditures report of the Clean Cities program. For the fiscal year ended June 30, 2011, WRCOG maintained AB2766 funds in the general fund that was used to account for the proceeds of specific revenues sources that are legally restricted to expenditures for specific purposes. WRCOG's accounting system did not separately identify and track AB2766 funds within this fund. WRCOG maintained AB2766 funds in a special revenue fund with funds from other sources.

***SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
AIR QUALITY IMPROVEMENT FUND***

**SUMMARY OF FINDINGS
For the Years Ended June 30, 2011 and 2010
(Continued)**

5. Submission of Annual Audited Financial Statements

The SCAQMD requires that the annual audited financial statement be filed by the first Friday in February. For fiscal years 2011 and 2010, the following cities did not submit its annual audited financial statements to the SCAQMD in a timely manner.

<u>Fiscal Year 2011</u>	<u>Fiscal Year 2010</u>
<u>Los Angeles County</u> City of Bell City of Cudahy City of Hidden Hills City of La Canada Flintridge City of Maywood	<u>Los Angeles County</u> City of Bell City of La Canada Flintridge City Maywood
<u>Riverside County</u> City of Canyon Lake	<u>Orange County</u> City of Villa Park
<u>San Bernardino County</u> City of Grand Terrace City of Montclair City of Yucaipa	<u>Riverside County</u> City of Rancho Mirage

ATTACHMENT B

***SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
AIR QUALITY IMPROVEMENT FUND***

**LIST OF LOCAL GOVERNMENT RECIPIENTS AUDITED
For the Years Ended June 30, 2011 and 2010**

	<u>City</u>	<u>Type of Audit</u>	<u>Fiscal Year (s)</u>
	Los Angeles County		
1	City of Alhambra	Financial & Compliance	2010
2	City of Azusa	Agreed Upon Procedures	2011
3	City of Baldwin Park	Agreed Upon Procedures	2011
4	City of Bell	Financial & Compliance	2011 and 2010
5	City of Compton	Financial & Compliance	2011
6	City of Cudahy	Financial & Compliance	2011
7	City of El Monte	Financial & Compliance	2011 and 2010
8	City of Gardena	Agreed Upon Procedures	2011
9	City of Glendale	Financial & Compliance	2011 and 2010
10	City of Glendora	Agreed Upon Procedures	2011
11	City of Hermosa Beach	Agreed Upon Procedures	2011
12	City of Hidden Hills	Financial & Compliance	2011
13	City of Inglewood	Financial & Compliance	2011 and 2010
14	City of La Canada Flintridge	Financial & Compliance	2011 and 2010
15	City of La Mirada	Agreed Upon Procedures	2011
16	City of La Verne	Agreed Upon Procedures	2011
17	City of Lakewood	Agreed Upon Procedures	2011
18	City of Long Beach	Financial & Compliance	2011 and 2010
19	City of Maywood	Financial & Compliance	2011 and 2010
20	City of Rancho Palos Verdes	Agreed Upon Procedures	2011
21	City of San Marino	Agreed Upon Procedures	2011
22	City of South El Monte	Agreed Upon Procedures	2011
23	City of South Gate	Financial & Compliance	2011
24	County of Los Angeles	Financial & Compliance	2011 and 2010

ATTACHMENT B

***SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
AIR QUALITY IMPROVEMENT FUND***

**LIST OF LOCAL GOVERNMENT RECIPIENTS AUDITED
For the Years Ended June 30, 2011 and 2010
(Continued)**

	<u>City</u>	<u>Type of Audit</u>	<u>Fiscal Year (s)</u>
	Orange County		
25	City of Anaheim	Financial & Compliance	2011 and 2010
26	City of La Habra	Agreed Upon Procedures	2011
27	City of Laguna Niguel	Agreed Upon Procedures	2011
28	City of San Juan Capistrano	Agreed Upon Procedures	2011
29	City of Villa Park	Financial & Compliance	2010
30	County of Orange	Financial & Compliance	2011 and 2010
	Riverside County		
31	City of Canyon Lake	Financial & Compliance	2011
32	City of Cathedral City	Agreed Upon Procedures	2011
33	City of Indian Wells	Agreed Upon Procedures	2011
34	City of La Quinta	Agreed Upon Procedures	2011
35	City of Lake Elsinore	Agreed Upon Procedures	2011
36	City of Moreno Valley	Financial & Compliance	2011 and 2010
37	City of Murrieta	Financial & Compliance	2011 and 2010
38	City of Norco	Agreed Upon Procedures	2011
39	City of Palm Springs	Agreed Upon Procedures	2011
40	City of Rancho Mirage	Financial & Compliance	2010
41	City of San Jacinto	Agreed Upon Procedures	2011
42	City of Temecula	Financial & Compliance	2011 and 2010
	San Bernardino County		
43	City of Chino	Agreed Upon Procedures	2011
44	City of Grand terrace	Financial & Compliance	2011
45	City of Loma Linda	Agreed Upon Procedures	2011
46	City of Montclair	Financial & Compliance	2011
47	City of Rialto	Financial & Compliance	2011 and 2010
48	City of Yucaipa	Financial & Compliance	2011
49	City of San Bernardino	Financial & Compliance	2011
50	County of San Bernardino	Financial & Compliance	2011 and 2010

ATTACHMENT B

***SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
AIR QUALITY IMPROVEMENT FUND***

**LIST OF LOCAL GOVERNMENT RECIPIENTS AUDITED
For the Years Ended June 30, 2011 and 2010
(Continued)**

	<u>City</u>	<u>Type of Audit</u>	<u>Fiscal Year (s)</u>
	Consortium		
51	Coachella Valley Association of Governments	Financial & Compliance	2011 and 2010
52	Gateway Cities Council of Governments	Financial & Compliance	2011 and 2010
53	San Gabriel Valley Council of Governments	Financial & Compliance	2011 and 2010
54	Western Riverside Council of Governments	Financial & Compliance	2011 and 2010

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

*AIR QUALITY IMPROVEMENT FUND
(SEGMENT 2 – SUBGROUP 1)*

*INDEPENDENT ACCOUNTANT'S REPORT ON
APPLYING AGREED-UPON PROCEDURES*

FOR THE YEARS ENDED JUNE 30, 2011 AND 2010





SIMPSON & SIMPSON
CERTIFIED PUBLIC ACCOUNTANTS

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Independent Accountant's Report on Applying Agreed-Upon Procedures

The Governing Board of
The South Coast Air Quality Management District

We have performed the procedures enumerated below, which were agreed to by the management of the South Coast Air Quality Management District (SCAQMD), solely to assist you in summarizing instances of noncompliance and internal control deficiencies and material weaknesses reported in financial statement audit reports and internal control and compliance reports submitted to the SCAQMD by cities and counties that received automobile registration fee revenues (AB 2766 funds) from the SCAQMD in fiscal years 2010-11 and 2009-10. This report includes instances of noncompliance with respect to whether AB 2766 funds were spent on activities that reduce air pollution from motor vehicles pursuant to the California Clean Air Act of 1988 or the SCAQMD's Air Quality Management Plan (AQMP) prepared pursuant to Article 5 of Chapter 5.5 of Part 3 of the California Health and Safety Code (CHSC). This report also includes internal control deficiencies and material weaknesses identified in the report on internal control reports.

This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or any other purpose.

Our procedures and results are as follows:

We performed a summary review of audited financial statements, compliance reports and internal control reports submitted to SCAQMD by the cities and counties that received more than \$100,000 of AB 2766 funds per year (large recipients) for fiscal years 2010-11 and 2009-10 (See Attachment A for list of municipalities). We identified any reporting of non-compliance, deficiencies in internal control and material weaknesses in internal controls, and summarized these instances.





NON-COMPLIANCE

1. Noncompliance in Advancing Monies to Other Funds – City of Compton

For the fiscal year 2010, the City of Compton's general account was responsible for paying all expenditures including expenditures related to the City of Compton's AB2766 rideshare project. Therefore, the Air Quality fund was commingled with other funds in the City of Compton's general account. The City of Compton received approximately \$111,000 during the year and spent approximately \$63,000 for its rideshare project. During the review of cash balances, it was noted that the Air Quality fund has a cash balance of only \$27,816 at June 30, 2010. This resulted from the Air Quality fund advancing monies to other City's funds. As of June 30, 2010, the due from other funds amounted to \$215,646.

2. Submission of Annual Audited Financial Statements – City of Compton

The SCAQMD requires that AB 2766 recipients submit annual audited financial statements and progress reports by the first Friday in February of each year. For fiscal year 2010, the City of Compton did not submit its annual financial statements in a timely manner.

3. Adoption of Annual Budget On or Before July 20th – City of Carson

As required by the provisions of Sections 2951 to 2954 of the City of Carson's Municipal Code, on or before July 20th, the City of Carson shall adopt a balanced budget by the affirmative votes of at least three (3) members. Upon final adoption, the budget shall be in effect for the ensuing budget period and funds shall be appropriated for the fiscal year. This appropriation provides the authority for the City of Carson spending during the fiscal year. For the fiscal year ended June 30, 2010, an annual budget was not adopted for all special revenue funds of the City of Carson including the Air Quality Improvement Special Revenue Fund.

4. Administrative Costs Exceeded 5% Cap – the City of Los Angeles

According to the California Health and Safety Code Section 44233, no more than 5% of the fees subvented shall be used for administrative costs. For the fiscal year ended June 30, 2010, the City of Los Angeles's administrative costs exceeded the 5% cap by \$81,931.



5. Unsupported Allocation Percentage Between Administrative and Program Costs – City of Los Angeles

For fiscal year 2011, the City of Los Angeles’s salaries costs for two individuals were allocated between both administrative and program activities based on estimated percentages. Detailed records of time spent on different activities supporting the allocation percentages are not available.

INTERNAL CONTROLS

Significant Deficiencies in Internal Controls

1. Risk Assessment Performed by Internal Audit and Financial Department – City of Santa Monica

For fiscal year 2011, the City of Santa Monica’s Internal Audit and Finance Departments did not perform a formalized risk assessment that identifies the financial risks within the City. The lack of a formalized risk assessment could lead to risks not being identified or adequately addressed.

2. Accounting Policies & Procedures Manual – City of Santa Monica

For fiscal year 2011, the City of Santa Monica’s Finance Department has documented policies and procedures that were maintained in various documents and not in one comprehensive document. Procedures existed in the JD Edwards (JDE) manual which provided guidance on their financial system and their annual budget document contained policies that were prepared for City Council approval. The lack of comprehensive written policies and procedures could contribute to inconsistent accounting treatment and poor internal controls.

We were not engaged to and did not conduct an examination, the objective of which would be the expression of an opinion on the SCAQMD’s compliance with the California Clean Air Act of 1988 or the SCAQMD’s Air Quality Management Plan (AQMP) prepared pursuant to Article 5 of Chapter 5.5 of Part 3 of the California Health and Safety Code (CHSC). Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.



This report is intended solely for the information and use of the governing board and management of the SCAQMD, and is not intended to be and should not be used by anyone other than these specified parties.

Simpson & Simpson

Los Angeles, California
July 19, 2013

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
AIR QUALITY IMPROVEMENT FUND

List of Local Government Large Recipients
For the Years Ended June 30, 2011 and 2010

<u>Local Government</u>	<u>Fiscal Year(s)</u>
Los Angeles County	
1. Compton	2010
2. Carson	2011 and 2010
3. Downey	2011 and 2010
4. Hawthorne	2010
5. Los Angeles	2011 and 2010
6. Norwalk	2011 and 2010
7. Pasadena	2011 and 2010
8. Pomona	2011 and 2010
9. Santa Clarita	2011 and 2010
10. Santa Monica	2011 and 2010
11. Torrance	2011 and 2010
12. West Covina	2011 and 2010
Orange County	
13. Costa Mesa	2011 and 2010
14. Fullerton	2011 and 2010
15. Garden Grove	2011 and 2010
16. Huntington Beach	2011 and 2010
17. Irvine	2011 and 2010
18. Mission Viejo	2011 and 2010
19. Orange	2011 and 2010
20. Santa Ana	2011 and 2010
21. Westminster	2011 and 2010
Riverside County	
22. Corona	2011 and 2010
23. Riverside	2011 and 2010
24. County of Riverside	2011 and 2010
San Bernardino County	
25. Fontana	2011 and 2010
26. Ontario	2011 and 2010
27. Rancho Cucamonga	2011 and 2010
28. San Bernardino	2010

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

***MOBILE SOURCE AIR POLLUTION REDUCTION
REVIEW COMMITTEE FUND
(SEGMENT 3)***

***INDEPENDENT ACCOUNTANT'S REPORT ON
APPLYING AGREED-UPON PROCEDURES***

FOR THE YEARS ENDED JUNE 30, 2011 AND 2010





SIMPSON & SIMPSON
CERTIFIED PUBLIC ACCOUNTANTS

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Independent Accountant's Report On Applying Agreed-Upon Procedures

The Governing Board of
The South Coast Air Quality Management District

We have performed the procedures enumerated below to the financials and other records of the South Coast Air Quality Management District (SCAQMD), which were agreed to by the management of the SCAQMD, solely to assist you in determining whether motor vehicle registration fee revenues (AB 2766 funds) distributed to the Mobile Source Air Pollution Reduction Review Committee (MSRC) during fiscal years 2010-11 and 2009-10 were spent on the reduction of air pollution from motor vehicles pursuant to the California Clean Air Act of 1988 or the SCAQMD's Air Quality Management Plan (AQMP) prepared pursuant to Article 5 of Chapter 5.5 of Part 3 of the California Health and Safety Code (CHSC). The SCAQMD's management is responsible for use of AB 2766 funds in accordance with the cited criteria. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or any other purpose.

Our procedures and results are as follows:

1. We reviewed the list of the MSRC members to verify that, in accordance with CHSC 44244(a), the Committee consists of a representative from each of the specified agencies.

Result

We noted no exceptions in performing this procedure.

2. In accordance with CHSC Section 44244(b), we verified that the MSRC developed and adopted work programs for FY 2010-11 and 2009-10 that were approved by the SCAQMD Governing Board.

Result

We noted no exceptions in performing this procedure.

3. We reviewed the list of the Technical Advisory Committee (TAC) members to verify that membership of TAC is in accordance with the specifications of CHSC Section 44244(c). As required by CHSC Section 44244(c), the TAC advisory committee shall also include one or more person who is a mechanical engineer specializing in vehicle engines.

Result

We noted that for the period reviewed (July 1, 2009 through June 30, 2011) the TAC position for a representative of the Cities of Los Angeles County was vacant until April 1, 2010 and the TAC position for a mechanical engineer was vacant for the entire period of July 1, 2009 through June 30, 2011. The mechanical engineer position remained vacant until August 4, 2011. We noted no other exceptions in performing this procedure.

4. We obtained an understanding of how AB 2766 funds are accounted for, including whether AB 2766 funds are maintained in a separate fund or if there is a separate accounting for the funds maintained by other means.

Result

We noted that the MSRC has a separate fund called the Mobile Source Air Pollution Reduction Review Committee Fund.

5. We obtained an understanding of established internal control procedures related to the receipt and use of AB 2766 funds.

Result

We noted no exceptions in performing this procedure.

6. We agreed AB 2766 revenues recorded in the Mobile Source Air Pollution Reduction Fund General Ledger to the SCAQMD's record of disbursements.

Result

We noted no exceptions in performing this procedure.

7. We conducted interviews in order to obtain an understanding of how the SCAQMD allocates interest earned and determined the reasonableness of the interest allocation and that interest was used for the same purposes for which AB 2766 funds were allocated to the SCAQMD.

Result

We noted no exceptions on the cost allocation schedule.

8. We tested AB 2766 expenditures of the Mobile Source Air Pollution Reduction Fund for each year to determine:
 - a) allowability, reasonableness, adequacy of supporting documentation, proper approval, clearly identified the project, and were incurred during the fiscal year;
 - b) that the funds were spent in accordance with CHSC Section 44220(b), which requires that AB 2766 fund expenditures were incurred solely to reduce air pollution from motor vehicles and for related planning, monitoring, enforcement and technical studies necessary for implementation of the California Clean Air Act of 1988; and
 - c) in accordance with CHSC Section 44235, the SCAQMD did not use AB 2766 fees for the purpose of establishing or maintaining the district as a direct provider of the car pool, van pool, or other ridesharing or transit services.

Result

We noted no exceptions in performing this procedure.

9. We analyzed AB 2766 administrative expenditures to verify, in accordance with CHSC Section 44233, that the MSRC did not use more than 5% of the AB 2766 fees for administrative expenditures.

Result

We noted no exceptions in performing this procedure.

10. We obtained the SCAQMD expenditures to verify, in accordance with CHSC Section 44244.1(d), that the MSRC expended AB 2766 fees within one year of the program or project completion date.

Result

We noted no exceptions in performing this procedure.

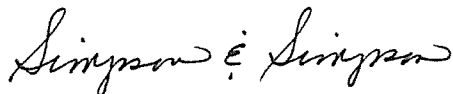
11. We reviewed the SCAQMD's financial statements to verify that the Mobile Source Air Pollution Reduction Review Committee Fund was audited as part of the SCAQMD's annual audit conducted by an Independent CPA firm.

Result

We noted that the Mobile Source Air Pollution Reduction Review Committee Fund was audited as part of the SCAQMD's annual audit conducted by an Independent CPA firm.

We were not engaged to and did not conduct an audit, the objective of which would be the expression of an opinion, on the MSRC's compliance with the California Clean Air Act of 1988 or the SCAQMD's Air Quality Management Plan (AQMP) prepared pursuant to Article 5 of Chapter 5.5 of Part 3 of the California Health and Safety Code. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the governing board and management of the SCAQMD, members of the Mobile Source Air Pollution Reduction Review Committee and members of the Technical Advisory Committee of the MSRC and is not intended to be, and should not be used anyone other than those specified parties.



Los Angeles, California
April 12, 2013

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

*MOBILE SOURCE AIR POLLUTION REDUCTION
REVIEW COMMITTEE FUND
(SEGMENT 3 - PROJECTS)*

*INDEPENDENT ACCOUNTANT'S REPORT ON
APPLYING AGREED-UPON PROCEDURES*

FOR THE YEARS ENDED JUNE 30, 2011 AND 2010





SIMPSON & SIMPSON
CERTIFIED PUBLIC ACCOUNTANTS

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Independent Accountant's Report On Applying Agreed-Upon Procedures

The Governing Board of
The South Coast Air Quality Management District

We have performed the procedures enumerated below to the financials and other records of the South Coast Air Quality Management District (SCAQMD), which were agreed to by the management of the SCAQMD, solely to assist you in determining whether motor vehicle registration fee revenues (AB 2766 funds) distributed to the Mobile Source Air Pollution Reduction Review Committee (MSRC) during fiscal years 2010-11 and 2009-10 were spent on the reduction of air pollution from motor vehicles pursuant to the California Clean Air Act of 1988 or the SCAQMD's Air Quality Management Plan (AQMP) prepared pursuant to Article 5 of Chapter 5.5 of Part 3 of the California Health and Safety Code (CHSC). These AB 2766 funds were allocated within the MSRC's fiscal years 2010-11 and 2009-10 AB 2766 Discretionary Fund Work Programs. The SCAQMD's management is responsible for use of AB 2766 funds in accordance with the cited criteria. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or any other purpose.

Our procedures and results are as follows:

1. We examined and tested ten (10) projects, as presented in Attachment A, approved for funding during FY 2010-11 and 2009-10 by the MSRC to determine if these projects were aligned with the work programs for FY 2010-11 and 2009-10 and if these were properly approved by the SCAQMD's Governing Board

Result

We noted no exceptions in performing this procedure.

2. For the ten projects selected in fiscal years 2010-11 and 2009-10, as presented in Attachment A, we verified that the project was proposed under the FY 2010-11 and 2009-10 work programs that was developed and adopted by the MSRC and approved by the SCAQMD Board in accordance with CHSC Section 44244(b).

Result

We noted no exceptions in performing this procedure.

3. Obtain an understanding of how AB 2766 funds are accounted for, including whether AB 2766 funds are maintained in a separate fund or if there is a separate accounting for the funds maintained by other means.

Result

We noted that the MSRC has a separate fund called the Mobile Source Air Pollution Reduction Review Committee Fund.

4. We obtained an understanding of established internal control procedures related to the receipt and use of AB 2766 funds.

Result

We noted no exceptions in performing this procedure.

5. We agreed AB 2766 revenues recorded in the Mobile Source Air Pollution Reduction Fund General Ledger to the SCAQMD's record of disbursements.

Result

We noted no exceptions in performing this procedure.

6. We obtained a detailed listing of expenditures for the ten projects approved during fiscal years 2010-11 and 2009-10 and selected a sample of expenditures for testing. We tested AB 2766 expenditures of the Mobile Source Air Pollution Reduction Fund for each year to determine:
 - a) allowability, reasonableness, adequacy of supporting documentation, proper approval, clearly identified the project, and were incurred during the fiscal year;



- b) that the funds were spent in accordance with CHSC Section 44220(b), which requires that AB 2766 fund expenditures were incurred solely to reduce air pollution from motor vehicles and for related planning, monitoring, enforcement and technical studies necessary for implementation of the California Clean Air Act of 1988; and
- c) in accordance with CHSC Section 44235, the SCAQMD did not use AB 2766 fees for the purpose of establishing or maintaining the district as a direct provider of the car pool, van pool, or other ridesharing or transit services.

Result

We noted no exceptions in performing this procedure.

- 7. We obtained a listing of the SCAQMD expenditures to verify, in accordance with CHSC Section 44244.1(d), that the MSRC expended AB 2766 fees within one year of the program or project completion date and that no more than 5% of the AB 2766 funds are used for administrative costs.

Result

We noted no exceptions in performing this procedure.

We were not engaged to and did not conduct an audit, the objective of which would be the expression of an opinion, on the MSRC's compliance with the California Clean Air Act of 1988 or the SCAQMD's Air Quality Management Plan (AQMP) prepared pursuant to Article 5 of Chapter 5.5 of Part 3 of the California Health and Safety Code. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the governing board and management of the SCAQMD, members of the Mobile Source Air Pollution Reduction Review Committee and members of the Technical Advisory Committee of the MSRC and is not intended to be, and should not be used anyone other than those specified parties.

A handwritten signature in cursive script that reads "Simpson & Simpson".

Los Angeles, California
May 31, 2013

ATTACHMENT A
REVIEW RESULTS OF TEN (10) MSRC PROJECTS

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
 MOBILE SOURCE AIR POLLUTION REDUCTION
 REVIEW COMMITTEE FUND
 REVIEW RESULTS OF TEN (10) MSRC PROJECTS

Contract No. : ML11030

Contractor : City of Fullerton

Project Title : Purchase of two (2) new heavy-duty propane (LPG) street sweepers and purchase and install seven (7) CARB Level 3 Verified Emission Control Systems (VDECS)

Project Status: Complete

<u>AB 2766 Funding Adopted</u>	<u>Amount Paid to Date</u>	<u>Contract Balance</u>	<u>Questioned Costs</u>	<u>Costs Accepted</u>
\$ 109,200	\$ 109,200	\$ -	\$ -	\$ 109,200

Audit Results : No findings

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
 MOBILE SOURCE AIR POLLUTION REDUCTION
 REVIEW COMMITTEE FUND
 REVIEW RESULTS OF TEN (10) MSRC PROJECTS
 (CONTINUED)

Contract No. : MS10007
Contractor : Enterprise Rent-A-Car Company of Los Angeles, LLC
Project Title : Purchase and place into service two (2) heavy-duty CNG shuttle buses
Project Status: Complete

<u>AB 2766 Funding Adopted</u>	<u>Amount Paid to Date</u>	<u>Contract Balance</u>	<u>Questioned Costs</u>	<u>Costs Accepted</u>
\$ 18,976	\$ 18,976	\$ -	\$ -	\$ 18,976

Audit Results : No findings

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
 MOBILE SOURCE AIR POLLUTION REDUCTION
 REVIEW COMMITTEE FUND
 REVIEW RESULTS OF TEN (10) MSRC PROJECTS
 (CONTINUED)

Contract No. : MS10008

Contractor : Republic Services, Inc.

Project Title : Purchase and place into service four (4) heavy-duty CNG solid waste collection trucks

Project Status: Complete

<u>AB 2766 Funding Adopted</u>	<u>Amount Paid to Date</u>	<u>Contract Balance</u>	<u>Questioned Costs</u>	<u>Costs Accepted</u>
\$ 123,354	\$ 123,354	\$ -	\$ -	\$ 123,354

Audit Results : No findings

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
 MOBILE SOURCE AIR POLLUTION REDUCTION
 REVIEW COMMITTEE FUND
 REVIEW RESULTS OF TEN (10) MSRC PROJECTS
 (CONTINUED)

Contract No. : MS10010
Contractor : New Bern Transport Corporation
Project Title : Repowering of four (4) delivery trucks with advanced, heavy-duty natural gas engines
Project Status: Complete

<u>AB 2766 Funding Adopted</u>	<u>Amount Paid to Date</u>	<u>Contract Balance</u>	<u>Questioned Costs</u>	<u>Costs Accepted</u>
\$ 113,864	\$ 113,864	\$ -	\$ -	\$ 113,864

Audit Results : No findings

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
 MOBILE SOURCE AIR POLLUTION REDUCTION
 REVIEW COMMITTEE FUND
 REVIEW RESULTS OF TEN (10) MSRC PROJECTS
 (CONTINUED)

Contract No. : MS10019
Contractor : Edco Disposal Corporation
Project Title : Purchase of eleven (11) CNG vehicles
Project Status: Complete

AB 2766 Funding Adopted	Amount Paid to Date	Contract Balance	Questioned Costs	Costs Accepted
\$ 379,549	\$ 379,284	\$ 265	\$ -	\$ 379,284

Audit Results : No findings

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
 MOBILE SOURCE AIR POLLUTION REDUCTION
 REVIEW COMMITTEE FUND
 REVIEW RESULTS OF TEN (10) MSRC PROJECTS
 (CONTINUED)

Contract No. : MS10025
Contractor : Elham Shirazi
Project Title : Telework Demonstration Program
Project Status: Not complete

AB 2766 Funding Adopted	Amount Paid to Date	Contract Balance	Questioned Costs	Costs Accepted
\$ 199,449	\$ 158,654	\$ 40,795	\$ -	\$ 158,654

Audit Results : No findings

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
 MOBILE SOURCE AIR POLLUTION REDUCTION
 REVIEW COMMITTEE FUND
 REVIEW RESULTS OF TEN (10) MSRC PROJECTS
 (CONTINUED)

Contract No. : MS11001
Contractor : Mineral LLC
Project Title : Design, develop, host and maintain MSRC website
Project Status: Not complete

AB 2766 Funding Adopted	Amount Paid to Date	Contract Balance	Questioned Costs	Costs Accepted
\$ 94,627	\$ 86,387	\$ 8,240	\$ -	\$ 86,387

Audit Results : No findings

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
 MOBILE SOURCE AIR POLLUTION REDUCTION
 REVIEW COMMITTEE FUND
 REVIEW RESULTS OF TEN (10) MSRC PROJECTS
 (CONTINUED)

Contract No. : MS11052
Contractor : Krisda Inc.
Project Title : Repower three (3) heavy-duty vehicles
Project Status: Not complete

<u>AB 2766 Funding Adopted</u>	<u>Amount Paid to Date</u>	<u>Contract Balance</u>	<u>Questioned Costs</u>	<u>Costs Accepted</u>
\$ 120,000	\$ 108,000	\$ 12,000	\$ -	\$ 108,000

Audit Results : No findings

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
 MOBILE SOURCE AIR POLLUTION REDUCTION
 REVIEW COMMITTEE FUND
 REVIEW RESULTS OF TEN (10) MSRC PROJECTS
 (CONTINUED)

Contract No. : MS11055
Contractor : KEC Engineering
Project Title : Repower five (5) heavy duty off-road vehicles
Project Status: Not complete

<u>AB 2766 Funding Adopted</u>	<u>Amount Paid to Date</u>	<u>Contract Balance</u>	<u>Questioned Costs</u>	<u>Costs Accepted</u>
\$ 250,000	\$ 45,000	\$ 205,000	\$ -	\$ 45,000

Audit Results : No findings

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
 MOBILE SOURCE AIR POLLUTION REDUCTION
 REVIEW COMMITTEE FUND
 REVIEW RESULTS OF TEN (10) MSRC PROJECTS
 (CONTINUED)

Contract No. : MS11080
Contractor : Southern California Regional Rail Authority (Metrolink)
Project Title : Auto Club Speedway special train service
Project Status: Complete

<u>AB 2766 Funding Adopted</u>	<u>Amount Paid to Date</u>	<u>Contract Balance</u>	<u>Questioned Costs</u>	<u>Costs Accepted</u>
\$ 26,000	\$ 26,000	\$ -	\$ -	\$ 26,000

Audit Results : No findings

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 21

TITLE: Annual Report on 457 Deferred Compensation Plan

SYNOPSIS: SCAQMD sponsors an IRS-approved 457 deferred compensation program for its employees. The Annual Report addresses the Board's responsibility for monitoring the activities of the Deferred Compensation Plan Committee and ensuring the Committee carries out its fiduciary duties and responsibilities under the Committee Charter.

COMMITTEE Administrative, October 11, 2013. Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.

RECOMMENDED ACTION:
Receive and file.

Barry R. Wallerstein, D.Env.
Executive Officer

WJ:WR

Background

SCAQMD sponsors and administers a 457 deferred compensation program for its employees. State law governs the fiduciary requirement for the operation and investment of 457 plans sponsored by governmental entities. The SCAQMD Governing Board serves a fiduciary role subject to the duties and obligations under Article XVI, Section 17 of the California Constitution.

To meet its fiduciary responsibilities, the Board, at the time it established SCAQMD's 457 Plan, also established a Deferred Compensation Plan Committee to oversee the administration of the Plan. On May 2, 2008, the Board approved the Deferred Compensation Plan Committee Charter, formalizing the fiduciary duties and responsibilities of the Committee.

Summary of Report

Attached is the 457 Deferred Compensation Plan Annual Report to the Board, for FY 2012-13. During this fiscal year period, the Committee reviewed the Plan funds and made several changes to replace funds that no longer met the Committee's investment policy criteria. The attached report provides information as of June 30, 2013, regarding the Plan Assets/Demographics and Plan Performance.

The Hartford, the Plan Administrator for SCAQMD's Deferred Compensation program since 1987, announced that it has entered into an agreement with Massachusetts Mutual Life Insurance Company (MassMutual) to purchase its Retirement Plans Group. The transaction, which was subject to regulatory and other approvals, was completed in December 2012. MassMutual will continue to honor the terms and conditions of the current General Funding Agreement between The Hartford and SCAQMD through the November 2016 expiration of the agreement.

Attachment

457 Deferred Compensation Plan Annual Report for FY 2012-13



South Coast Air Quality Management District 457 Deferred Compensation Plan

Table of Contents

Section I	Executive Summary
Section II	Year in Review
Section III	Plan Assets / Demographics
Section IV	Plan Performance
Section V	Appendix
	<ul style="list-style-type: none">• Meeting Minutes

SECTION I

EXECUTIVE SUMMARY

Executive Summary

South Coast Air Quality Management District ("AQMD") sponsors and administers an eligible deferred compensation program for its employees, as covered under section 457 of the Federal Internal Revenue Code. The South Coast Air Quality Management District Deferred Compensation Plan ("Plan") was adopted on January 1, 1987. Employees are immediately eligible upon hire to participate in the Plan.

The AQMD Deferred Compensation Plan Committee ("Committee"), officially chartered in May 2008, and whose members are appointed by the AQMD Governing Board, meets on a regular basis to review the Plan's design, investment options, asset allocation/demographics, and to make changes as necessary. Current membership includes the Chief Financial Officer, General Counsel, the Assistant Deputy Executive Officer of Administration and Human Resources, and a Human Resources Manager.

The Plan is administered by Massachusetts Mutual Life Insurance Company ("MassMutual"), a retirement services, asset management and insurance firm. MassMutual took over administration after purchasing the retirement plan business of Hartford Life Insurance Company ("Hartford"). The Hartford Fixed Account will continue to be backed by the general account of Hartford Life Insurance and managed by Hartford Investment Management Company. MassMutual has informed the Committee of its intent to honor the terms of the agreement entered into with Hartford by the Committee effective November 17, 2011. MassMutual has been administering 457 Plans since 1979, has \$13 billion in 457 assets under management and an S&P credit rating of AA+.

In addition to the retirement plan administrator, AQMD utilizes the services of Benefit Funding Services Group ("BFSG"). BFSG is an independent, third-party consulting firm that provides services to the Plan as a fiduciary under a Registered Investment Advisor agreement. Their consulting services include investment analysis, review and recommendation of investment options offered in the Plan, fiduciary compliance assistance to Committee members and annual Plan cost benchmarking. BFSG has been providing services to the Plan since 2007.

The Plan was established to provide a retirement savings program for the employees of AQMD and is maintained for the exclusive purpose of benefiting the Plan participants and their beneficiaries. The Plan also is intended to operate in accordance with all applicable state and federal laws and regulations.

While Plan participants are ultimately responsible for their own investment decisions, the Committee endeavors to provide an appropriate range of investment options, allowing participants to invest in accordance with their own time horizons, risk tolerance, and retirement goals.

SECTION II

YEAR IN REVIEW

2012/2013 Year in Review

Items addressed and adopted by the Committee during the year are as follows:

Investment Menu

Date	Item	Update
September 19, 2012	Watch List	Neuberger Berman Socially Responsive was added to the Watch List due to underperformance.
September 21, 2012	Fund Addition	T. Rowe Price Blue Chip Growth was added to the Plan.
September 27, 2012	Fund Removals	American Funds Growth Fund of America and Janus Twenty were removed from the Plan with balances and future contributions mapped to T. Rowe Price Blue Chip Growth.
November 30, 2012	Fund Removal	Janus Overseas was removed from the Plan with balances and contributions mapped to Hartford International.
November 30, 2012	Share Class Changes	Invesco Real Estate, PIMCO Total Return, and American Century Equity Income were mapped to less expensive share classes.
June 26, 2013	Watch List	Neuberger Berman Socially Responsive was removed from the Watch List due to improved performance.
June 26, 2013	Fund Consolidation	The Committee voted to consolidate the fund lineup to encourage participation and decrease participant confusion. PIMCO Real Return is scheduled to be removed with balances and future contributions mapped to PIMCO Total Return. American Century Government Bond is scheduled to be removed with balances and future contributions mapped to SSgA Intermediate Bond Index. Oakmark Equity & Income is scheduled to be removed with assets and future contributions mapped to Invesco Equity & Income. American Century Equity & Income is scheduled to be removed with assets and future contributions mapped to Hartford Dividend & Growth. Putnam High Yield Advnatage is scheduled to be removed with assets and future contributions mapped to PIMCO Total Return.
June 26, 2013	Asset Allocation Models	The Committee voted to alter the Asset Allocation Models by replacing all allocations to American Century Government Bond with allocation to SSgA Intermediate Bond Index.

Plan Compliance/Design

Date	Item	Update
June 7, 2013	Committee Membership	The Board appointed William Richards to replace Jeanell Bradley on the Committee.

Plan Vendors

Date	Item	Update
December 5, 2012	BFSG Consulting Agreement	The Committee voted to extend BFSG's contract through 2013.

SECTION III

PLAN ASSETS /
DEMOGRAPHICS

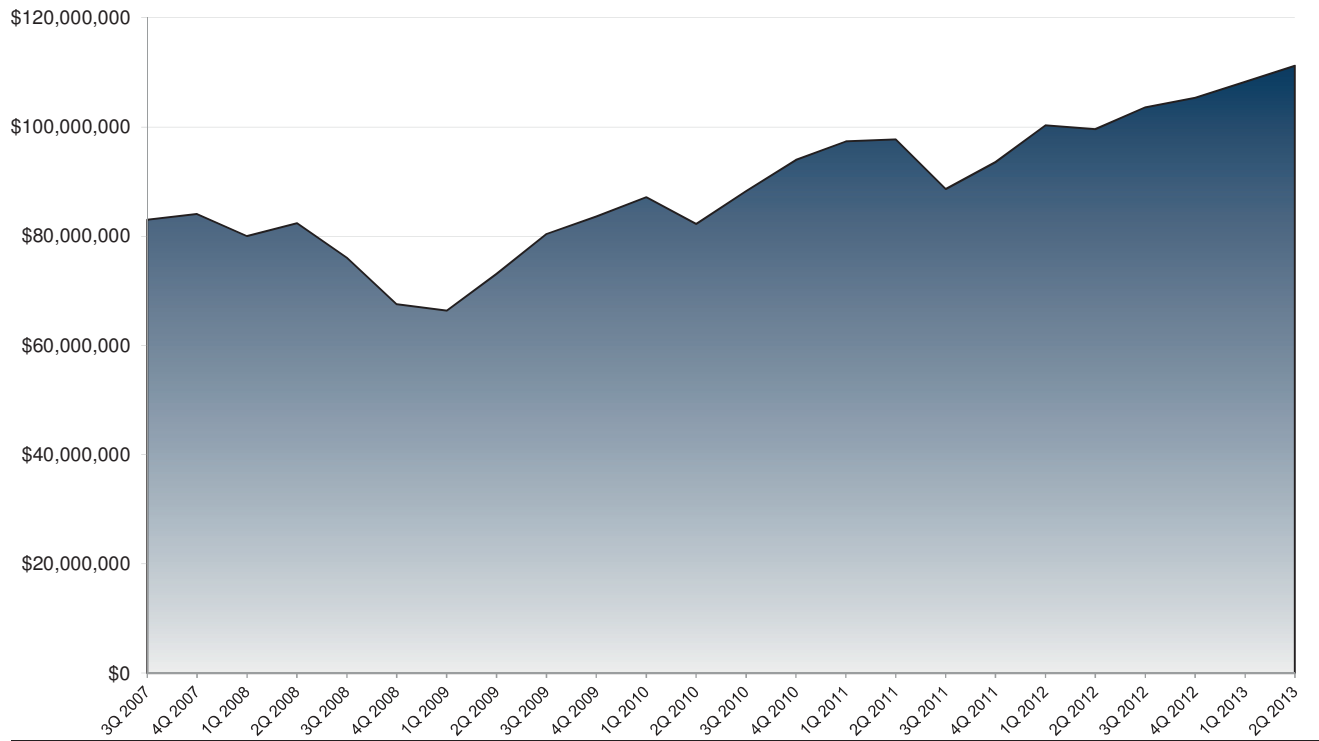
Plan Assets / Demographics as of June 30, 2013

Investment Option	# of Balances	% of Plan Assets	Plan Assets
General Account	557	45.24%	\$50,187,594
Hartford Capital Appreciation HLS	309	10.58%	\$11,743,232
T. Rowe Price Blue Chip Growth	293	8.28%	\$9,188,988
Hartford Mid Cap HLS	202	3.97%	\$4,406,264
Hartford Intl Opportunities HLS	264	3.27%	\$3,632,508
Oakmark Equity & Income I	131	2.83%	\$3,139,629
SSgA S&P 500 Index	122	2.47%	\$2,736,860
Hartford Small Company HLS	158	2.44%	\$2,706,869
PIMCO Real Return Admin	142	2.29%	\$2,541,970
MFS Utilities A	123	2.28%	\$2,535,001
Hartford Dividend & Growth HLS	141	2.16%	\$2,400,007
Hartford Global Health HLS	73	1.54%	\$1,705,580
Allianz NFJ Small Cap Value Admin	153	1.44%	\$1,599,537
PIMCO Total Return	73	1.29%	\$1,426,614
American Century Equity Income	106	1.26%	\$1,395,531
American Century Government Bond	70	0.95%	\$1,052,167
Invesco Real Estate	53	0.93%	\$1,031,320
Artisan Mid Cap Value	126	0.92%	\$1,016,195
Invesco Van Kampen Equity & Income A	60	0.82%	\$910,027
MFS Intl New Discovery	104	0.79%	\$878,742
SSgA Dow Jones Target 2045	50	0.77%	\$855,215
Putnam High Yield Advantage A	46	0.65%	\$724,459
SSgA Dow Jones Target 2035	26	0.64%	\$707,785
SSgA Intermediate Bond Index	18	0.47%	\$521,260
SSgA Mid Cap Index	49	0.36%	\$403,873
American Century Capital Preservation	5	0.33%	\$362,743
SSgA EAFE Index	28	0.25%	\$278,118
SSgA Russell 2000 Index	36	0.23%	\$250,862
SSgA Dow Jones Target 2025	15	0.16%	\$176,782
Neuberger Berman Socially Responsive Tr	33	0.16%	\$175,077
SSgA Dow Jones Target 2015	7	0.14%	\$156,707
SSgA Dow Jones Target Today	5	0.09%	\$99,063
Total		100%	\$110,946,579

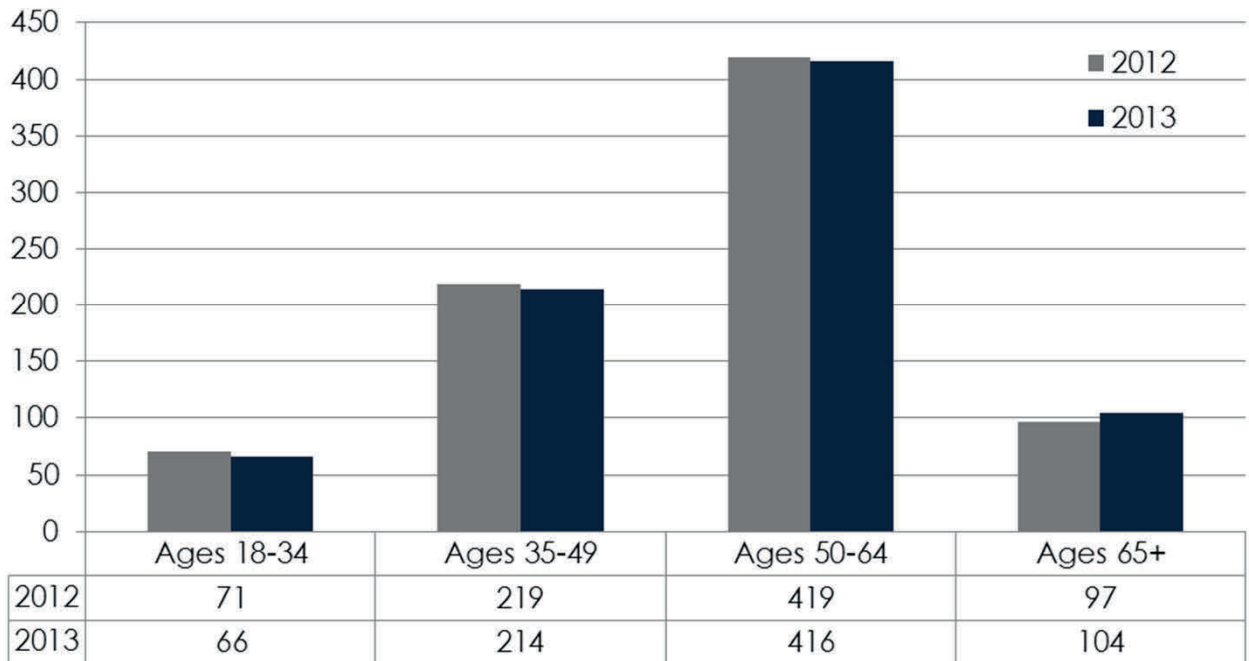
Note: Does not include Self-Directed Brokerage Account

Plan Assets / Demographics

Growth of Plan Assets



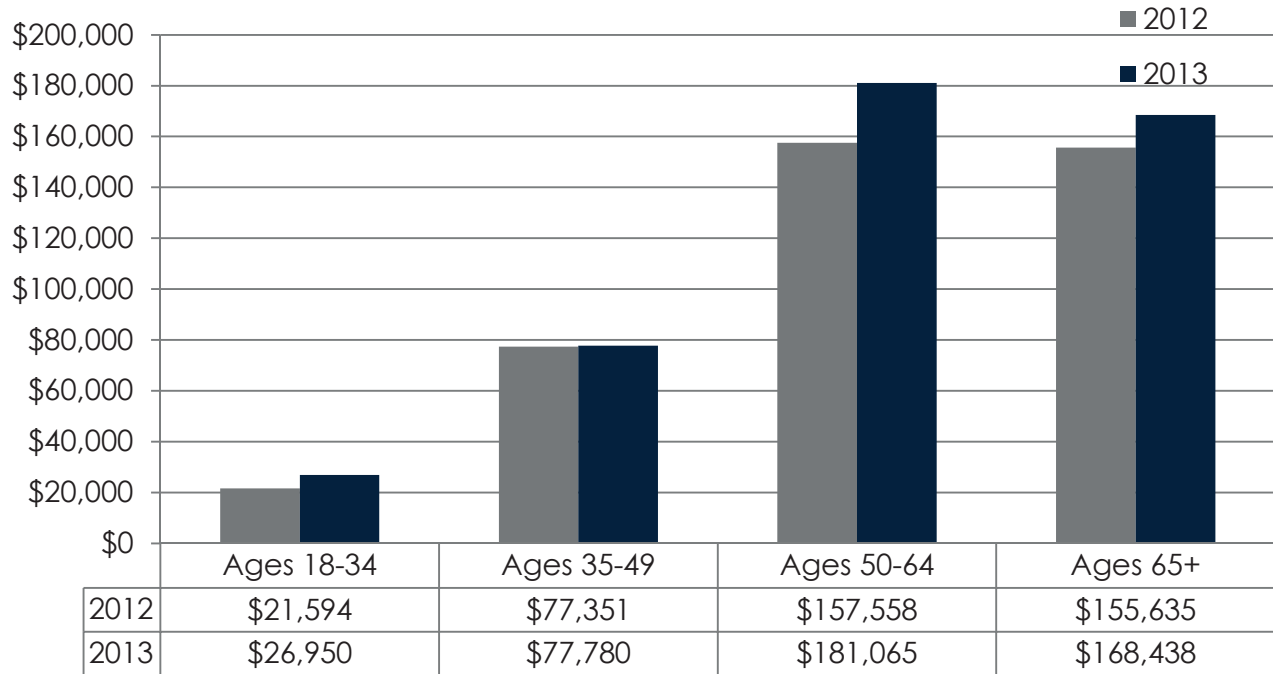
Participants (End of Fiscal Year)



Plan Assets / Demographics

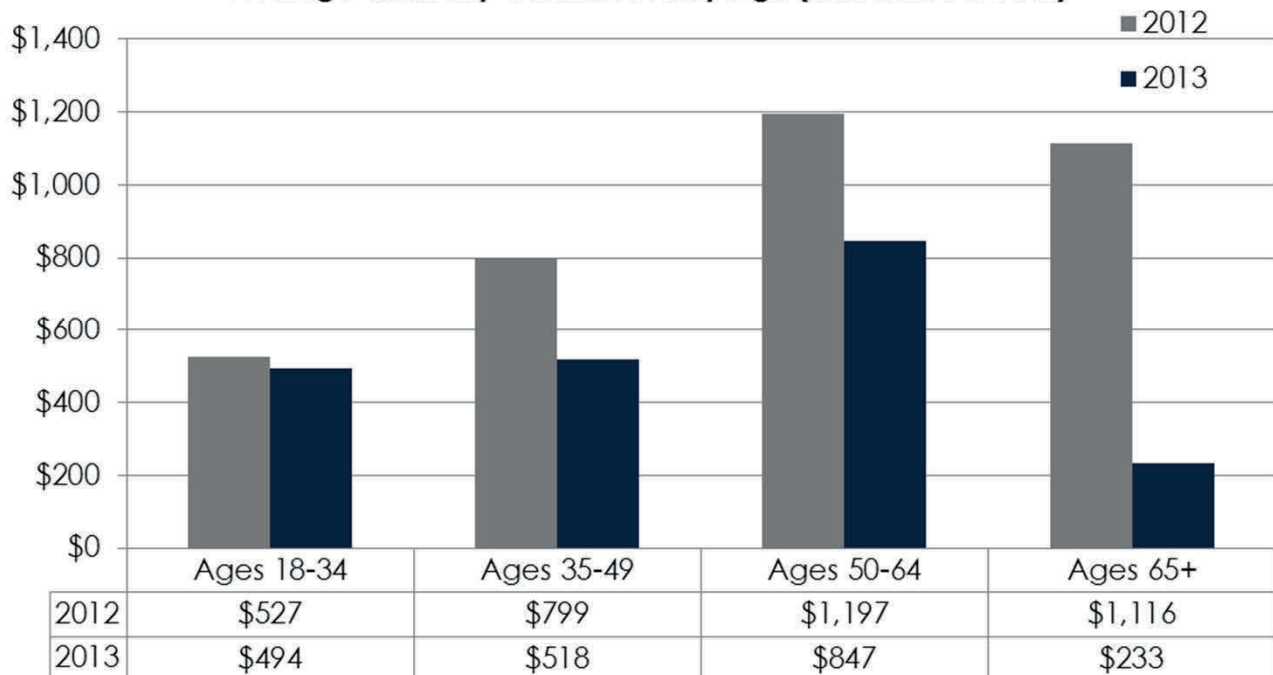
Average Account Balance by Age

Average Account Balance (End of Fiscal Year)



Average Contributions by Age

Average Quarterly Contribution by Age (End of Fiscal Year)



Plan Assets / Demographics

Annual Net Cash Flow –YTD 2013

QUARTER ENDING	2013				YTD
	March 31st	June 30th	September 31st	December 31st	
Cash Flow					
Beginning Market Value	\$105,331,242	\$108,282,482			\$105,331,242
Employee Deferrals	\$1,511,854	\$1,763,039			\$3,274,893
Withdrawals	-\$3,530,843	-\$409,590			-\$3,940,433
Net Loan Activity	-\$18,473	\$59,936			\$41,462
Fees	-\$1,395	-\$1,263			-\$2,657
TOTAL DISBURSEMENTS	-\$3,550,711	-\$350,917			-\$3,901,628
NET CASH FLOW	-\$2,038,857	\$1,412,122			-\$626,735
Change in Value	\$4,990,097	\$1,552,842			\$6,542,939
Net Transfers	\$0	\$0			\$0
Ending Market Value	\$108,282,482	\$111,247,446			\$111,247,446

Annual Net Cash Flow - 2012

QUARTER ENDING	2012				YTD
	March 31st	June 30th	September 31st	December 31st	
Cash Flow					
Beginning Market Value	\$93,770,119	\$100,616,211	\$99,593,368	\$103,634,007	\$93,770,119
Employee Deferrals	\$1,849,042	\$1,778,548	\$1,429,712	\$1,440,351	\$6,497,653
Withdrawals	-\$1,498,011	-\$450,262	-\$510,738	-\$1,171,677	-\$3,630,688
Net Loan Activity	-\$220,131	-\$286,353	-\$27,572	\$39,952	-\$494,103
Fees	-\$1,388	-\$1,525	-\$1,282	-\$1,352	-\$5,546
TOTAL DISBURSEMENTS	-\$1,719,529	-\$738,140	-\$539,592	-\$1,133,076	-\$4,130,338
NET CASH FLOW	\$129,513	\$1,040,408	\$890,119	\$307,275	\$2,367,315
Change in Value	\$6,716,579	-\$2,063,251	\$3,150,520	\$1,389,959	\$9,193,807
Net Transfers	\$0	\$0	\$0	\$0	\$0
Ending Market Value	\$100,616,211	\$99,593,368	\$103,634,007	\$105,331,242	\$105,331,242

SECTION IV

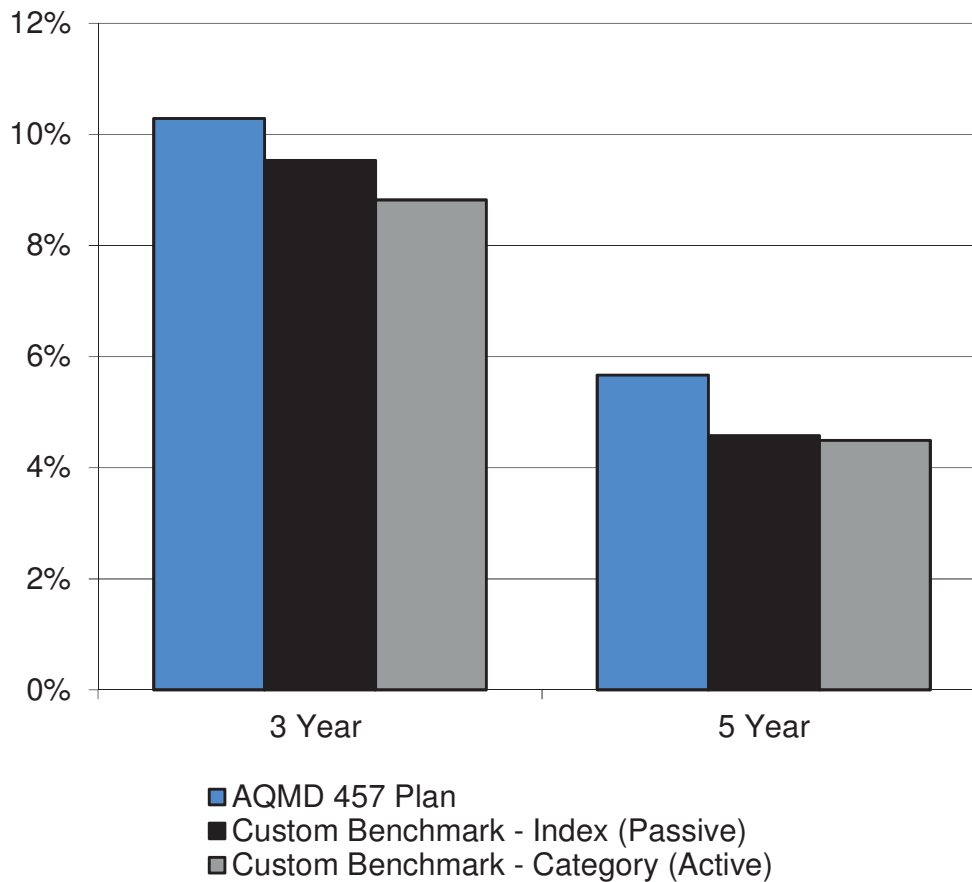
PLAN PERFORMANCE

Weighted Portfolio Return versus Custom Benchmark

Performance as of June 30, 2013	3 Month	YTD	1 Year	Annualized Returns		3 YR	3 YR	Expense
				3 Year	5 Year	Std Dev	Sharpe	Ratio
AQMD 457 Plan	1.63%	6.91%	11.87%	10.29%	5.67%	7.15	1.40	0.67
Custom Benchmark - Index (Passive)	0.85%	6.08%	9.98%	9.53%	4.58%	N/A	N/A	N/A
Custom Benchmark - Category (Active)	0.81%	5.58%	9.52%	8.82%	4.49%	6.84	1.26	0.82

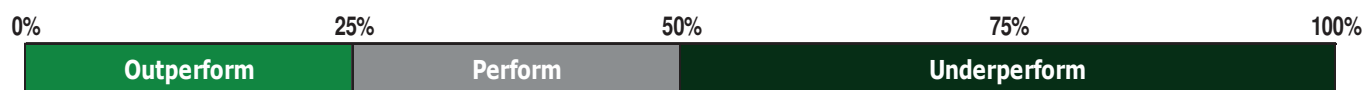
*Custom expense ratio represents the weighted expense (based upon current allocation) of Institutional and Retirement share classes in each asset category.

Annualized Returns



Individual Fund Ranking (Per Investment Policy Statement Evaluation Criteria)

Investment Name	Quarterly Ranking			
	2Q13	1Q13	4Q12	3Q12
Inflation Protected PIMCO Real Return Admin	21	19	23	20
Intermediate Government American Century Government Bond Inv	22	22	19	20
Intermediate Bond PIMCO Total Return Instl	2	1	1	1
High Yield Bond Putnam High Yield Advantage A	29	24	27	23
Hybrid / Balanced Invesco Van Kampen Equity and Income A	16	26	36	31
Oakmark Equity & Income I	59	57	47	40
Large Value American Century Equity Income Instl	37	32	30	25
Hartford Dividend & Growth HLS IA	8	10	7	3
Large Blend Hartford Capital Appreciation HLS IA	28	32	31	32
Large Growth Neuberger Berman Socially Rspns Tr	43	35	48	51
T. Rowe Price Blue Chip Growth	4	6	4	4
Mid Cap Value Artisan Mid Cap Value Investor	10	5	14	10
Mid Cap Growth Hartford MidCap HLS IA	14	13	20	20
Small Cap Value AllianzGI NFJ Small Cap Value Admin	13	7	7	3
Small Cap Growth Hartford Small Company HLS IA	19	19	17	19
Foreign Large Equity Hartford International Opp HLS IA	6	10	8	7
Foreign Small / Mid Equity MFS International New Discovery A	25	23	20	15
Health Care Hartford Global Health HLS IA	21	19	24	23
Real Estate Invesco Real Estate R5	17	19	21	21
Utilities MFS Utilities A	22	22	20	18
Average Rank	21	20	21	19
Plan Weighted Rank (Reweighted)	19	20	21	22



SECTION V

APPENDIX

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
DEFERRED COMPENSATION PLAN COMMITTEE
MEETING MINUTES

September 19, 2012

Members Present: Ms. Jeanell Bradley – Human Resources Manager
Mr. Michael O’Kelly – Chief Financial Officer
Mr. Bill Johnson – Asst. Deputy Executive Officer/Admin and Human Resources
Mr. Kurt Wiese – General Counsel

Committee Consultants: Mr. John Campbell – Benefit Funding Services Group (BFSG)
Mr. Darren Stewart – BFSG
Mr. Robert Trenergy– The Hartford

Call to Order: The regular meeting of the Deferred Compensation Plan Committee was called to order by Mr. Johnson on September 19, 2012 at 2:10 pm in Conference Room CC3. It was noted a quorum was present.

1. Approval of Prior Meeting Minutes

The Committee members reviewed the minutes from the June 6, 2012 meeting. Ms. Bradley motioned to accept the minutes as written and Mr. Wiese seconded. The motion was unanimously approved.

Investment Agenda

2. 457 Plan Quarterly Investment Review – 2nd Quarter 2012

The Committee received and filed the 457 Plan Quarterly Investment Review dated June 30, 2012 as prepared by BFSG. Mr. Campbell provided a brief economic and market overview outlining economic growth as measured by GDP, inflation, unemployment, interest rates and market sector returns during the second quarter 2012. The Committee reviewed the performance of each investment option in the Plan relative to its respective benchmark during the quarter and annualized over a 1, 3, 5 and 10 year basis. Mr. Campbell highlighted funds that warranted discussion and provided the following qualitative commentary:

American Funds Growth Fund of America: The fund is scheduled to be removed from the Plan on September 27, 2012. All assets and future contributions will be mapped to T. Rowe Price Blue Chip Growth.

Janus Twenty: The fund is scheduled to be removed from the Plan on September 27, 2012. All assets and future contributions will be mapped to T. Rowe Price Blue Chip Growth.

Neuberger Berman Socially Responsive: The fund has underperformed on a 3- and 5-year basis. Management invests in companies emphasizing environmental sustainability, workplace diversification, and community involvement and as such can often become detached from the benchmarks utilized. Mr. Johnson motioned to place the fund on formal watch and Ms. Bradley seconded. The motion was unanimously approved.

T. Rowe Price Blue Chip Growth: The fund is scheduled to be added as an option on September 21, 2012.

Janus Overseas: The fund is significantly underperforming in the short-term but remains in the top 6% on a 10-year basis. Management utilizes a concentrated portfolio and makes large tactical moves which produce significant volatility and high standard deviation. The fund is currently positioned heavily in Emerging Markets. The Committee discussed the suitability of the fund in a retirement portfolio. Ms. Bradley motioned to remove the fund and map all assets and future contributions into Hartford International. Mr. Wiese seconded and the motion passed unanimously.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
DEFERRED COMPENSATION PLAN COMMITTEE
MEETING MINUTES

As weighted on June 30, 2012, the plan outperformed both benchmarks on a 5-year basis, outperformed its active benchmark on a 3-year basis, but underperformed its passive benchmark on a 3-year basis. The Plan-weighted expense ratio is 70 bps which is below the custom category average of 83 bps.

3. Investment Policy Statement Review and Updates

The Committee reviewed the current Investment Policy Statement as well as the change in benchmark for the target date funds. The Committee will continue to review the Investment Policy Statement and vote on adoption at the next meeting.

4. Share Class Analysis

BFSG presented a review of the share classes offered in the Plan. Due to the recent price reduction by the Hartford, the Plan Expense Reimbursement Account will receive deposits well in excess of what is need to pay Qualified Plan Expenses. Of the 8 funds with lower share classes available, only 3 are efficient. The other 5 funds reduce revenue by an amount greater than the reduction in expense ratio. As a result, changing those share classes would be detrimental to the Plan. Mr. Wiese motioned to change the share class on the 3 efficient funds and Mr. O'Kelly seconded. The motion passed unanimously. The following share class changes will be made:

- Invesco Real Estate A will be mapped to Invesco Real Estate Instl
- PIMCO Total Return Admin will be mapped to PIMCO Total Return Instl
- American Century Equity Income will be mapped to American Century Equity Income Instl

Administrative Agenda

5. Quarterly Plan Review

The Committee received and filed the Quarterly Plan Review prepared by The Hartford. Mr. Trenerry reviewed Plan demographics and cash flow. There has been a large increase in the number of loans taken since the provision was adopted last year but a large reduction in the number of hardships. The Committee discussed methods on how to increase participation and deferrals. The Committee will examine the use of Automatic Enrollment and Automatic Escalation at the next meeting.

6. Update on the Sale of the Hartford

The Hartford Retirement Plan division has been sold to MassMutual and the deal is expected to close by the end of the year. The terms of the current contract will remain in place for its duration. Hartford's general account will continue to back the 4.00% yield on the Declared Rate Account.

7. PERA Financial Statement

The Committee reviewed the financials of the Plan Expense Reimbursement Account. Following the 3rd quarter, there will be a large deposit representing the revenue generated in excess of 0.24% since the beginning of the year.

8. Annual Report to the Governing Board

BFSG presented a draft of the Annual Report which is used to report back to the Governing Board to assist with the monitoring of fiduciary delegation. The report details the actions of the Committee during the year and provides information on Plan demographics. Mr. Wiese motioned to add a description of the Committee to the report. Ms. Bradley seconded and the motion passed unanimously.

9. Committee Meeting Schedule for 2013

The tentative schedule for Committee meetings during 2013 is as follows:

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
DEFERRED COMPENSATION PLAN COMMITTEE
MEETING MINUTES

- March 6, 2013 – 2:00pm
- June 5, 2013 – 2:00pm
- September 4, 2013 – 2:00pm
- December 4, 2013 – 2:00pm

10. Other Business

The following items will be included on the agenda for the next Committee meeting; 1) Consolidation of investment offerings; 2) Automatic Enrollment and Escalation.

11. Public Comments

Mr. Johnson asked the attending members of the Public for comment but received no reply.

Adjournment

With no further items to address, Mr. Johnson adjourned the meeting at 4:05 pm.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
DEFERRED COMPENSATION PLAN COMMITTEE
MEETING MINUTES

December 5, 2012

Members Present: Ms. Jeanell Bradley – Human Resources Manager
Mr. Michael O’Kelly – Chief Financial Officer
Mr. Bill Johnson – Asst. Deputy Executive Officer/Admin and Human Resources
Mr. Kurt Wiese – General Counsel (joined as noted)

Committee Consultants: Mr. John Campbell – Benefit Funding Services Group (BFSG)
Mr. Darryl Shafer – The Hartford
Mr. Darren Stewart – BFSG

Call to Order: The regular meeting of the Deferred Compensation Plan Committee was called to order by Mr. Johnson on December 5, 2012 at 2:05 pm in Conference Room CC7. It was noted a quorum was present.

1. Approval of Prior Meeting Minutes

The Committee members reviewed the minutes from the September 19, 2012 meeting. Mr. O’Kelly motioned to accept the minutes as written and Ms. Bradley seconded. The motion was unanimously approved by those in attendance.

Investment Agenda

2. 457 Plan Quarterly Investment Review – 3rd Quarter 2012

The Committee received and filed the 457 Plan Quarterly Investment Review dated September 30, 2012 as prepared by BFSG. Mr. Campbell provided a brief economic and market overview outlining economic growth as measured by GDP, inflation, unemployment, interest rates and market sector returns during the third quarter 2012. The Committee reviewed the performance of each investment option in the Plan relative to its respective benchmark during the quarter and annualized over a 1, 3, 5 and 10 year basis. Mr. Stewart provided the following qualitative information on the funds requiring discussion:

T. Rowe Price Blue Chip Growth – During the third quarter, the fund replaced American Funds Growth Fund and Janus Twenty.

Neuberger Berman Socially Responsive: The fund has underperformed on a 3- and 5-year basis. Management applies screens for alcohol, tobacco, gambling, weapons, and nuclear power and invests in companies emphasizing environmental sustainability, workplace diversification, and community involvement. As is typical with many socially responsible funds, management is overweight energy stocks, which have underperformed in the short-term. The Committee agreed to keep the fund on formal watch.

Janus Overseas: The fund was removed from the Plan on November 30, 2012. Assets and future contributions were mapped to Hartford International Opportunities.

As weighted on September 30, 2012, the plan outperformed passive and active benchmarks across all measured time-periods. The Plan-weighted expense ratio is 69 bps which is below the custom category average of 83 bps.

3. Investment Policy Statement Review and Updates

Mr. Stewart will email the updated Investment Policy Statement to the Committee. The Committee will provide any changes via email. The finalized Investment Policy Statement will be voted on at the next Committee meeting

(Mr. Wiese joined the meeting)

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
DEFERRED COMPENSATION PLAN COMMITTEE
MEETING MINUTES

4. **Fund Consolidation Analysis**

The Committee discussed the overall investment structure of the Plan and debated whether a more streamlined investment lineup would encourage additional participation and prevent market timing by the participants. The Plan currently offers 28 investment options which, according to Mr. Campbell, is slightly higher than most ERISA plans but in-line with most governmental plans. The Committee agreed not to make any changes to the investment lineup at this time, because participation in the plan remains high and Mr. Shafer has not received any indication of participant confusion. During the conversation, the Committee discussed targeted education campaigns for non-participating employees. Mr. Wiese made a motion to have the Hartford hold group meetings targeted at non-participating employees. Mr. O'Kelly seconded and the motion was unanimously approved.

Administrative Agenda

5. **Quarterly Plan Review**

The Committee received and filed the Quarterly Plan Review prepared by The Hartford. Mr. Shafer reviewed Plan demographics highlighting that assets have increased to \$103 million while the number of participant balanced declined from 806 to 801. The Committee reviewed statistics showing that the population is closer to retirement than most plans and connected it to the conservative allocation of the Plan.

6. **Update on the Sale of the Hartford**

The sale of the Hartford retirement plan business to Mass Mutual is expected to be completed by the end of the year. Mr. Shafer informed the Committee that he expects little to change in the short-term.

7. **Deferred Compensation Plan Consultant Services Contract with Benefit Funding Services Group**

The contract with BFSG will expire at the end of the year with no additional optional years remaining. The Committee will conduct an RFP for consulting services. Mr. Johnson made a motion to extend the current service contract for six months pending the result of the RFP. Ms. Bradley seconded and the motion passed unanimously.

8. **Other Business**

No other business was introduced.

9. **Public Comments**

Mr. Johnson asked the attending members of the Public for comment but received no reply.

Adjournment

With no further items to address, Mr. Johnson adjourned the meeting at 4:20 pm.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
DEFERRED COMPENSATION PLAN COMMITTEE
MEETING MINUTES

March 6, 2013

Members Present: Ms. Jeanell Bradley – Human Resources Manager
Mr. Bill Johnson – Asst. Deputy Executive Officer/Admin and Human Resources
Mr. Michael O’Kelly – Chief Financial Officer
Mr. Kurt Wiese – General Counsel

Committee Consultants: Mr. John Campbell – Benefit Funding Services Group (BFSG)
Mr. Darren Stewart – BFSG
Mr. Robert Trenerry - MassMutual

Call to Order: The regular meeting of the Deferred Compensation Plan Committee was called to order by Mr. Johnson on March 6, 2013 at 2:05 pm in Conference Room CC3. It was noted a quorum was present.

1. Approval of Prior Meeting Minutes

The Committee members reviewed the minutes from the December 5, 2012 meeting. Mr. Wiese motioned to accept the minutes as written and Ms. Bradley seconded. The motion was unanimously approved by the Committee.

Investment Agenda

2. 457 Plan Quarterly Investment Review – 4th Quarter 2012

The Committee received and filed the 457 Plan Quarterly Investment Review dated December 31, 2012 as prepared by BFSG. Mr. Campbell provided a brief economic and market overview outlining economic growth as measured by GDP, inflation, unemployment, interest rates and market sector returns during the fourth quarter 2012. The Committee reviewed the performance of each investment option in the Plan relative to its respective benchmark during the quarter and annualized over a 1, 3, 5 and 10 year basis. Mr. Stewart provided the following qualitative information on the funds requiring discussion:

Oakmark Equity & Income – The fund underperformed during 2012 due largely to the conservative nature of its fixed income portfolio. The fund is currently weighted with approximately 70% to equity and 30% to fixed income. The fixed income portion is invested heavily in high quality securities and cash. These securities underperformed during 2012 as lower quality bonds outperformed. A significant underweight to financial equities also detracted from performance. Long-term performance remains strong.

Hartford Capital Appreciation: Performance rebounded during 2012 as an overweight to foreign equities contributed to strong performance. The same overweight has hurt performance over the 3- and 5-year periods. An overweight to consumer discretionary stocks also contributed performance as management positioned the portfolio to benefit from the improving housing market. Long-term performance remains strong.

Neuberger Berman Socially Responsive: The fund is currently on formal watch. The fund rebounded during the fourth quarter but significantly underperformed during 2012. An overweight to energy as well as poor stock selection within the industry detracted from performance. The portfolio holds two companies that lowered production targets during the year. The Committee agreed to keep the fund on formal watch.

Invesco Real Estate: The fund has underperformed during significantly on a 1- and 3-year basis. Management tends to avoid highly-levered companies and generally performs better in down-markets. A rally in high-yield debt has enabled companies to refinance at lower rates, lowering costs and boosting equity prices. The portfolio has not benefitted from the market trend due to its conservative positioning. Long-term performance remains strong.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
DEFERRED COMPENSATION PLAN COMMITTEE
MEETING MINUTES

As weighted on December 31, 2012, the plan outperformed passive and active benchmarks across all measured time-periods. The Plan-weighted expense ratio is 67 bps which is below the custom category average of 80 bps.

3. Investment Policy Statement – Approval

Mr. Wiese will review the Investment Policy Statement and provide Mr. Stewart with any revisions. The Committee will vote on approval at the next meeting.

4. Discussion of Optimum Number of Funds for the Plan

Mr. Wiese distributed research relating to the benefits of limiting the number of investment options in the Plan. Several articles concluded that offering significantly more than 10 investment options can result in reduced participation as well as improper diversification. The Committee discussed the positives and negatives with reducing the number of funds. Some niche funds may be too complicated for a large portion of participants to understand. Significantly cutting the funds available may cause pushback from employees who have made an educated decision to invest.

Ms. Bradley discussed a survey of non-participating employees which she conducted. Very few employees listed lack of understanding of investments as a reason for their lack of participation. The majority of respondents identified financial issues as the primary contributor.

The Committee asked BFGS to propose a consolidation strategy and provide information as to the reasoning for each potential fund removal. Ms. Bradley will send a notice to participants that the fund reductions will be examined at the next meeting to enable them to attend and voice their concerns. Mr. Trenerry will provide information on the administrative capabilities of MassMutual mapping investment options into the Asset Allocation Models.

Administrative Agenda

5. Quarterly Plan Review

The Committee received and filed the Quarterly Plan Review prepared by MassMutual. Mr. Trenerry provided a review of Plan demographic data including contributions, withdrawals and loans. As of December 31, 2012, Plan assets totaled over \$105 million with 801 participant balances.

6. Update on the Sale of the Hartford

The sale of the Hartford retirement plan business to Mass Mutual closed on December 31, 2012. No major structural or service changes have occurred. Contracts will remain in-force unless a change is requested by the client. Hartford continues to provide the guarantee for the General Account and the 4% declared rate.

7. PERA Financial Statements

Mr. O'Kelly provided an overview of the assets held in the Plan Expense Reimbursement Account ("PERA"). As of February 28, 2013 the balance was slightly over \$61,000. Per the PERA Policy, \$15,000 will remain in the account to pay qualified Plan expenses. The remainder of the account will be distributed to participants sometime in May. Factoring in expected contributions and expenses, Mr. O'Kelly expects a distribution of more than \$50,000.

8. Reporting on Plan Fees

The Committee discussed the requirements recently imposed on ERISA plans to disclose plan fees to participants. Plan Sponsors must distribute notices which include a breakdown of fees per \$1,000 in each investment option. MassMutual can provide similar notices for approximately \$4 per participant. The Committee determined that the information provided in the disclosures would not provide additional value over the fee disclosures already available on the participant website.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
DEFERRED COMPENSATION PLAN COMMITTEE
MEETING MINUTES

9. Other Business

Mr. Wiese asked BFSG to provide a breakdown and benchmarking of fees paid to MassMutual during 2012. Mr. O’Kelly asked BFSG to provide tracking of historical deferrals into the General Account.

10. Public Comments

Mr. Johnson asked the attending members of the Public for comment but received no reply.

Adjournment

With no further items to address, Mr. Johnson adjourned the meeting at 4:45 pm.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
DEFERRED COMPENSATION PLAN COMMITTEE
MEETING MINUTES

June 26, 2013

Members Present: Mr. Bill Johnson – Asst. Deputy Executive Officer/Admin and Human Resources
Mr. Michael O’Kelly – Chief Financial Officer
Mr. Bill Richards – Human Resources Manager
Mr. Kurt Wiese – General Counsel

Committee Consultants: Mr. John Campbell – Benefit Funding Services Group (BFSG)
Mr. Darren Stewart – BFSG
Mr. Robert Trenergy - MassMutual

Call to Order: The regular meeting of the Deferred Compensation Plan Committee was called to order by Mr. Johnson on June 26, 2013 at 2:10 pm in Conference Room CC3. It was noted a quorum was present.

1. Approval of Prior Meeting Minutes

The Committee members reviewed the minutes from the March 6, 2013 and made one edit. The revised minutes were unanimously approved with Mr. Richards abstaining.

Investment Agenda

2. 457 Plan Quarterly Investment Review – 1st Quarter 2013

The Committee received and filed the 457 Plan Quarterly Investment Review dated March 31, 2013 as prepared by BFSG. Mr. Campbell provided a brief economic and market overview outlining economic growth as measured by GDP, inflation, unemployment, interest rates and market sector returns during the first quarter 2012. The Committee reviewed the performance of each investment option in the Plan relative to its respective benchmark during the quarter and annualized over a 1, 3, 5 and 10 year basis. Mr. Campbell provided the following qualitative information on the funds requiring discussion:

Oakmark Equity & Income – The fund performed in-line with both benchmarks for the quarter, but has underperformed on a 1-, 3-, and 5-year basis. The fixed income portion of the portfolio remains largely invested in short-term government bonds which have underperformed against lower credit quality issuances. Long-term performance remains strong.

Hartford Capital Appreciation: The fund has underperformed on a 3- and 5-year basis due largely to an overweight in foreign equities. Short-term performance has improved and long-term performance remains strong.

Neuberger Berman Socially Responsive: The fund is currently on formal watch. Management does not invest in alcohol, tobacco, weapons, nuclear power, or gambling and prefer companies with good environmental records. Short-term performance has improved due to an overweight in consumer stocks and an underweight in technology. The Committee unanimously agreed to remove the fund from formal watch due to an improvement in performance.

As weighted on March 31, 2013, the plan outperformed passive and active benchmarks across all measured time-periods. The Plan-weighted expense ratio is 67 bps which is below the custom category average of 81 bps.

3. Investment Policy Statement – Approval

The Committee reviewed a draft Investment Policy Statement and unanimously agreed to make two edits to the “Policy Goals” section. The first edit removed reference to employees with a hire date after December 31, 2012 and the second edit removed the use of the term “only those”. Mr. Stewart will incorporate the edits and distribute a finalized copy to the Committee for signature.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
DEFERRED COMPENSATION PLAN COMMITTEE
MEETING MINUTES

4. **Fund Consolidation Analysis**

Mr. Stewart presented an analysis of potential fund consolidation per the Committee's request. The analysis was based on the desire of the Committee to reduce the number of funds in the lineup to prevent confusion among participants. As such, the basis of BFSG's recommendations was largely structural and only partially driven by individual fund performance. Each recommendation was discussed in detail and the following actions were taken by a vote of the Committee:

PIMCO Real Return – The Committee voted to remove the fund due to the complicated nature and volatility associated with Treasury Inflation Protected Securities (TIPS). Assets and future contributions will be mapped to PIMCO Total Return.

American Century Government Bond – The Committee voted to remove the fund due to its significant correlation with other fixed income options offered in the Plan. Assets and future contributions will be mapped to SSgA Intermediate Bond Index.

Oakmark Equity & Income – The Committee voted to remove the fund due to the repetition of two moderate allocation funds. The fund was chosen for consolidation because of the lack of diversification in its fixed income sleeve. Assets and future contributions will be mapped to Invesco Equity & Income.

American Century Equity & Income – The Committee voted to remove the fund due to its unique structure and lack of style consistency. Assets and future contributions will be mapped to Hartford Dividend & Growth.

Putnam High Yield Advantage – The Committee voted to remove the fund due to its correlation with the equity markets and misplaced participant expectations about performance similarities between the fund and the fixed income market. Assets and future contributions will be mapped to PIMCO Total Return.

The changes voted on by the Committee required an alteration of the Asset Allocation Models. The Committee voted to replace the American Century Government Bond Fund with SSgA Intermediate Bond Index. Mr. Stewart will prepare instruction for MassMutual detailing each of the changes.

Administrative Agenda

5. **Quarterly Plan Review**

The Committee received and filed the Quarterly Plan Review prepared by MassMutual. Mr. Trenerry provided a review of Plan demographic data including contributions, withdrawals and loans. As of March 31, 2013, Plan Assets totaled more than \$108 million. Net cash flow was negative for the quarter due to a large number of withdrawals. The average account balance increased to more than \$135,000. Expense reimbursement for the 1st quarter totaled \$14,507.

6. **Update on the Sale of the Hartford**

Rebranding efforts by MassMutual include changes to report layouts and overall design of the participant website and communications.

7. **Other Business**

Mr. Johnson asked the members of the Committee if there were any other items of business but received no reply.

8. **Public Comments**

Mr. Johnson asked the attending members of the Public for comment but received no reply.

Adjournment

With no further items to address, Mr. Johnson adjourned the meeting at 4:25 pm.

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 22

PROPOSAL: Status Report on Major Projects for Information Management
Scheduled to Start During First Six Months of FY 2013-14

SYNOPSIS: Information Management is responsible for data systems management services in support of all SCAQMD operations. This action is to provide the monthly status report on major automation contracts and projects to be initiated by Information Management during the first six months of FY 2013-14.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Barry R. Wallerstein, D.Env.
Executive Officer

JCM:MAH:OSM:nv

Background

Information Management (IM) provides a wide range of information systems and services in support of all SCAQMD operations. IM's primary goal is to provide automated tools and systems to implement Board-approved rules and regulations, and to improve internal efficiencies. The annual Budget specifies projects planned during the fiscal year to develop, acquire, enhance, or maintain mission-critical information systems.

Summary of Report

The attached report identifies each of the major projects/contracts or purchases that are expected to come before the Board between July 1 and December 31, 2013. Information provided for each project includes a brief project description, FY 2013-14 Budget, and the schedule associated with known major milestones (issue RFP/RFQ, execute contract, etc.).

Attachment

Information Management Major Projects for Period July 1 through December 31, 2013

ATTACHMENT
November 1, 2013 Board Meeting
Information Management Major Projects
for the Period of July 1 through December 31, 2013

Item	Brief Description	Budgeted Funds	Schedule of Board Actions	Status
PeopleSoft and Oracle Software Support	Purchase PeopleSoft and Oracle software support maintenance for the integrated HR/Finance system.	\$238,800	Approve Sole Source Purchase July 5, 2013	Completed
OnBase Software Support	Authorize the sole source purchase of OnBase software subscription and support for one year.	\$115,660	Approve Purchase July 5, 2013	Completed
Phone System Replacement	Authorize release of RFP for phone system replacement (Headquarters and Long Beach).	\$1,200,000	RFP Release October 4, 2013; Contract Award March 7, 2014	On Schedule
Systems Development, Maintenance and Support	Provide Development, Maintenance and Support for: <ul style="list-style-type: none"> • CLASS System(s) • eGovernment Applications & Infrastructure • System Replacement RAD & Technology Evaluation • Software Version Upgrades 	\$387,500	October 4, 2013	Completed
CLASS Database Software Support	Purchase Ingres database software support and maintenance for the CLASS system.	\$180,000	Approve Sole Source Purchase November 1, 2013	On Schedule
Prequalify Vendor List for PCs, Network Hardware, etc.	Establish list of prequalified vendors to provide customer, network, and printer hardware and software, and to purchase desktop computer hardware upgrades.	\$300,000	Release RFQQ November 1, 2013; Approve Vendors List and Award Purchase February 7, 2014	On Schedule
Network Server Upgrades	Replace obsolete Intel-based servers to increase performance based on requirements to support Network Server applications.	\$75,000	Authorize Purchase from Approved Vendors List January 10, 2014	On Schedule

Double-lined Rows - Board Agenda items current for this month

Shaded Rows - activities completed

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BOARD MEETING DATE: November 1, 2013

AGENDA NO. 24

REPORT: Administrative Committee

SYNOPSIS: The Administrative Committee met on Friday, October 11, 2013. The Committee discussed various issues detailed in the Committee report. The next Administrative Committee meeting is scheduled for Friday, November 8, 2013 at 10:00 a.m.

RECOMMENDED ACTION:

Receive and file.

Dr. William A. Burke, Chair
Administrative Committee

GC

Attendance: Attending the October 11, 2013 meeting were Committee Members Supervisor Josie Gonzales at SCAQMD headquarters and Dr. Clark E. Parker, Sr. via teleconference. Chairman William Burke and Vice Chair Mayor Dennis Yates were unable to participate due to previous commitments. Supervisor Gonzales chaired the meeting in Chairman Burke's absence.

ACTION/DISCUSSION ITEMS:

1. **Board Members' Concerns:** None.
2. **Chairman's Report of Approved Travel:** Executive Officer Barry Wallerstein advised that Councilman Joe Buscaino met with SCAQMD's legislative consultants in Sacramento, and Dr. Clark Parker went to Sacramento to participate in the Hydrogen & Fuel Cell Summit. Dr. Parker will also be attending the upcoming California Fuel Cell Partnership meeting in Sacramento as the SCAQMD representative on the CaFCP Steering Team.

3. **Approval of Compensation for Board Member Assistant(s)/Consultant(s):** Less than a quorum was present; the Committee Members concurred that the item related to a Board Consultant for Councilman Buscaino be approved by the Governing Board.

4. **Report of Approved Out-of-Country Travel:** Dr. Wallerstein reported that he had an amendment to this item. In materials received by the Committee Members it was noted that Dr. Elaine Chang had been invited to speak at a conference in Nanjing, China. The Board in the last year approved a Memorandum of Understanding (similar to a sister-city agreement) with the Nanjing Ministry of Environmental Protection (MEP). They offered to pay Dr. Chang's travel expenses; the Board's contribution will only be her time during the conference. Dr. Chang was also invited to speak to officials in Beijing, China and those travel expenses will be covered as well. There is about a week's difference between the two conferences, and rather than making two trips, Dr. Chang has offered to cover the expense of that stay herself. The amendment is for the conference in Nanjing where the MEP has also asked for another expert from the SCAQMD who would speak on technical issues related to air quality modeling, which will be Henry Hogo. The same terms would apply where MEP will pay for his travel expenses.

NOVEMBER AGENDA ITEMS

5. **Establish Board Meeting Schedule for Calendar Year 2014:** Dr. Wallerstein advised that he received an email from Dr. Joe Lyou commenting that October 3 is Yom Kippur where he questioned whether the Board wanted to hold a Board meeting on a religious holiday for some. Dr. Parker inquired whether other government agencies would be closed on that day and whether SCAQMD had held meetings on religious holidays in the past. Dr. Wallerstein responded that he does not believe other agencies will be closed and to his recollection we have not refrained from holding meetings on Yom Kippur or other religious holidays, other than official public holidays. Dr. Parker recommended that Dr. Lyou's comments be forwarded to the Board noting the precedence relative to setting schedules contrary to what has been done in the past.

Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.

6. **Recognize Revenue and Appropriate Funds for PAMS Program, Recognize Section 103 Research Grant Revenue, Award Contract for Technical Support, Amend Contract for Technical Support and Issue Purchase Orders:** Assistant Deputy Executive Officer Philip Fine advised that this is a routine annual item that recognizes money from the U.S. EPA to run the Photochemical Assessment Monitoring Station Program that measures ozone and the pollutants that help to form ozone. The South Coast Air Basin is one of several areas in the country that receives this funding. This year, this item also recognizes an additional \$60,000 that is provided as a research grant add-on to the MATES IV analysis to examine the climate effects of black carbon emissions in the Basin.

Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.

7. **Amend Contracts for Legislative Representation in Sacramento, California** Deputy Executive Officer Lisha Smith advised that this item is to approve the second one-year extension of the agency's existing contracts with Gonzalez, Quintana & Hunter and Joe A. Gonzalves & Son for continued legislative representation in Sacramento. She noted that both contractors have done exemplary work for SCAQMD, have complemented each other well while working on key issues and, in particular, were outstanding with regard to the Clean Fuels Program reauthorization efforts and the defeat of key bills that focused on diminishing regional authority to fairly regulate emission sources and achieve clean air.

Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.

8. **Amend Contract for Continuation of Air Quality Institute Program:** Ms. Smith advised that this item is to approve a second one-year extension of the agency's existing contract with Cordoba Corporation to continue the Air Quality Institute Program. With the continuation of this contract SCAQMD will enlist the Cordoba Corporation to plan eight Air Quality Institute events throughout the region. The contract will also continue the Board of Counselors as a program advisory committee. Through scheduled meetings and conference calls, the contractors, Board of Counselors, and Legislative and Public Affairs staff will analyze the effectiveness of each outreach event and determine how through the AQIs the SCAQMD can inform attendees and establish relationships that support clean air programs and initiatives. Dr. Parker asked when the Board would receive a report of the outcome of prior events held by the institutes. Dr. Wallerstein responded that staff will amend the Board letter to give a

summary of the events that have been conducted over the last contract period. Supervisor Gonzales commented that she was interested in receiving the calendar of meetings so there is opportunity for Board Members to attend or designate someone to participate.

Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.

9. **Annual Report on 457 Deferred Compensation Plan:** Assistant Deputy Executive Officer Bill Johnson reported that this item is an annual report to the Board on the status of the Section 457 Deferred Compensation Plan that about 800 of current and retired employees participate in. The good news is that the plan assets currently exceed \$111 million and in the past fiscal year have gone up by almost 12%. Of significant note is that the prior recordkeeper, The Hartford, sold the plan to Mass Mutual in a fairly seamless transition and staff is content with the progress so far.

Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.

10. **Authorize Purchase of Ingres Relational Database Management System Software Support:** Assistant Deputy Executive Officer Chris Marlia reported that this is a standard item brought to the Board every year and seeks authorization to purchase another year of maintenance and support for the relational database system, which is the database used for most of SCAQMD's work program software, housing information such as permitting, compliance, and accounts receivable data. Supervisor Gonzales asked if this company was the only provider of this type of service and how long had SCAQMD been with the company. Mr. Marlia responded that this is a sole source item and we have been with them since 1994. Staff researched other companies, but the cost to convert all our software to work with another database would be very expensive. He mentioned that ten years ago staff considered switching databases, but the cost of converting the software at that time was over a million dollars. Supervisor Gonzales recommended that information should be included with this item stating that the cost to switch companies is prohibitive, identifying the reasons for the sole source, and noting the very specialized service that, consequently, leads us to stay with the company. Dr. Wallerstein responded that the Board letter would be modified to include that information.

Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.

11. **Audit Reports of AB 2766 Fee Revenue Recipients for Fiscal Years Ending June 30, 2010 and 2011:** Chief Financial Officer Mike O’Kelly reported that this item is a receive and file report to the Board regarding the results of the biennial audit of AB 2766 Program revenues. The audit looks at the use of these revenues by the SCAQMD, MSRC and the local government agencies that also receive these funds. It covers about \$94 million worth of revenues over the two-year period. The summary results of the audit showed that there were no findings for SCAQMD’s use of the monies; however, for local governments’ use of the fee revenues, there are 33 findings of which 12 are monetary and 21 are non-monetary. All of the findings have been resolved to date and there has been concurrence from the agencies that received the findings. In the case of monetary findings, the agencies either have to reimburse the fund or have their next disbursement of AB 2766 funds reduced. Historically, going back two audit cycles, there have been about 70 audit findings. There has been increased outreach with the agencies that receive these funds and staff is seeing a reduction in the number of findings as a result of that outreach.

Dr. Parker asked whether the Board had a fiduciary responsibility to make sure the audit findings were resolved to the satisfaction of the statute that governs the expenditure of the funds. Mr. O’Kelly responded that the auditors test for compliance with the Health & Safety Code requirements for the use of these funds. When they determine there is a finding, the recipient is made aware of it and staff works immediately to resolve the problem. By the time the report is brought to the Board, any audit findings generally have been agreed to, addressed and resolved. If there is some disagreement from an agency that has findings, the Health & Safety Code allows a remedy for them to have a public hearing in front of the SCAQMD Board where they can argue the findings and present evidence. The Board will then make a decision. There were no disputes regarding the findings in this audit and we have either already received reimbursement or will deduct from the December payments to the local agencies.

Supervisor Gonzales questioned the sizeable findings for the City of San Bernardino as compared to other cities in San Bernardino County. She asked how staff becomes aware of inconsistencies that lead to these findings and whether we have reduced or been reimbursed for those amounts. Mr. O’Kelly responded that staff is made aware of any problems through the annual audit and financial statements. He explained that the audit process does not begin until approximately 12 months after the audit period ends and concludes about 10 months later when the auditors present the results of the audit. However, staff is made aware of any findings during the audit process. Regarding the City of San Bernardino, they transferred \$40,000 for program costs; however, there was only documentation for \$23,000. They agreed with the findings and the issues have

been resolved. Regarding reimbursement, staff will deduct the amount of the findings from their December disbursement.

Supervisor Gonzales commented that SCAQMD is in a position of being a pass-through agency of funds and has been given the responsibility of first oversight of the appropriate use of those funds. In her capacity as Supervisor, she will address problem issues with the cities in San Bernardino County who fall short of their obligation and responsibility

Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.

12. **Report of RFPs and RFQs Scheduled for Release in November:** Mr. O’Kelly reported that staff is requesting approval to release an RFP and RFQ for two budgeted items. The RFP is for auditorium seating and the RFQ is to establish a qualified vendor list for computer, network, printer, hardware and software.

Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.

13. **Local Government & Small Business Assistance Advisory Group Minutes for the May 10, 2013 Meeting (written report):** Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.

14. **Review November 1, 2013 Governing Board Agenda:** The Committee waived a detailed review of the November Board Agenda.

15. **Other Business:** None

16. **Public Comment:** None.

Meeting adjourned at 10:55 a.m.

Attachment

Local Government & Small Business Assistance Advisory Group Minutes for the May 10, 2013 Meeting



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

LOCAL GOVERNMENT & SMALL BUSINESS ASSISTANCE ADVISORY GROUP FRIDAY, MAY 10, 2013 MEETING MINUTES

MEMBERS PRESENT:

Dennis Yates, Mayor, City of Chino and LGSBA Chairman
Ben Benoit, Councilman, City of Wildomar and LGSBA Vice Chairman
Felipe Aguirre, Councilmember, City of Maywood
Paul Avila, P.B.A. & Associates
Geoffrey Blake, Metal Finishers of Southern California/All Metals
Todd Campbell, Clean Energy
Daniel Cunningham, Metal Finishing Association of Southern California
Jacob Haik, Office of Councilmember Joe Buscaino
John Hill, Riverside County Representative
Maria Elena Kennedy, Kennedy Communications
Rita Loof, RadTech International
Mary Ann Lutz, Mayor, City of Monrovia

MEMBERS ABSENT:

Greg Adams, L.A. County Sanitation District
Kelly Moulton, Paralegal

OTHERS PRESENT:

Earl Elrod, Board Member Assistant (*Yates*)
Mark Abramowitz, Board Member Assistant (*Lyou*)
Marisa Perez, Board Member Assistant (*Mitchell*)
Ruthanne Taylor Berger, Board Member Assistant (*Benoit*)

SCAQMD STAFF:

Derrick Alatorre, Assistant DEO
Philip Fine, Ph.D., Assistant DEO
Elaine Hills, Air Quality Inspector II
Lori Langrell, Secretary
Matt Miyasato, Ph.D., DEO
John Olvera, Principal Deputy District Counsel
Jill Whynot, Assistant DEO

Agenda Item #1 – Call to Order/Opening Remarks

Chair Dennis Yates called the meeting to order at 11:31 a.m.

Agenda Item #2 – Approval of April 12, 2013 Meeting Minutes/Review of Follow-Up/Action Items

Chair Yates called for approval of the meeting Minutes of April 2013. The Minutes were approved.

Mr. Derrick Alatorre provided information relating to the prior month's request to agendaize a presentation on Rule 219, and indicated that the material has not changed since the last presentation in January 2013. As there are changes to Rule 219, Mr. Alatorre will place the matter back on the agenda.

Ms. Rita Loof asked when will Rule 219 go before Stationary Source Committee. Mr. Alatorre will provide information to Ms. Loof when the Stationary Source Committee hears this matter.

Agenda Item #3 –Briefing on Exide Activities

Dr. Philip Fine provided a presentation regarding Exide Technologies Activities. Exide Technologies is a battery recycling facility in the City of Vernon, southeast of Los Angeles, established in 1922. Dr. Fine discussed the background on Exide Technologies, the Health Risk Assessment, Public Notification Process, as well as upcoming public meetings, temporary suspension of all activities at Exide, and what the next steps would be.

Mr. Paul Avila asked what exactly is DTSC and what do they do. Dr. Fine indicated that DTSC is the Department of Toxic Substances and Control and is a state agency under Cal EPA in charge of toxic substance releases of different media and disposal of hazardous wastes. Mr. Avila also asked whether other industries around Exide such as junkyards, foundries, food preparation, were also monitored. Dr. Fine explained that modeling was done specifically at Exide, which does not capture other emissions. Air monitoring can pick up all sources, but we are fairly confident, in the case of lead, that it is coming from Exide. For arsenic, staff is not aware of other large sources within the area; however, there is evidence that arsenic is coming out of Exide stacks.

Mr. Ben Benoit asked if there have been lower readings posted now that Exide has ceased operations. Dr. Fine answered yes, the lead is below standards and the levels continue to decline.

Mr. Geoff Blake asked what is the source of the arsenic. Dr. Fine indicated that the arsenic was part of the alloys that create lead.

Mr. Felipe Aguirre asked if arsenic escapes through air, does staff have information on arsenic in the ground. Dr. Fine indicated he was not sure how much arsenic was in the ground, but pointed out that lead was more of a fugitive dust emission issue and arsenic was a stack issue. Dr. Fine also indicated that he was not sure if DTSC analyzed the ground for arsenic.

Ms. Mary Ann Lutz requested for background on the history of Exide Technologies and whether staff was working with the Regional Water Control Board on water, stormwater, and aquifer issues. Dr. Fine replied that DTSC may be working with water quality regulators, but had not been working with SCAQMD on these matters. Further, as for the history, in 2007, high levels of lead were detected in a monitor across the street from Exide, leading to a series of enforcement actions, order of abatements, and even a new regulation. There has been a lot of work done to lower their lead emissions, and Los Angeles County was identified as out of attainment under the Clean Air Act. Exide did lower their lead emissions by over a factor of 20, and in recent years enclosed a large portion of the facility. This helped with fugitive emissions, but not with arsenic.

Mr. Dan Cunningham raised the question if Exide began operations in 1922, are the readings of lead, arsenic, etc. a result of old equipment, and would the output be cleaner if the plant were to be opened now. Dr. Fine indicated that Rule 1420.1 would make it very difficult to open a new plant now, especially using old technology, but acknowledged that plants on the East Coast are much cleaner due to more modern equipment. The only option for the future of Exide is to modernize.

Mr. Avila asked how many employees are at Exide. Dr. Fine related that there were approximately 130 employees prior to the plant ceasing operation, and after layoffs they currently employ approximately 70 people.

Mr. Todd Campbell posed the question if the national average is 25 in a million, and EPA only looks at cancer risk at one in a million, why aren't they enforcing the national average. Dr. Fine indicated this comes from state law (AB 2588). Ms. Whynot replied that the one in a million applies for each permit unit unless it has Best Available Control Technology (BACT) which would then allow it to go up to ten in a million. . The rules are more stringent when facilities are located near schools or sensitive receptors. Ten in a million requires a public notice. Twenty-five in a million requires a risk reduction plan with attainment of the plan within three years.

Mr. Campbell further asked if Exide were to implement and upgrade their furnace, what the expected reduction would be. Dr. Fine indicated if they modeled it after Quemmetco, a reduction of 97-98% could result. Mr. Campbell inquired what the cost in dollars would be to modernize, to which Dr. Fine replied several million.

Mr. Benoit asked what happens to the lithium ion batteries from the Volt, if they were recycled as well. Dr. Matt Miyasato replied that they can be put to a secondary use, such as in banks for emergency power. They can also be recycled as they are made of precious metal which is almost 100% recyclable, and the components are not as toxic.

Mr. Campbell asked what the actual capture rate on the recycling of lithium ion is. Dr. Miyasato indicated the auto makers are conducting research on that now.

Agenda Item #4 – Update on the Southern California International Gateway (SCIG) Project

Mr. Alatorre presented a briefing on the Southern California International Gateway project, and the SCAQMD related efforts. Mr. Alatorre advised the group that this is a Port of Los Angeles project, which will serve BNSF, involving a new rail yard with a 50-year lease, resulting in millions of truck trips and rail trips adjacent to industrial and residential areas, in which the residential areas contain schools and senior housing.

SCAQMD had taken a position of opposition to the project as it would violate NOx standards, and staff has testified this week in front of the Los Angeles City Council. Six additional parties also testified in opposition to the project. The Los Angeles City Council voted to approve the project over the objections.

Mr. John Hill asked if this project is located near Rancho Dominguez. Mr. Alatorre indicated that Rancho Dominguez is located north of the project, and near the 710 freeway.

Mr. Campbell noted that Mr. Alatorre was scanning through a presentation and asked if he could have a copy of it. Mr. Alatorre indicated it is a very large power point, but he will have it converted to a PDF and share it with the members.

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

No comments.

Agenda Item #6 – Other Business

No comments.

Agenda Item #7 – Public Comment

No comments.

Adjournment

The meeting adjourned at 12:17 p.m.

[↑ Back to Agenda](#)

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 25

REPORT: Legislative Committee

SYNOPSIS: The Legislative Committee held a meeting on Friday, October 11, 2013. The next Legislative Committee meeting is scheduled for Friday, November 8, 2013, at 9 a.m. in Conference Room CC8.

RECOMMENDED ACTION:
Receive and file.

Josie Gonzales
Chair
Legislative Committee

LBS:PFC:jf

Attendance [Attachment 1]

The Legislative Committee met on October 11, 2013. Committee Chair Supervisor Josie Gonzales was present at SCAQMD's Diamond Bar headquarters. Committee Members Supervisor Michael D. Antonovich, Councilmember Joe Buscaino, and Dr. Clark E. Parker, Sr. attended via teleconference.

Update on Federal Legislative Issues

Mia O'Connell of the Carmen Group, SCAQMD federal legislative consultant, provided the Committee with updates on key Washington D.C. issues.

Ms. O'Connell reported on the status of the U.S. House Transportation & Infrastructure Committee's Panel on 21st Century Freight Transportation. The Panel's six-month term will end on October 23rd and on that day there will be a press conference to release the panel's full recommendations, which ultimately are intended to be included within the implementation of MAP-21. SCAQMD priorities have been shared and discussed with committee staff, as facilitated by the Panel's trip to Southern California for a field hearing this past summer.

Ms. O'Connell also reported on the MAP-21 reauthorization status, including a recent Senate hearing which outlined a long list of transportation funding options for consideration. The three most prominent ideas posed were: (1) raising the existing federal gas tax; (2) creating a sales or value added tax on fuel; and/or (3) diverting more general fund money into the highway trust fund. Sen. Boxer said she is leaning toward a new sales tax on gasoline. Senate and House draft bills are anticipated to be released potentially in February 2014.

Ms. O'Connell also provided information on the status of rail reauthorization in the U.S. House, where activity on this bill is expected to begin. It is anticipated that this bill will not move forward until the U.S. Army Corps of Engineers' reauthorization bill moves out of committee and onto the House Floor. Committee staff are working on a draft bill now and hope to finish it by the end of the year.

Finally, Ms. O'Connell reported that her firm is working with SCAQMD staff on a potential Washington D.C. visit sometime this fall focusing on MAP-21 and rail reauthorization issues.

Mark Kadesh of Kadesh & Associates, SCAQMD federal legislative consultant, also updated the Committee on key Washington D.C. issues.

Mr. Kadesh updated the Committee on the government shutdown and debt ceiling issues. He indicated that there has been little substantive negotiation regarding reopening the government. However, positive signs relate to pressure from the October 17th debt ceiling limit. The House leadership has proposed a six week extension of the debt ceiling limit until Nov. 22nd. The President expressed a willingness to go to a short term extension of the debt ceiling, but also added that he wanted the deal to include opening the government, which it currently does not do.

Mr. Kadesh then spoke to the impacts of the shutdown. U.S. EPA has essentially been shut down with the exception of some services for public health emergencies. Almost all U.S. EPA employees have been furloughed. Senator Boxer has expressed serious concern that the shutdown is going to affect the U.S. EPA because the agency can't approve rules, attend meetings, review documents, issue federal guidance or answer questions. Bill Becker, who heads the National Association of Clean Air Agencies (NACAA), also expressed concerns that this shutdown will have grave impacts down the road on clean air efforts, due to a lack of U.S. EPA funding.

Mr. Kadesh reported that the U.S. Department of Energy (DOE) has been operating under carryover funding, but it is not clear if it will last much longer. In the case of the SCAQMD, delayed receipt of expected federal funding would be impactful. As the shutdown continues impacts could worsen. Senator Feinstein's office has contacted

SCAQMD to find out specifically how the shutdown is affecting the agency. Staff is working on the response.

On the Congressional Committee front, many hearings have been cancelled. For instance, Senator Boxer announced cancellation of scheduled climate change hearings. However, Senate Energy Committee Chair, Senator Ron Wyden (D-OR), held a nominations hearing and passed out Ms. Elizabeth Robinson's nomination to be DOE's Under Secretary of Energy. Her role would include oversight of the office of Environmental Management.

Mr. Kadesh also reported that Rep. Bill Young (R-FL), Chair of the House Appropriations Subcommittee on Defense would retire at the end of this Congress. With his departure, it is widely expected that Rep. Rodney Frelinghuysen (R-NJ) would take over Rep. Young's chairmanship, creating an opening for Rep. Ken Calvert (R-CA) to take over as chair of the Interior Appropriations Subcommittee, which could be helpful for SCAQMD priorities in D.C.

Finally, Mr. Kadesh indicated that all other items being monitored, such as MAP-21, have been put on hold given the government shutdown.

Update on State Legislation for 2013 [Attachment 2]

Lisha B. Smith, Deputy Executive Officer, Legislative & Public Affairs, presented a 2013 State Legislation update to the Committee that included a report on the Governor's actions on SCAQMD position bills and key bills of interest. The presentation recapped SCAQMD's efforts to: (1) collaborate with elected officials, staff, and other stakeholders on key legislation; (2) defend against bills that undermine the agency's authority or otherwise posed a detriment to clean air; and (3) support legislation that was in line with SCAQMD's clean air mission and policy priorities.

Update on Sacramento Legislative Issues

Paul Gonsalves of Joe A. Gonsalves & Son, SCAQMD state legislative consultant, briefed the Committee on key Sacramento issues.

Mr. Gonsalves reported that various upcoming and past elections will have an impact on the California Legislature, including Assembly Speaker John Perez's announcement to run for the Office of State Controller. In terms of held elections he reported that:

- The Senate swore in State Senator Holly Mitchell to serve the 26th District, replacing now Los Angeles City Councilmember Curren Price;
- Freddie Rodriguez, former Pomona City Councilmember, won the 52nd Assembly District that had been vacated by now State Senator Norma J. Torres.

Upcoming special elections for the:

- 45th Assembly District seat left vacant after former Assembly Member Bob Blumenfield was elected to the L.A. City Council; and
- 54th Assembly District seat vacated by now State Senator Holly Mitchell.

Having explained that all remaining state bills that were introduced in 2013, with the exception of urgency bills, must be passed out of their house of origin by the end of January, Mr. Gonsalves also provided a legislative update on various two-year bills that remain of interest. He noted in his report that many legislative offices felt it is too early to focus on next year while awaiting the Governor's actions on current bills.

- Hydraulic fracturing bill **AB 7 (Wieckowski)** will likely not move because of the passage of SB 4 (Pavley).
- **AB 1102 (Allen)** is in the Assembly Natural Resources Committee. Its author will likely try to move the fire rings bill as quickly as possible.
- **SB 395 (Jackson)** dealing with well stimulation was moved to the Senate inactive file. The author's office is unsure if the bill will move in its current form in 2014.
- **SB 621 (Gaines)** dealing with vehicular air pollution failed and was granted reconsideration, but it is not expected to be moved in 2014.
- **SB 793 (Lara)** that deals with marine vessels is on the suspense file in Assembly Appropriations Committee. It usually takes leadership approval and substantial amendments to get a bill off the suspense file, however it is unclear what may happen with this bill. It will continue to be monitored.
- The status of Senator Rod Wright's three bills specific to electrical generation facilities: **SB 389** is dead; **SB 736** is not expected to move in 2014; and **SB 760** was gutted and amended and no longer relates to the original content that SCAQMD worked to address.

Mr. Gonsalves reported that these bills have until the end of the Legislative session to be acted upon:

- **AB 39 (Skinner)** would extend the sunset date on the Energy Conservation Assistance Account. Now on the Senate inactive file, the author will likely try to move this bill quickly in 2014.

- **AB 1330 (Perez)** is on the Senate inactive file and the Speaker has made it clear that he wants to move this bill in 2014. Among other things, this bill seeks to double air district fines assessed in environmental justice communities and redirect the money to a special state fund.

Supervisor Gonzales inquired about the pros and cons of AB 1330. SCAQMD Executive Officer Dr. Barry Wallerstein recommended agendaizing the bill for an upcoming Committee meeting, so that it can be reviewed in detail. He added that at a recent town hall meeting on the Exide plant, Assembly Speaker Perez made it clear that he would like to move this bill in 2014. Sen. Kevin de León indicated his intention to help the Speaker move the bill.

Dr. Wallerstein outlined concerns that various parties have expressed about the bill as currently drafted:

- It is unclear how the bill's provisions interact with the current specified criteria in state law regarding air district fines and whether the bill actually doubles those fines;
- Other air districts have expressed concerns that this bill may shift funds that normally come to the air districts to a fund set up by the bill. Thus, this could impact air district's budgets. However, the bill's intent was to create additional funding that would be directed to environmental justice communities, not to shift existing funds; and
- Penalties collected for violations in a region would go into the bill's "Green Fund," and then could be redirected to benefit areas outside of the area where the facility is located, potentially failing to benefit the public directly impacted by the violation.

Dr. Wallerstein said that we have informed the Speaker's office that SCAQMD is available to provide assistance and plans on providing input on the bill, if it were to move in 2014.

Dr. Wallerstein also mentioned **SB 691 (Hancock)**, which SCAQMD supported with suggested amendments. The bill requested that the penalties be increased to help deter emission violations with large public health impacts. Sen. de León asked about these types of penalty levels with regard to the Exide facility at the recent town hall meeting. Dr. Wallerstein expressed concern that the existing penalty levels may not serve as a sufficient deterrent.

Dr. Parker expressed a concern about only using penalty fines as a deterrent and stated that he would like other types of approaches and penalties included in the

recommendations to Speaker Perez and Senator de León. Dr. Wallerstein indicated that when the bill is brought back to Committee, effort will be given to provide recommended amendments that also include non-monetary disincentives or other approaches.

Supervisor Gonzales commented that she believes in promoting positive, proactive partnerships between SCAQMD and business. She indicated that she would like staff recommendations to include a balanced approach that demonstrates the willingness of SCAQMD to work with business. These recommendations should identify programs and/or provide alternative steps that help businesses, for instance operate free of violations if they choose to do the right thing rather than violate air quality rules. Options could include fee reductions or grace periods, etc., as appropriate. Dr. Wallerstein stated that staff would provide information to the Committee regarding actions SCAQMD already takes along these lines, as well as suggested enhancements for such efforts.

SCAQMD State Legislative Consultant Will Gonzalez of Gonzalez, Quintana & Hunter, also briefed the Committee on key Sacramento issues.

Mr. Gonzalez reported on a small but growing coalition interested in moving a legislative proposal currently referred to as the "Million Electric Vehicle Initiative." Although still in its early stages, this is a top priority next year for various environmental groups. These stakeholders are very interested in working with SCAQMD on this proposal, which would seek long-term incentive dollars for EV's in California.

Mr. Gonzalez also provided a legislative update on various two-year bills that remain of interest and are more likely to move forward in 2014:

- **AB 147 (V. M. Perez)** involves air quality mitigation measures for the Salton Sea. This bill was held in the Assembly while SCAQMD and the Imperial County Air District worked with the author. It remains a high priority for the author.
- **AB 818 (Blumenfield)** involves allowing city attorneys to prosecute air quality violation cases, with civil penalties staying with the local jurisdiction. SCAQMD was successful in stopping this bill early in the session. It is a reoccurring bill and likely to be reintroduced in 2014.
- CEQA bills **AB 953 (Ammiano)** and **SB 617 (Evans)** deal with a case involving the Ballona Wetlands near Marina del Rey and are intended to overturn a recent court ruling that concerned environmentalists. These are high priority bills for environmental groups, and are likely to be re-introduced in 2014.

- **AB 1077 (Muratsuchi)** and **SB 221 (Pavley)** deal with partial exemption of sales and use taxes for alternative fuel vehicles. Both were held in Appropriations Committee. The authors and sponsors behind these bills are committed to this effort, so both bills are likely to move in 2014.
- **SB 691 (Hancock)** as discussed earlier, is likely to move in 2014, but still has strong opposition to overcome.
 - **SB 731 (Steinberg)**, the primary vehicle for CEQA reform, will move in January per the author's office. There will be another push for CEQA reform.
 - **SB 787 (Berryhill)**, which attempts to establish the "standards approach" to CEQA reform (a carry-over from former Sen. Rubio) remains a top priority for some Republican members. It is likely to be re-introduced in 2014.

Report from SCAQMD Home Rule Advisory Group [Attachment 3]

Please refer to Attachment 3 for written report.

Other Businesses: None

Public Comment Period: None

Attachments

1. Attendance Record
2. Update on State Legislation for 2013
3. Home Rule Advisory Group Report

ATTACHMENT 1

ATTENDANCE RECORD –October 11, 2013

DISTRICT BOARD MEMBERS:

Supervisor Josie Gonzales
Supervisor Michael Antonovich (teleconference)
Clark E. Parker, Ph.D. (teleconference)
Joe Buscaino (teleconference)

STAFF TO COMMITTEE:

Lisha B. Smith, Deputy Executive Officer
Derrick Alatorre, Assistant Deputy Executive Officer/Public Advisor
Julie Franco, Senior Administrative Secretary

DISTRICT STAFF:

Barry Wallerstein, Executive Officer
Barbara Baird, District Counsel
Elaine Chang, Deputy Executive Officer
Peter Greenwald, Senior Policy Advisor
Mohsen Nazemi, Deputy Executive Officer
Bill Wong, Principal Deputy District Counsel
Marc Carrel, Program Supervisor
Philip Crabbe, Community Manager
Danielle Soto, Staff Assistant
Kim White, Public Information Specialist
Patti Whiting, Staff Specialist
Paul Wright, Audio Visual Specialist

OTHERS PRESENT:

Mark Abramowitz, Board Member Assistant (Lyou)
Paul Gonsalves, Gonsalves & Son (teleconference)
Will Gonzalez, Gonzalez, Quintana & Hunter (teleconference)
Erica Hafkenschiel, CEA
Stewart Harris, Carmen Group (teleconference)
Gary Hoitsma, Carmen Group (teleconference)
Mark Kadesh, Kadesh & Associates (teleconference)
Chris Kierig, Kadesh & Associates (teleconference)
Vlad Kogan, Orange County Sanitation District
Bill LaMarr, Callifornia Small Business Alliance
Jennifer Lee, EME
Rita Loof, RadTech
Daniel McGivney, Southern California Gas
Mia O'Connell, Carmen Group (teleconference)
David Rothbart, LACSD
Andy Silva, Board Member Assistant (Gonzales)
Lee Wallace, SCG/SDG & E
Warren Weinstein, Kadesh & Associates (teleconference)

Attachment 2

2013 State End of Session Legislative Report

Measure	Position	Status
<u>AB 7</u> Wieckowski (D) Oil and gas: hydraulic fracturing. <input type="checkbox"/>	Support with Amendments	9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/11/2013)
<p>Would require the operator of a well prior to drilling, redrilling, or deepening operations to submit proof to the State Oil and Gas Supervisor that the applicable regional water quality control board has approved the disposal method and location of wastewater disposal for the well. This bill contains other related provisions and other existing laws.</p>		
<u>AB 8</u> Perea (D) <input type="checkbox"/> Alternative fuel and vehicle technologies: funding programs.	Support	9/28/2013 - Chaptered by Secretary of State - Chapter 401, Statutes of 2013.
<p>Extends for eight to nine years (from 2015-2016 until 2024) various temporary, vehicle-related, state and local fees and surcharges to fund vehicle-related air quality, greenhouse gas (GHG) and related programs administered by the California Energy Commission (CEC), the Air Resources Board (ARB), local air districts and the Bureau of Automotive Repair (BAR). Extends all registration and license fees at current levels, as well as the existing retail fee on each new tire to address tire-related environmental impacts. Preempts ARB's authority to require publicly available hydrogen-fueling stations through regulation and instead requires CEC to fund the development of up to 100 such hydrogen stations from vehicle registration fee revenues in the amount of up to \$220 million over the next 11-plus years.</p>		
<u>AB 14</u> Lowenthal (D) <input type="checkbox"/> State freight plan.	Support with Amendments	9/6/2013 - Chaptered by Secretary of State - Chapter 223, Statutes of 2013.
<p>Would require the Transportation Agency to prepare a state freight plan with specified elements to govern the immediate and long-range planning activities and capital investments of the state with respect to the movement of freight. The bill would require the agency to establish a freight advisory committee with various responsibilities in that regard. The initial state freight plan would be submitted to the Legislature, the Governor, and certain state agencies by December 31, 2014, and updated every 5 years thereafter.</p>		
<u>AB 39</u> Skinner (D) <input type="checkbox"/> Energy: conservation: financial assistance. <input type="checkbox"/>	Support	9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/12/2013)
<p>Would extend the operation of the Energy Conservation Assistance Act of 1979 to January 1, 2020, and would thereby make an appropriation by extending the time during which the funds in a continuously appropriated account are made available.</p>		

AB 122 Rendon (D) <input type="checkbox"/> Energy: energy assessment: nonresidential buildings: financing	Support	9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/12/2013)
<p>Would enact the Nonresidential Building Energy Retrofit Financing Act of 2013 and would require the commission to establish the Nonresidential Building Energy Retrofit Financing Program and to develop a request for proposal for a 3rd-party administrator by July 1, 2014, to develop and operate the program to provide financial assistance, through authorizing the issuance of, among other things, revenue bonds, to owners of eligible nonresidential buildings for implementing energy improvements for their properties. This bill contains other related provisions and other existing laws.</p>		
AB 147 V. Manuel Pérez (D) Environment: Salton Sea: dust mitigation <input type="checkbox"/>	Support, if amended	7/12/2013 - Failed Deadline pursuant to Rule 61(a)(10)(SEN). (Last location was N.R. & W. on 6/13/2013) Author committed to make it a 2-year bill to craft language addressing SCAQMD concerns.
<p>Would require the State Air Resources Board, upon the execution of an agreement with the joint powers authority, to evaluate and determine with the air quality planning completed by the authority is sufficient to mitigate the air quality impacts of the QSA. In the event that the state board concludes that additional mitigation measures are needed, the bill would require the state board to submit recommendation to the authority.</p>		
AB 148 V. Manuel Pérez (D) Renewable energy: Salton Sea. <input type="checkbox"/>	Watch	5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 2/15/2013)
<p>Would require the Secretary of the Natural Resources Agency, in consultation and coordination with the Salton Sea Authority, to establish a Salton Sea Renewable Energy and Biofuel Research and Development Program in the Salton Sea basin to meet high-priority economic and environmental goals by providing grants to facilitate research and the commercial development of renewable energy and biofuel resources. The bill would further authorize the secretary, in consultation and coordination with the authority, to provide grants to eligible research institutions and commercial enterprises for research and demonstration projects leading to the commercial development of the Salton Sea's vast renewable energy and biofuel resources. This bill contains other existing laws.</p>		
AB 266 <input type="checkbox"/> Blumenfield (D) Vehicles: high-occupancy vehicle lanes <input type="checkbox"/>	Support	9/28/2013 - Chaptered by Secretary of State - Chapter 405, Statutes of 2013.
<p>Would extend the operation of those provisions related to HOV lanes for certain low-emission vehicles to January 1, 2019, or until federal authorization expires, or until the Secretary of State receives that specified notice, whichever occurs first. The bill would until January 1, 2015, or until the Secretary of State receives that specified notice, authorize the department to issue a valid identifier to a vehicle that meets California's transitional zero-emission vehicle (TZEV) standard. This bill contains other related provisions and other existing laws.</p>		
AB 466 Quirk-Silva (D) Federal transportation funds. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Work with Author	9/24/2013 - Enrolled and presented to the Governor at 3 p.m. Author incorporated SCAQMD recommendations.
<p>Would require the Department of Transportation to allocate federal funds to regional agencies under the federal Congestion Mitigation and Air Quality Improvement Program based on a weighted formula that considers population and pollution in a given area, as specified.</p>		

AB 818 Blumenfield (D) <input type="checkbox"/> Air pollution control: penalties. <input type="checkbox"/> Introduced. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Oppose	5/10/2013 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was NAT. RES. on 4/25/2013)
<p>Would require any city attorney of a city having a population in excess of 750,000, any city attorney of a city and county, or a city prosecutor in any city with a full-time city prosecutor, with the consent of the district attorney, to recover specified civil penalties in a civil action for specified violations. The bill would require, if the action for civil penalties resulting from specified violations is brought by a district attorney, an attorney for a district, a city attorney of a city having a population in excess of 750,000, a city attorney of a city and county, or a city prosecutor in any city with a full-time city prosecutor, with the consent of the district attorney, the entire amount of the penalty collected be paid to the treasurer of the city, county, or city and county in addition to the district on whose behalf judgment was entered.</p>		
AB 953 Ammiano (D) California Environmental Quality Act. <input type="checkbox"/>	Support	5/31/2013 - Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 5/31/2013)
<p>Would require the lead agency to include in the environmental impact report (EIR) a detailed statement on any significant effects that may result from locating the proposed project near, or attracting people to, existing or reasonably foreseeable natural hazards or adverse environmental conditions. Because the lead agency would be required to undertake this additional consideration, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>		
AB 1077 Muratsuchi (D) <input type="checkbox"/> Sales and use taxes: vehicle license fee: alternative fuel motor vehicles.	Support	7/3/2013 -Held in Appropriations Suspense file.
<p>Would, on and after January 1, 2014, and before January 1, 2022, exempt from sales and use taxes, that portion of the gross receipts from the sale of, and that portion of the sales price with respect to the storage, use, or other consumption of, a qualified motor vehicle, as defined, that is the greater of (1) the sum of the amount of any credit under a specified provision of the Internal Revenue Code relating to new qualified plug-in electric drive motor vehicles, and any amount received, awarded, or allowed pursuant to a state incentive program for the purchase or lease of an alternative fuel vehicle; or (2) the value of a motor vehicle that is traded in for the motor vehicle that qualifies for a credit or incentive amount under those programs, if the value of the trade-in motor vehicle is separately stated on the new motor vehicle invoice or bill of sale or similar document provided to the purchaser. This bill contains other related provisions and other existing laws.</p>		
AB 1092 Levine (D) <input type="checkbox"/> Building standards: electric vehicle charging infrastructure. <input type="checkbox"/>	Support with Amendments	9/28/2013 - Chaptered by Secretary of State - Chapter 410, Statutes of 2013.
<p>Would require the California Building Standards Commission, commencing with the next triennial edition of the California Building Standards Code adopted after January 1, 2014, to adopt, approve, codify, and publish mandatory building standards for the installation of future electric vehicle charging infrastructure for parking spaces in multifamily dwellings and nonresidential development. The bill would require the Department of Housing and Community Development to propose mandatory building standards for the installation of future electric vehicle charging infrastructure for parking spaces in multifamily dwellings and submit the proposed mandatory building standards to the commission for consideration.</p>		

AB 1102 Allen (R) <input type="checkbox"/> South Coast Air Quality Management District: beach burning. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	No position	9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was NAT. RES. on 8/15/2013) 2-year bill.
Would prohibit the South Coast Air Quality Management District from enacting a rule that prohibits a person from engaging in a beach burning for a recreational, ceremonial, or open burning conducted in a public coastal area marked by an accumulation of sand. This bill contains other related provisions.		
AB 1330 John A. Pérez (D) Environmental justice	No Position	9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/12/2013) 2-year bill End of session gut and amend bill. SCAQMD shared its concerns with the Author and will work with the Author to craft appropriate language in 2014.
Would require the California Environmental Protection Agency, on or before January 1, 2015, to establish a list of environmental justice communities identifying the top 15% of communities in the state, based on census tracts, that are disproportionately impacted by environmental hazards. This bill purports to create new funding sources to be spent specifically on projects in environmental justice communities by requiring double the maximum fines assessed against hazardous waste, air district or solid waste permit holders for emission or discharge violations that exceed permitted emission or discharge levels in environmental justice communities and by requiring California Environmental Protection Agency (Cal/EPA), the Natural Resources Agency (Agency), and the agencies' boards, departments, commissions and offices, or the Strategic Growth Council to prioritize all grants and funding they provide in environmental justice communities.		
SB 4 Pavley (D) <input type="checkbox"/> Oil and gas: well stimulation. <input type="checkbox"/>	Support	9/20/2013 - Chaptered by Secretary of State - Chapter 313, Statutes of 2013.
Establishes comprehensive regulatory scheme for hydraulic fracturing. Defines the terms well stimulation treatment, hydraulic fracturing, and hydraulic fracturing fluid. The bill would require the Secretary of the Natural Resources Agency, on or before January 1, 2015, to cause to be conducted, and completed, an independent scientific study on well stimulation treatments, including acid well stimulation and hydraulic fracturing treatments. The bill would require an owner or operator of a well to record and include all data on acid treatments and well stimulation treatments, as specified. Because this bill would create a new crime, it would impose a state-mandated local program. This bill contains other related provisions and other existing laws.		
SB 11 Pavley (D) Alternative fuel and vehicle technologies: funding program. <input type="checkbox"/>	Support (original version of bill)	9/11/2013 - Set, first hearing. Hearing canceled at the request of author.
The bill as originally introduced, was the mirror companion bill to now chaptered AB 8 (Perea) which extended the sunset on the Carl Moyer Support and the Advanced Alternative Fuel and Vehicle Technology program. As gutted and amended, it would require the state board, in consultation with the Bureau of Automotive Repair and no later than June 30, 2015, to update the guidelines for the enhanced fleet modernization program to include specified elements and to study and consider specified elements. The bill, in addition, would establish compensation for replacement vehicles for low-income vehicle owners at not less than \$2,500 and would make this compensation available to an owner in addition to the compensation for a retired vehicle. This bill contains other related provisions and other existing laws.		

SB 39 De León (D) <input type="checkbox"/> Local agencies: public officers: claims and liability. <input type="checkbox"/> <input type="checkbox"/>	Support (original version of bill)	9/20/2013 - Enrolled and presented to the Governor at 4:30 p.m.
<p>As originally introduced, this bill enacted the Clean Energy Employment and Student Advancement (CEESA) Act of 2013 and required the Office of Public School Construction (OPSC), in coordination with the State Energy Resources Conservation and Development Commission (SERCDC), to develop the CEESA Program to award grants, based on the average daily attendance, to a school district, weighted as specified, for energy efficiency upgrade projects pursuant to the California Clean Energy Jobs Act, as specified. As amended, it requires the forfeiture of a contractual, common law, constitutional, or statutory claim against a local public agency employer to retirement or pension rights or benefits, as specified, by a local public officer who exercised discretionary authority and who was convicted of a felony for conduct arising out of, or in the performance of, his or her official duties.</p>		
SB 221 Pavley (D) <input type="checkbox"/> Sales and use taxes: vehicle license fee: exclusion: alternative fuel motor vehicles.	Support	5/2/2013 - Set, first hearing. Hearing canceled at the request of author.
<p>Would, on and after January 1, 2014, and before January 1, 2022, in the sale of a new alternative fuel motor vehicle, exclude from the terms "gross receipts" and "sales price," any amount allowed as a credit under a specified provision of the Internal Revenue Code, relating to new qualified plug-in electric drive motor vehicles, and any amounts received, awarded, or allowed pursuant to a state incentive program for the purchase or lease of an alternative fuel vehicle. This bill contains other related provisions and other existing laws.</p>		
SB 286 Yee (D) <input type="checkbox"/> Vehicles: high-occupancy vehicle lanes. <input type="checkbox"/>	Support	9/28/2013 - Chaptered by Secretary of State - Chapter 414, Statutes of 2013.
<p>Would extend the operation of specified provisions for certain zero-emission vehicles that use lanes designated for high-occupancy vehicles (HOVs) to January 1, 2019, or until federal authorization expires, or until the Secretary of State receives that specified notice, whichever occurs first. The bill would authorize the Department of Transportation to issue a valid identifier to a vehicle that meets California's transitional zero-emission vehicle (TZEV) standard. The bill would also repeal duplicate provisions of law, delete obsolete provisions of law relating to hybrid vehicles, and make additional conforming changes.</p>		
SB 359 Corbett (D) <input type="checkbox"/> Vehicles: retirement and replacement. <input type="checkbox"/>	Support	9/28/2013 - Chaptered by Secretary of State - Chapter 415, Statutes of 2013.
<p>Would require the Controller to transfer, as a loan, \$30,000,000 from the Vehicle Inspection and Repair Fund to the Air Quality Improvement Fund. The bill would appropriate to the State Air Resources Board these moneys in the Air Quality Improvement Fund to be expended only for the Clean Vehicle Rebate Project and the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project, thereby making an appropriation. This bill contains other related provisions and other existing laws.</p>		

SB 389 Wright (D) <input type="checkbox"/> South Coast Air Quality Management District: electric generating facilities: emissions offsets. <input type="checkbox"/>	Oppose <input type="checkbox"/>	5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.Q. on 5/1/2013)
<p>Would prohibit the South Coast Air Quality Management District, on and after February 1, 2013, from charging a fee for the transfer of an emissions offset from the district's internal emissions offset account to offset any emissions increase from the replacement of electric utility steam boilers at electric generating facilities, pursuant to a specified south coast district regulation. By adding to the duties of a local agency, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>		
SB 395 Jackson (D) <input type="checkbox"/> Hazardous waste: wells.	Support <input type="checkbox"/>	5/31/2013 - Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 5/30/2013)
<p>Would delete the exclusion of regulated wells from the definition of "injection well," thereby subjecting those wells to the requirements imposed upon injection wells. The bill would also require a generator of produced water to test the produced water in order to determine whether it is hazardous waste within the meaning of specified provisions. This bill contains other related provisions and other existing laws.</p>		
SB 454 Corbett (D) <input type="checkbox"/> Public resources: electric vehicle charging stations. <input type="checkbox"/> <input type="checkbox"/>	Watch	9/28/2013 - Chaptered by Secretary of State - Chapter 418, Statutes of 2013.
<p>Would create the Electric Vehicle Charging Stations Open Access Act, which would prohibit the charging of a subscription fee on persons desiring to use an electric vehicle charging station, as defined, and would prohibit a requirement for persons to obtain membership in any club, association, or organization as a condition of using the station, except as specified. The bill would require the total actual charges for the use of an electric vehicle charging station to be disclosed to the public at the point of sale. This bill contains other related provisions and other existing laws.</p>		
SB 459 Pavley (D) <input type="checkbox"/> Vehicle retirement: low-income motor vehicle owners. <input type="checkbox"/> <input type="checkbox"/>	Support	9/30/2013 - Chaptered by Secretary of State - Chapter 437, Statutes of 2013.
<p>Would require a motor vehicle to have been registered without substantial lapse, as determined by the Department of Consumer Affairs, in the state for at least 2 years prior to vehicle retirement and to have failed any type of smog check inspection lawfully performed in the state to qualify to receive a specified vehicle retirement payment. The bill would authorize, rather than require, the department to permit vehicle retirement for any motor vehicle that has been registered without substantial lapse in the state for at least 2 years prior to vehicle retirement and that fails any type of smog check inspection lawfully performed in the state.</p>		
SB 617 Evans (D) <input type="checkbox"/> California Environmental Quality Act. <input type="checkbox"/>	Oppose, unless amended <input type="checkbox"/>	5/31/2013 - Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 5/30/2013)
<p>Would require specified notices to be filed with both the Office of Planning and Research and the county clerk and be posted by the county clerk for public review. The bill would require the county clerk to post the notices within one business day, as defined, of receipt and stamp on the notice the date on which the notices were actually posted. By expanding the services provided by the lead agency and the county clerk, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>		

SB 621 Gaines (R) Vehicular air pollution: in-use, diesel-fueled vehicles. <input type="checkbox"/>	Oppose	5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was T. & H. on 4/2/2013)
<p>Would require the State Air Resources Board to amend a specified regulation relating to the emissions restrictions of diesel particulate matter, oxides of nitrogen, and other criteria pollutants from in-use, diesel-fueled vehicles to extend by 5 years various compliance dates applicable to those vehicles.</p>		
SB 691 Hancock(D) Nonvehicular air pollution control: penalties. <input type="checkbox"/>	Support with Amendments	9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/12/2013)
<p>Current law, commencing January 1, 2014, prohibits a person from discharging from nonvehicular sources air contaminants or other materials that cause injury, detriment, nuisance, or annoyance to the public, or that endanger the comfort, repose, health, or safety of the public, or that cause injury or damage to business or property, as specified. This bill would make a person who violates this provision liable for a civil penalty of not more than \$100,000, as specified, if the violation results from a discharge from a stationary source required by federal law to be included in an operating permit program established pursuant to Title V of the federal Clean Air Act, the discharge results in a severe disruption to the community, the discharge contains or includes one or more toxic air contaminants, as specified, and 100 or more people are exposed to the discharge. The bill would prohibit this provision from applying if the violation is caused by unforeseen and unforeseeable criminal acts, acts of war, acts of terrorism, or civil unrest.</p>		
SB 731 Steinberg (D) <input type="checkbox"/> Environment: California Environmental Quality Act. <input type="checkbox"/>	Work with Author	9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was L. GOV. on 9/11/2013)
<p>Would provide that aesthetic and parking impacts of a residential, mixed-use residential, or employment center project, as defined, on an infill site, as defined, within a transit priority area, as defined, shall not be considered significant impacts on the environment. The bill would require the Office of Planning and Research to prepare and submit to the Secretary of the Natural Resources Agency, and the secretary to certify and adopt, revisions to the guidelines for the implementation of CEQA establishing thresholds of significance for noise and transportation impacts of projects within transit priority areas. This bill contains other related provisions and other existing laws.</p>		
SB 736 Wright (D) <input type="checkbox"/> Electrical generation facility: upgrades: permit fees. <input type="checkbox"/>	Oppose	5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.Q. on 3/11/2013)
<p>Would prohibit a district from assessing a permit modification fee on the operator or owner of a electrical generation facility that participates in a specified emission offset transfer when a modification of the electrical generation facility results in increased thermal efficiency for the electrical generating units and does not increase the gross generating capacity. By imposing new duties on districts, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>		
SB 760 Wright (D) California Renewables Portfolio Standard Program. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Oppose SCAQMD removed its opposition when Author incorporated negotiated language addressing the Agency's concerns.	9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was U. & C. on 9/5/2013)
<p>As originally introduced, the bill specified that air districts are prohibited from requiring the physical destruction of electrical generating facility equipment that is or will be retired. After incorporating the language negotiated with SCAQMD, it would make this provision inapplicable if required by the new source review program of the federal Clean Air Act (CAA) or the owner or operator retires the equipment to provide emission reduction credits (ERCs), emission offsets, or an offset exemption from an air district. As eventually further amended, this bill would, in regards to the California Renewables Portfolio Standard require that the process providing criteria for the rank ordering and selecting of least-cost and best-fit eligible renewable energy resources to comply with the program obligations include procurement of specific types of eligible renewable energy resources necessary to maintain the reliability of the electrical grid to meet electrical demand on a 24-hour basis and consider the attributes of utilizing geothermal and other renewable energy resources, as specified.</p>		

SB 787 Berryhill (R) Environmental quality: the Sustainable Environmental Protection Act. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Oppose	5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.Q. on 5/1/2013)
<p>Would enact the Sustainable Environmental Protection Act and would specify the environmental review required pursuant to CEQA for projects related to specified environmental topical areas. For a judicial action or proceeding filed challenging an action taken by a lead agency on the ground of noncompliance with CEQA, the bill would prohibit a cause of action that (1) alleges noncompliance with CEQA based on any topical area or criteria for which compliance obligations are identified or (2) challenges the environmental document based on noncompliance with CEQA if: (A) the environmental document discloses compliance with applicable environmental law, (B) the project conforms with the use designation, density, or building intensity in an applicable plan, as defined, and (C) the project approval incorporates applicable mitigation requirements into the environmental document. This bill contains other related provisions and other existing laws.</p>		
SB 793 Lara (D) Air pollution: oceangoing vessels. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Oppose	5/24/2013 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/23/2013)
<p>Would deem an oceangoing vessel, as defined, that meets specified requirements to have met the limitations on hours of operation of auxiliary diesel engines while at berth for that vessel visit. The bill would require an oceangoing vessel that is equipped to receive shore power to conduct the testing and inspection necessary to validate the safety of utilizing the shore power equipment during its current and future visits to that berth upon each initial visit by that vessel to specified marine terminals. The bill would require an oceangoing vessel that exceeds specified hours of service limitations because the testing and safety inspections of the equipment on the vessel that allows the use of electricity from the terminal have not validated the safety of the equipment to be subject to these provisions under specified circumstances.</p>		
SB 804 Lara (D) <input type="checkbox"/> Solid waste: energy. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Support	9/23/2013 - Enrolled and presented to the Governor at 2 p.m.
<p>Would revise the definition of the term "biomass conversion" to include, in addition to controlled combustion used for producing heat or electricity, the conversion technology used in a biomass conversion technology facility, as defined by this bill. The bill would require a biomass conversion technology facility to meet specified requirements. The bill would require the Department of Resources Recycling and Recovery to notify an air district within 48 hours of determining there is a specified violation so the air district can investigate and begin any necessary enforcement action. This bill contains other related provisions and other existing laws.</p>		

Attachment 3

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

LEGISLATIVE REPORT FROM HOME RULE ADVISORY GROUP MEETING OF SEPTEMBER 18, 2013

HRAG members present:

Dr. Joseph Lyou, Chairman

Dr. Elaine Chang, SCAQMD

Enrique Chiock, Breathe L.A. (participated by phone)

Curtis Coleman, Southern California Air Quality Alliance

Chris Gallenstein, CARB (participated by phone)

Jayne Joy, Eastern Municipal Water District

Bill LaMarr, California Small Business Alliance

Joy Langford, Vasari Energy Capital

Rongsheng Luo, SCAG (participated by phone)

Bill Quinn, CCEEB (participated by phone)

Larry Rubio, Riverside Transit Agency (participated by phone)

Ray Saracino on behalf of Elizabeth Adams, EPA (participated by phone)

Lee Wallace, So Cal Gas and SDG&E

Mike Wang, WSPA

SCAQMD staff: Bill Wong, Philip Crabbe, Marilyn Traynor

LEGISLATIVE UPDATE

Philip Crabbe presented the following report on what was discussed at the Legislative Committee meeting that occurred on September 13, 2013:

Federal

At the Legislative Committee meeting, SCAQMD's federal consultants provided an update on three issues which are a major focus of Congress at this time: (1) Syria; (2) a Continuing Resolution to avoid a government shutdown on October 1, 2013, the beginning of the new fiscal year; and (3) the federal government reaching its debt limit on October 18, 2013. The federal consultants also reported that the Shaheen-Portman bill, which promotes energy efficiency, has been sidetracked and removed from the Senate floor calendar due to a push for proposed amendments to defund the ObamaCare Health Care Program. The federal consultants also provided updates on Emission Control Area (ECA) issues related to marine vessel emissions, the surface transportation reauthorization bill, and a rail reauthorization bill.

The Legislative Committee adopted positions on the following bills before Congress that were discussed at the Legislative Committee meeting:

Bill	Legislative Committee's Position
S. 1392 (Shaheen-Portman) Energy Savings and Industrial Competitiveness Act of 2013	Support
S. 1435/H.R. 2958 (Gillibrand/Nadler) Clean Ports Act of 2013	Support

Mr. Crabbe reported that both the Clean Ports Act bills are currently parked in committee. S. 1435 was referred to the Senate Committee on Commerce, Science, and Transportation. H.R. 2958 was referred to the House Transportation and Infrastructure Committee.

State

Mr. Crabbe reported that the state legislature adjourned a day early because of the Yom Kippur holiday. He reported that the SCAQMD’s state consultants provided an update to the Legislative Committee on the following bills:

Bill	Status
AB 8 (Perea) (Extending Carl Moyer and AB 118 Programs until 2024)	Successfully passed through the Legislature and awaiting the Governor’s signature
SB 11 (Pavley) (Extending Carl Moyer and AB 118 Programs until 2024)	Parked in committee and held
SB 804 (Lara) (Dealing with biomass conversion)	Passed the Legislature with amendments
SB 359 (Corbett) (Providing funding which would address a CVRP and HVIP budget shortfall)	Passed the Legislature
SB 4 (Pavley) (Hydraulic Fracturing/fracking)	Successfully passed through the Legislature and awaiting the Governor’s signature
SB 731 (Steinberg) (CEQA reform)	Became a two-year bill
SB 743 (Steinberg) (CEQA reform- relating to the Sacramento King’s arena). Was amended to now speed up the judicial process for handling environmental lawsuits, among other things.	Successfully passed through the Legislature and awaiting the Governor’s signature
AB 1330 (Perez)	Moved to Inactive File

Discussion

There were no questions on the report. There was no discussion.

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 26

REPORT: Mobile Source Committee

SYNOPSIS: The Mobile Source Committee met Friday, October 18, 2013
Following is a summary of that meeting.

RECOMMENDED ACTION:
Receive and file.

Dr. Clark E. Parker, Sr., Chair
Mobile Source Committee

EC:fmt

Attendance

Dr. Parker (*via videoconference*) called the meeting to order at 9:00 a.m. Dr. Joseph Lyou was present. Councilman Ben Benoit and Supervisor Shawn Nelson (*arrived at 9:42 a.m.*) were present via videoconference.

The following items were presented:

INFORMATIONAL ITEMS:

1) Update on 2015/2016 AQMP

Dr. Elaine Chang, Deputy Executive Officer/Planning, Rule Development & Area Sources, provided a status report on the development of the next Air Quality Management Plan (AQMP). Dr. Chang highlighted the key milestone dates for both the State Implementation Plan (SIP) for the 8-hour ozone standard and the AQMP for the annual PM2.5 standard. Tiered deadlines are proposed for the ozone SIP emission inventory by July 2014, reasonable further progress demonstration by July 2015, and attainment demonstration by July 2016, the same time as the annual PM2.5 AQMP is due. Dr. Chang discussed the approach in compiling the emission inventory with a 2012 base year and the updates to EMFAC scheduled to be publicly released in 2014. The off-road inventory update currently focuses on ocean-going vessels but other off-road categories may follow. Dr. Chang noted that preliminary modeling has begun with inventories for 2023

and 2032, the respective attainment years for the 1997 8-hour ozone standard (80 ppb) and 2008 8-hour ozone standard (75 ppb). In the process of preparing the 2015/2016 AQMP, Dr. Chang announced the development of public policy papers in 2014-2015 to discuss key issues such as goods movement, energy and technology. Finally, the membership of the AQMP Advisory groups is currently being renewed and enhanced.

Upon learning that “black box” measures would likely be included in the upcoming AQMP to meet the 8-hour ozone (75 ppb) attainment by 2032, Dr. Lyou suggested attempting to shrink or eliminate the “black box” with tangible control strategies. He questioned if the 2015/2016 AQMP would address demonstration of the California state air quality standards and the five percent per year emission reduction requirement. Dr. Chang noted that the California Clean Air Act (CCAA) requires state air quality standards to be attained at the “earliest practicable date.” The five percent per year reduction is only applicable to PM10 and PM2.5¹. In response to an inquiry from Dr. Lyou, Dr. Chang noted that 75 percent NOx reductions are still projected to be necessary to meet the 2032 attainment of the 8-hour ozone standard of 75 ppb. Dr. Lyou questioned the effects on the AQMP from a potential delay in ship standards established by the International Maritime Organization (IMO). Because the IMO regulations are considered in establishing the baseline emission inventory, the projected ship emissions would be affected if the standards were not implemented or delayed. Dr. Lyou asked whether the expansion of the Panama Canal was factored into the future projections and noted that it should not be overlooked. Dr. Chang stated that CARB staff did incorporate a small percent diversion rate in the forecast to account for the potential impact from the Panama Canal expansion. Dr. Lyou suggested a public policy paper to include the important sector of transportation. Dr. Chang confirmed a paper focusing on transportation in the region would be developed.

In light of the latest new annual PM2.5 standard, Dr. Parker questioned the frequency of new air quality standards. Dr. Chang explained that the federal Clean Air Act requires the review of each criteria pollutant standard every five years to ensure the standard is demonstrating acceptable air quality levels based on the latest public health studies, emission calculation methodology, etc. Dr. Chang stated that she would send the Committee a recent NAAQS review schedule that was prepared by U.S. EPA. Subsequent to this meeting, staff provided the NAAQS review schedule prepared by U.S. EPA to the committee members.

¹ This topic will be further discussed and clarified at the November 15, 2013 Committee meeting.

2) **AB 32 Scoping Plan Update**

Ms. Susan Nakamura, Director of Strategic Initiatives/Planning, Rule Development & Area Sources, presented an overview of CARB's AB32 Scoping Plan updates. CARB's report focused on approval of the progress over the past five years, what is needed to continue towards the 2020 GHG goal, and reaching goals beyond 2020. Ms. Nakamura showed the declining trend of GHG emissions in California, which in part was the result of the GHG efforts implemented over the past five years. The declining trend in California GHG emissions, implementation of the previous Scoping Plan measures, AB 32 early actions and executive orders is projected to have California meet the 2020 GHG target of 431MMTCO₂e. Additionally, Ms. Nakamura commented that the Updated Scoping Plan will be focusing on short-lived climate forcers such as black carbon and methane, which due to their high radiative forcing values have immediate climate benefits in addition to criteria and toxic pollutant reductions. Ms. Nakamura indicated that a large focus of the updated Scoping Plan was looking toward the 2050 GHG target and that CARB is recommending establishing a mid-term 2030 GHG target. The updates reported that the state is expecting to meet the 2020 target. The state is considering the development of a plan by 2016 to control Short lived Climate Pollutants (SLCP), such as black carbon and methane, for action by 2020. To move toward achieving the 2050 target, the state discussed the merit of having an interim target of 2030. The presentation outlined several of the recommendations proposed to achieve the 2050 deadline for the energy and transportation sectors. These recommendations included utilizing greater efficiency measures such as net zero energy homes along with using zero and near-zero emitting transportation technologies. Ms. Nakamura indicated that establishing a mid-term 2030 target is aligned with the 2023 and 2032 ozone attainment deadlines.

Dr. Parker asked if there was data that showed the percentage of air quality and other benefits to communities from outreach efforts. Dr. Chang mentioned that we had not seen this type of quantification conducted. Dr. Parker mentioned this should be implemented to ensure that we our getting the expected benefits from the programs.

Dr. Lyou recommended that staff include comments on the co-benefits of reducing short-lived climate forcers. Dr. Lyou also mentioned that the Updated Scoping Plan did not mention what to do with the Cap and Trade auction revenues that are being held by the State of California. The borrowed revenues should be repaid and spent as originally intended.

Mr. Lee Wallace, Southern California Gas Company, noted that the Scoping Plan updates present a long-term plan to phase out natural gas by 2050. Mr. Wallace commented that SCAQMD had just awarded a contract for the development of a

low NO_x emitting natural gas engine and noted that the development of this engine, along with other efforts involving natural gas, can reduce GHG emissions and provide a path forward. Dr. Parker noted that as we go forward we will look at all alternatives as a solution and it would not be beneficial to phase out certain industries.

3) Emission Levels of New Diesel Passenger Cars

Mr. Henry Hogo, Assistant Deputy Executive Officer/Science & Technology Advancement, provided an overview of the emission levels associated with new diesel passenger cars comparing the emissions with gasoline and alternative fuel cars. Mr. Hogo discussed the various hydrocarbon and oxides of nitrogen (NO_x) exhaust emission standards for California and compared the standards to the European exhaust standards. Since the mid-1990s the hydrocarbon emission standards have been lowered from around 0.3 gm/mile to around 0.1 gm/mile and the NO_x emission standards have been lowered by 90 percent from 0.6 gm/mile to 0.06 gm/mile in California. The current European standard for hydrocarbon for passenger cars is around 0.1 gm/mile. Prior to 2010, there were no European standards for hydrocarbons. However, there are two separate sets of European standards for NO_x. The first set of NO_x exhaust emissions standards are for diesel-powered cars, which were at around 1.1 gm/mile in the mid-1990s dropping to 0.3 gm/mile beginning in 2010. The second set of NO_x exhaust emissions standards were established for gasoline-powered cars, beginning at 0.24 gm/mile in 2000 and dropping to 0.1 gm/mile beginning in 2010. California established new emissions standards for hydrocarbon and NO_x beginning in 2015, which will reduce exhaust emissions levels further to around 0.03 gm/mile (combined hydrocarbon plus NO_x) by 2025. Mr. Hogo indicated that all passenger cars sold in California must meet applicable emissions standards.

Mr. Hogo provided an overview of the number of diesel passenger car models certified for sale in California in calendar years 2013 and 2014. Staff indicated that in 2013, there were eight European manufactured diesel cars sold in the U.S. (produced by Audi, Daimler (Mercedes), and Volkswagen). In 2014, there are 11 European diesel-powered cars (produced by Audi, BMW, Daimler, and Volkswagen) and one U.S. diesel passenger car produced by General Motors. Staff indicated that there are more diesel-powered sports utility vehicle (SUV), crossover, light- and medium-duty pickup truck models certified for sale by U.S. (13 in 2013 and 12 to-date in 2014) and European manufacturers (11 in 2013 and 10 to-date in 2014). Isuzu is the only Japanese manufacturer that has certified a diesel-powered vehicle for sale in California.

Since the mid-1990s, there were no diesel-powered passenger cars sold in California because of the tighter NO_x emissions standards. Modern diesel cars are equipped with new control technologies that enable diesel engines to meet the

current exhaust emissions standards. Staff indicated that there are two primary NO_x exhaust emissions control technologies associated with modern diesel cars, selective catalytic converters (SCR) and NO_x adsorber or NO_x storage catalyst. The SCR-based control technologies rely on the use of urea to maintain the performance of the SCR device. In addition to the NO_x control technologies, modern diesel cars are equipped with particulate filters to remove exhaust particulate matter. Gasoline-powered vehicles are typically equipped with exhaust gas recirculation (EGR) and carbon canisters to reduce hydrocarbon and NO_x emissions.

Mr. Hogo compared the hydrocarbon, NO_x, and particulate matter (PM) certified emissions levels of various diesel passenger cars with their gasoline counterparts. Staff provided side-by-side comparisons of diesel and gasoline-powered passenger cars from Audi, BMW, Daimler, Volkswagen, and General Motors. The hydrocarbon emissions varied between the diesel and gasoline models with some diesel models with lower hydrocarbon emission levels and others higher. However, NO_x emissions levels are either equal between the diesel and gasoline models or the diesel models have higher emissions compared to the gasoline models. Staff indicated that particulate matter emissions from gasoline-powered cars are typically low and are not reported. However, for the various diesel models, there are reported particulate matter emissions ranging from 0.001 to 0.002 gm/mile.

In addition to the diesel/gasoline passenger car comparisons, a comparison was made between gasoline and natural gas powered vehicles. The natural gas powered vehicles showed lowered hydrocarbon and NO_x emissions compared to their gasoline counterparts. The hydrocarbon and NO_x emissions levels are lower than the diesel models.

Mr. Hogo discussed the certified emissions levels from heavier vehicles such as SUVs, crossovers, and light- and medium-duty trucks. Certified emissions levels are typically higher from heavier vehicles compared to passenger cars. However, comparisons of hydrocarbon, NO_x, and PM emissions between diesel, gasoline, and natural gas powered vehicles are similar to the comparisons for passenger cars.

Councilman Benoit inquired about the difference in the European NO_x exhaust emissions standards for diesel and gasoline powered cars and the reasons for the difference. Mr. Hogo indicated that the control technologies to reduce NO_x emissions to levels similar to gasoline were not available until recently. As such, two standards were established in Europe. However, California has one standard for gasoline and diesel-powered cars. There were no diesel-powered vehicles sold

in California during the late-1990s to 2010 because of the tighter emission standards.

Councilman Benoit also inquired about the lower emission levels associated with the BMW diesel model compared to the other diesel models and whether BMW is using a different technology from the other manufacturers. Mr. Hogo stated that BMW is using SCR technologies whereas the other manufacturers are using the NOx adsorber technology. The SCR technologies require the use of urea as an additive to maintain the SCR performance.

Councilman Benoit asked about the “black clouds” associated with older diesel vehicles and whether “black clouds” are seen today. Mr. Hogo noted that with the use of particulate filters, the “black clouds” are no longer seen. However, if the filters are not working properly, exhaust smoke can be seen. Councilman Benoit also asked how the particulate levels from older vehicles compared to current models. Mr. Hogo stated that the emission levels are significantly greater.

WRITTEN REPORTS:

4) Rule 2202 Activity Report

There were no comments to the written report.

Motion to receive the report as submitted: Moved by Dr. Lyou; seconded by Supervisor Nelson

5) Monthly Report on Environmental Justice Initiatives – CEQA Document Commenting Update

Mr. David Pettit, Natural Resources Defense Council, commented that Valero has a project in mind to deliver crude by rail to its terminal in Wilmington, and that there is some question about whether the SCAQMD, the City of Los Angeles or some other entity would be the lead agency for CEQA purposes. Dr. Chang stated that there has been no request yet for the SCAQMD to be the lead agency. Mr. Pettit also asked whether the rail service for the Ultramar Wilmington Refinery and KinderMorgan Lomita Terminal projects, which are shown on Attachment C of the report, is for delivering product from those facilities or for delivering crude oil to the facilities. Staff stated that they would obtain more information on the projects and get back to him with a response. Subsequent to this meeting, staff provided information to the commenter that based on initial discussions with both companies, the rail service will be for transporting and unloading crude oil that is currently arriving by ship/barge.

Motion to receive the report as submitted: Moved by Dr. Lyou; seconded by Councilman Benoit

OTHER BUSINESS:

None

PUBLIC COMMENT:

None

The meeting was adjourned at 10:25 a.m.

Attachment

Attendance Roster

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
MOBILE SOURCE COMMITTEE MEETING
Attendance Roster- October 18, 2013**

NAME	AFFILIATION
Chair Clark E. Parker, Sr.	SCAQMD Governing Board (<i>via videoconference</i>)
Vice Chair Dr. Joseph Lyou	SCAQMD Governing Board
Committee Member Ben Benoit	SCAQMD Governing Board (<i>via videoconference</i>)
Committee Member Shawn Nelson	SCAQMD Governing Board (<i>via videoconference</i>)
Board Consultant Mark Abramowitz	SCAQMD Governing Board (Lyou)
Curt Coleman	Southern California Air Quality Alliance
David Pettit	Natural Resources Defense Council
Danielle Fasse	Southern California Edison
Susan Stark	Tesoro
David Rothbart	Los Angeles County Sanitation District
Patty Ochoa	Coalition for Clean Air
Lee Wallace	SoCal Gas
Elaine Chang	SCAQMD Staff
Laki Tisopulos	SCAQMD Staff
Barbara Baird	SCAQMD Staff
Bill Wong	SCAQMD Staff
John Olvera	SCAQMD Staff
Matt Miyasato	SCAQMD Staff
Henry Hogo	SCAQMD Staff
Jean Ospital	SCAQMD Staff
Susan Nakamura	SCAQMD Staff
Joe Cassmassi	SCAQMD Staff
Dean Saito	SCAQMD Staff
Carol Gomez	SCAQMD Staff
Aaron Katzenstein	SCAQMD Staff
Sam Atwood	SCAQMD Staff
Patti Whiting	SCAQMD Staff
Kim White	SCAQMD Staff
John Kampa	SCAQMD Staff

 [Back to Agenda](#)

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 27

REPORT: Stationary Source Committee

SYNOPSIS: The Stationary Source Committee met Friday, October 18, 2013. Following is a summary of that meeting. The next meeting will be November 15, at 10:30 a.m., in Conference Room CC8.

RECOMMENDED ACTION:
Receive and file.

Dennis Yates, Chair
Stationary Source Committee

MN:am

Attendance

The meeting began at 10:30 a.m. Present were Mayor Dennis Yates, Dr. Joseph Lyou, Mayor Pro Tem Judith Mitchell, Councilman Ben Benoit (VT), Supervisor Shawn Nelson (VT) and Dr. William Burke (VT, arrived at 11:00).

INFORMATIONAL ITEM

1. Rule 1420.1 Emission Standard for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recycling Facilities

Susan Nakamura, Planning and Rules Director presented the proposal for PAR 1420.1 – Emission Standards for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recycling Facilities. The proposed amendments to Rule 1420.1 include: point source emission limits for arsenic, benzene, and 1,3-butadiene; ambient arsenic monitoring requirements; requirements for installation of pressure monitors; notification requirements; and curtailment requirements. Next steps in the rulemaking process include a second Public Workshop scheduled for October 23 (Maywood Academy), Set Hearing on November 1, and Public Hearing on December 6, 2013.

Mayor Yates asked whether Exide can comply with the proposed amendments which appeared to be difficult to meet for Exide. Dr. Wallerstein responded that this facility has a health risk assessment showing elevated cancer risk and ongoing compliance issues. Dr. Wallerstein indicated that SCAQMD staff committed to draft a rule and bring a proposal for the Board's approval in a timely and efficient manner and that staff believes the proposed amendments represent what is necessary to resolve the issues at Exide. Mayor Yates asked Dr. Wallerstein if the proposed amendments would be overwhelming for Quemetco. Dr. Wallerstein indicated he would let Quemetco representatives respond directly.

Mike Buckantz, representing Quemetco, supported the concept of adding arsenic, benzene, and 1,3-butadiene emission limits to the rule, but expressed concerns regarding potential enforcement issues with the current emission limits which are expressed in values up to 5 decimal points. Mr. Buckantz requested that SCAQMD staff provide the data utilized and calculations performed to derive the proposed hourly emission limits. Mr. Buckantz also expressed support for the technology based emission limits for arsenic, benzene, and 1,3-butadiene, but questioned why the same approach was not used for the lead standard in the rule and stated that the existing lead emission standard is not representative of the best technology based performance. Mr. Buckantz indicated that as part of the adoption of Rule 1420.1 in 2010, the Board resolution contained a requirement to perform a feasibility study to address the technical, economic, and physical feasibility of achieving a total facility mass emission rate of 0.003 lb/hr from all lead point sources, and the SCAQMD staff were required to present the findings of the studies to the Board within 90 days of receipt in order to seek guidance on whether to amend Rule 1420.1 to lower the total facility lead point source emission rate. Mr. Buckantz stated that both Quemetco and Exide submitted the required studies in 2011. Mayor Yates and Mayor Pro Tem Mitchell indicated that they are interested in hearing the findings from the feasibility studies. Mr. Buckantz indicated that Quemetco currently meets the 0.003 lb/hr lead emission limit and that they support the lowest technology-based lead emission standard.

Dr. Lyou asked why the standard for lead is not technology based, similar to the proposed standards for arsenic, benzene, and 1,3-butadiene. Chief Deputy Counsel Barbara Baird indicated that the existing lead standard is based on compliance with the federal NAAQS, which is set at a level which is sufficiently low to protect public health with an adequate margin of safety, while the SCAQMD's toxics regulations do not typically consider a level of air contaminants at which no adverse health effects may occur. Dr. Lyou expressed concerns regarding data showing that there is no safe level of lead exposure and asked staff to further consider amending the existing lead emission standards.

Mr. Buckantz expressed concerns with the proposed requirements for multi-metals CEMS, stating that EPA did not require CEMS in the NESHAP and only one company currently has a commercially viable technology for in-stack or ambient lead monitoring. Mr. Buckantz proposed that the SCAQMD partner with Quemetco to perform a demonstration and cost-sharing project to evaluate the multi-metals CEMS technology. Dr. Wallerstein indicated that the proposed amended rule does require that a demonstration program be implemented for multi-metals continuous monitoring if ambient arsenic is exceeded.

Duncan McKee, community member, expressed concern that if Exide were to go out of business, Quemetco's production could increase, thereby increasing emissions and impacts to nearby residents. Mr. McKee expressed concerns regarding the existing reported lead emissions and the source testing protocols and the need that the feed composition be representative of that which is normally processed. Mr. McKee expressed concern that gaseous arsenic compounds are not being detected by existing ambient air monitoring equipment, and that additional testing should be conducted on wastewater treatment processes to evaluate VOC emissions such as 1,3-butadiene.

Board Member Mitchell asked for staff input on the issues of arsenic in gaseous form and feed composition. Mr. Mohsen Nazemi indicated that gaseous arsenic emissions are typically controlled by wet scrubbers at both facilities and that the issue at Exide was that the arsenic emissions were not being properly captured by the air pollution control equipment that feeds into the scrubber. With regard to feed composition, Mr. Nazemi indicated that at Quemetco, a regenerative thermal oxidizer (RTO) burns the organic emissions (from heating plastic components) coming off of the rotary dryer and that Exide has proposed the installation of a RTO on their dryer to help reduce organic emissions from that device.

Ms. Mitchell asked how many batteries Quemetco and Exide process per day. Mr. McKee indicated, and Mr. Buckantz agreed, that Quemetco processes up to 35,000 batteries (1.2 million pounds) per day. Dr. Wallerstein indicated that Exide processes 20,000- 25,000 batteries per day.

Dr. Lyou asked about the degree of variability in arsenic sampling for source tests. Dr. Phil Fine indicated that tests for individual stacks have high confidence in the data, which includes gaseous arsenic, but from test to test, there is some variability depending on operating conditions. Dr. Lyou also commented that staff's presentation with references to Health and Safety Code penalties was incomplete. Dr. Lyou indicated that revocation is not part of the penalties in the Health and Safety Code sections cited in the presentation. Ms. Baird concurred with Dr. Lyou and indicated the slide was from the Town Hall Meeting and that injunctive relief is also an available penalty, whether it is cited in the rule or not.

Dr. Lyou expressed concerns regarding emissions of dioxins and furans from the combustion of plastic materials. Mr. Buckantz indicated that Quemetco performs tests for dioxins/furans and the federal NESHAP requires plastic separation. Mr. Buckantz also indicated that Quemetco achieves additional controls of dioxins/furans from their WESP. Dr. Burke asked if Exide's permits were evaluated for very low levels of dioxins/furans. Dr. Wallerstein indicated that all emissions from the facility were evaluated to determine if they meet all air pollution control requirements and the Board's risk reduction requirements. Also Dr. Wallerstein indicated that Quemetco has filed permit applications to increase their throughput by about 25 percent.

2. Update on Rule 317 Status

Barbara Baird, Chief Deputy Counsel, provided background regarding Clean Air Act § 185 requiring major sources of VOC & NO_x to pay fees because the Basin did not attain the revoked 1-hour ozone standard on time. In the case of a revoked standard, EPA believes § 172(e) of the Clean Air Act allows it to approve an alternative "not less stringent" program that provides either equivalent fees or equivalent emission reductions. As a result, the Governing Board adopted, and EPA approved, Rule 317, which relies on various fees on mobile sources and other revenue sources. However, EPA's approval has been challenged in court.

At the Home Rule Advisory Group, the Small Business Alliance (SBA) noted that if the rule is set aside in a way that cannot be fixed, sources will need to pay back fees plus interest to EPA. The SBA requested the SCAQMD to provide notice to the affected facilities of this possibility. The HRAG requested staff to seek input from the Stationary Source Committee.

Staff has declined to send out such a notice because it is likely to have unintended consequences, unduly alarming affected sources over a problem that may never occur. Even if the lawsuit sets aside the rule, there may be a way to revise it to comply, and if not, the Board has already directed staff to seek an amendment to the Clean Air Act. Staff is concerned that sources may respond by deciding to leave the area or cut their production to avoid a fee obligation that may never occur.

Mr. Bill LaMarr, SBA and HRAG member, urged that staff provide notice to the affected facilities, expressing concern that facilities he has contacted are unaware of the issue, and that if the fee obligation does occur sources may be upset that they had no warning.

Mr. Curtis Coleman, HRAG member, expressed support for staff's position. If the choice is for sources to "panic now or panic later," it is preferable not to prematurely alarm sources when it is uncertain whether the problem will ever occur. Committee Members expressed support for staff's approach and noted that the SBA could provide whatever notice they deem appropriate to their members.

WRITTEN REPORTS

All written reports were acknowledged by the Committee.

PUBLIC COMMENTS

There were no public comments.

NEXT MEETING DATE

It was announced that the next Stationary Source Committee meeting will be held on November 15, 2013. The meeting was adjourned at 11:50 a.m.

Attachments

Attendance Roster

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
STATIONARY SOURCE COMMITTEE
October 18, 2013
ATTENDANCE ROSTER (Voluntary)**

NAME	AFFILIATION
Mayor Dennis Yates	AQMD Governing Board
Mayor Pro Tem Mitchell	AQMD Governing Board
Dr. Joseph Lyou	AQMD Governing Board
Councilman Ben Benoit (VT)	AQMD Governing Board
Supervisor Shawn Nelson (VT)	AQMD Governing Board
Dr. William Burke (VT)	AQMD Governing Board
Mohsen Nazemi	AQMD Staff
Elaine Chang	AQMD Staff
Laki Tisopulos	AQMD Staff
Barbara Baird	AQMD Staff
Susan Nakamura	AQMD Staff
Curtis Coleman	Southern CA Air Quality Alliance
Bill LaMarr	California Small Business Alliance
Susan Stark	Tesoro Consultant
Rita Loof	Radtech

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 28

REPORT: Technology Committee

SYNOPSIS: The Technology Committee met on October 18, 2013. Major topics included Technology Advancement items reflected in the regular Board Agenda for the November Board meeting. A summary of these topics with the Committee's comments is provided. The next Technology Committee meeting will be on November 15, 2013.

RECOMMENDED ACTION:
Receive and file.

John J. Benoit
Technology Committee Chair

MMM:pmk

Attendance: Mayor Pro Tem Judith Mitchell and Mayor Dennis Yates were in attendance at SCAQMD headquarters. Supervisor John J. Benoit and Councilman Joe Buscaino participated by videoconference. Mayor Miguel Pulido was absent due to a conflict with his schedule.

NOVEMBER BOARD AGENDA ITEMS

1. **Execute and Amend Contracts under Carl Moyer Program and SOON Provision and Execute Contracts for Technical Assistance**

On September 4, 2013, project applications were received under the SOON Provision Program Announcement. In addition, other off-road projects were evaluated under the Carl Moyer Program that could not be done earlier due to insufficient information from applicants. These actions are to execute and amend contracts under the Carl Moyer Program and the SOON Provision in an amount not to exceed \$4,966,043 from the Carl Moyer Program Fund. Finally, this action is to execute contracts for technical assistance in the implementation of the Carl Moyer, the Voucher Incentive, and the Proposition 1B-Goods Movement Programs in an amount not to exceed \$330,000 from the administrative portions of the Carl Moyer and the Proposition 1B-Goods Movement Program funds.

Councilman Buscaino asked who decides on the type of technologies that were to be purchased for the recommended awards. Staff responded that under the incentive programs all the technologies were off the shelf and commercially available, and it was up to the award recipients to choose the manufacturer and the vendor as long as the engine/equipment met the required certification levels.

Supervisor Benoit asked about the source of funds for the recommended contractor assistance awards. Staff responded that they were from the administrative portion of the Carl Moyer and the Proposition 1B Programs, and that all the contractor assistance expenditures and the SCAQMD's staffing costs were kept within the 5 percent administrative cap limit of the programs.

Moved by Yates; seconded by Mitchell; unanimously approved.

2. Issue RFP for Upgrading Existing Hydrogen Fueling Infrastructure and Execute Contract to Conduct Site-Evaluations for Hydrogen Station Certification 

The SCAQMD was awarded \$6,690,828 by the CEC to provide funding for upgrading existing hydrogen fueling stations. This action is to issue an RFP for competitive bidding for those upgrades. In addition, the California Department of Food and Agriculture, Division of Measurement Standards (DMS), is preparing to conduct site evaluations at existing hydrogen fueling stations to site-certify these stations, enabling the commercial sale of hydrogen. The California Fuel Cell Partnership, CARB and CEC are contributing \$350,000 toward this project. This action is also to execute a contract with DMS to conduct site evaluations and site-certify hydrogen fueling stations in an amount not to exceed \$100,000 from the Clean Fuels Fund (31) and \$100,000 from the Hydrogen Fueling Infrastructure Network Fund (63).

Mayor Pro Tem Mitchell asked if the intent was to provide data collected from the project to the national standards committees to relax the current standard for a short period of time. Staff confirmed the collected data would be used to influence a relaxation of the current meter accuracy requirements for the near term until such time more accurate meters can be developed.

Moved by Yates; seconded by Buscaino; unanimously approved.

3. Execute Contract to Develop Hydrogen Storage Capability for Gas Blending Facility 

Hydrogen fuel cell vehicles have zero emissions, and hydrogen blended with other fuels, such as natural gas, has shown the potential to reduce emissions in mobile and stationary combustion sources. Hydrogen and natural gas blends may provide a near-term opportunity to displace petroleum-based fuels while reducing emissions. Testing of distributed generation devices, including micro-turbines and fuel cells, on different blends of hydrogen is a focus of the U.S. Department of Energy and California Energy Commission. This action is to execute a contract with the Advanced Power and Energy Program at the University of California, Irvine, to develop hydrogen storage capability for their gas blending facility at a cost not to exceed \$200,000 from the Clean Fuels Fund (31).

Moved by Mitchell; seconded by Yates; unanimously approved.

4. Execute Contract to Upgrade Natural Gas Fueling Station 

At the September 10, 2010 meeting, the Board took action to recognize upon receipt \$2.9 million from the CEC AB 118 Alternative and Renewable Fuel and Vehicle Technology Program into the Clean Fuels Fund (31) for the construction of natural gas fueling stations. The projects were selected by CEC through a competitive solicitation process. This action is to execute a contract with the City of West Covina to upgrade one CNG station in an amount not to exceed \$200,000 from the Clean Fuels Fund (31).

Moved by Mitchell; seconded by Buscaino; unanimously approved.

5. Other Business

There was no other business.

6. Public Comment Period

There was no public comment.

Next Meeting: November 15, 2013 at SCAQMD Headquarters in CC-8

Attachments

Attendance

Attachment A – Attendance

Supervisor John J. Benoit.....	SCAQMD Governing Board (via VT)
Councilman Joe Buscaino	SCAQMD Governing Board (via VT)
Mayor Pro Tem Judith Mitchell	SCAQMD Governing Board
Mayor Dennis Yates	SCAQMD Governing Board
Mark Abramowitz	Board Assistant (Lyou)
Buford Crites	Board Assistant (Benoit)
Bob Ulloa	Board Assistant (Yates)
Frank Cardenas	Board Consultant (Cacciotti)
Ruby Fernandez, Senior Deputy District Counsel	SCAQMD
Matt Miyasato, STA	SCAQMD
Henry Hogo, STA.....	SCAQMD
Fred Minassian, STA.....	SCAQMD
Randall Pasek, STA.....	SCAQMD
Dean Saito, STA.....	SCAQMD
Lisa Mirisola, STA.....	SCAQMD
Dipankar Sarkar, STA	SCAQMD
Larry Watkins, STA	SCAQMD
Todd Warden, L&PA	SCAQMD
Paul Wright, IM.....	SCAQMD
Donna Vernon, STA.....	SCAQMD
Pat Krayser, STA.....	SCAQMD
Danielle Robinson	ARB
Bill Pearce	Boeing
Miriam Aguillares	GNA
Danielle Fasse.....	SCE
Candice Gantt	SCE
Susan Stark	TSO Consultant

 [Back to Agenda](#)

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 29

REPORT: Mobile Source Air Pollution Reduction Review Committee

SYNOPSIS: Below is a summary of key issues addressed at the MSRC's meeting on October 17, 2013. The MSRC's next meeting is scheduled for Thursday, November 21, 2013, at 2:00 p.m. in Conference Room CC8.

RECOMMENDED ACTION:

Receive and file.

Michael D. Antonovich
SCAQMD Representative on MSRC

MM:HH:DAH

Meeting Minutes Approved

The MSRC unanimously approved the minutes from its September 19, 2013 meeting. Those approved minutes are attached for your information (*Attachment 1*).

Awards to Implement Event Center Transportation Programs

As part of their FYs 2012-14 Work Program, the MSRC allocated \$4 million towards the implementation of programs to provide transportation service for venues not currently served by sufficient transportation service. Five awards totaling \$2,550,518 have previously been approved under this program, which has an open application period from March 1, 2013 through September 30, 2014. At its October 17, 2013 meeting, the MSRC considered and unanimously approved two new awards under this program, both to the Orange County Transportation Authority (OCTA). The first award in the amount of \$601,187 would be to implement an express bus service for the 2014 Orange County Fair. The service would provide transportation to and from eight strategic pickup sites (train stations, depots and/or park-n-rides) to the entrance gates of the fair and would include a reduced entrance fee for users. OCTA would provide match funding of

\$605,300 and would expand service on Fridays and Saturdays as compared to the previous year. The second award in the amount of \$208,520 would be to implement a special Metrolink service for 48 home games for the 2014 Angels season. The service would provide two dedicated trains, one operating along Metrolink's Orange County Line corridor from Oceanside in the south and the other operating from Los Angeles Union Station in the north to the terminus at Anaheim station, to take riders to Angels Stadium. Regular Metrolink service trips from the south will not be reimbursed. Additionally, limited service for 13 Friday games would also be provided on Metrolink's Inland Empire-Orange County line from downtown Riverside to Orange with a transfer to Anaheim. For this service OCTA would provide match funding of \$215,000. The SCAQMD Board will consider both awards to OCTA at its November 1, 2013 meeting.

Approval of Two New/Replacement Local Government Match Contracts

Under prior Local Government Match Programs, FYs 2005-06 and 2008-09 respectively, the City of Santa Monica was awarded a \$149,925 contract to purchase three heavy-duty CNG vehicles and install a time-fill CNG station and the County of Los Angeles Department of Public Works was awarded a \$400,000 contract to modify their existing vehicle repair facility in Downey to accommodate the maintenance of gaseous-fueled vehicles. Unfortunately, both contracts expired before the work and invoicing could be completed. At its October 17, 2013 meeting, the MSRC considered and unanimously approved new/replacement contracts for each contractor. The new/replacement contract for the City of Santa Monica would be for the full amount originally awarded with a contract term extending until November 2016, which is five years from the in-service date of all vehicles and the station. The County contract would also be for the full amount originally awarded but for a term of 12 months. The SCAQMD Board will consider these two new/replacement contracts at its November 1, 2013 meeting.

Vendors Approved for Participation in Alternative Fuel School Bus Incentive Program

As part of its two-year FYs 2012-14 Work Program, the MSRC allocated \$2 million for an Alternative Fuel School Bus Incentive Program. Qualified vendors would administer the incentive program, which provides \$31,000 for each full-size Type D CNG school bus and \$9,000 for each conventional body Type C propane school bus. The smaller Type C buses are frequently used for special needs students. In September, the MSRC released a Request for Qualifications (RFQ) to test the market and solicit applications from vendors. Two school bus vendors, A-Z Bus Sales and BusWest, submitted qualification applications. A-Z Bus Sales offers Thomas Built buses; and BusWest offers Bluebird buses. Both vendors have previously participated satisfactorily in the MSRC's program. At its October 17, 2013 meeting, the MSRC unanimously approved the qualification packages from the two bus vendors including the bus configurations for Type D CNG and Type C propane buses in their product offerings. No money will be awarded until the vendors receive a purchase order(s) from a school district or private pupil transportation

provider, at which time the MSRC will consider requests for contract award. Any contract awards will be subject to SCAQMD Board approval. The RFQ is open until November 8, 2013, so additional vendor applications may be received.

Contract Modification Requests

The MSRC considered two contract modification requests and took the following unanimous actions:

1. For Regents of the University of California Contract #MS08068, which provides \$400,000 for installation of a hydrogen fueling station, approval of a two-year term extension and alternative remedies should the contractor fail to operate the station after three years or fulfill throughput requirements; and
2. For City of La Puente Contract #ML12022, which provides \$110,000 for two medium-duty and three heavy-duty CNG vehicles, approval to change the fuel type of the three heavy-duty vehicles from natural gas to LPG.

The SCAQMD Board will consider the contract modification for the City of La Puente at its November 1, 2013 meeting. The Regents of the University of California contract modification does not require SCAQMD Board approval.

Contracts Administrator's Report

The MSRC's AB 2766 Contracts Administrator provides a written status report on all open contracts from FY 2004-05 through the present. The Contracts Administrator's Report for October 2013 is attached (*Attachment 2*) for your information.

Attachments

Attachment 1 – Approved September 19, 2013 Meeting Minutes
Attachment 2 – October 2013 Contracts Administrator's Report



**MOBILE SOURCE AIR POLLUTION REDUCTION REVIEW COMMITTEE
THURSDAY, SEPTEMBER 19, 2013 MEETING MINUTES
21865 Copley Drive, Diamond, Bar, CA 91765- Conference Room CC-8**

MEMBERS PRESENT:

(Chair) Greg Pettis, rep. RCTC (v/c)
(Vice Chair) Steve Veres, rep. LA County MTA (via v/c)
Michael Antonovich, representing SCAQMD (via v/c)
April McKay (Alt.), representing LA County MTA (via v/c)
Adam Rush (Alt.), representing RCTC
Tim Shaw (Alt.), representing OCTA
Greg Winterbottom, representing OCTA
Earl Withycombe, representing CARB (via v/c)

MSRC MEMBERS ABSENT:

Larry McCallon, representing SANBAG
Ron Roberts, representing SCAG

MSRC-TAC MEMBERS PRESENT:

(MSRC-TAC Chair) Gretchen Hardison, representing City of Los Angeles (v/c)
(MSRC-TAC Vice Chair) Tanya Love, representing RCTC
Rongsheng Luo (Alt.), representing SCAG
Kelly Lynn, San Bernardino Associated Governments

OTHERS PRESENT:

Earl Elrod, SCAQMD Board Assistant (Yates)
Matthew Kotanjian, AAA Rubbish, Inc.
Ric Teano, OCTA

SCAQMD Staff

Ray Gorski, MSRC Technical Advisor
John Kampa, Financial Analyst
Matt MacKenzie, MSRC Contracts Assistant
Ana Ponce (Alt.), MSRC Administrative Liaison
Cynthia Ravenstein, MSRC Contracts Administrator
Veera Tyagi, Senior Deputy District Counsel
Rachel Valenzuela, MSRC Contracts Assistant
Paul Wright, Audio-Visual Specialist

CALL TO ORDER

- Opening Comments

Because MSRC Chair Greg Pettis was participating in the meeting from an offsite location via videoconference, and while awaiting the arrival of MSRC Vice Chair Steven Veres, MSRC Member Greg Winterbottom chaired the meeting, which was called to order at 2:06 p.m.

PUBLIC COMMENT PERIOD

PUBLIC COMMENT: Matthew Kotanjian of AAA Rubbish, Inc., addressed the Committee. He indicated that he represents AAA Rubbish, a small family waste-hauling company located in the city of Bell Gardens. He is seeking some funding for fueling infrastructure at their facility. He received some price quotes from several vendors, and with the compressors and the gas line, it's going to cost anywhere from \$83,000 to \$85,000. He indicated that with funding assistance for infrastructure for the facility it will help them purchase more natural gas vehicles. They have a fleet of 12 trucks; they run 9 trucks per day; and they phased in their first natural gas vehicle in July of 2012. He would appreciate it if someone could contact him to let him know what he needs to do to move forward and apply for funding.

Ray Gorski, MSRC Technical Advisor, indicated that MSRC staff will be happy to work with the applicant to help him get that ready for submittal.

MSRC Member Greg Winterbottom asked if Mr. Gorski could provide a time frame of when it is going to occur. Mr. Gorski indicated, given that the application will be received on or about October 8, it is realistic that November would be the month in which the MSRC-TAC and MSRC would take action. The next step is the SCAQMD Governing Board in December. If the Governing Board approves the award, contract negotiations will begin.

PUBLIC COMMENT: Mr. Kotanjian thanked the MSRC for their consideration.

[MSRC Vice Chair Steve Veres arrived at the videoconference site in Los Angeles at 2:11 p.m. A quorum was already present. MSRC Member Greg Winterbottom continued to chair the meeting.]

CONSENT CALENDAR (Items 1 through 7)**Receive and Approve Items****Agenda Item #1 – Minutes of the August 15, 2013 MSRC Meeting**

The minutes of the August 15, 2013 MSRC meeting were distributed at the meeting. Copies were made available to the public.

ON MOTION BY MSRC CHAIR GREG PETTIS, AND SECONDED BY MSRC MEMBER GREG WINTERBOTTOM, UNDER APPROVAL OF CONSENT CALENDAR ITEMS 1 THROUGH 7, THE MSRC UNANIMOUSLY APPROVED THE AUGUST 15, 2013 MEETING MINUTES.

ACTION: Staff will place the minutes on the MSRC's website.

Agenda Item #2 – Summary of Final Reports by MSRC Contractors

The agenda package included five final report summaries for: 1) VSP Parking, Contract #MS12036, which provided \$50,000 for the purchase of 2 medium-heavy-duty on-road vehicles; 2) Silverado Stages, Inc., Contract #MS12025, which provided \$150,000 for the purchase of 6 medium-heavy-duty on-road vehicles; 3) Waste Management Collection & Recycling, Inc., Contract #MS12006, which provided \$75,000 for maintenance facility modifications in Baldwin Park; 4) USA Waste of California, Inc., Contract #MS12005, which provided \$75,000 for maintenance facility modifications, in Long Beach; and 5) Southern California Regional Rail Authority, Contract #MS12068, which provided \$57,363 to implement special Metrolink service to Auto Club Speedway.

ON MOTION BY MSRC CHAIR GREG PETTIS, AND SECONDED BY MSRC MEMBER GREG WINTERBOTTOM, UNDER APPROVAL OF CONSENT CALENDAR ITEMS 1 THROUGH 7, THE MSRC UNANIMOUSLY APPROVED THE FINAL REPORTS ABOVE.

ACTION: MSRC staff will file the final reports and release any retention on the contracts.

Receive and File Items

Agenda Item #3 – MSRC Contracts Administrator's Report

The MSRC AB 2766 Contracts Administrator's Report for September 2013 was included in the agenda package.

ON MOTION BY MSRC CHAIR GREG PETTIS, AND SECONDED BY MSRC MEMBER GREG WINTERBOTTOM, UNDER APPROVAL OF CONSENT CALENDAR ITEMS 1 THROUGH 7, THE MSRC UNANIMOUSLY APPROVED THE CONTRACTS ADMINISTRATOR'S REPORT FOR SEPTEMBER 2013.

ACTION: SCAQMD staff will include the MSRC Contracts Administrator's Report in the MSRC Committee Report for the October 4, 2013 SCAQMD Board meeting.

Agenda Item #4 – Financial Report on AB 2766 Discretionary Fund

A financial report on the AB 2766 Discretionary Fund for the month of August, 2013, and the results of the 10th Biennial AB2766 Audit Covering FYs 2009-10 and 2010-11, were included in the agenda package.

ON MOTION BY MSRC CHAIR GREG PETTIS, AND SECONDED BY MSRC MEMBER GREG WINTERBOTTOM, UNDER APPROVAL OF CONSENT CALENDAR ITEMS 1 THROUGH 7, THE MSRC UNANIMOUSLY APPROVED THE AUGUST 2013 FINANCIAL REPORT AND THE RESULTS OF THE 10TH BIENNIAL A2766 AUDIT COVERING FYS 2009-10 and 2010-11.

No further action is required.

For Approval – As Recommended**Agenda Item #5 – Consider Substitution of Two Additional Slow-Fill Posts for One Fast-Fill Dispensing Unit by Los Angeles Unified School District (LAUSD), Contract MS11073 (pending) (Expand CNG Fueling Station)**

LAUSD has determined that they cannot install a fast-fill unit as originally proposed due to bus maneuverability issues. They request to substitute the installation of two additional slow-fill posts for the fast-fill unit, with no change in contract value. The MSRC-TAC unanimously recommended approval.

ON MOTION BY MSRC CHAIR GREG PETTIS, AND SECONDED BY MSRC MEMBER GREG WINTERBOTTOM, UNDER APPROVAL OF CONSENT CALENDAR ITEMS 1 THROUGH 7, THE MSRC UNANIMOUSLY APPROVED FOR LAUSD TO SUBSTITUTE THE INSTALLATION OF TWO ADDITIONAL SLOW-FILL POSTS FOR THE FAST-FILL UNIT, WITH NO CHANGE IN CONTRACT VALUE, AS PART OF THE FY 2010-11 ALTERNATIVE FUEL INFRASTRUCTURE PROGRAM.

ACTION: MSRC staff will amend the above contract accordingly.

Agenda Item #6 – Consider Modified Implementation Schedule by Valley Music Travel, Contract #MS12070 (pending) (Coachella Festival Long-Distance Shuttle)

Valley Music Travel indicates that once they received the proposed contract, there was not sufficient time to review and implement the project for the 2013 Festival. They request to modify the time frame for the Long-Distance Shuttle to provide service for the 2014 Coachella Festival. The MSRC-TAC unanimously recommended approval.

ON MOTION BY MSRC CHAIR GREG PETTIS, AND SECONDED BY MSRC MEMBER GREG WINTERBOTTOM, UNDER APPROVAL OF CONSENT CALENDAR ITEMS 1 THROUGH 7, THE MSRC UNANIMOUSLY APPROVED FOR VALLEY MUSIC TRAVEL TO MODIFY TIME FRAME FOR LONG-DISTANCE SHUTTLE TO PROVIDE SERVICE FOR 2014 FESTIVAL, AS PART OF FY 2011-12 MAJOR EVENT CENTER TRANSPORTATION PROGRAM.

ACTION: MSRC staff will amend the above contract accordingly.

Agenda Item #7 – Consider Two-Year Term Extension by City of Long Beach, Contract #ML09036 (Purchase 35 Heavy-Duty Natural Gas Vehicles)

The City indicates that financial conditions and changes in chassis design have caused delays in truck procurement. The City requests a two-year contract term extension. The MSRC-TAC unanimously recommended approval.

ON MOTION BY MSRC CHAIR GREG PETTIS, AND SECONDED BY MSRC MEMBER GREG WINTERBOTTOM, UNDER APPROVAL OF CONSENT CALENDAR ITEMS 1 THROUGH 7, THE MSRC UNANIMOUSLY APPROVED A TWO-YEAR NO COST TERM EXTENSION TO CITY OF LONG BEACH AS PART OF THE FY 2008-09 LOCAL GOVERNMENT MATCH PROGRAM.

ACTION: MSRC staff will amend the above contract accordingly.

ACTION CALENDAR (Items 8 through 10)
FYs 2012-14 WORK PROGRAM

Agenda Item #8 – Consider Increased Number of Games Served and Five Percent Value Increase by Los Angeles County Metropolitan Transportation Authority (Metro), Contract #MS14001 (pending) (Clean Fuel Transit Service to Dodger Stadium)

Cynthia Ravenstein, MSRC Contracts Administrator, reported that this request is for a modification to a previous award that the MSRC made as part of the FY 2012-2014 Major Event Center Transportation Program. The MSRC awarded \$1.169 million to Los Angeles Metro for implementation of Dodger Stadium Express Service to cover the 2013 and 2014 baseball seasons. The contract is currently under negotiation. At this point, it is likely that the Dodgers will make the playoffs. If this happens, Metro and the Dodgers organization would like to continue offering this service in the post season. The original award only covered pre-season and regular-season games. Metro is requesting to increase the number of games that would be served, for up to 10 games. They are also asking for an additional funding increment of \$58,450. This coincides with five percent of the original award.

There are some other things that need to be considered with respect to this request. The Major Event Center Program had a “per-venue” cap established of \$1.2 million. Dodger Stadium has already been awarded almost \$1.17 million. If the MSRC wishes to approve the request by Metro, the provisions under which this can be done need to be explored. The solicitation allowed that the MSRC could set aside that cap if additional funds were allocated to the program. A lot of money still hasn’t been awarded, but because this process is still open, other entities haven’t had a chance to submit. It is too early to say that there aren’t enough proposals from other people, but additional funds could be allocated to the program and then the \$1.2 million cap could be waived. If the MSRC increased the program funding allocation by \$27,450, that amount, plus \$1.2 million, would come up to the amount requested, which is \$58,450. Then the MSRC could remove the “per-venue” maximum funding cap for Dodger Stadium and grant Metro the five percent award value increase, and approve the expanded service. Metro is saying that they are going to start the service earlier than the regular service has been for the season because they are expecting such a huge demand and sell-out crowds. This would be for bus service only. There were a few games during the regular season where there was a Metrolink service. That is not being proposed.

SCAQMD Governing Board approval would be required because the MSRC would be increasing the work program allocation, and this is different than how the project was originally described to the Board. Because of the time urgency, this request was not reviewed by the MSRC-TAC or the Scope Change Subcommittee, so there isn’t a recommendation coming forward to MSRC for consideration.

MSRC Member Earl Withycombe asked that, if the Dodgers play only 5 of the 10 games the \$58,450 will cover, can the MSRC proportion that payment to that ratio.

Ms. Ravenstein replied that if Metro is amenable (it will have to be negotiated), it could be apportioned at X amount per game.

MSRC Member Steve Veres commented that service is up; an increase of 20 percent in ridership from last year. It is a good thing all the way around.

ON MOTION BY MSRC MEMBER STEVE VERES AND SECONDED BY MSRC MEMBER MICHAEL ANTONOVICH, THE MSRC UNANIMOUSLY APPROVED THE REMOVAL OF THE “PER-VENUE” MAXIMUM FUNDING CAP FOR DODGER STADIUM; EXPANSION OF DURATION OF SERVICE FOR DODGER STADIUM EXPRESS SERVICE TO COVER UP TO 10 ADDITIONAL GAMES FOR THE 2013 NATIONAL LEAGUE PLAYOFFS AND MAJOR LEAGUE BASEBALL WORLD SERIES; AS WELL AS A \$58,450 (5%) INCREASE IN THE FUNDING AWARD, AS PART OF THE 2012-2014 MAJOR EVENT CENTER PROGRAM.

ACTION: Staff will include this award to be considered by the SCAQMD Board at its October 4, 2013 meeting.

Agenda Item #9 – Approve MSRC-TAC Evaluation Panel’s Recommendation for Technical Advisor Services for the MSRC

MSRC-TAC Chair Gretchen Hardison reported that a Request for Proposals was released with applications due July 9, 2013, for the solicitation of Technical Advisor Services for the MSRC. Three proposals were received, , the MSRC-TAC brought together an evaluation panel, and those proposals were reviewed. The final scores are on superpage 60 of the agenda package. There was quite a disparity between the scores after the evaluation. Because of that, and with the concurrence of counsel, the Evaluation Panel decided not to offer in-person interviews. Mr. Gorski’s proposal was very well done, answered all the questions, and has the depth of experience that they continue to look for to assist the MSRC and TAC in their work. Speaking as the MSRC-TAC Chair, Ms. Hardison said that it is hard to overestimate the importance of a Technical Advisor, (not to mention all the other staff members), who is really on-the-ball; understands what is going on and not only is able to do the technical calculations; but also is able to explain what is going on to all of us who do not do this every day, full time. It is with great pleasure that she extends to the MSRC the MSRC-TAC’s recommendation to offer a new contract to Mr. Raymond J. Gorski.

ON MOTION BY MSRC ALTERNATE APRIL MCKAY, AND
SECONDED BY MSRC MEMBER EARL WITHYCOMBE, THE
MSRC UNANIMOUSLY APPROVED AN INITIAL AWARD TO
RAYMOND J. GORSKI, IN AN AMOUNT NOT TO EXCEED \$294,700
FOR THE PERIOD OF OCTOBER 1, 2013 THROUGH
SEPTEMBER 30, 2015, WITH AN OPTION CLAUSE (WHICH
INCLUDES 1.7% COLA) FOR A TWO-YEAR TERM EXTENSION.

ACTION: Staff will include this item for consideration by the SCAQMD Board at its October 4, 2013 meeting.

Agenda Item #10 – Consider Program Announcement for Signal Synchronization Program

Ray Gorski, MSRC Technical Advisor, presented this item on behalf of the TCM Subcommittee. In the development of the FY 2012-2014 Work Program, one of the elements was to have a broad-based traffic signal coordination program. At that time, the TAC and its TCM Subcommittee were charged to come up with the best method to implement a broad-based traffic signal synchronization program throughout the four county region. The TAC and staff went through many long discussions as to the best method to invest this money to achieve the greatest benefit in traffic smoothing. The Subcommittee looked at several different methodologies, whether competitive or first-come, first-served; who was eligible to apply, and put together a matrix of options. In most of the cases there was some fundamental flaw that would potentially exclude entities from participating, or would overwhelm the Committee with applications such that trying to sort through them would be nonproductive. In the final analysis, they stepped back and realized who really does signal synchronization throughout the four-

county region. It is the cities and jurisdictions, but most often they work through a coordinated program which is sponsored by the County Transportation Commissions (CTCs).

The CTCs oversee the full scope of signal coordination within their jurisdiction. They oftentimes are offering Call for Projects moneys which are used to substantially fund these projects; whether that money is derived from one-half cent sales tax or from Congestion Mitigation/Air Quality federal money. The CTCs really are at the forefront of coordination of those traffic signals within their regions. Because of that, the Subcommittee felt that the CTCs would be an essential element of any program that the MSRC embarked upon. The recommendation from the TAC today, after quite a bit of discussion, is a recommendation in which the MSRC moneys would flow through the CTCs to help fund high-priority traffic signal coordination projects within their jurisdictions. The first reason to utilize the CTCs is because they are bringing a substantial amount of co-funding through their own programs to this program. Secondly, the CTCs have the best finger on the pulse of what is needed within the region; what the priorities are; who is doing what; and what the timing is. That type of information is essential to efficient use of the money. Five million dollars in a normal work program would equate to a substantial amount, approximately 1/3 of the MSRCs overall work program. In terms of regional signal coordination, \$5 million dollars is not that much. It has to be leveraged with other colors of money. Because the MSRC funding is relatively small, relative to the other colors of money, the recommendation is that the \$5 million dollar pot be split equally amongst the four CTCs. Each county would receive \$1.25 million dollars to implement high-priority traffic programs, leveraging it with other moneys, and trying to get the biggest return on the MSRC's investment. Although the document, which starts on superpage 65, looks like an MSRC solicitation, it is really stipulating the ground rules which would enable the CTCs to respond to the MSRC and, upon receipt of a successful response, the MSRC would be in a position, should they choose, to award them funding through a sole-source contract mechanism. The document is set up to solicit the CTCs to provide the MSRC with a work plan which includes three essential elements: what they intend to do; how much they will invest in the projects; and what the timing is for that investment. If that work plan is deemed satisfactory to the MSRC, the recommendation will be to make a sole-source contract award to the CTC.

MSRC Vice Chair Steve Veres asked how the MSRC will make sure the money gets to priority areas. Mr. Gorski responded that this is where the CTCs' expertise will be relied upon. The general staff and a general TAC really don't have the insight as to where those problem areas reside within any county. The CTCs, however, working with their member jurisdictions, probably have the best ideas of what the priority corridors are; they will have to be relied upon for guidance and expertise to determine where those priority corridors reside. The CTCs are being asked to work with the MSRC to most wisely invest this money.

MSRC Member Michael Antonovich added that the County, working with the 66 cities, has had a synchronization program which he helped initiate a few years ago. They work together with the municipalities and the unincorporated areas and they have a priority list.

The City of Los Angeles has its own synchronization program. They have just appointed a new Director of Transportation who has stepped up to the plate and they are moving forward. He is working on a separate system, but it's a system to move synchronization in the City of Los Angeles. The Public Works Directors do work to find the priorities and then implement them. There is a long list that can be provided, if needed.

ON MOTION BY MSRC VICE-CHAIR STEVE VERES, AND SECONDED BY MSRC MEMBER GREG WINTERBOTTOM, THE MSRC UNANIMOUSLY APPROVED THE RELEASE OF A TRAFFIC SIGNAL COORDINATION CTC PARTNERSHIP PROGRAM DOCUMENT ASKING THE FOUR CTCs TO PROVIDE A WORK PLAN, PROPOSED BUDGET, AND IMPLEMENTATION SCHEDULE, FOR WHICH \$5 MILLION WILL BE DIVIDED EQUALLY AMONGST THE FOUR CTCs; EACH COUNTY RECEIVING \$1.25 MILLION. IF THE MSRC DEEMS THE WORK PLANS SATISFACTORY, THEY WILL AWARD SOLE-SOURCE CONTRACTS TO THE CTCs TO IMPLEMENT HIGH-PRIORITY TRAFFIC PROGRAMS, AS PART OF THE 2012-2014 TRANSPORTATION CONTROL MEASURES SIGNAL SYNCHRONIZATION PROGRAM.

ACTION: Staff will distribute the Partnership Program document to the CTCs.

OTHER BUSINESS

Agenda Item #11 – Other Business

No other business was introduced.

ADJOURNMENT

THERE BEING NO FURTHER BUSINESS, THE MSRC MEETING
ADJOURNED AT 2:32 PM.

NEXT MEETING:

Thursday, October 17, 2013, 2:00 p.m., Conference Room CC-8

[Prepared by Ana Ponce]



MSRC Agenda Item No. 2

DATE: October 17, 2013

FROM: Cynthia Ravenstein

SUBJECT: AB 2766 Contracts Administrator's Report

SYNOPSIS: This report covers key issues addressed by MSRC staff, status of open contracts, and administrative scope changes from August 29 through September 25, 2013.

RECOMMENDATION: Receive and file report

WORK PROGRAM IMPACT: None

Contract Execution Status

2012-14 Work Program

On April 5, 2013, the SCAQMD Governing Board approved three awards under the Event Center Transportation Program. These contracts are undergoing internal review, with the SCAQMD Board Chair for signature, or executed.

On July 5, 2013, the SCAQMD Governing Board approved an additional award to Orange County Transportation Authority under the Event Center Transportation Program. This contract is with the SCAQMD Board Chair for signature.

On September 6, 2013, the SCAQMD Governing Board approved an award to Transit Systems Unlimited under the Event Center Transportation Program. This contract is under development.

2011-12 Work Program

On April 6, 2012, the SCAQMD Governing Board approved an award to the Los Angeles County Metropolitan Transportation Authority under the Event Center Transportation Program and an award to Mansfield Gas Equipment Systems under the Home Refueling Apparatus Purchase Incentive Program. The Event Center contract is executed. The award to Mansfield has been combined with SCAQMD funding and included in SCAQMD's contract, which is now executed.

On May 4, 2012, the SCAQMD Governing Board approved two awards to Orange County Transportation Authority under the Event Center Transportation Program. Both contracts are executed.

On June 1, 2012, the SCAQMD Governing Board approved nine awards under the Alternative Fuel Infrastructure Program and eleven awards under the Local Government Match Program.

These contracts are with the prospective contractor for signature, awaiting approval of modifications, or executed.

On July 13, 2012, the SCAQMD Governing Board approved an award under the Alternative Fuel Infrastructure Program and twelve awards under the Medium-Duty and Medium-Heavy-Duty Vehicles Program. These contracts are executed.

On September 7, 2012, the SCAQMD Governing Board approved 23 awards under the Local Government Match Program; one award under the Alternative Fuel Engines for On-Road Heavy-Duty Vehicles Program; one award under the Alternative Fuel Infrastructure Program; two awards under the Bikeshare Program; and one award to develop and implement a "Rideshare Thursday" public awareness campaign. These contracts are with the prospective contractor for signature, with the SCAQMD Board Chair for signature, or executed.

On October 5, 2012, the SCAQMD Governing Board approved one award under the Alternative Fuel Infrastructure Program and two awards under the Event Center Transportation Program. These contracts are with the SCAQMD Board Chair for signature or executed.

On November 2, 2012, the SCAQMD Governing Board approved one award under the Local Government Match Program. This contract is under development.

On December 7, 2012, the SCAQMD Governing Board approved one award under the "Showcase III" Off-Road Emission Reduction Technology Program; three awards under the Event Center Transportation Program; 15 awards under the Alternative Fuel Infrastructure Program and one award under the Medium-Duty and Medium-Heavy-Duty Vehicles Program. These contracts are with the prospective contractor for signature, awaiting approval of modifications, or executed.

On February 1, 2013, the SCAQMD Governing Board approved three awards for the implementation of rideshare incentive programs to be implemented in conjunction with the Rideshare Thursday public awareness campaign. These contracts are with the prospective contractor for signature or executed.

2010-11 Work Program

On March 4, 2011, the SCAQMD Governing Board approved an award to the Los Angeles County Metropolitan Transportation Authority under the Event Center Transportation Program. This contract is executed.

On April 1, 2011, the SCAQMD Governing Board approved an award to the Orange County Transportation Authority for Orange County Fair service under the Event Center Transportation Program. This contract is executed.

On May 6, 2011, the SCAQMD Governing Board approved an award to the Orange County Transportation Authority for Angels game service under the Event Center Transportation Program, as well as two awards under the Alternative Fuel School Bus Incentive Program. These contracts are executed.

On June 3, 2011, the SCAQMD Governing Board approved 10 awards under the Alternative Fuel Infrastructure Program, as well as an award to Coachella Valley Association of Governments under the Local Government Match Program, as part of the MSRC's FY 2010-11 Work Program.

These contracts are with the prospective contractor for signature, awaiting approval of modifications, or executed.

On September 9, 2011, the SCAQMD Governing Board approved: an award under the Alternative Fuel Infrastructure Program; 26 awards under the Local Government Match Program; 9 awards under the Alternative Fuel On-Road Engines Program; an award under the Off-Road Heavy-Duty Vehicles Program; an award to the Better World Group for programmatic outreach services; and two awards for development and implementation of 511 “smart phone” applications. Except as discussed below, these contracts are with the prospective contractor for signature or executed.

On October 7, 2011, the SCAQMD Governing Board approved two awards under the Alternative Fuel Infrastructure Program and three awards under the “Showcase II” Off-Road After-treatment Demonstration Program. These contracts are executed.

On November 4, 2011, the SCAQMD Governing Board approved one award under the Alternative Fuel Infrastructure Program and one award under the Major Event Center Transportation Program, as part of the MSRC’s FY 2010-11 Work Program. These contracts are executed.

On December 2, 2011, the SCAQMD Governing Board approved: 10 awards under the Alternative Fuel Infrastructure Program; one award under the Major Event Center Transportation Program; and three awards under the “Showcase II” Off-Road After-treatment Demonstration Program. These contracts are awaiting approval of modifications or executed.

On April 6, 2012, the SCAQMD Governing Board approved: five awards under the “Showcase II” Off-Road After-treatment Demonstration Program. These contracts are executed.

On June 1, 2012, the SCAQMD Governing Board approved nine awards under the “Showcase II” Off-Road After-treatment Demonstration Program. These contracts are with the prospective contractor for signature or executed.

Work Program Status

Contract Status Reports for work program years with open and pending contracts are attached. MSRC or MSRC-TAC members may request spreadsheets covering any other work program year.

FY 2004-05 Work Program Contracts

One contract from this work program year is open.

FY 2004-05 Invoices Paid

No invoices were paid during this period.

FY 2005-06 Work Program Contracts

7 contracts from this work program year are open; and 17 contracts are in “Open/Complete” status, having completed all obligations save ongoing operation.

FY 2005-06 Work Program Invoices Paid

No invoices were paid during this period.

FY 2006-07 Work Program Contracts

8 contracts from this work program year are open; and 30 contracts are in “Open/Complete” status.

FY 2006-07 Invoices Paid

No invoices were paid during this period.

FY 2007-08 Work Program Contracts

19 contracts from this work program year are open; and 34 contracts are in “Open/Complete” status.

FY 2007-08 Invoices Paid

No invoices were paid during this period.

FY 2008-09 Work Program Contracts

16 contracts from this work program year are open; and 12 contracts are in “Open/Complete” status. One contract passed into “Open/Complete” status during this period: City of Culver City, Contract #ML09008 – Purchase Eight Natural Gas Heavy-Duty Vehicles.

FY 2008-09 Invoices Paid

No invoices were paid during this period.

FY 2009-10 Work Program Contracts

10 regular contracts from this work program year are open; and 7 regular contracts are in “Open/Complete” status.

FY 2009-10 Invoices Paid

One invoice in the amount of \$3,896.30 was paid during this period.

FY 2010-11 Work Program Contracts

49 contracts from this work program year are open; and 5 contracts are in “Open/Complete” status. One proposed contract with the County of Los Angeles Department of Public Works, for the purchase of 5 heavy-duty CNG vehicles, has been with the proposed contractor for signature for over a year. The County has been notified to return the contract or a recommendation to deobligate the award will be brought to the MSRC.

FY 2010-11 Invoices Paid

Six invoices totaling \$112,388.21 were paid during this period.

FY 2011-12 Work Program Contracts

55 contracts from this work program year are open, and 2 contracts are in “Open/Complete” status.

FY 2011-12 Invoices Paid

Eight invoices totaling \$96,322.38 were paid during this period.

Administrative Scope Changes

No administrative scope changes were initiated during the period of August 29 through September 25, 2013.

Infrastructure Throughput Resolution

Letters concerning the potential for negotiating alternative remedies were previously sent to all MSRC Infrastructure Program contractors who have open contracts and have received reimbursements for their projects (i.e. stations have commenced operation). During this reporting period:

- A contract modification has been fully executed with Consolidated Disposal Service. Consolidated's third-year throughput was slightly below the threshold, and has subsequently increased. Consolidated has agreed to extend their operational requirement for an additional year.
- Two contract modifications for previously negotiated tentative agreements are with SCAQMD's Executive Officer for signature, and another is with the contractor for signature. One more such contract modification is undergoing internal review.
- Negotiations are underway with two other contractors.

Attachments

- FY 2004-05 through FY 2012-14 Contract Status Reports



AB2766 Discretionary Fund Program Invoices

August 29, 2013 to September 25, 2013

Contract Admin.	MSRC Chair	MSRC Liaison	Finance	Contract #	Contractor	Invoice #	Amount
<i>2007-2008 Work Program</i>							
9/25/2013	10/4/2013	10/8/2013	10/8/2013	ML08024	City of Anaheim	N002060 Fin	\$200,000.00
Total: \$200,000.00							
<i>2009-2010 Work Program</i>							
9/25/2013	10/4/2013	10/8/2013	10/8/2013	MS10025	Elham Shirazi	21	\$3,896.30
Total: \$3,896.30							
<i>2010-2011 Work Program</i>							
9/17/2013	9/19/2013	9/19/2013	9/20/2013	ML11021	City of Whittier	3	\$30,000.00
9/12/2013	9/19/2013	9/19/2013	9/20/2013	MS11001	Mineral LLC	104861	\$100.00
9/17/2013	9/19/2013	9/19/2013	9/20/2013	MS11001	Mineral LLC	104873	\$300.00
8/29/2013	9/19/2013	9/19/2013	9/20/2013	MS11001	Mineral LLC	104854	\$300.00
9/17/2013	9/19/2013	9/19/2013	9/20/2013	MS11087	Cemex Construction Material Pacific, LLC	005-6309	\$37,691.47
9/17/2013	9/19/2013	9/19/2013	9/20/2013	MS11087	Cemex Construction Material Pacific, LLC	005-6097	\$43,996.74
Total: \$112,388.21							
<i>2011-2012 Work Program</i>							
9/18/2013	9/19/2013	9/19/2013	9/20/2013	MS12036	Jim & Doug Carter's Automotive/VSP Parking	Final	\$5,000.00
9/18/2013	9/19/2013	9/19/2013	9/20/2013	MS12005	USA Waste of California, Inc.	Final	\$7,500.00
9/18/2013	9/19/2013	9/19/2013	9/20/2013	MS12006	Waste Management Collection & Recycling, Inc.	Final	\$7,500.00
9/19/2013	9/19/2013	9/19/2013	9/20/2013	MS12068	Southern California Regional Rail Authority (Metrolink)	2013-TPA008	\$47,587.10
9/19/2013	9/19/2013	9/19/2013	9/20/2013	MS12025	Silverado Stages, Inc.	Final	\$15,000.00
9/12/2013	9/19/2013	9/19/2013	9/20/2013	MS12064	Anaheim Transportation Network	35621	\$5,433.48
9/12/2013	9/19/2013	9/19/2013	9/20/2013	MS12064	Anaheim Transportation Network	35467	\$4,028.96
9/12/2013	9/19/2013	9/19/2013	9/20/2013	MS12064	Anaheim Transportation Network	35333	\$4,272.84

Total: \$96,322.38

Total This Period: \$412,606.89

FYs 2004-05 Through 2012-14 AB2766 Contract Status Report

10/10/2013

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
FY 2004-2005 Contracts									
Open Contracts									
ML05014	Los Angeles County Department of	5/21/2007	11/20/2008	12/30/2013	\$204,221.00	\$0.00	Traffic Signal Synchronization	\$204,221.00	No
Total: 1									
Declined/Cancelled Contracts									
ML05005	City of Highland				\$20,000.00	\$0.00	2 Medium Duty CNG Vehicles	\$20,000.00	No
ML05008	Los Angeles County Department of				\$140,000.00	\$0.00	7 Heavy Duty LPG Street Sweepers	\$140,000.00	No
ML05010	Los Angeles County Department of				\$20,000.00	\$0.00	1 Heavy Duty CNG Bus	\$20,000.00	No
Total: 3									
Closed Contracts									
ML05006	City of Colton Public Works	7/27/2005	7/26/2006		\$30,000.00	\$30,000.00	3 Medium Duty CNG Vehicles	\$0.00	Yes
ML05011	Los Angeles County Department of	8/10/2006	12/9/2007	6/9/2008	\$52,409.00	\$51,048.46	3 Heavy Duty LPG Shuttle Vans	\$1,360.54	Yes
ML05013	Los Angeles County Department of	1/5/2007	7/4/2008	1/4/2013	\$313,000.00	\$313,000.00	Traffic Signal Synchronization	\$0.00	Yes
ML05015	City of Lawndale	7/27/2005	7/26/2006		\$10,000.00	\$10,000.00	1 Medium Duty CNG Vehicle	\$0.00	Yes
ML05016	City of Santa Monica	9/23/2005	9/22/2006	9/22/2007	\$350,000.00	\$350,000.00	6 MD CNG Vehicles, 1 LPG Sweep, 13 CNG	\$0.00	Yes
ML05017	City of Signal Hill	1/16/2006	7/15/2007		\$126,000.00	\$126,000.00	Traffic Signal Synchronization	\$0.00	Yes
ML05018	City of San Bernardino	4/19/2005	4/18/2006		\$40,000.00	\$40,000.00	4 M.D. CNG Vehicles	\$0.00	Yes
ML05019	City of Lakewood	5/6/2005	5/5/2006		\$10,000.00	\$10,000.00	1 M.D. CNG Vehicle	\$0.00	Yes
ML05020	City of Pomona	6/24/2005	6/23/2006		\$10,000.00	\$10,000.00	1 M.D. CNG Vehicle	\$0.00	Yes
ML05021	City of Whittier	7/7/2005	7/6/2006	4/6/2008	\$100,000.00	\$80,000.00	Sweeper, Aerial Truck, & 3 Refuse Trucks	\$20,000.00	Yes
ML05022	City of Claremont	9/23/2005	9/22/2006		\$20,000.00	\$20,000.00	2 M.D. CNG Vehicles	\$0.00	Yes
ML05024	City of Cerritos	4/18/2005	3/17/2006		\$10,000.00	\$10,000.00	1 M.D. CNG Vehicle	\$0.00	Yes
ML05025	City of Malibu	5/6/2005	3/5/2006		\$10,000.00	\$10,000.00	1 Medium-Duty CNG Vehicle	\$0.00	Yes
ML05026	City of Inglewood	1/6/2006	1/5/2007	2/5/2009	\$60,000.00	\$60,000.00	2 CNG Transit Buses, 1 CNG Pothole Patch	\$0.00	Yes
ML05027	City of Beaumont	2/23/2006	4/22/2007	6/22/2010	\$20,000.00	\$20,000.00	1 H.D. CNG Bus	\$0.00	Yes
ML05028	City of Anaheim	9/8/2006	9/7/2007	5/7/2008	\$85,331.00	\$85,331.00	Traffic signal coordination & synchronization	\$0.00	Yes
ML05029	Los Angeles World Airports	5/5/2006	9/4/2007		\$140,000.00	\$140,000.00	Seven CNG Buses	\$0.00	Yes
ML05071	City of La Canada Flintridge	1/30/2009	1/29/2011		\$20,000.00	\$20,000.00	1 CNG Bus	\$0.00	Yes
ML05072	Los Angeles County Department of	8/24/2009	5/23/2010	1/23/2011	\$349,000.00	\$349,000.00	Traffic Signal Synchronization (LADOT)	\$0.00	Yes
Total: 19									
Closed/Incomplete Contracts									

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML05007	Los Angeles County Dept of Beache	6/23/2006	6/22/2007	12/22/2007	\$50,000.00	\$0.00	5 Medium Duty CNG Vehicles	\$50,000.00	No
ML05009	Los Angeles County Department of	6/22/2006	12/21/2007	9/30/2011	\$56,666.00	\$0.00	2 Propane Refueling Stations	\$56,666.00	No
ML05012	Los Angeles County Department of	11/10/2006	5/9/2008	1/9/2009	\$349,000.00	\$0.00	Traffic Signal Synchronization (LADOT)	\$349,000.00	No
ML05023	City of La Canada Flintridge	3/30/2005	2/28/2006	8/28/2008	\$20,000.00	\$0.00	1 CNG Bus	\$20,000.00	No

Total: 4

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
FY 2005-2006 Contracts									
Open Contracts									
ML06031	City of Inglewood	4/4/2007	6/3/2013	9/3/2015	\$150,000.00	\$65,602.40	Purchase 4 H-D LPG Vehicles & Install LPG	\$84,397.60	No
ML06035	City of Hemet, Public Works	11/10/2006	12/9/2012	10/9/2014	\$414,000.00	\$175,000.00	7 Nat Gas Trucks & New Nat Gas Infrastruct	\$239,000.00	No
ML06054	Los Angeles County Department of	6/17/2009	6/16/2016		\$150,000.00	\$0.00	3 CNG & 3 LPG HD Trucks	\$150,000.00	No
ML06058	City of Santa Monica	7/12/2007	7/11/2013		\$149,925.00	\$0.00	3 H.D. CNG Trucks & CNG Fueling Station	\$149,925.00	No
ML06070	City of Colton	4/30/2008	2/28/2015	4/30/2015	\$50,000.00	\$0.00	Two CNG Pickups	\$50,000.00	No
MS06002	Orange County Transportation Autho	11/7/2007	11/6/2013		\$928,740.00	\$920,341.50	New Freeway Service Patrol	\$8,398.50	No
Total: 6									
Declined/Cancelled Contracts									
ML06018	Los Angeles County Dept of Beache				\$375,000.00	\$0.00	New CNG Station & 2 CNG Dump Trucks	\$375,000.00	No
ML06019	Los Angeles County Dept of Beache				\$250,000.00	\$0.00	New CNG Station & 2 CNG Dump Trucks	\$250,000.00	No
ML06023	City of Baldwin Park	6/16/2006	9/15/2012		\$20,000.00	\$0.00	CNG Dump Truck	\$20,000.00	No
ML06024	City of Pomona	8/3/2007	7/2/2013	7/2/2014	\$286,450.00	\$0.00	New CNG Station	\$286,450.00	No
ML06030	City of Burbank	3/19/2007	9/18/2011		\$287,700.00	\$0.00	New CNG Fueling Station	\$287,700.00	No
ML06037	City of Lynwood				\$25,000.00	\$0.00	1 Nat Gas Dump Truck	\$25,000.00	No
ML06039	City of Inglewood	2/9/2007	2/8/2008	4/8/2011	\$50,000.00	\$0.00	Modify Maintenance Facility for CNG Vehicle	\$50,000.00	No
ML06055	City of Los Angeles, Dept. of Genera				\$125,000.00	\$0.00	5 Gas-Electric Hybrid Buses	\$125,000.00	No
ML06059	City of Fountain Valley				\$25,000.00	\$0.00	One H.D. CNG Truck	\$25,000.00	No
MS06009	Clean Energy Fuels Corp.	6/23/2006	12/22/2012		\$250,000.00	\$0.00	New CNG Station - Laguna Niguel	\$250,000.00	Yes
MS06040	Capistrano Unified School District				\$136,000.00	\$0.00	New CNG Fueling Station	\$136,000.00	No
MS06041	Clean Energy Fuels Corp.	12/1/2006	3/31/2013	6/18/2009	\$250,000.00	\$0.00	New CNG Station-Newport Beach	\$250,000.00	No
MS06046	City of Long Beach, Dept. of Public				\$250,000.00	\$0.00	LNG Fueling Station	\$250,000.00	No
MS06051	Menifee Union School District	3/2/2007	7/1/2014		\$150,000.00	\$0.00	CNG Fueling Station	\$150,000.00	No
Total: 14									
Closed Contracts									
ML06016	City of Whittier	5/25/2006	5/24/2012	11/24/2012	\$50,000.00	\$50,000.00	2 CNG Refuse Trucks	\$0.00	Yes
ML06017	City of Claremont	8/2/2006	4/1/2012		\$50,000.00	\$50,000.00	2 CNG Refuse Trucks	\$0.00	Yes
ML06021	Los Angeles World Airports	9/13/2006	5/12/2013		\$150,000.00	\$150,000.00	6 CNG Buses	\$0.00	Yes
ML06026	City of Cerritos	10/27/2006	9/26/2010		\$60,500.00	\$60,500.00	CNG Station Upgrade	\$0.00	Yes
ML06027	City of Redondo Beach	9/5/2006	5/4/2012	10/4/2012	\$50,000.00	\$50,000.00	2 Heavy-Duty CNG Trucks	\$0.00	Yes
ML06029	City of Culver City Transportation De	9/29/2006	8/28/2012	12/28/2012	\$50,000.00	\$50,000.00	2 CNG Heavy-Duty Trucks	\$0.00	Yes
ML06034	City of South Pasadena	9/25/2006	9/24/2012		\$16,422.42	\$16,422.42	2 Nat. Gas Transit Buses	\$0.00	Yes
ML06036	City of Riverside	3/23/2007	3/22/2013		\$200,000.00	\$200,000.00	8 Heavy-Duty Nat Gas Vehicles	\$0.00	Yes
ML06044	City of Pomona	12/15/2006	3/14/2013		\$50,000.00	\$50,000.00	2 CNG Street Sweepers	\$0.00	Yes
ML06052	City of Hemet, Public Works	4/20/2007	2/19/2013		\$25,000.00	\$25,000.00	Purchase One CNG Dump Truck	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML06053	City of Burbank	5/4/2007	7/3/2013		\$125,000.00	\$125,000.00	Five Nat. Gas Refuse Trucks	\$0.00	Yes
ML06056	City of Los Angeles, Dept. of Genera	11/30/2007	11/29/2008		\$350,000.00	\$350,000.00	Maintenance Facility Mods.	\$0.00	Yes
ML06060	City of Temple City	6/12/2007	6/11/2013		\$31,885.00	\$0.00	Upgrade existing CNG infrastructure	\$31,885.00	No
ML06061	City of Chino Hills	4/30/2007	4/29/2013		\$25,000.00	\$25,000.00	One H.D. CNG Vehicle	\$0.00	Yes
ML06062	City of Redlands	5/11/2007	5/10/2013		\$100,000.00	\$100,000.00	4 H.D. LNG Vehicles	\$0.00	Yes
ML06063	City of Moreno Valley	3/23/2007	11/22/2012		\$25,000.00	\$25,000.00	One H.D. CNG Vehicle	\$0.00	Yes
ML06065	City of Walnut	6/29/2007	6/28/2013		\$44,203.00	\$44,203.00	Upgrade Existing CNG Infrastructure	\$0.00	Yes
ML06066	City of Ontario	5/30/2007	1/29/2013		\$125,000.00	\$125,000.00	5 H.D. CNG Vehicles	\$0.00	Yes
ML06068	City of Claremont	8/28/2007	6/27/2013		\$60,000.00	\$60,000.00	Expand existing CNG infrastructure	\$0.00	Yes
MS06001	Riverside County Transportation Co	8/3/2007	9/2/2011		\$825,037.00	\$825,037.00	New Freeway Service Patrol	\$0.00	Yes
MS06003	San Bernardino Associated Govern	10/19/2006	6/18/2010		\$804,240.00	\$804,239.87	New Freeway Service Patrol	\$0.13	Yes
MS06004	Los Angeles County MTA	8/10/2006	7/9/2010		\$1,391,983.00	\$1,391,791.98	New Freeway Service Patrol	\$191.02	Yes
MS06010	US Airconditioning Distributors	12/28/2006	6/27/2012		\$83,506.00	\$83,506.00	New CNG Station - Industry	\$0.00	Yes
MS06011	County Sanitation Districts of L.A. C	6/1/2006	7/31/2012		\$150,000.00	\$150,000.00	New CNG Station - Carson	\$0.00	Yes
MS06042	Clean Energy Fuels Corp.	1/5/2007	1/4/2013		\$150,000.00	\$150,000.00	New CNG Station-Baldwin Park	\$0.00	Yes
MS06043X	Westport Fuel Systems, Inc.	2/3/2007	12/31/2010	9/30/2011	\$2,000,000.00	\$2,000,000.00	Advanced Natural Gas Engine Incentive Pro	\$0.00	Yes
MS06050	Rossmoor Pastries	1/24/2007	10/23/2012		\$18,750.00	\$14,910.50	CNG Fueling Station	\$3,839.50	Yes

Total: 27

Open/Complete Contracts

ML06020	Los Angeles Department of Water a	3/19/2007	9/18/2013	4/18/2014	\$25,000.00	\$25,000.00	CNG Aerial Truck	\$0.00	Yes
ML06022	City of Los Angeles, Bureau of Sanit	5/4/2007	1/3/2014		\$1,250,000.00	\$1,250,000.00	50 LNG Refuse Trucks	\$0.00	Yes
ML06025	City of Santa Monica	1/5/2007	11/4/2012	12/14/2014	\$300,000.00	\$300,000.00	12 H.D. CNG Vehicles	\$0.00	Yes
ML06028	City of Pasadena	9/29/2006	11/28/2012	3/28/2014	\$245,000.00	\$245,000.00	New CNG Station & Maint. Fac. Upgrades	\$0.00	Yes
ML06032	City of Rancho Cucamonga	2/13/2007	3/12/2013	2/12/2014	\$237,079.00	\$237,079.00	New CNG Station & 2 CNG Dump Trucks	\$0.00	Yes
ML06033	City of Cathedral City	11/17/2006	12/16/2012	12/16/2013	\$125,000.00	\$125,000.00	5 Heavy-Duty CNG Trucks	\$0.00	Yes
ML06038	City of Los Angeles, Department of	5/21/2007	1/20/2014		\$625,000.00	\$625,000.00	25 CNG Street Sweepers	\$0.00	Yes
ML06057	City of Rancho Cucamonga	8/28/2007	6/27/2013	8/27/2014	\$100,000.00	\$100,000.00	4 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML06064	City of South Pasadena	1/25/2008	11/24/2013	11/24/2014	\$50,000.00	\$50,000.00	2 H.D. CNG Vehicles	\$0.00	Yes
ML06067	City of El Monte	3/17/2008	5/16/2014	11/16/2014	\$157,957.00	\$157,957.00	Upgrade existing CNG infrastructure	\$0.00	Yes
ML06069	City of Palos Verdes Estates	11/19/2007	11/18/2013		\$25,000.00	\$25,000.00	One H.D. CNG Vehicle	\$0.00	Yes
MS06012	Consolidated Disposal Service	7/14/2006	9/13/2012	9/13/2014	\$297,981.00	\$297,981.00	New LNG Station & Facility Upgrades	\$0.00	Yes
MS06013	City of Commerce	1/9/2008	7/8/2014	7/8/2015	\$350,000.00	\$350,000.00	New L/CNG Station - Commerce	\$0.00	Yes
MS06045	Orange County Transportation Autho	8/17/2007	12/16/2013		\$200,000.00	\$200,000.00	CNG Fueling Station/Maint. Fac. Mods	\$0.00	Yes
MS06047	Hemet Unified School District	9/19/2007	11/18/2013		\$125,000.00	\$125,000.00	CNG Refueling Station	\$0.00	Yes
MS06048	Newport-Mesa Unified School Distric	6/25/2007	8/24/2013	8/24/2014	\$50,000.00	\$50,000.00	CNG Fueling Station	\$0.00	Yes
MS06049	Clean Energy Fuels Corp.	4/20/2007	7/19/2013	11/30/2015	\$250,000.00	\$228,491.18	CNG Fueling Station - L.B.P.D.	\$21,508.82	Yes

Total: 17

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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FY 2006-2007 Contracts

Open Contracts

ML07033	City of La Habra	5/21/2008	6/20/2014	7/31/2017	\$75,000.00	\$25,000.00	One H.D. Nat Gas Vehicle/Expand Fueling S	\$50,000.00	No
ML07044	City of Santa Monica	9/8/2008	3/7/2015		\$600,000.00	\$50,000.00	24 H.D. Nat. Gas Vehicles	\$550,000.00	No
ML07045	City of Inglewood	2/6/2009	4/5/2015		\$75,000.00	\$25,000.00	3 H.D. Nat. Gas Vehicles	\$50,000.00	No
MS07008	City of Los Angeles, Department of T	9/18/2009	5/17/2020		\$2,040,000.00	\$1,710,000.00	Purchase 102 Transit Buses	\$330,000.00	No
MS07022	California State University, Los Ange	10/30/2009	12/29/2015	12/29/2016	\$250,000.00	\$0.00	New Hydrogen Fueling Station	\$250,000.00	No
MS07061	City of Los Angeles, Department of	10/31/2008	8/30/2010	2/28/2013	\$40,626.00	\$40,626.00	Off-Road Diesel Equipment Retrofit Program	\$0.00	No
MS07070	Griffith Company	4/30/2008	2/28/2010	8/28/2012	\$168,434.00	\$125,504.00	Off-Road Diesel Equipment Retrofit Program	\$42,930.00	No
MS07080	City of Los Angeles, Bureau of Sanit	10/31/2008	8/30/2010	2/28/2015	\$63,192.00	\$62,692.00	Off-Road Diesel Equipment Retrofit Program	\$500.00	No

Total: 8

Declined/Cancelled Contracts

ML07031	City of Santa Monica				\$180,000.00	\$0.00	Upgrade N.G. Station to Add Hythane	\$180,000.00	No
ML07032	City of Huntington Beach Public Wor				\$25,000.00	\$0.00	One H.D. CNG Vehicle	\$25,000.00	No
ML07035	City of Los Angeles, General Service				\$350,000.00	\$0.00	New CNG Refueling Station/Southeast Yard	\$350,000.00	No
ML07038	City of Palos Verdes Estates				\$25,000.00	\$0.00	One H.D. LPG Vehicle	\$25,000.00	No
MS07010	Palos Verdes Peninsula Transit Auth				\$80,000.00	\$0.00	Repower 4 Transit Buses	\$80,000.00	No
MS07014	Clean Energy Fuels Corp.				\$350,000.00	\$0.00	New L/CNG Station - SERRF	\$350,000.00	No
MS07015	Baldwin Park Unified School District				\$57,500.00	\$0.00	New CNG Station	\$57,500.00	No
MS07016	County of Riverside Fleet Services D				\$36,359.00	\$0.00	New CNG Station - Rubidoux	\$36,359.00	No
MS07017	County of Riverside Fleet Services D				\$33,829.00	\$0.00	New CNG Station - Indio	\$33,829.00	No
MS07018	City of Cathedral City				\$350,000.00	\$0.00	New CNG Station	\$350,000.00	No
MS07021	City of Riverside				\$350,000.00	\$0.00	New CNG Station	\$350,000.00	No
MS07050	Southern California Disposal Co.				\$320,000.00	\$0.00	Ten Nat. Gas Refuse Trucks	\$320,000.00	No
MS07062	Caltrans Division of Equipment				\$1,081,818.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$1,081,818.00	No
MS07065	ECCO Equipment Corp.				\$174,525.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$174,525.00	No
MS07067	Recycled Materials Company of Calif				\$99,900.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$99,900.00	No
MS07069	City of Burbank	5/9/2008	3/8/2010	9/8/2011	\$8,895.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$8,895.00	No
MS07074	Albert W. Davies, Inc.	1/25/2008	11/24/2009		\$39,200.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$39,200.00	No
MS07081	Clean Diesel Technologies, Inc.				\$240,347.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$240,347.00	No
MS07082	DCL International, Inc.				\$153,010.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$153,010.00	No
MS07083	Dinex Exhausts, Inc.				\$52,381.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$52,381.00	No
MS07084	Donaldson Company, Inc.				\$42,416.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$42,416.00	No
MS07085	Engine Control Systems Limited				\$155,746.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$155,746.00	No
MS07086	Huss, LLC				\$84,871.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$84,871.00	No
MS07087	Mann+Hummel GmbH				\$189,361.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$189,361.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS07088	Nett Technologies, Inc.				\$118,760.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$118,760.00	No
MS07089	Rypos, Inc.				\$68,055.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$68,055.00	No
MS07090	Sud-Chemie				\$27,345.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$27,345.00	No

Total: 27

Closed Contracts

ML07025	City of San Bernardino	8/12/2008	7/11/2010		\$350,000.00	\$350,000.00	Maintenance Facility Modifications	\$0.00	Yes
ML07042	City of La Quinta	8/15/2008	9/14/2010		\$100,000.00	\$100,000.00	Street Sweeping Operations	\$0.00	Yes
ML07048	City of Cathedral City	9/19/2008	10/18/2010		\$100,000.00	\$84,972.45	Street Sweeping Operations	\$15,027.55	Yes
MS07001	A-Z Bus Sales, Inc.	12/28/2006	12/31/2007	2/29/2008	\$1,920,000.00	\$1,380,000.00	CNG School Bus Buydown	\$540,000.00	Yes
MS07002	BusWest	1/19/2007	12/31/2007	3/31/2008	\$840,000.00	\$840,000.00	CNG School Bus Buydown	\$0.00	Yes
MS07003	Westport Fuel Systems, Inc.	11/2/2007	12/31/2011	6/30/2013	\$1,500,000.00	\$1,499,990.00	Advanced Nat. Gas Engine Incentive Progra	\$10.00	Yes
MS07005	S-W Compressors	3/17/2008	3/16/2010		\$60,000.00	\$7,500.00	Mountain CNG School Bus Demo Program-	\$52,500.00	Yes
MS07006	Coachella Valley Association of Gov	2/28/2008	10/27/2008		\$400,000.00	\$400,000.00	Coachella Valley PM10 Reduction Street Sw	\$0.00	Yes
MS07011	Los Angeles Service Authority for Fr	3/12/2010	5/31/2011	9/30/2011	\$700,000.00	\$700,000.00	"511" Commuter Services Campaign	\$0.00	Yes
MS07012	City of Los Angeles, General Service	6/13/2008	6/12/2009	6/12/2010	\$50,000.00	\$50,000.00	Maintenance Facility Modifications	\$0.00	Yes
MS07019	City of Cathedral City	1/9/2009	6/8/2010		\$32,500.00	\$32,500.00	Maintenance Facility Modifications	\$0.00	Yes
MS07058	The Better World Group	11/17/2007	11/16/2009	11/16/2011	\$247,690.00	\$201,946.21	MSRC Programmatic Outreach Services	\$45,743.79	Yes
MS07059	County Sanitation Districts of L.A. C	9/5/2008	9/4/2010	7/14/2012	\$231,500.00	\$231,500.00	Off-Road Diesel Equipment Retrofit Program	\$0.00	Yes
MS07060	Community Recycling & Resource R	3/7/2008	1/6/2010	7/6/2011	\$177,460.00	\$98,471.00	Off-Road Diesel Equipment Retrofit Program	\$78,989.00	Yes
MS07063	Shimmick Construction Company, In	4/26/2008	2/25/2010	8/25/2011	\$80,800.00	\$11,956.37	Off-Road Diesel Equipment Retrofit Program	\$68,843.63	No
MS07064	Altfillisch Contractors, Inc.	9/19/2008	7/18/2010	1/18/2011	\$160,000.00	\$155,667.14	Off-Road Diesel Equipment Retrofit Program	\$4,332.86	Yes
MS07068	Sukut Equipment Inc.	1/23/2009	11/22/2010	5/22/2012	\$26,900.00	\$26,900.00	Off-Road Diesel Equipment Retrofit Program	\$0.00	Yes
MS07071	Tiger 4 Equipment Leasing	9/19/2008	7/18/2010	1/18/2013	\$210,937.00	\$108,808.97	Off-Road Diesel Equipment Retrofit Program	\$102,128.03	Yes
MS07072	City of Culver City Transportation De	4/4/2008	2/3/2010	8/3/2011	\$72,865.00	\$72,865.00	Off-Road Diesel Equipment Retrofit Program	\$0.00	Yes
MS07075	Dan Copp Crushing	9/17/2008	7/16/2010	1/16/2012	\$73,600.00	\$40,200.00	Off-Road Diesel Equipment Retrofit Program	\$33,400.00	No
MS07076	Reed Thomas Company, Inc.	8/15/2008	6/14/2010	3/14/2012	\$339,073.00	\$100,540.00	Off-Road Diesel Equipment Retrofit Program	\$238,533.00	No
MS07079	Riverside County Transportation Co	1/30/2009	7/29/2013	12/31/2011	\$20,000.00	\$15,165.45	BikeMetro Website Migration	\$4,834.55	Yes
MS07091	BusWest	10/16/2009	3/15/2010		\$33,660.00	\$33,660.00	Provide Lease for 2 CNG School Buses	\$0.00	Yes
MS07092	Riverside County Transportation Co	9/1/2010	10/31/2011		\$350,000.00	\$350,000.00	"511" Commuter Services Campaign	\$0.00	Yes

Total: 24

Closed/Incomplete Contracts

MS07004	BusWest	7/2/2007	7/1/2009		\$90,928.00	\$68,196.00	Provide Lease for 2 CNG School Buses	\$22,732.00	No
MS07066	Skanska USA Civil West California D	6/28/2008	4/27/2010	10/27/2010	\$111,700.00	\$36,128.19	Off-Road Diesel Equipment Retrofit Program	\$75,571.81	No
MS07073	PEED Equipment Co.	10/31/2008	8/30/2010		\$11,600.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$11,600.00	No

Total: 3

Open/Complete Contracts

ML07023	City of Riverside	6/20/2008	10/19/2014	7/19/2016	\$462,500.00	\$461,476.42	CNG Station Expansion/Purch. 14 H.D. Vehi	\$1,023.58	No
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Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML07024	City of Garden Grove	3/7/2008	9/6/2014	7/6/2016	\$75,000.00	\$75,000.00	Three H.D. CNG Vehicles	\$0.00	Yes
ML07026	City of South Pasadena	6/13/2008	6/12/2014		\$25,000.00	\$25,000.00	One H.D. CNG Vehicle	\$0.00	Yes
ML07027	Los Angeles World Airports	6/3/2008	7/2/2014		\$25,000.00	\$25,000.00	One H.D. LNG Vehicle	\$0.00	Yes
ML07028	City of Los Angeles, General Service	3/13/2009	3/12/2014		\$350,000.00	\$350,000.00	New CNG Refueling Station/Hollywood Yard	\$0.00	Yes
ML07029	City of Los Angeles, General Service	3/13/2009	3/12/2014		\$350,000.00	\$350,000.00	New CNG Refueling Station/Venice Yard	\$0.00	Yes
ML07030	County of San Bernardino Public Wo	7/11/2008	9/10/2015		\$200,000.00	\$200,000.00	8 Natural Gas H.D. Vehicles	\$0.00	Yes
ML07034	City of Los Angeles, General Service	3/13/2009	3/12/2014		\$350,000.00	\$350,000.00	New CNG Refueling Station/Van Nuys Yard	\$0.00	Yes
ML07036	City of Alhambra	1/23/2009	2/22/2015		\$50,000.00	\$50,000.00	2 H.D. CNG Vehicles	\$0.00	Yes
ML07037	City of Los Angeles, General Service	10/8/2008	10/7/2015		\$255,222.00	\$255,222.00	Upgrade LNG/LCNG Station/East Valley Yar	\$0.00	Yes
ML07039	City of Baldwin Park	6/6/2008	6/5/2014	8/5/2015	\$50,000.00	\$50,000.00	Two N.G. H.D. Vehicles	\$0.00	Yes
ML07040	City of Moreno Valley	6/3/2008	9/2/2014		\$25,000.00	\$25,000.00	One Heavy-Duty CNG Vehicle	\$0.00	Yes
ML07041	City of La Quinta	6/6/2008	6/5/2014		\$25,000.00	\$25,000.00	One CNG Street Sweeper	\$0.00	Yes
ML07043	City of Redondo Beach	9/28/2008	7/27/2014	10/27/2016	\$125,000.00	\$125,000.00	Five H.D. CNG Transit Vehicles	\$0.00	Yes
ML07046	City of Culver City Transportation De	5/2/2008	5/1/2014		\$25,000.00	\$25,000.00	One H.D. Nat. Gas Vehicle	\$0.00	Yes
ML07047	City of Cathedral City	6/16/2008	9/15/2014	3/15/2015	\$225,000.00	\$225,000.00	Two H.D. Nat. Gas Vehicles/New CNG Fueli	\$0.00	Yes
MS07007	Los Angeles World Airports	5/2/2008	11/1/2014		\$420,000.00	\$420,000.00	Purchase CNG 21 Transit Buses	\$0.00	Yes
MS07009	Orange County Transportation Autho	5/14/2008	4/13/2016		\$800,000.00	\$800,000.00	Purchase 40 Transit Buses	\$0.00	Yes
MS07013	Rainbow Disposal Company, Inc.	1/25/2008	3/24/2014		\$350,000.00	\$350,000.00	New High-Volume CNG Station	\$0.00	Yes
MS07020	Avery Petroleum	5/20/2009	7/19/2015		\$250,000.00	\$250,000.00	New CNG Station	\$0.00	Yes
MS07049	Palm Springs Disposal Services	10/23/2008	11/22/2014	9/22/2016	\$96,000.00	\$96,000.00	Three Nat. Gas Refuse Trucks	\$0.00	Yes
MS07051	City of San Bernardino	8/12/2008	12/11/2014		\$480,000.00	\$480,000.00	15 Nat. Gas Refuse Trucks	\$0.00	Yes
MS07052	City of Redlands	7/30/2008	11/29/2014		\$160,000.00	\$160,000.00	Five Nat. Gas Refuse Trucks	\$0.00	Yes
MS07053	City of Claremont	7/31/2008	12/30/2014		\$96,000.00	\$96,000.00	Three Nat. Gas Refuse Trucks	\$0.00	Yes
MS07054	Republic Services, Inc.	3/7/2008	9/6/2014	9/6/2016	\$1,280,000.00	\$1,280,000.00	40 Nat. Gas Refuse Trucks	\$0.00	Yes
MS07055	City of Culver City Transportation De	7/8/2008	9/7/2014		\$192,000.00	\$192,000.00	Six Nat. Gas Refuse Trucks	\$0.00	Yes
MS07056	City of Whittier	9/5/2008	3/4/2015		\$32,000.00	\$32,000.00	One Nat. Gas Refuse Trucks	\$0.00	Yes
MS07057	CR&R, Inc.	7/31/2008	8/30/2014	6/30/2015	\$896,000.00	\$896,000.00	28 Nat. Gas Refuse Trucks	\$0.00	No
MS07077	USA Waste of California, Inc.	5/1/2009	12/31/2014		\$160,000.00	\$160,000.00	Five Nat. Gas Refuse Trucks (Santa Ana)	\$0.00	Yes
MS07078	USA Waste of California, Inc.	5/1/2009	12/31/2014	12/31/2015	\$256,000.00	\$256,000.00	Eight Nat. Gas Refuse Trucks (Dewey's)	\$0.00	Yes

Total: 30

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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FY 2007-2008 Contracts

Open Contracts

ML08024	City of Anaheim	7/9/2010	7/8/2017	1/8/2018	\$425,000.00	\$425,000.00	9 LPG Buses and 8 CNG Buses	\$0.00	No
ML08028	City of Santa Monica	9/11/2009	9/10/2016	5/10/2019	\$600,000.00	\$0.00	24 CNG Heavy-Duty Vehicles	\$600,000.00	No
ML08030	City of Azusa	5/14/2010	3/13/2016		\$25,000.00	\$0.00	1 CNG Heavy-Duty Vehicle	\$25,000.00	No
ML08040	City of Riverside	9/11/2009	9/10/2016		\$505,500.00	\$28,124.80	16 CNG Vehicles, Expand CNG Station & M	\$477,375.20	No
ML08043	City of Desert Hot Springs	9/25/2009	3/24/2016		\$25,000.00	\$0.00	1 CNG Heavy-Duty Vehicle	\$25,000.00	No
ML08080	City of Irvine	5/1/2009	5/31/2015		\$50,000.00	\$0.00	Two Heavy-Duty Nat. Gas Vehicles	\$50,000.00	No
MS08001	Los Angeles County MTA	12/10/2010	6/9/2014		\$1,500,000.00	\$416,666.66	Big Rig Freeway Service Patrol	\$1,083,333.34	No
MS08007	United Parcel Service West Region	12/10/2008	10/9/2014	4/9/2019	\$300,000.00	\$0.00	10 H.D. Nat. Gas Vehicles	\$300,000.00	No
MS08013	United Parcel Service West Region	12/10/2008	10/9/2014	3/9/2019	\$480,000.00	\$216,000.00	12 H.D. Nat. Gas Yard Tractors	\$264,000.00	No
MS08015	Yosemite Waters	5/12/2009	5/11/2015		\$180,000.00	\$117,813.60	11 H.D. Propane Vehicles	\$62,186.40	No
MS08018	Los Angeles County Department of	8/7/2009	10/6/2016	4/6/2018	\$60,000.00	\$0.00	3 CNG Vehicles	\$60,000.00	No
MS08056	Clean Energy Fuels Corp.	11/26/2009	2/25/2015		\$400,000.00	\$400,000.00	New LNG Station - POLB-Anah. & I	\$0.00	No
MS08058	Clean Energy Fuels Corp.	11/26/2009	3/25/2016	3/25/2017	\$400,000.00	\$160,000.00	New CNG Station - Ontario Airport	\$240,000.00	No
MS08061	Clean Energy Fuels Corp.	12/4/2009	3/3/2015		\$400,000.00	\$400,000.00	New CNG Station - L.A.-La Cienega	\$0.00	No
MS08066	Clean Energy Fuels Corp.	11/26/2009	2/25/2015		\$400,000.00	\$400,000.00	New CNG Station - Palm Spring Airport	\$0.00	No
MS08068	The Regents of the University of Cali	11/5/2010	11/4/2017		\$400,000.00	\$0.00	Hydrogen Station	\$400,000.00	No
MS08070	Clean Energy Fuels Corp.	11/26/2009	2/25/2015		\$400,000.00	\$400,000.00	New CNG Station - Paramount	\$0.00	No
MS08072	Clean Energy Fuels Corp.	12/4/2009	3/3/2015		\$400,000.00	\$354,243.38	New CNG Station - Burbank	\$45,756.62	No
MS08073	Clean Energy Fuels Corp.	11/26/2009	2/25/2015		\$400,000.00	\$400,000.00	New CNG Station - Norwalk	\$0.00	No

Total: 19

Declined/Cancelled Contracts

ML08032	City of Irvine	5/1/2009	8/31/2010		\$9,000.00	\$0.00	36 Vehicles (Diagnostic)	\$9,000.00	No
ML08041	City of Los Angeles, Dept of Transpo	8/6/2010	7/5/2011	12/5/2011	\$8,800.00	\$0.00	73 Vehicles (Diagnostic)	\$8,800.00	No
ML08049	City of Cerritos	3/20/2009	1/19/2015	2/19/2017	\$25,000.00	\$0.00	1 CNG Heavy-Duty Vehicle	\$25,000.00	No
ML08051	City of Colton				\$75,000.00	\$0.00	3 CNG Heavy-Duty Vehicles	\$75,000.00	No
MS08002	Orange County Transportation Autho				\$1,500,000.00	\$0.00	Big Rig Freeway Service Patrol	\$1,500,000.00	No
MS08008	Diversified Truck Rental & Leasing				\$300,000.00	\$0.00	10 H.D. Nat. Gas Vehicles	\$300,000.00	No
MS08010	Orange County Transportation Autho				\$10,000.00	\$0.00	20 H.D. Nat. Gas Vehicles	\$10,000.00	No
MS08011	Green Fleet Systems, LLC				\$10,000.00	\$0.00	30 H.D. Nat. Gas Vehicles	\$10,000.00	No
MS08052	Burrtec Waste Industries, Inc.	12/24/2008	11/23/2014	11/23/2015	\$100,000.00	\$0.00	New CNG Station - Fontana	\$100,000.00	No
MS08054	Clean Energy Fuels Corp.				\$400,000.00	\$0.00	New LNG Station - Fontana	\$400,000.00	No
MS08055	Clean Energy Fuels Corp.	11/26/2009	3/25/2016	3/25/2017	\$400,000.00	\$0.00	New LNG Station - Long Beach-Pier S	\$400,000.00	No
MS08059	Burrtec Waste Industries, Inc.	12/24/2008	11/23/2014		\$100,000.00	\$0.00	New CNG Station - San Bernardino	\$100,000.00	No
MS08060	Burrtec Waste Industries, Inc.	12/24/2008	11/23/2014		\$100,000.00	\$0.00	New CNG Station - Azusa	\$100,000.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS08062	Go Natural Gas	9/25/2009	1/24/2016	1/24/2017	\$400,000.00	\$0.00	New CNG Station - Rialto	\$400,000.00	No
MS08074	Fontana Unified School District	11/14/2008	12/13/2014		\$200,000.00	\$0.00	Expansion of Existing CNG station	\$200,000.00	No
MS08077	Hythane Company, LLC				\$144,000.00	\$0.00	Upgrade Station to Hythane	\$144,000.00	No

Total: 16

Closed Contracts

ML08023	City of Villa Park	11/7/2008	10/6/2012		\$6,500.00	\$5,102.50	Upgrade of Existing Refueling Facility	\$1,397.50	Yes
ML08027	Los Angeles County Department of	7/20/2009	1/19/2011	1/19/2012	\$6,901.00	\$5,124.00	34 Vehicles (Diagnostic)	\$1,777.00	No
ML08033	County of San Bernardino Public Wo	4/3/2009	2/2/2010		\$14,875.00	\$14,875.00	70 Vehicles (Diagnostic)	\$0.00	Yes
ML08035	City of La Verne	3/6/2009	11/5/2009		\$11,925.00	\$11,925.00	53 Vehicles (Diagnostic)	\$0.00	Yes
ML08036	City of South Pasadena	5/12/2009	7/11/2013		\$169,421.00	\$169,421.00	New CNG Station	\$0.00	Yes
ML08045	City of Santa Clarita	2/20/2009	6/19/2010		\$3,213.00	\$3,150.00	14 Vehicles (Diagnostic)	\$63.00	Yes
MS08003	A-Z Bus Sales, Inc.	5/2/2008	12/31/2008	2/28/2009	\$1,480,000.00	\$1,400,000.00	Alternative Fuel School Bus Incentive Progr	\$80,000.00	Yes
MS08004	BusWest	5/2/2008	12/31/2008		\$1,440,000.00	\$1,440,000.00	Alternative Fuel School Bus Incentive Progr	\$0.00	Yes
MS08016	TransVironmental Solutions, Inc.	1/23/2009	12/31/2010	9/30/2011	\$227,198.00	\$80,351.34	Rideshare 2 School Program	\$146,846.66	Yes
MS09002	A-Z Bus Sales, Inc.	11/7/2008	12/31/2009	12/31/2010	\$2,520,000.00	\$2,460,000.00	Alternative Fuel School Bus Incentive Progr	\$60,000.00	No
MS09004	A-Z Bus Sales, Inc.	1/30/2009	3/31/2009		\$156,000.00	\$156,000.00	Alternative Fuel School Bus Incentive Progr	\$0.00	Yes
MS09047	BusWest	7/9/2010	12/31/2010	4/30/2011	\$480,000.00	\$480,000.00	Alternative Fuel School Bus Incentive Progr	\$0.00	Yes

Total: 12

Closed/Incomplete Contracts

ML08025	Los Angeles County Department of	10/30/2009	3/29/2011		\$75,000.00	\$0.00	150 Vehicles (Diagnostic)	\$75,000.00	No
MS08079	ABC Unified School District	1/16/2009	12/15/2009	12/15/2010	\$50,000.00	\$0.00	Maintenance Facility Modifications	\$50,000.00	No

Total: 2

Open/Complete Contracts

ML08026	Los Angeles County Department of	7/20/2009	7/19/2016		\$250,000.00	\$250,000.00	10 LPG Heavy-Duty Vehicles	\$0.00	Yes
ML08029	City of Gardena	3/19/2009	1/18/2015		\$25,000.00	\$25,000.00	1 Propane Heavy-Duty Vehicle	\$0.00	Yes
ML08031	City of Claremont	3/27/2009	3/26/2013	3/26/2015	\$97,500.00	\$97,500.00	Upgrade of Existing CNG Station, Purchase	\$0.00	Yes
ML08034	County of San Bernardino Public Wo	3/27/2009	7/26/2015		\$150,000.00	\$150,000.00	8 CNG Heavy-Duty Vehicles	\$0.00	Yes
ML08037	City of Glendale	5/20/2009	5/19/2015		\$325,000.00	\$325,000.00	13 CNG Heavy-Duty Vehicles	\$0.00	Yes
ML08038	Los Angeles Department of Water a	7/16/2010	7/15/2017		\$1,050,000.00	\$1,050,000.00	42 CNG Heavy-Duty Vehicles	\$0.00	Yes
ML08039	City of Rancho Palos Verdes	6/5/2009	8/4/2015		\$50,000.00	\$50,000.00	2 LPG Transit Buses	\$0.00	Yes
ML08042	City of Ontario	5/1/2009	1/31/2016		\$175,000.00	\$175,000.00	7 CNG Heavy-Duty Vehicles	\$0.00	Yes
ML08044	City of Chino	3/19/2009	3/18/2015		\$25,000.00	\$25,000.00	1 CNG Heavy-Duty Vehicle	\$0.00	Yes
ML08046	City of Paramount	2/20/2009	2/19/2015		\$25,000.00	\$25,000.00	1 CNG Heavy-Duty Vehicle	\$0.00	Yes
ML08047	City of Culver City Transportation De	5/12/2009	8/11/2015		\$150,000.00	\$150,000.00	6 CNG Heavy-Duty Vehicles	\$0.00	Yes
ML08048	City of Santa Clarita	2/20/2009	6/19/2015		\$25,000.00	\$25,000.00	1 CNG Heavy-Duty Vehicle	\$0.00	Yes
ML08050	City of Laguna Beach Public Works	8/12/2009	4/11/2016	10/11/2016	\$75,000.00	\$75,000.00	3 LPG Trolleys	\$0.00	Yes
MS08005	Burrtec Waste Industries, Inc.	10/23/2008	11/22/2014	10/22/2015	\$450,000.00	\$450,000.00	15 H.D. Nat. Gas Vehicles - Azusa	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS08006	Burrtec Waste Industries, Inc.	10/23/2008	11/22/2014	10/22/2015	\$450,000.00	\$450,000.00	15 H.D. Nat. Gas Vehicles - Saugus	\$0.00	Yes
MS08009	Los Angeles World Airports	12/24/2008	12/23/2014		\$870,000.00	\$870,000.00	29 H.D. Nat. Gas Vehicles	\$0.00	Yes
MS08012	California Cartage Company, LLC	12/21/2009	10/20/2015	4/20/2016	\$480,000.00	\$480,000.00	12 H.D. Nat. Gas Yard Tractors	\$0.00	Yes
MS08014	City of San Bernardino	12/5/2008	6/4/2015		\$390,000.00	\$360,000.00	13 H.D. Nat. Gas Vehicles	\$30,000.00	Yes
MS08017	Omnitrans	12/13/2008	12/12/2015	12/12/2016	\$900,000.00	\$900,000.00	30 CNG Buses	\$0.00	Yes
MS08019	Enterprise Rent-A-Car Company of L	2/12/2010	7/11/2016		\$300,000.00	\$300,000.00	10 CNG Vehicles	\$0.00	Yes
MS08020	Ware Disposal Company, Inc.	11/25/2008	2/24/2016		\$900,000.00	\$900,000.00	30 CNG Vehicles	\$0.00	Yes
MS08021	CalMet Services, Inc.	1/9/2009	1/8/2016	7/8/2016	\$900,000.00	\$900,000.00	30 CNG Vehicles	\$0.00	Yes
MS08022	SunLine Transit Agency	12/18/2008	3/17/2015		\$311,625.00	\$311,625.00	15 CNG Buses	\$0.00	Yes
MS08053	City of Los Angeles, Bureau of Sanit	2/18/2009	12/17/2015		\$400,000.00	\$400,000.00	New LNG/CNG Station	\$0.00	Yes
MS08057	Orange County Transportation Autho	5/14/2009	7/13/2015		\$400,000.00	\$400,000.00	New CNG Station - Garden Grove	\$0.00	Yes
MS08063	Go Natural Gas	9/25/2009	1/24/2016	1/24/2017	\$400,000.00	\$400,000.00	New CNG Station - Moreno Valley	\$0.00	Yes
MS08064	Hemet Unified School District	1/9/2009	3/8/2015		\$75,000.00	\$75,000.00	Expansion of Existing Infrastructure	\$0.00	Yes
MS08065	Pupil Transportation Cooperative	11/20/2008	7/19/2014		\$10,500.00	\$10,500.00	Existing CNG Station Modifications	\$0.00	Yes
MS08067	California Trillium Company	3/19/2009	6/18/2015		\$311,600.00	\$254,330.00	New CNG Station	\$57,270.00	Yes
MS08069	Perris Union High School District	6/5/2009	8/4/2015	8/4/2016	\$225,000.00	\$225,000.00	New CNG Station	\$0.00	Yes
MS08071	ABC Unified School District	1/16/2009	1/15/2015		\$63,000.00	\$63,000.00	New CNG Station	\$0.00	Yes
MS08075	Disneyland Resort	12/10/2008	2/1/2015		\$200,000.00	\$200,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS08076	Azusa Unified School District	10/17/2008	11/16/2014	11/16/2015	\$172,500.00	\$172,500.00	New CNG station and maint. Fac. Modificati	\$0.00	Yes
MS08078	SunLine Transit Agency	12/10/2008	6/9/2015	2/9/2016	\$189,000.00	\$189,000.00	CNG Station Upgrade	\$0.00	Yes

Total: 34

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
FY 2008-2009 Contracts									
Open Contracts									
ML09009	City of South Pasadena	11/5/2010	12/4/2016	3/4/2019	\$137,500.00	\$0.00	CNG Station Expansion	\$137,500.00	No
ML09010	City of Palm Springs	1/8/2010	2/7/2016		\$25,000.00	\$0.00	1 Nat. Gas Heavy-Duty Vehicle	\$25,000.00	No
ML09013	City of Riverside Public Works	9/10/2010	12/9/2011	7/31/2013	\$144,470.00	\$0.00	Traffic Signal Synchr./Moreno Valley	\$144,470.00	No
ML09014	City of Riverside Public Works	9/10/2010	12/9/2011	7/31/2013	\$113,030.00	\$0.00	Traffic Signal Synchr./Corona	\$113,030.00	No
ML09015	City of Riverside Public Works	9/10/2010	12/9/2011	7/31/2013	\$80,060.00	\$0.00	Traffic Signal Synchr./Co. of Riverside	\$80,060.00	No
ML09023	Los Angeles County Department of	12/10/2010	12/9/2017		\$50,000.00	\$0.00	2 Heavy-Duty Alternative Fuel Transit Vehic	\$50,000.00	No
ML09024	Los Angeles County Department of	10/15/2010	12/14/2012	6/14/2013	\$400,000.00	\$0.00	Maintenance Facility Modifications	\$400,000.00	No
ML09026	Los Angeles County Department of	10/15/2010	10/14/2017	4/14/2019	\$150,000.00	\$0.00	3 Off-Road Vehicle Repowers	\$150,000.00	No
ML09030	City of Los Angeles GSD/Fleet Servi	6/18/2010	6/17/2011		\$22,310.00	\$0.00	Remote Vehicle Diagnostics/107 Vehicles	\$22,310.00	No
ML09032	Los Angeles World Airports	4/8/2011	4/7/2018		\$175,000.00	\$0.00	7 Nat. Gas Heavy-Duty Vehicles	\$175,000.00	No
ML09033	City of Beverly Hills	3/4/2011	5/3/2017	5/3/2018	\$550,000.00	\$100,000.00	10 Nat. Gas Heavy-Duty Vehicles & CNG St	\$450,000.00	No
ML09035	City of Fullerton	6/17/2010	6/16/2017	12/16/2018	\$450,000.00	\$50,000.00	2 Heavy-Duty CNG Vehicles & Install CNG	\$400,000.00	No
ML09036	City of Long Beach Fleet Services B	5/7/2010	5/6/2017	5/6/2018	\$875,000.00	\$525,000.00	Purchase 35 LNG Refuse Trucks	\$350,000.00	No
ML09043	City of Covina	10/8/2010	4/7/2017	10/7/2018	\$179,591.00	\$0.00	Upgrade Existing CNG Station	\$179,591.00	No
MS09001	Administrative Services Co-Op/Long	3/5/2009	6/30/2012	12/31/2013	\$225,000.00	\$150,000.00	15 CNG Taxicabs	\$75,000.00	No
Total: 15									
Declined/Cancelled Contracts									
ML09017	County of San Bernardino Public Wo	1/28/2010	7/27/2016		\$200,000.00	\$0.00	8 Nat. Gas Heavy-Duty Vehicles	\$200,000.00	No
ML09018	Los Angeles Department of Water a	7/16/2010	9/15/2012		\$850,000.00	\$0.00	Retrofit 85 Off-Road Vehicles w/DECS	\$850,000.00	No
ML09019	City of San Juan Capistrano Public	12/4/2009	11/3/2010		\$10,125.00	\$0.00	Remote Vehicle Diagnostics/45 Vehicles	\$10,125.00	No
ML09022	Los Angeles County Department of				\$8,250.00	\$0.00	Remote Vehicle Diagnostics/15 Vehicles	\$8,250.00	No
ML09028	Riverside County Waste Manageme				\$140,000.00	\$0.00	Retrofit 7 Off-Road Vehicles w/DECS	\$140,000.00	No
ML09039	City of Inglewood				\$310,000.00	\$0.00	Purchase 12 H.D. CNG Vehicles and Remot	\$310,000.00	No
ML09040	City of Cathedral City				\$83,125.00	\$0.00	Purchase 3 H.D. CNG Vehicles and Remote	\$83,125.00	No
ML09044	City of San Dimas				\$425,000.00	\$0.00	Install CNG Station and Purchase 1 CNG S	\$425,000.00	No
ML09045	City of Orange				\$125,000.00	\$0.00	Purchase 5 CNG Sweepers	\$125,000.00	No
MS09003	FuelMaker Corporation				\$296,000.00	\$0.00	Home Refueling Apparatus Incentives	\$296,000.00	No
Total: 10									
Closed Contracts									
ML09007	City of Rancho Cucamonga	2/26/2010	4/25/2012		\$117,500.00	\$62,452.57	Maintenance Facility Modification	\$55,047.43	Yes
ML09020	County of San Bernardino	8/16/2010	2/15/2012		\$49,770.00	\$49,770.00	Remote Vehicle Diagnostics/252 Vehicles	\$0.00	Yes
ML09021	City of Palm Desert	7/9/2010	3/8/2012		\$39,450.00	\$38,248.87	Traffic Signal Synchr./Rancho Mirage	\$1,201.13	Yes
ML09025	Los Angeles County Department of	10/15/2010	12/14/2012	6/14/2013	\$50,000.00	\$0.00	Remote Vehicle Diagnostics/85 Vehicles	\$50,000.00	No
ML09027	Los Angeles County Department of	7/23/2010	3/22/2012	6/22/2012	\$150,000.00	\$150,000.00	Freeway Detector Map Interface	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS09005	Gas Equipment Systems, Inc.	6/19/2009	10/18/2010		\$71,000.00	\$71,000.00	Provide Temp. Fueling for Mountain Area C	\$0.00	Yes

Total: 6

Open/Complete Contracts

ML09008	City of Culver City Transportation De	1/19/2010	7/18/2016	7/18/2017	\$175,000.00	\$175,000.00	8 Nat. Gas Heavy-Duty Vehicles	\$0.00	No
ML09011	City of San Bernardino	2/19/2010	5/18/2016		\$250,000.00	\$250,000.00	10 Nat. Gas Heavy-Duty Vehicles	\$0.00	Yes
ML09012	City of Gardena	3/12/2010	11/11/2015		\$25,000.00	\$25,000.00	1 Nat. Gas Heavy-Duty Vehicle	\$0.00	Yes
ML09016	County of San Bernardino Public Wo	1/28/2010	3/27/2014		\$50,000.00	\$50,000.00	Install New CNG Station	\$0.00	Yes
ML09029	City of Whittier	11/6/2009	4/5/2016		\$25,000.00	\$25,000.00	1 Nat. Gas Heavy-Duty Vehicle	\$0.00	Yes
ML09031	City of Los Angeles, Department of	10/29/2010	10/28/2017		\$825,000.00	\$825,000.00	33 Nat. Gas Heavy-Duty Vehicles	\$0.00	Yes
ML09034	City of La Palma	11/25/2009	6/24/2015		\$25,000.00	\$25,000.00	1 LPG Heavy-Duty Vehicle	\$0.00	Yes
ML09037	City of Redondo Beach	6/18/2010	6/17/2016		\$50,000.00	\$50,000.00	Purchase Two CNG Sweepers	\$0.00	Yes
ML09038	City of Chino	9/27/2010	5/26/2017		\$250,000.00	\$250,000.00	Upgrade Existing CNG Station	\$0.00	Yes
ML09041	City of Los Angeles, Bureau of Sanit	10/1/2010	9/30/2017		\$875,000.00	\$875,000.00	Purchase 35 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML09042	Los Angeles Department of Water a	12/10/2010	12/9/2017		\$1,400,000.00	\$1,400,000.00	Purchase 56 Dump Trucks	\$0.00	Yes
ML09046	City of Newport Beach	5/20/2010	5/19/2016		\$162,500.00	\$162,500.00	Upgrade Existing CNG Station, Maintenance	\$0.00	Yes

Total: 12

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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FY 2009-2010 Contracts

Open Contracts

MS10003	City of Sierra Madre	5/11/2012	3/10/2018		\$13,555.00	\$0.00	Purchase 1 H.D. CNG Vehicle	\$13,555.00	No
MS10004	Linde LLC	3/2/2012	6/1/2018		\$56,932.00	\$0.00	Purchase 6 H.D. CNG Vehicles	\$56,932.00	No
MS10005	Domestic Linen Supply Company, In	10/8/2010	7/7/2016		\$47,444.00	\$0.00	Purchase 5 Gas-Electric Hybrid Vehicles	\$47,444.00	No
MS10006	Nationwide Environmental Services	11/19/2010	4/18/2017	9/18/2019	\$94,887.00	\$56,932.20	Purchase Three Street Sweepers	\$37,954.80	No
MS10007	Enterprise Rent-A-Car Company of L	7/15/2011	10/14/2017		\$18,976.00	\$18,976.00	Purchase 2 H.D. CNG Vehicles	\$0.00	No
MS10009	Ware Disposal Company, Inc.	10/29/2010	3/28/2017		\$123,353.00	\$123,352.00	Purchase 4 CNG Refuse Trucks	\$1.00	No
MS10012	Foothill Transit Agency	3/9/2012	3/8/2019		\$85,399.00	\$0.00	Purchase 9 H.D. Electric Vehicles	\$85,399.00	No
MS10017	Ryder System Inc.	12/30/2011	6/29/2018	12/29/2018	\$651,377.00	\$0.00	Purchase 19 H.D. Natural Gas Vehicles	\$651,377.00	No
MS10021	City of Glendora	10/29/2010	11/28/2016		\$9,489.00	\$0.00	Purchase 1 H.D. CNG Vehicle	\$9,489.00	No
MS10025	Elham Shirazi	2/18/2011	10/17/2012	2/17/2014	\$199,449.00	\$169,517.40	Telework Demonstration Program	\$29,931.60	No

Total: 10

Pending Execution Contracts

MS10015	County of Los Angeles Department o				\$37,955.00	\$0.00	Purchase 2 H.D. CNG Vehicles	\$37,955.00	No
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Total: 1

Declined/Cancelled Contracts

MS10013	City of San Bernardino				\$68,834.00	\$0.00	Purchase 9 H.D. LNG Vehicles	\$68,834.00	No
MS10014	Serv-Wel Disposal				\$18,977.00	\$0.00	Purchase 2 H.D. CNG Vehicles	\$18,977.00	No
MS10018	Shaw Transport Inc.				\$81,332.00	\$0.00	Purchase 6 H.D. LNG Vehicles	\$81,332.00	No
MS10022	Los Angeles World Airports				\$123,353.00	\$0.00	Purchase 13 H.D. CNG Vehicles	\$123,353.00	No
MS10023	Dix Leasing				\$105,000.00	\$0.00	Purchase 3 H.D. LNG Vehicles	\$105,000.00	No

Total: 5

Closed Contracts

MS10001	Los Angeles County MTA	3/19/2010	2/28/2011	4/28/2011	\$300,000.00	\$196,790.61	Clean Fuel Transit Bus Service to Dodger St	\$103,209.39	Yes
MS10002	Coachella Valley Association of Gov	6/18/2010	2/17/2011		\$400,000.00	\$400,000.00	Coachella Valley PM10 Reduction Street Sw	\$0.00	Yes

Total: 2

Open/Complete Contracts

MS10008	Republic Services, Inc.	12/10/2010	5/9/2017		\$123,354.00	\$123,354.00	Purchase 4 CNG Refuse Collection Vehicles	\$0.00	Yes
MS10010	New Bern Transport Corporation	10/29/2010	3/28/2017		\$113,864.00	\$113,864.00	Repower 4 Heavy-Duty Vehicles	\$0.00	Yes
MS10011	Foothill Transit Agency	3/9/2012	2/8/2018		\$113,865.00	\$113,865.00	Purchase 12 H.D. CNG Vehicles	\$0.00	Yes
MS10016	Rio Hondo Community College	11/5/2010	5/4/2017		\$16,077.00	\$16,077.00	Purchase 1 CNG Shuttle Bus	\$0.00	Yes
MS10019	EDCO Disposal Corporation	11/19/2010	2/18/2017		\$379,549.00	\$379,283.81	Purchase 11 H.D. CNG Refuse Trucks	\$265.19	Yes
MS10020	American Reclamation, Inc.	5/6/2011	2/5/2018		\$18,977.00	\$18,977.00	Purchase 1 H.D. CNG Vehicle	\$0.00	Yes
MS10024	Frito-Lay North America	7/29/2011	9/28/2017		\$47,444.00	\$47,444.00	Purchase 5 Electric Vehicles	\$0.00	Yes

Total: 7

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
FY 2010-2011 Contracts									
Open Contracts									
ML11020	City of Indio	2/1/2013	3/31/2019		\$30,000.00	\$0.00	Retrofit one H.D. Vehicles w/DECS, repower	\$30,000.00	No
ML11021	City of Whittier	1/27/2012	9/26/2018		\$210,000.00	\$90,000.00	Purchase 7 Nat. Gas H.D. Vehicles	\$120,000.00	No
ML11022	City of Anaheim	3/16/2012	7/15/2018		\$150,000.00	\$0.00	Install CNG Fueling Station, purchase 5 H.D	\$150,000.00	No
ML11023	City of Rancho Cucamonga	4/20/2012	12/19/2018		\$260,000.00	\$60,000.00	Expand Existing CNG Station, 2 H.D. Vehicl	\$200,000.00	No
ML11026	City of Redlands	3/2/2012	10/1/2018		\$90,000.00	\$90,000.00	Purchase 3 Nat. Gas H.D. Vehicles	\$0.00	No
ML11027	City of Los Angeles, Dept. of Genera	5/4/2012	7/3/2015		\$300,000.00	\$0.00	Maintenance Facility Modifications	\$300,000.00	No
ML11029	City of Santa Ana	9/7/2012	3/6/2020		\$262,500.00	\$0.00	Expansion of Existing CNG Station, Install N	\$262,500.00	No
ML11032	City of Gardena	3/2/2012	9/1/2018		\$102,500.00	\$30,000.00	Modify Maint. Facility, Expand CNG station,	\$72,500.00	No
ML11033	City of Los Angeles, Bureau of Sanit	3/16/2012	1/15/2019		\$1,080,000.00	\$570,000.00	Purchase 36 LNG H.D. Vehicles	\$510,000.00	No
ML11034	City of Los Angeles, Department of	5/4/2012	1/3/2019		\$630,000.00	\$0.00	Purchase 21 H.D. CNG Vehicles	\$630,000.00	No
ML11036	City of Riverside	1/27/2012	1/26/2019		\$670,000.00	\$0.00	Install New CNG Station, Purchase 9 H.D. N	\$670,000.00	No
ML11037	City of Anaheim	12/22/2012	12/21/2019		\$300,000.00	\$0.00	Purchase 12 Nat. Gas H.D. Vehicles	\$300,000.00	No
ML11038	City of Santa Monica	5/18/2012	7/17/2018		\$400,000.00	\$0.00	Maintenance Facility Modifications	\$400,000.00	No
ML11040	City of South Pasadena	5/4/2012	1/3/2019		\$30,000.00	\$0.00	Purchase 1 Nat. Gas H.D. Vehicle	\$30,000.00	No
ML11041	City of Santa Ana	9/7/2012	11/6/2018		\$265,000.00	\$34,651.86	Purchase 7 LPG H.D. Vehicles, Retrofit 6 H.	\$230,348.14	No
ML11042	City of Chino	2/17/2012	4/16/2018		\$35,077.00	\$30,000.00	Purchase 1 Nat. Gas H.D. Vehicle, Repower	\$5,077.00	No
ML11043	City of Hemet Public Works	2/3/2012	2/2/2019		\$60,000.00	\$30,000.00	Purchase 2 H.D. Nat. Gas Vehicles	\$30,000.00	No
ML11044	City of Ontario	1/27/2012	6/26/2019		\$400,000.00	\$0.00	Expand Existing CNG Station	\$400,000.00	No
ML11045	City of Newport Beach	2/3/2012	8/2/2018	8/2/2019	\$30,000.00	\$0.00	Purchase 1 Nat. Gas H.D. Vehicle	\$30,000.00	No
MS11001	Mineral LLC	4/22/2011	4/30/2013	4/30/2015	\$111,827.00	\$88,886.83	Design, Develop, Host and Maintain MSRC	\$22,940.17	No
MS11004	Los Angeles County MTA	9/9/2011	2/29/2012		\$450,000.00	\$299,743.34	Clean Fuel Transit Service to Dodger Stadiu	\$150,256.66	No
MS11006	Orange County Transportation Autho	10/7/2011	2/29/2012	8/31/2012	\$268,207.00	\$160,713.00	Metrolink Service to Angel Stadium	\$107,494.00	No
MS11010	Border Valley Trading	8/26/2011	10/25/2017	10/25/2018	\$150,000.00	\$0.00	New LNG Station	\$150,000.00	No
MS11011	EDCO Disposal Corporation	12/30/2011	4/29/2019		\$100,000.00	\$90,000.00	New CNG Station - Signal Hill	\$10,000.00	No
MS11012	EDCO Disposal Corporation	12/30/2011	4/29/2019		\$100,000.00	\$0.00	New CNG Station - Buena Park	\$100,000.00	No
MS11016	CR&R Incorporated	4/12/2013	10/11/2019		\$100,000.00	\$0.00	New CNG Station - Perris	\$100,000.00	No
MS11019	City of Corona	11/29/2012	4/28/2020		\$225,000.00	\$0.00	Expansion of Existing CNG Station	\$225,000.00	No
MS11055	KEC Engineering	2/3/2012	8/2/2018		\$250,000.00	\$90,000.00	Repower 5 H.D. Off-Road Vehicles	\$160,000.00	No
MS11056	The Better World Group	12/30/2011	12/29/2013		\$98,418.00	\$85,637.00	Programmatic Outreach Services	\$12,781.00	No
MS11058	Los Angeles Service Authority for Fr	5/31/2013	4/30/2014		\$123,395.00	\$0.00	Develop and Implement 511 "Smart Phone"	\$123,395.00	No
MS11060	Rowland Unified School District	8/17/2012	1/16/2019		\$175,000.00	\$0.00	New Limited Access CNG Station	\$175,000.00	No
MS11061	Eastern Municipal Water District	3/29/2012	5/28/2015		\$11,659.00	\$1,450.00	Retrofit One Off-Road Vehicle under Showc	\$10,209.00	No
MS11062	Load Center	9/7/2012	1/6/2016		\$194,319.00	\$30,289.00	Retrofit Six Off-Road Vehicles under Showc	\$164,030.00	No
MS11064	City of Hawthorne	7/28/2012	8/27/2018	8/27/2019	\$175,000.00	\$0.00	New Limited Access CNG Station	\$175,000.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS11065	Temecula Valley Unified School Distr	8/11/2012	1/10/2019		\$50,000.00	\$0.00	Expansion of Existing CNG Station	\$50,000.00	No
MS11066	Torrance Unified School District	11/19/2012	9/18/2018		\$42,296.00	\$0.00	Expansion of Existing CNG Station	\$42,296.00	No
MS11067	City of Redlands	5/24/2012	11/23/2018		\$85,000.00	\$0.00	Expansion of Existing CNG Station	\$85,000.00	No
MS11068	Ryder System Inc.	7/28/2012	10/27/2018		\$175,000.00	\$157,500.00	New Public Access L/CNG Station (Fontana	\$17,500.00	No
MS11069	Ryder System Inc.	7/28/2012	8/27/2018		\$175,000.00	\$157,500.00	New Public Access L/CNG Station (Orange)	\$17,500.00	No
MS11071	City of Torrance Transit Department	12/22/2012	1/21/2019		\$175,000.00	\$0.00	New Limited Access CNG Station	\$175,000.00	No
MS11076	SA Recycling, LLC	5/24/2012	9/23/2015		\$424,801.00	\$0.00	Retrofit of 13 Off-Road Diesel Vehicles with	\$424,801.00	No
MS11079	Bear Valley Unified School District	2/5/2013	10/4/2019		\$175,000.00	\$0.00	New Limited Access CNG Station	\$175,000.00	No
MS11081	Metropolitan Stevedore Company	9/7/2012	1/6/2016		\$45,416.00	\$0.00	Install DECS on Two Off-Road Vehicles	\$45,416.00	No
MS11082	Baumot North America, LLC	8/2/2012	12/1/2015		\$65,958.00	\$0.00	Install DECS on Four Off-Road Vehicles	\$65,958.00	No
MS11085	City of Long Beach Fleet Services B	8/23/2013	12/22/2016		\$159,012.00	\$0.00	Retrofit Seven H.D. Off-Road Vehicles Unde	\$159,012.00	No
MS11086	DCL America Inc.	6/7/2013	10/6/2016		\$500,000.00	\$0.00	Retrofit Eight H.D. Off-Road Vehicles Under	\$500,000.00	No
MS11087	Cemex Construction Material Pacific,	10/16/2012	2/15/2016		\$448,766.00	\$150,936.31	Retrofit 13 H.D. Off-Road Vehicles Under Sh	\$297,829.69	No
MS11091	California Cartage Company, LLC	4/5/2013	8/4/2016		\$55,000.00	\$0.00	Retrofit Two H.D. Off-Road Vehicles Under	\$55,000.00	No
MS11092	Griffith Company	2/5/2013	6/4/2016		\$390,521.00	\$0.00	Retrofit 18 H.D. Off-Road Vehicles Under Sh	\$390,521.00	No

Total: 49

Pending Execution Contracts

ML11024	County of Los Angeles, Dept of Publi				\$90,000.00	\$0.00	Purchase 3 Nat. Gas H.D. Vehicles	\$90,000.00	No
ML11025	County of Los Angeles Department o				\$150,000.00	\$0.00	Purchase 5 Nat. Gas H.D. Vehicles	\$150,000.00	No
MS11008	USA Waste of California, Inc.				\$125,000.00	\$0.00	Expansion of Existing LCNG Station	\$125,000.00	No
MS11009	USA Waste of California, Inc.				\$125,000.00	\$0.00	Expansion of Existing LCNG Station	\$125,000.00	No
MS11073	Los Angeles Unified School District				\$175,000.00	\$0.00	Expansion of Existing CNG Station	\$175,000.00	No
MS11084	Ivanhoe Energy Services and Develo				\$66,750.00	\$0.00	Retrofit One H.D. Off-Road Vehicle Under S	\$66,750.00	No

Total: 6

Declined/Cancelled Contracts

MS11013	Go Natural Gas, Inc.				\$150,000.00	\$0.00	New CNG Station - Huntington Beach	\$150,000.00	No
MS11014	Go Natural Gas, Inc.				\$150,000.00	\$0.00	New CNG Station - Santa Ana	\$150,000.00	No
MS11015	Go Natural Gas, Inc.				\$150,000.00	\$0.00	New CNG Station - Inglewood	\$150,000.00	No
MS11046	Luis Castro				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11047	Ivan Borjas				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11048	Phase II Transportation				\$1,080,000.00	\$0.00	Repower 27 Heavy-Duty Vehicles	\$1,080,000.00	No
MS11049	Ruben Caceras				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11050	Carlos Arrue				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11051	Francisco Vargas				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11053	Jose Ivan Soltero				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11054	Albino Meza				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11059	Go Natural Gas				\$150,000.00	\$0.00	New Public Access CNG Station - Paramou	\$150,000.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS11063	Standard Concrete Products				\$310,825.00	\$0.00	Retrofit Two Off-Road Vehicles under Show	\$310,825.00	No
MS11070	American Honda Motor Company				\$100,000.00	\$0.00	Expansion of Existing CNG Station	\$100,000.00	No
MS11072	Trillium USA Company DBA Californi				\$150,000.00	\$0.00	New Public Access CNG Station	\$150,000.00	No
MS11077	DCL America Inc.				\$263,107.00	\$0.00	Retrofit of 13 Off-Road Diesel Vehicles with	\$263,107.00	No
MS11083	Catrac Construction, Inc.				\$500,000.00	\$0.00	Install DECS on Eight Off-Road Vehicles	\$500,000.00	No
MS11088	Diesel Emission Technologies				\$32,750.00	\$0.00	Retrofit Three H.D. Off-Road Vehicles Under	\$32,750.00	No
MS11089	Diesel Emission Technologies				\$9,750.00	\$0.00	Retrofit One H.D. Off-Road Vehicle Under S	\$9,750.00	No
MS11090	Diesel Emission Technologies				\$14,750.00	\$0.00	Retrofit One H.D. Off-Road Vehicle Under S	\$14,750.00	No

Total: 20

Closed Contracts

ML11007	Coachella Valley Association of Gov	7/29/2011	7/28/2012		\$250,000.00	\$249,999.96	Regional PM10 Street Sweeping Program	\$0.04	Yes
ML11035	City of La Quinta	11/18/2011	11/17/2012		\$25,368.00	\$25,368.00	Retrofit 3 On-Road Vehicles w/DECS	\$0.00	Yes
MS11002	A-Z Bus Sales, Inc.	7/15/2011	12/31/2011	6/30/2013	\$1,705,000.00	\$1,705,000.00	Alternative Fuel School Bus Incentive Progr	\$0.00	Yes
MS11003	BusWest	7/26/2011	12/31/2011	12/31/2012	\$1,305,000.00	\$1,305,000.00	Alternative Fuel School Bus Incentive Progr	\$0.00	Yes
MS11018	Orange County Transportation Autho	10/14/2011	1/31/2012		\$211,360.00	\$211,360.00	Express Bus Service to Orange County Fair	\$0.00	Yes
MS11052	Krisda Inc	9/27/2012	6/26/2013		\$120,000.00	\$120,000.00	Repower Three Heavy-Duty Vehicles	\$0.00	Yes
MS11057	Riverside County Transportation Co	7/28/2012	3/27/2013		\$100,000.00	\$89,159.40	Develop and Implement 511 "Smart Phone"	\$10,840.60	Yes
MS11074	SunLine Transit Agency	5/11/2012	7/31/2012		\$41,849.00	\$22,391.00	Transit Service for Coachella Valley Festival	\$19,458.00	Yes
MS11080	Southern California Regional Rail Au	4/6/2012	7/31/2012		\$26,000.00	\$26,000.00	Metrolink Service to Auto Club Speedway	\$0.00	Yes

Total: 9

Open/Complete Contracts

ML11028	City of Glendale	1/13/2012	5/12/2018		\$300,000.00	\$300,000.00	Purchase 10 H.D. CNG Vehicles	\$0.00	Yes
ML11030	City of Fullerton	2/3/2012	3/2/2018		\$109,200.00	\$109,200.00	Purchase 2 Nat. Gas H.D. Vehicles, Retrofit	\$0.00	Yes
ML11031	City of Culver City Transportation De	12/2/2011	12/1/2018		\$300,000.00	\$300,000.00	Purchase 10 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML11039	City of Ontario	1/27/2012	9/26/2018		\$180,000.00	\$180,000.00	Purchase 6 Nat. Gas H.D. Vehicles	\$0.00	Yes
MS11017	CR&R, Inc.	3/2/2012	2/1/2018		\$100,000.00	\$100,000.00	Expansion of existing station - Garden Grov	\$0.00	Yes

Total: 5

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
FY 2011-2012 Contracts									
Open Contracts									
ML12013	City of Pasadena	10/19/2012	3/18/2015		\$200,000.00	\$0.00	Electric Vehicle Charging Infrastructure	\$200,000.00	No
ML12015	City of Fullerton	4/25/2013	11/24/2020		\$40,000.00	\$0.00	HD CNG Vehicle, Expand CNG Station, & In	\$40,000.00	No
ML12016	City of Cathedral City	1/4/2013	10/3/2019		\$60,000.00	\$0.00	CNG Vehicle & Electric Vehicle Infrastructur	\$60,000.00	No
ML12017	City of Los Angeles, Bureau of Sanit	6/26/2013	5/25/2020		\$950,000.00	\$0.00	32 H.D. Nat. Gas Vehicles	\$950,000.00	No
ML12019	City of Palm Springs	9/6/2013	7/5/2015		\$38,000.00	\$0.00	EV Charging Infrastructure	\$38,000.00	No
ML12020	City of Los Angeles, Department of	9/27/2012	3/26/2019		\$450,000.00	\$0.00	15 H.D. Nat. Gas Vehicles	\$450,000.00	No
ML12021	City of Rancho Cucamonga	9/14/2012	1/13/2020		\$40,000.00	\$0.00	Four Medium-Duty Nat. Gas Vehicles	\$40,000.00	No
ML12023	County of Los Angeles Internal Servi	8/1/2013	2/28/2015		\$250,000.00	\$0.00	EV Charging Infrastructure	\$250,000.00	No
ML12039	City of Redlands	2/8/2013	10/7/2019		\$90,000.00	\$0.00	Three Heavy-Duty Nat. Gas Vehicles	\$90,000.00	No
ML12042	City of Chino Hills	1/18/2013	3/17/2017		\$87,500.00	\$0.00	Expansion of Existing CNG Station	\$87,500.00	No
ML12043	City of Hemet	6/24/2013	9/23/2019		\$60,000.00	\$0.00	Two Heavy-Duty Nat. Gas Vehicles	\$60,000.00	No
ML12046	City of Irvine	8/11/2013	3/10/2021		\$30,000.00	\$0.00	One Heavy-Duty Nat. Gas Vehicle	\$30,000.00	No
ML12047	City of Orange	2/1/2013	1/31/2019		\$30,000.00	\$0.00	One Heavy-Duty Nat. Gas Vehicle	\$30,000.00	No
ML12048	City of La Palma	1/4/2013	11/3/2018		\$20,000.00	\$0.00	Two Medium-Duty LPG Vehicles	\$20,000.00	No
ML12050	City of Baldwin Park	4/25/2013	4/24/2014		\$463,650.00	\$0.00	EV Charging Infrastructure	\$463,650.00	No
ML12052	City of Whittier	3/14/2013	7/13/2019		\$165,000.00	\$0.00	Expansion of Existing CNG Station	\$165,000.00	No
ML12056	City of Cathedral City	3/26/2013	5/25/2014		\$25,000.00	\$0.00	Regional Street Sweeping Program	\$25,000.00	No
ML12057	City of Coachella	8/28/2013	8/27/2019		\$57,456.00	\$0.00	Purchase One Nat. Gas H.D. Vehicle/Street	\$57,456.00	No
MS12001	Los Angeles County MTA	7/1/2012	4/30/2013		\$300,000.00	\$0.00	Clean Fuel Transit Service to Dodger Stadiu	\$300,000.00	No
MS12002	Orange County Transportation Autho	9/7/2012	4/30/2013		\$342,340.00	\$333,185.13	Express Bus Service to Orange County Fair	\$9,154.87	No
MS12008	Bonita Unified School District	7/12/2013	12/11/2019		\$175,000.00	\$0.00	Construct New Limited-Access CNG Station	\$175,000.00	No
MS12010	Murrieta Valley Unified School Distric	4/5/2013	9/4/2019		\$244,000.00	\$0.00	Construct New Limited-Access CNG Station	\$244,000.00	No
MS12011	Southern California Gas Company	6/14/2013	6/13/2019		\$150,000.00	\$0.00	Construct New Public-Access CNG Station -	\$150,000.00	No
MS12012	Rim of the World Unified School Dist	12/20/2012	5/19/2014		\$75,000.00	\$0.00	Vehicle Maintenance Facility Modifications	\$75,000.00	No
MS12024	Southern California Gas Company	6/13/2013	12/12/2019		\$150,000.00	\$0.00	Construct New Public-Access CNG Station -	\$150,000.00	No
MS12026	U-Haul Company of California	3/14/2013	3/13/2019		\$500,000.00	\$0.00	Purchase 15 Medium-Heavy Duty Vehicles	\$500,000.00	No
MS12027	C.V. Ice Company, Inc.	5/17/2013	11/16/2019		\$75,000.00	\$0.00	Purchase 3 Medium-Heavy Duty Vehicles	\$75,000.00	No
MS12028	Dy-Dee Service of Pasadena, Inc.	12/22/2012	1/21/2019		\$45,000.00	\$18,000.00	Purchase 2 Medium-Duty and 1 Medium-He	\$27,000.00	No
MS12029	Community Action Partnership of Or	11/2/2012	11/1/2018		\$25,000.00	\$14,850.00	Purchase 1 Medium-Heavy Duty Vehicle	\$10,150.00	No
MS12031	Final Assembly, Inc.	11/2/2012	11/1/2018		\$100,000.00	\$29,201.40	Purchase 4 Medium-Heavy Duty Vehicles	\$70,798.60	No
MS12032	Fox Transportation	12/14/2012	12/13/2018		\$500,000.00	\$500,000.00	Purchase 20 Medium-Heavy Duty Vehicles	\$0.00	No
MS12033	Mike Diamond/Phace Management	12/22/2012	12/21/2018		\$500,000.00	\$21,735.00	Purchase 20 Medium-Heavy Duty Vehicles	\$478,265.00	No
MS12034	Ware Disposal Company, Inc.	11/2/2012	11/1/2018		\$195,000.00	\$74,763.00	Purchase 2 Medium-Duty and 7 Medium-He	\$120,237.00	No
MS12035	Disneyland Resort	1/4/2013	7/3/2019		\$25,000.00	\$17,010.00	Purchase 1 Medium-Heavy Duty Vehicle	\$7,990.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS12059	Orange County Transportation Autho	2/28/2013	12/27/2014		\$75,000.00	\$0.00	Maintenance Facility Modifications	\$75,000.00	No
MS12062	Fraser Communications	12/7/2012	5/31/2014		\$998,669.00	\$854,806.55	Develop & Implement "Rideshare Thursday"	\$143,862.45	No
MS12063	Custom Alloy Light Metals, Inc.	8/16/2013	2/15/2020		\$100,000.00	\$0.00	Install New Limited Access CNG Staiton	\$100,000.00	No
MS12064	Anaheim Transportation Network	3/26/2013	12/31/2014		\$127,296.00	\$13,735.28	Implement Anaheim Circulator Service	\$113,560.72	No
MS12065	Orange County Transportation Autho	7/27/2013	11/30/2013		\$43,933.00	\$0.00	Ducks Express Service to Honda Center	\$43,933.00	No
MS12069	City of Irvine	8/11/2013	2/28/2014		\$45,000.00	\$0.00	Implement Shuttle Service to Orange Count	\$45,000.00	No
MS12071	Transit Systems Unlimited, Inc.	5/17/2013	12/16/2018		\$21,250.00	\$19,125.00	Expansion of Existing CNG Station	\$2,125.00	No
MS12072	99 Cents Only Stores	4/5/2013	9/4/2019		\$100,000.00	\$0.00	Construct New CNG Station	\$100,000.00	No
MS12073	FirstCNG, LLC	7/27/2013	12/26/2019		\$150,000.00	\$0.00	Construct New CNG Station	\$150,000.00	No
MS12074	Arcadia Unified School District	7/5/2013	9/4/2019		\$175,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$175,000.00	No
MS12075	CR&R Incorporated	7/27/2013	1/26/2021		\$100,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$100,000.00	No
MS12076	City of Ontario	3/8/2013	4/7/2015		\$75,000.00	\$0.00	Maintenance Facilities Modification	\$75,000.00	No
MS12077	City of Coachella	6/14/2013	6/13/2020		\$225,000.00	\$0.00	Construct New CNG Station	\$225,000.00	No
MS12085	Bear Valley Unified School District	4/25/2013	6/24/2014		\$75,000.00	\$0.00	Maintenance Facility Modifications	\$75,000.00	No
MS12086	SuperShuttle International, Inc.	3/26/2013	3/25/2019		\$225,000.00	\$0.00	Purchase 23 Medium-Heavy Duty Vehicles	\$225,000.00	No
MS12087	Los Angeles County MTA	8/29/2013	11/28/2015		\$125,000.00	\$0.00	Implement Rideshare Incentives Program	\$125,000.00	No
MS12Hom	Mansfield Gas Equipment Systems				\$296,000.00	\$0.00	Home Refueling Apparatus Incentive Progra	\$296,000.00	No

Total: 51

Pending Execution Contracts

ML12014	City of Santa Ana				\$384,000.00	\$0.00	9 H.D. Nat. Gas & LPG Trucks, EV Charging	\$384,000.00	No
ML12018	City of West Covina				\$300,000.00	\$0.00	Expansion of Existing CNG Station	\$300,000.00	No
ML12022	City of La Puente				\$110,000.00	\$0.00	2 Medium-Duty and Three Heavy-Duty CNG	\$110,000.00	No
ML12041	City of Anaheim Public Utilities Depa				\$68,977.00	\$0.00	EV Charging Infrastructure	\$68,977.00	No
ML12045	City of Baldwin Park				\$400,000.00	\$0.00	Install New CNG Station	\$400,000.00	No
ML12049	City of Rialto Public Works				\$57,958.00	\$0.00	EV Charging Infrastructure	\$57,958.00	No
ML12051	City of Bellflower				\$270,000.00	\$0.00	EV Charging Infrastructure	\$270,000.00	No
ML12053	City of Mission Viejo				\$60,000.00	\$0.00	EV Charging Infrastructure	\$60,000.00	No
ML12054	City of Palm Desert				\$77,385.00	\$0.00	EV Charging Infrastructure	\$77,385.00	No
ML12066	City of Manhattan Beach				\$15,202.00	\$0.00	Electric Vehicle Charging Infrastructure	\$15,202.00	No
MS12004	USA Waste of California, Inc.				\$175,000.00	\$0.00	Construct New Limited-Access CNG Station	\$175,000.00	No
MS12009	Sysco Food Services of Los Angeles				\$150,000.00	\$0.00	Construct New Public-Access CNG Station	\$150,000.00	No
MS12060	City of Santa Monica				\$500,000.00	\$0.00	Transit-Oriented Bicycle Sharing Program	\$500,000.00	No
MS12061	Orange County Transportation Autho				\$224,000.00	\$0.00	Transit-Oriented Bicycle Sharing Program	\$224,000.00	No
MS12067	Leatherwood Construction, Inc.				\$122,719.00	\$0.00	Retrofit Six Vehicles w/DECS - Showcase III	\$122,719.00	No
MS12070	Valley Music Travel				\$99,000.00	\$0.00	Implement Shuttle Service to Coachella Mus	\$99,000.00	No
MS12078	Penske Truck Leasing Co., L.P.				\$75,000.00	\$0.00	Maintenance Facility Modifications - Vernon	\$75,000.00	No
MS12079	Penske Truck Leasing Co., L.P.				\$75,000.00	\$0.00	Maintenance Facility Modifications - Boyle H	\$75,000.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS12080	City of Pasadena				\$225,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$225,000.00	No
MS12081	Penske Truck Leasing Co., L.P.				\$75,000.00	\$0.00	Maintenance Facility Modifications - Santa A	\$75,000.00	No
MS12082	City of Los Angeles, Bureau of Sanit				\$175,000.00	\$0.00	Install New CNG Infrastructure	\$175,000.00	No
MS12083	Brea Olinda Unified School District				\$59,454.00	\$0.00	Install New CNG Infrastructure	\$59,454.00	No
MS12084	Airport Mobil Inc.				\$150,000.00	\$0.00	Install New CNG Infrastructure	\$150,000.00	No
MS12088	Orange County Transportation Autho				\$125,000.00	\$0.00	Implement Rideshare Incentives Program	\$125,000.00	No
MS12089	Riverside County Transportation Co				\$250,000.00	\$0.00	Implement Rideshare Incentives Program	\$250,000.00	No

Total: 25

Declined/Cancelled Contracts

ML12038	City of Long Beach Public Works				\$26,000.00	\$0.00	Electric Vehicle Charging Infrastructure	\$26,000.00	No
ML12040	City of Duarte Transit				\$30,000.00	\$0.00	One Heavy-Duty Nat. Gas Vehicle	\$30,000.00	No
ML12044	County of San Bernardino Public Wo				\$250,000.00	\$0.00	Install New CNG Station	\$250,000.00	No
MS12007	WestAir Gases & Equipment				\$100,000.00	\$0.00	Construct New Limited-Acess CNG Station	\$100,000.00	No
MS12030	Complete Landscape Care, Inc.				\$150,000.00	\$0.00	Purchase 6 Medium-Heavy Duty Vehicles	\$150,000.00	No

Total: 5

Closed Contracts

ML12037	Coachella Valley Association of Gov	3/14/2013	3/13/2014		\$250,000.00	\$250,000.00	Street Sweeping Operations	\$0.00	Yes
MS12003	Orange County Transportation Autho	7/20/2012	2/28/2013		\$234,669.00	\$167,665.12	Implement Metrolink Service to Angel Stadiu	\$67,003.88	Yes
MS12005	USA Waste of California, Inc.	10/19/2012	8/18/2013		\$75,000.00	\$75,000.00	Vehicle Maintenance Facility Modifications	\$0.00	Yes
MS12006	Waste Management Collection & Re	10/19/2012	8/18/2013		\$75,000.00	\$75,000.00	Vehicle Maintenance Facility Modifications	\$0.00	Yes
MS12068	Southern California Regional Rail Au	3/1/2013	9/30/2013		\$57,363.00	\$47,587.10	Implement Metrolink Service to Autoclub Sp	\$9,775.90	Yes

Total: 5

Open/Complete Contracts

ML12055	City of Manhattan Beach	3/1/2013	12/31/2018		\$10,000.00	\$10,000.00	One Medium-Duty Nat. Gas Vehicle	\$0.00	Yes
MS12025	Silverado Stages, Inc.	11/2/2012	7/1/2018		\$150,000.00	\$150,000.00	Purchase Six Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12036	Jim & Doug Carter's Automotive/VS	1/4/2013	11/3/2018		\$50,000.00	\$50,000.00	Purchase 2 Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12058	Krisda Inc	4/24/2013	1/23/2019		\$25,000.00	\$25,000.00	Repower One Heavy-Duty Off-Road Vehicle	\$0.00	Yes

Total: 4

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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FY 2012-2014 Contracts

Open Contracts

MS14002	Orange County Transportation Autho	9/6/2013	4/30/2014		\$576,833.00	\$0.00	Clean Fuel Transit Service to Orange Count	\$576,833.00	No
MS14003	Orange County Transportation Autho	8/1/2013	4/30/2014		\$194,235.00	\$0.00	Implement Metrolink Service to Angel Stadiu	\$194,235.00	No

Total: 2

Pending Execution Contracts

MS14001	Los Angeles County MTA				\$1,169,000.00	\$0.00	Clean Fuel Transit Service to Dodger Stadiu	\$1,169,000.00	No
MS14004	Orange County Transportation Autho				\$36,800.00	\$0.00	Implement Express Bus Service to Solar De	\$36,800.00	No
MS14005	Transit Systems Unlimited, Inc.				\$515,200.00	\$0.00	Provide Expanded Shuttle Service to Hollyw	\$515,200.00	No

Total: 3

 [Back to Agenda](#)

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 30

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board met on October 24 and 25, 2013 in Sacramento. The following is a summary of this meeting.

RECOMMENDED ACTION:
Receive and file.

Judith Mitchell, Member
SCAQMD Governing Board

sm

The Air Resources Board's (ARB or Board) October meeting was held on October 24 and 25 in Sacramento, at the California Environmental Protection Agency Headquarters Building. Key items presented are summarized below.

1. Status Report to the Board on the Advanced Clean Cars Program

The Board heard an overview from ARB staff on the Advanced Clean Cars Program, including a briefing on plans for a midterm review of the program to be undertaken jointly with U.S. EPA and the National Highway Traffic Safety Administration. The Board also heard an update on Zero Emission Vehicle (ZEV) infrastructure from California Energy Commission staff, and was briefed on the multi-state Memorandum of Understanding for implementation of ZEV regulations by representatives from the seven states participating with California in the MOU.

This was an informational item. No Board action was taken.

2. Public Hearing to Consider Minor Modifications to the Zero Emission Vehicle Regulation

The Board approved minor changes to the ZEV Regulation. The changes clarify requirements and prevent loopholes, ensuring that the ZEV Regulation adopted in 2012 will function as originally intended.

3. Status Update to the Board on Implementation of the Truck and Bus Regulation

The Board heard an update on the implementation of the Truck and Bus Regulation. The update included a brief overview of the regulation; a discussion of ARB efforts to assist fleets with compliance through outreach, planning, and incentive funding opportunities; enforcement efforts to ensure high levels of compliance; and future implementation efforts.

SCAQMD Staff Comments/Testimony: CARB staff provided a status report on the implementation of the State Truck and Bus Regulation. In addition, CARB staff proposed to amend three elements of the regulation: 1) extending the NOx Exempted Area to additional air quality attainment counties and delay compliance with the PM retrofit requirements in NOx Exempted Areas; 2) reopening the allowance for low-use agricultural and construction trucks; and 3) raising the low-use mileage criteria from 1,000 to 5,000 miles (applies to all applicable trucks). SCAQMD staff provided comments regarding CARB staff proposed amendments to the Truck and Bus Regulation relative to the low-use mileage criteria. SCAQMD staff indicated the need to evaluate the impacts of the proposal given that the Truck and Bus Regulation is a critical element for the South Coast Air Basin to attain the federal fine particulate and ozone air quality standards. In addition, SCAQMD staff commented regarding concerns with the delay in meeting PM requirements in NOx exempt areas since the trucks operating in those areas will continue to have higher levels of diesel particulate emissions and potential increase air toxic exposure and the trucks could travel to urban areas and nonattainment areas. CARB staff indicated that rulemaking will occur in the beginning of 2014 and anticipates bringing the amendments to the CARB in the second quarter of 2014.

This was an informational item only. No Board action was taken.

4. Status Report to the Board on the Assembly Bill 32 Scoping Plan Update Discussion Draft

The Board heard a status report on the Assembly Bill 32 Scoping Plan Update Discussion Draft. The Discussion Draft evaluates key achievements in greenhouse gas reduction programs since the adoption of the original Scoping Plan, discusses continuing emission reduction goals for 2020 and beyond, and includes recommendations in several key focus areas. The Board is scheduled to consider the AB 32 Scoping Plan Update in spring 2014.

SCAQMD Staff Comments/Testimony: CARB staff provided an overview of the AB 32 Scoping Plan discussion document. SCAQMD staff thanked CARB for the collaboration in the outreach on the AB 32 Scoping Plan development. In particular, the joint regional workshop hosted by CARB and SCAQMD staff in the summer of 2013. SCAQMD staff provided preliminary comments supporting the establishment of a mid-

term target in the 2030 timeframe. In addition, SCAQMD staff indicated a need to clarify the process for strategy development and target setting, and identify additional opportunities for collaboration with local air districts. Additional written comments will be provided by the November 1st close of comments.

This was an informational item only. No Board action was taken.

5. Public Hearing to Consider a Proposed Regulation for State Implementation Plan Credit From Mobile Agricultural Equipment

The Board approved a regulation that provides an administrative mechanism to receive State Implementation Plan credit for emission reductions from agricultural equipment achieved through incentive programs. The regulation compliments the San Joaquin Valley Air Pollution Control District Rule 9610 and provides an opt-in mechanism for other California air districts.

6. Public Hearing to Consider Amendments to the California Cap on Greenhouse Gas Emissions and Market-Based Compliance Mechanisms

The Board approved amendments to the Cap-and-Trade Regulation. The amendments enhance implementation and oversight of the Cap-and-Trade Program through changes to allocation, cost containment provisions, and offset supply.

7. Public Hearing to Consider Amendments to the Regulation for the Mandatory Reporting of Greenhouse Gas Emission

The Board approved minor revisions to the Greenhouse Gas Mandatory Reporting Regulation. The amendments strengthen the Cap-and-Trade Program by collecting information to ensure the accuracy of the data used in the Program, and clarify reporting requirements to ensure the collection of complete data.

Attachment

CARB October 24-25, 2013 Meeting Agenda

PUBLIC MEETING AGENDA

**Thursday, October 24, 2013
and
Friday, October 25, 2013**

[Webcast](#)
[Board Book](#)

LOCATION:

Air Resources Board
Byron Sher Auditorium, Second Floor
1001 I Street
Sacramento, California 95814
<http://www.calepa.ca.gov/EPAbldg/location.htm>

This facility is accessible by public transit. For transit information, call (916) 321-BUSS, website:
<http://www.sacrt.com>
(This facility is accessible to persons with disabilities.)

**TO SUBMIT WRITTEN COMMENTS ON AN
AGENDA ITEM IN ADVANCE OF THE MEETING GO
TO: <http://www.arb.ca.gov/lispub/comm/bclist.php>**

**Thursday
October 24, 2013
9:00 a.m.**

DISCUSSION ITEMS:

Note: The following agenda items may be heard in a different order at the Board meeting.

Agenda Item #

13-9-3: Status Report to the Board on the Advanced Clean Cars Program

Staff will update the Board on the Advanced Clean Cars Program and plans for the midterm review of the program.

[More Information](#)

[Staff Presentation](#)

13-9-4: Public Hearing to Consider Minor Modifications to the Zero Emission Vehicle Regulation

Staff will present to the Board proposed minor amendments to the Zero Emission Vehicle Regulation.

[More Information](#)

[Staff Presentation](#)

**13-9-5: Status Update to the Board on Implementation of the Truck and Bus Regulation
(This item will not be heard prior to 1:00 p.m. on Thursday, October 24, 2013)**

Staff will present to the Board a status update on the implementation of the Truck and Bus Regulation. This will include a brief overview of the Regulation, a discussion of the Air Resources Board's efforts to assist fleets with compliance through outreach, planning and incentive funding opportunities, enforcement efforts to ensure high levels of compliance, and future efforts to build on the successes to date.

[More Information](#)

[Staff Presentation](#)

13-9-6: Informational Status Report to the Board on the Assembly Bill 32 Scoping Plan Update Discussion Draft

Staff will present to the Board a status report on the Assembly Bill 32 Scoping Plan Update Discussion Draft.

[More Information](#)

[Staff Presentation](#)

Friday
October 25, 2013
8:30 a.m.

13-9-7: Public Hearing to Consider a Proposed Regulation for State Implementation Plan Credit From Mobile Agricultural Equipment

Staff will present to the Board a proposed regulation that will provide an administrative mechanism to receive State Implementation Plan credit for emission reductions from agricultural equipment that are achieved through incentive programs. The proposed regulation complements the SIP credit rule for agricultural equipment adopted by the San Joaquin Valley Air Pollution Control District. The proposed regulation would provide for an opt-in for any other California air district that complies with the regulation.

[More Information](#)

[Staff Presentation](#)

13-9-8: Public Hearing to Consider Amendments to the Regulation for the Mandatory Reporting of Greenhouse Gas Emissions

Staff will present to the Board minor revisions to the Air Resources Board's (ARB) current regulation for the mandatory reporting of greenhouse gas (GHG) emissions. The proposed amendments will support the Cap-and-Trade Regulation by collecting additional information to ensure the accuracy of the data used for benchmarking, allocation of allowances, and the covered emissions calculation. Additionally, the proposed amendments will clarify the reporting requirements to ensure the GHG data are accurate and complete in order to support other ARB Climate Change programs.

[More Information](#)

[Staff Presentation](#)

13-9-9: Public Hearing to Consider Amendments to the California Cap on Greenhouse Gas Emissions and Market-Based Compliance Mechanisms

Staff will present to the Board proposed amendments to the Cap-and-Trade Regulation related to implementation, allocation, cost containment mechanisms, and other specific directions from the Board.

[More Information](#)

[Staff Presentation](#)

CLOSED SESSION

The Board will hold a closed session, as authorized by Government Code section 11126(e), to confer with, and receive advice from, its legal counsel regarding the following pending or potential litigation, and as authorized by Government Code section 11126(a):

POET, LLC, et al. v. Goldstene, et al., Superior Court of California (Fresno County), Case No. 09CECG04850; plaintiffs' appeal, California Court of Appeal, Fifth District No. F064045.

Rocky Mountain Farmers Union, et al. v. Corey, U.S. District Court (E.D. Cal. Fresno), Case No. 1:09-CV-02234-LJO-DLB; interlocutory appeal, U.S. Court of Appeal, Ninth Circuit Nos. 09-CV-02234 and 10-CV-00163.

American Fuels and Petrochemical Manufacturing Associations, et al. v. Corey, et al., U.S. District Court (E.D. Cal. Fresno), Case No. 1:10-CV-00163-AWI-GSA; interlocutory appeal, U.S. Court of Appeal, Ninth Circuit, Case Nos. 09-CV-02234 and 10-CV-00163.

Association of Irrigated Residents, et al. v. United States Environmental Protection Agency, 2011 WL 310357 (C.A.9), (Feb. 2, 2011).

California Dump Truck Owners Association v. Nichols, U.S. District Court (E.D. Cal. Sacramento), Case No. 2:11-CV-00384-MCE-GGH; plaintiffs' appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 13-15175.

California Construction Trucking Association v. United States Environmental Protection Agency, U.S. Court of Appeals, Ninth Circuit, Case No. 13-70562.

Engine Manufacturers Association v. California Air Resources Board, Sacramento Superior Court, Case No. 34-2010-00082774.

Citizens Climate Lobby and Our Children's Earth Foundation v. California Air Resources Board, San Francisco Superior Court, Case No. CGC-12-519554, plaintiffs' appeal, California Court of Appeal, First District, No. A138830.

California Chamber of Commerce et al. v. California Air Resources Board, Sacramento Superior Court, Case 34-2012-80001313.

Morning Star Packing Company, et al. v. California Air Resources Board, et al., Sacramento Superior Court, Case No. 34-2013-800001464.

Delta Construction Company, et al. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 11-1428.

City of Los Angeles through Department of Water and Power v. California Air Resources Board, et al., Los Angeles Superior Court, Case No. BS140620.

OPPORTUNITY FOR MEMBERS OF THE BOARD TO COMMENT ON MATTERS OF INTEREST

Board members may identify matters they would like to have noticed for consideration at future meetings and comment on topics of interest; no formal action on these topics will be taken without further notice.

OPEN SESSION TO PROVIDE AN OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD ON SUBJECT MATTERS WITHIN THE JURISDICTION OF THE BOARD

Although no formal Board action may be taken, the Board is allowing an opportunity to interested members of the public to address the Board on items of interest that are within the Board's jurisdiction, but that do not specifically appear on the agenda. Each person will be allowed a maximum of three minutes to ensure that everyone has a chance to speak.

TO ELECTRONICALLY SUBMIT WRITTEN COMMENTS ON AN AGENDA ITEM IN ADVANCE OF THE MEETING GO TO:

<http://www.arb.ca.gov/lispub/comm/bclist.php>

(Note: not all agenda items are available for electronic submittals of written comments.)

ONLINE SIGN-UP:

You can sign up online in advance to speak at the Board meeting when you submit an electronic Board item comment. For more information go to:

<http://www.arb.ca.gov/board/online-signup.htm>

(Note: not all agenda items are available for online sign-up.)

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CLERK OF THE BOARD:

1001 I Street, 23rd Floor, Sacramento, California 95814

(916) 322-5594

ARB Homepage: www.arb.ca.gov

SPECIAL ACCOMMODATION REQUEST

Consistent with California Government Code Section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format or another language;
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerk of the Board at (916) 322-5594 or by facsimile at (916) 322-3928 as soon as possible, but no later than 7 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia
- Documentos disponibles en un formato alternativo u otro idioma
- Una acomodación razonable relacionados con una incapacidad

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 322-5594 o envíe un fax a (916) 322-3928 lo más pronto posible, pero no menos de 7 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 31

PROPOSAL: Amend Rules 1146 - Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters, and 1146.1 - Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters

SYNOPSIS: The proposed amendments to Rules 1146 and 1146.1 will address a SIP approvability issue related to rule enforceability raised by U.S. EPA. As requested by U.S. EPA, the proposed rules clarify that source test results showing emissions in excess of rule limits are considered a rule violation. However, the proposed amended rules allow diagnostic emission checks for boiler maintenance purposes. None of the proposed changes will affect rule emission limits or result in any adverse environmental, socioeconomic, or cost impacts.

COMMITTEE: Stationary Source, September 20, 2013, Reviewed

RECOMMENDED ACTIONS:

Adopt the attached resolution:

- 1) Determining the Proposed Amended Rule 1146 and the Proposed Amended Rule 1146.1 are exempt from the requirements of the California Environmental Quality Act; and
- 2) Amending Rule 1146 and Amending Rule 1146.1.

Barry R. Wallerstein, D. Env.
Executive Officer

LT:JC:GQ

This Board Letter is intended to serve as the Final Staff Report for the proposed amendments. The Draft Board Letter, which served as the Draft Staff Report, is presented herein as Attachment H, and changes made after its release on October 4, 2013 are indicated by underline and strikethrough.

Background

Rules 1146 and 1146.1 were adopted on September 9, 1988 and October 5, 1990, respectively. These rules apply to existing boilers, steam generators, and process heaters with maximum rated heat input capacities greater than or equal to five million British Thermal Units (BTU) per hour (Rule 1146) and greater than two million BTU per hour and less than five million BTU per hour (Rule 1146.1). Both rules establish emission limits for oxides of nitrogen (NO_x) and carbon monoxide (CO), and provide compliance options for units that meet low fuel usage thresholds.

The most recent amendments to Rules 1146 and 1146.1 were made on September 5, 2008. These amendments limited NO_x concentrations from 5 to 30 ppm depending on equipment size, fuel, and type of burner. These amendments also introduced the use of portable analyzers with more frequent monitoring and allowed owners and operators 72-hours to identify and resolve compliance problems for both periodic monitoring and sources tests.

These rules do not apply to electric utility boilers, refinery boilers and process heaters with a rated heat input greater than 40 million BTU per hour, sulfur plant reaction boilers, or waste heat recovery boilers serving combustion turbines. These sources are subject to other rules.

In addition, the NO_x limits in Rules 1146 and 1146.1 do not apply to NO_x RECLAIM facilities. Instead, these facilities are subject to NO_x limits established through the RECLAIM program.

The primary purpose of the proposed amendment is to provide resolution of a federal State Implementation Plan (SIP) approvability issue pertaining to rule enforceability and incorporate other rule clarifications.

Public Process

The rule development effort was based on discussions with U.S. EPA staff followed by the release of the July 8, 2011 Federal Register notice. In this Federal Register notice, the U.S. EPA proposed a SIP deficiency based on rule enforceability and the credible evidence rule. Discussions have taken place between U.S. EPA and SCAQMD staff on ways to rectify this SIP deficiency. Early in 2013, an agreeable solution was developed. For this rule development, SCAQMD staff held a Task Force Meeting on July 11, 2013 and a Public Workshop on August 28, 2013. SCAQMD staff presented the proposed amendments to the Stationary Source Committee at its September 20, 2013 meeting.

Summary of Proposal

The proposed amendments to these rules address a SIP approvability issue that was raised by the U.S. EPA (*see Attachment J for a detailed explanation of the SIP approvability issue*). This issue relates to how source test data and portable analyzer test results are to be used in enforcing emission standards. Under the current rules and in an effort to promote frequent monitoring and tuning of the units subject to the two rules, an owner or operator that conducts a source test or uses a hand-held portable

monitor to measure emissions is allowed 72 hours to correct an exceedance without being deemed in violation of the rules. In its July 8, 2011, Federal Register Notice, U.S. EPA has determined that an exceedance of the rule limits based on a source test, under the credible evidence rule, must be determined as a violation of the rule. Consequently, the proposed amendment to each rule will clarify that source test results indicating a unit's exceedance of the rule limits will be a violation of the rule. However, the staff proposal maintains the 72-hour time frame for an owner or operator who uses a portable analyzer as a diagnostic tool for monitoring purposes to correct an exceedance from when it is discovered.

Also included in these amendments are various rule clarifications:

- Specifying that the rules do not apply to RECLAIM NO_x sources.
- Including additional definitions which:
 - acknowledge that certain equipment are not included under the definition of a boiler or steam generator category
 - further explain the type of operations subject to these rules
- Specifying that low fuel usage equipment are required to only conduct periodic tune-ups
- Restricting the derating of equipment from going below a level at or below two million BTU/hr
- Modifying rule language to reflect current protocol practice by clarifying that the CO measurements will be done as part of both the source test and the diagnostic emission check.

Further details pertaining to the proposed amendments are presented in Attachment B.

Emission Reductions and Cost Effectiveness

The proposed changes to Rule 1146 or 1146.1 will not affect emissions, will not require the modification or addition of control equipment, and will not have an effect on costs.

AQMP and Legal Mandates

The California Health and Safety Code requires the SCAQMD to adopt an Air Quality Management Plan (AQMP) to meet state and federal ambient air quality standards in the South Coast Air Basin. In addition, the California Health and Safety Code requires the SCAQMD to adopt rules and regulations that carry out the objectives of the AQMP. The previous rule amendments were a control measure included in the 2007 AQMP. However, this proposal is not implementing a new AQMP control measure and does not result in emission reductions, and therefore, a cost-effectiveness analysis is not required. The proposed amended rules will not require anything more stringent than existing federal requirements.

California Environmental Quality Act (CEQA)

SCAQMD staff has reviewed the proposed project pursuant to CEQA Guidelines §15002 (k)(1), the first step of a three-step process for deciding which document to prepare for a project subject to CEQA. The SCAQMD has determined that it can be seen with certainty that there is no possibility that the proposed project may have any new significant adverse effects on the environment, and is, therefore, exempt pursuant to CEQA Guidelines §15061 (b)(3) - Review for Exemption (General Rule Exemption). Furthermore, the proposed amendments are categorically exempt because they are considered actions to protect or enhance the environment pursuant to CEQA Guidelines §15308 – Class 8 Categorical Exemption. A Notice of Exemption has been prepared pursuant to CEQA Guidelines §15062 - Notice of Exemption. If the proposed project is approved, the Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside and San Bernardino counties.

Socioeconomic Analysis

The proposed rule amendments are consistent with existing federal requirements as currently implemented, and no additional control costs are anticipated due to these rule amendments. Thus, no socioeconomic analysis is required.

Resource Impacts

Existing staff resources are adequate to implement the proposed amendments.

Comparative Analysis

Under Health and Safety Code Section 40727.2, the SCAQMD is required to perform a comparative written analysis when adopting, amending, or repealing a rule or regulation. The comparative analysis is relative to existing federal requirements, existing or proposed AQMD rules and air pollution control requirements and guidelines which are applicable to industrial, institutional, and commercial water heaters, boilers, steam generators, and process heaters.

The SCAQMD staff is not aware of any other AQMD, state or federal requirements regulating air pollution that are applicable to Rule 1146 or 1146.1 type units. Since the proposed amendments do not affect an existing SCAQMD limit or standard and there are no other existing air pollution requirements for Rule 1146 or 1146.1 type units, the proposed amendments are not in conflict with and do not duplicate existing SCAQMD, state or federal requirements.

Attachments

- A. Summary of Proposal
- B. Comments and Responses
- C. Rule Development Process
- D. Key Contacts List
- E. Resolution

- F. Proposed Amended Rule 1146
- G. Proposed Amended Rule 1146.1
- H. Draft Board Letter
- I. Notice of Exemption
- J. U.S. EPA's Proposed Limited Approval/Disapproval of Rules 1146 and 1146.1

ATTACHMENT A

SUMMARY OF PROPOSAL

Proposed Amended Rule 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters		
Rule Provision	Description	Basis for Change
(a)	Added language indicating that this rule does not apply to RECLAIM NO _x sources.	Clarification
(b)	Added definitions for Adsorption Chiller Unit and Open Heated Tank to acknowledge that this equipment is not included under the definition of a Boiler or Steam Generator.	Clarification
(b)	Added definitions for Commercial, Industrial, and Institutional operations to further explain to what extent these types of operations are subject to these rules.	Clarification
(c)(5)	Connected this rule provision to the CO limit specified in paragraph (c)(4) in order to clarify that low fuel usage equipment are required to only conduct periodic tune-ups no matter if there is a NO _x or CO limit in the rule.	Clarification
(d)(8)	Provided emphasis that the use of portable analyzers by the owner or operator in the context of this rule's paragraph is for the performance of diagnostic emission checks and not compliance determination.	SIP Approvability
(d)(9)	Clarified that CO emissions must be measured as part of the source test and diagnostic emission check.	Clarification

Proposed Amended Rule 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters		
Rule Provision	Description	Basis for Change
(d)(10)	(1) Provided emphasis that the use of portable analyzers by the owner or operator in the context of this rule’s paragraph is for the performance of diagnostic emission checks and not compliance determination and (2) that source tests conducted by the owner or operator are to be used for compliance determination.	SIP Approvability
New (d)(11)	The use of portable analyzers by SCAQMD staff in the context of this rule’s paragraph will be used for compliance determination.	SIP Approvability
New (d)(12) [Previously (d)(11)]	Added appropriate rule language since the derating of equipment is not allowed to a level at or below 2 million BTU/hr.	Clarification

Proposed Amended Rule 1146.1 – Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters		
Rule Provision	Description	Basis for Change
(a)	Added language indicating that this rule does not apply to RECLAIM NOx sources.	Clarification
(b)	Added definitions for Adsorption Chiller Unit and Open Heated Tank to acknowledge that these equipment are not included under the definition of a Boiler or Steam Generator.	Clarification
(b)	Added definitions for Commercial, Industrial, and Institutional operations to further explain to what extent these types of operations are subject to these rules.	Clarification
(c)(4)	Deleted “or equal to” because Rule 1146.1 applies to units greater than 2 million Btu per hour.	Clarification

Proposed Amended Rule 1146.1 – Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters

Rule Provision	Description	Basis for Change
(c)(5)	Connected this rule provision to the CO limit specified in paragraph (c)(4) in order to clarify that low fuel usage equipment are required to only conduct periodic tune-ups no matter if there is a NO _x or CO limit in the rule.	Clarification
(d)(7)	Provided emphasis that the use of portable analyzers by the owner or operator in the context of this rule's paragraph is for the performance of diagnostic emission checks and not compliance determination.	SIP Approvability
(d)(8)	Clarifies that the owner or operator must measure CO emissions as part of the source test and diagnostic emission check.	Clarification
(d)(9)	(1) Provided emphasis that the use of portable analyzers by the owner or operator in the context of this rule's paragraph is for the performance of diagnostic emission checks and not compliance determination and (2) that source tests conducted by the owner or operator are to be used for compliance determination.	SIP Approvability
New (d)(10)	The use of portable analyzers by SCAQMD staff in the context of this rule's paragraph will be used for compliance determination.	SIP Approvability
New (d)(11) [Previously (d)(10)]	Added appropriate rule language since the derating of equipment is not allowed to a level at or below 2 million BTU/hr.	Clarification

ATTACHMENT B

COMMENTS AND RESPONSES

The following comments include those received from the U.S. EPA in their June 2011 Technical Support Documents, at the Task Force meeting held on July 11, 2013 and the Public Workshop meeting held on August 28, 2013 as well as written comments received on or before September 13, 2013.

1. **Comment:** To improve clarity and enforceability it is recommended adding a definition for “unscheduled repair”, “as-found operating conditions”, and “breakdown conditions”.

Response: Such descriptions referring to equipment shutdown are addressed in other District rules. Therefore, there is no need to incorporate such definitions in Rules 1146 and 1146.1.

2. **Comment:** In measuring CO emissions both rules allow the use of a source test or the portable analyzer as part of the diagnostic emission check. However, the protocol for the diagnostic emission test requires the measurement of CO emissions along with NO_x emissions. Consequently, the owner or operator does not have a choice in the way in which CO emissions are measured.

Response: Staff agrees with the comment and has proposed to modify the rule language to reflect current protocol practice by clarifying that the CO measurements will be done as part of both the source test and the diagnostic emission check. This change is considered to be administrative because there is no impact on the emissions, no change in the way in which the rules have been implemented, and no impact on costs.

3. **Comment:** Add definitions of "diagnostic emission check" and "source test" to both of the rules.

Response: Typically a definition is included in a rule if the term to be defined is not described in the rule. Both "diagnostic emission check" and "source test" are described in subdivision (d) of both Rule 1146 and 1146.1. On this basis, definitions for these terms are not necessary.

4. **Comment:** Appendix IV-B “Stationary Source Control Measures – Area Sources” of the 1991 AQMP included control measure CM #90-D-2. This control measure proposed the use of flat plate solar collectors, low NO_x burners or equivalent control technology to reduce NO_x emissions from swimming pool water heaters. Swimming pool water heaters are regulated under Rule 1121 “Control of Nitrogen Oxides from Residential - Type,

Natural-Gas-Fired Water Heaters”. Based on this information the application of flat plate solar collectors should be extended to Rules 1146 and 1146.1.

Response: CM #90-D-2 addresses the reduction of NO_x emissions from residential swimming pool heaters under Rule 1121 but not for the much larger boilers and heaters regulated under Rules 1146 and 1146.1. However, Rules 1146 and 1146.1, as in other SCAQMD rules, do not specify the manner in which emission reductions are achieved. Thus, the owner or operator of Rule 1146 and 1146.1 equipment is not precluded from using flat plate solar collectors in demonstrating rule compliance.

5. **Comment:** For Rules 1146(c)(5) and 1146.1(c)(5) there appears to be a mislabeling of paragraphs which led to an unintentional requirement to test for CO emissions, even when low-fuel usage units do not require a source test or diagnostic emission check. The previous version of the rule, and the staff report, made it clear that it was the intention to only require periodic tune-ups for this category of units.

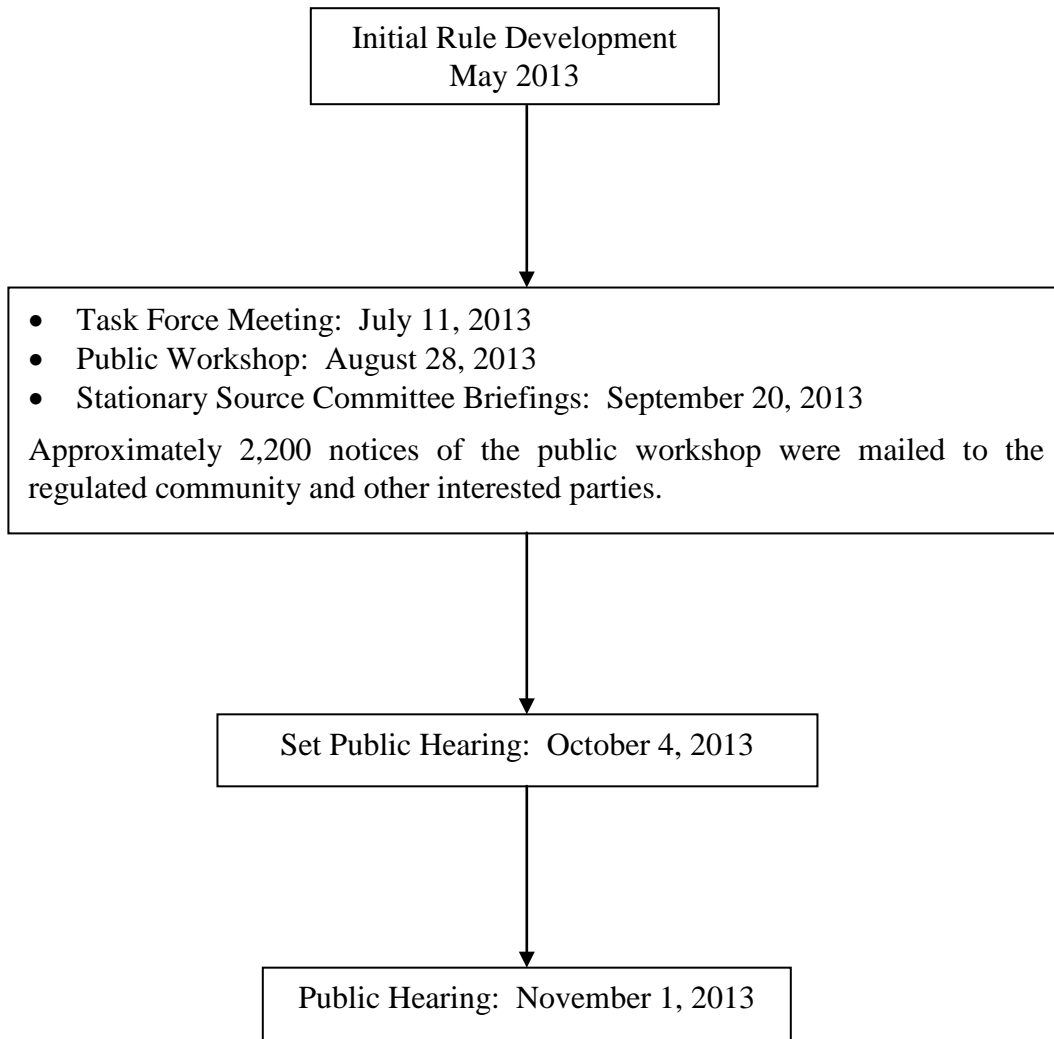
Response: Staff agrees with the comment and has proposed changes to the rules to correct the rule language.

ATTACHMENT C

RULE DEVELOPMENT PROCESS

Proposed Amended Rule 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters

Proposed Amended Rule 1146.1 – Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters



Six (6) months spent in rule development.

ATTACHMENT D

KEY CONTACTS LIST

Advanced Environmental Compliance, LLC
Advanced Environmental Controls
Alta Environmental
Avanti Environmental
California Air Resources Board (CARB)
California Boiler
Chevron Products Company
City of Los Angeles
Delta Air Quality Services
Disneyland
Eastern Municipal Water District
Hydrogen Ventures
International Paper
Law Offices of Curtis L. Coleman
Los Angeles County Sanitation District
Los Angeles County Sheriff's Department
Manley's Boiler, Inc.
Maruchan, Inc.
MD Environmental
Miura North America Inc. (Techno-Service)
ORCO Block Co.
Parallel Products
Parker Boiler Co.
Pod Technologies
Prudential Overall Supply
R.F. MacDonald Co.
Rio Tinto Minerals
Southern California Edison
Southern California Gas Company
Tesoro Corporation
Toyota Motor Sales, U.S.A., Inc.
University of Southern California
U.S. EPA
Vulcan Materials Company
Western States Petroleum Association

ATTACHMENT E

RESOLUTION

A Resolution of the South Coast Air Quality Management District (SCAQMD) Governing Board adopting Proposed Amended Rules 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters and 1146.1 - Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters.

A Resolution of the SCAQMD Governing Board determining that the proposed amendments to Rules 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters and 1146.1 - Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters, are exempt from the requirements of the California Environmental Quality Act (CEQA).

WHEREAS, the SCAQMD Governing Board finds and determines that Proposed Amended Rules 1146 and 1146.1 are considered a "project" pursuant to the California Environmental Quality Act (CEQA); however, SCAQMD staff reviewed the proposed project and because it can be seen with certainty that there is no possibility that the proposed project in question has the potential to have a significant adverse effect on the environment, it was determined that the proposed project is exempt from CEQA pursuant to CEQA Guidelines §15061 (b)(3) – Review for Exemption. Furthermore, the proposed amendments were also determined to be categorically exempt because they are considered actions to protect or enhance the environment pursuant to CEQA Guidelines §15308 – Class 8 Categorical Exemption; and

WHEREAS, the SCAQMD has had its regulatory program certified pursuant to Public Resources Code §21080.5 and has conducted CEQA review and analysis pursuant to such program (Rule 110); and

WHEREAS, SCAQMD staff has prepared a Notice of Exemption for Proposed Amended Rules 1146 and 1146.1, as proposed, that is completed in compliance with CEQA Guidelines §15002 (k)(1) - Three Step Process, §15061 (b)(3) – Review for Exemption (General Rule Exemption); and §15308 – Class 8 Categorical Exemption; and,

WHEREAS, the Notice of Exemption, the November 1, 2013 Board letter, and other supporting documentation were presented to the SCAQMD Governing Board

and the Governing Board has reviewed and considered the entirety of this information prior to approving the project; and

WHEREAS, the SCAQMD Governing Board has determined that a need exists to adopt Proposed Amended Rules 1146 and 1146.1 in order to address a SIP approvability issue related to rule enforceability raised by U.S. EPA and to provide minor clarifications to the rules; and

WHEREAS, the SCAQMD Governing Board obtains its authority to adopt, amend, or repeal rules and regulations from §§40000, 40001, 40440, 42300 (permit system), and 40702 of the California Health and Safety Code; and

WHEREAS, the SCAQMD Governing Board has determined that Proposed Amended Rules 1146 and 1146.1 are written and displayed so that the meaning can be easily understood by persons directly affected; and

WHEREAS, the SCAQMD Governing Board has determined that Proposed Amended Rules 1146 and 1146.1, as proposed, are in harmony with, and not in conflict with, or contradictory to, existing statutes, court decisions, or state or federal regulations; and

WHEREAS, the SCAQMD Governing Board has determined that Proposed Amended Rules 1146 and 1146.1, as proposed, do not impose the same requirements as any existing state or federal regulation, and the proposed amended rules are necessary and proper to execute the powers and duties granted to, and imposed upon the SCAQMD; and

WHEREAS, the SCAQMD Governing Board, in developing the proposed amended rules, references the following statutes which the SCAQMD hereby implements, interprets, or makes specific: Health and Safety Code §§42300, 40440 (b)(1), and 40406 (BARCT), and Clean Air Act §§171, 172, and 173; and

WHEREAS, the SCAQMD Governing Board has determined that no adverse socioeconomic impacts of Proposed Amended Rules 1146 and 1146.1 are anticipated because the proposed amendments do not change the federal requirements currently in effect; and

WHEREAS, a public hearing has been properly noticed in accordance with all provisions of Health and Safety Code §40725; and

WHEREAS, the SCAQMD Governing Board has held a public hearing in accordance with all provisions of law; and

WHEREAS, the Proposed Amended Rules 1146 and 1146.1 will be submitted to the California Air Resources Board and the United States Environmental Protection Agency for inclusion in the State Implementation Plan; and

WHEREAS, the SCAQMD specifies the manager of Proposed Amended Rules 1146 and 1146.1 as the custodian of the documents or other materials which constitute the record of proceedings upon which the adoption of these proposed amended rules are based, which are located at the South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, California.

NOW, THEREFORE, BE IT RESOLVED, that the SCAQMD Governing Board does hereby determine that Rules 1146 and 1146.1, as proposed to be amended, are exempt from CEQA requirements pursuant to CEQA Guidelines §15002 (k)(1) - Three Step Process, §15061 (b)(3) – Review for Exemption (General Rule Exemption); and §15308 – Class 8 Categorical Exemption; and

BE IT FURTHER RESOLVED, that the SCAQMD Governing Board does hereby adopt, pursuant to the authority granted by law, Proposed Amended Rules 1146 and 1146.1 as set forth in the attached, and incorporated herein by this reference.

Attachment

DATE: _____

CLERK OF THE BOARD

ATTACHMENT F

(Adopted September 9, 1988)(Amended January 6, 1989)
(Amended May 13, 1994)(Amended June 16, 2000)
(Amended November 17, 2000)(Amended September 5, 2008)
[\(November 1, 2013\)](#)

RULE 1146 EMISSIONS OF OXIDES OF NITROGEN FROM INDUSTRIAL, INSTITUTIONAL, AND COMMERCIAL BOILERS, STEAM GENERATORS, AND PROCESS HEATERS

(a) Applicability

This rule applies to boilers, steam generators, and process heaters of equal to or greater than 5 million Btu per hour rated heat input capacity used in all industrial, institutional, and commercial operations with the exception of:

- (1) boilers used by electric utilities to generate electricity; and
- (2) boilers and process heaters with a rated heat input capacity greater than 40 million Btu per hour that are used in petroleum refineries; and
- (3) sulfur plant reaction boilers.
- [\(4\) RECLAIM facilities \(NOx emissions only\)](#)

(b) Definitions

- [\(1\) ADSORPTION CHILLER UNIT means any natural gas fired unit that captures and uses waste heat to provide cold water for air conditioning and other process requirements.](#)
- ~~(2)~~ ANNUAL CAPACITY FACTOR means the ratio of the amount of fuel burned by a unit in a calendar year to the amount of fuel it could have burned if it had operated at the rated heat input capacity for 100 percent of the time during the calendar year.
- ~~(2)~~[\(3\) ANNUAL HEAT INPUT means the actual amount of heat released by fuels burned in a unit during a calendar year.](#)
- ~~(3)~~[\(4\) ATMOSPHERIC UNIT means any natural gas fired unit with a heat input less than or equal to 10 million Btu per hour with a non-sealed combustion chamber in which natural draft is used to exhaust combustion gases.](#)
- ~~(4)~~[\(5\) BOILER or STEAM GENERATOR means any combustion equipment fired with liquid and/or gaseous \(including landfill and digester gas\) and/or solid fossil fuel and used to produce steam or to heat water and that is not used exclusively to produce electricity for sale. Boiler or Steam Generator does not include any \[open heated tank, adsorption chiller unit,\]\(#\)](#)

or waste heat recovery boiler that is used to recover sensible heat from the exhaust of a combustion turbine or any unfired waste heat recovery boiler that is used to recover sensible heat from the exhaust of any combustion equipment.

~~(5)~~(6) BTU means British thermal unit.

(7) COMMERCIAL OPERATION means any office building, lodging place, or similar location designed for tenancy by one or more business entities or residential occupants.

~~(6)~~(8) GROUP I UNIT means any unit burning natural gas with a rated heat input greater than or equal to 75 million Btu per hour, excluding thermal fluid heaters.

~~(7)~~(9) GROUP II UNIT means any unit burning gaseous fuels, excluding digester and landfill gases, with a rated heat input less than 75 million Btu per hour down to and including 20 million Btu per hour, excluding thermal fluid heaters.

~~(8)~~(10) GROUP III UNIT means any unit burning gaseous fuels, excluding digester and landfill gases, and thermal fluid heaters with a rated heat input less than 20 million Btu per hour down to and including 5 million Btu per hour, and all units operated at schools and universities greater than or equal to 5 million Btu per hour.

~~(9)~~(11) HEALTH FACILITY has the same meaning as defined in Section 1250 of the California Health and Safety Code.

~~(10)~~(12) HEAT INPUT means the chemical heat released due to fuel combustion in a unit, using the higher heating value of the fuel. This does not include the sensible heat of incoming combustion air.

(13) INDUSTRIAL OPERATION means any entity engaged in the production and/or provision of chemicals, foods, textiles, fabricated metal products, real estate, personal services or other kindred or allied products or services.

(14) INSTITUTIONAL OPERATION means any public or private establishment constituted to provide medical, educational, governmental, or other similar services to promote safety, order, and welfare.

~~(11)~~(15) NO_x EMISSIONS means the sum of nitric oxide and nitrogen dioxide in the flue gas, collectively expressed as nitrogen dioxide.

(16) OPEN HEATED TANK means a non-pressurized self-heated tank that may include a cover or doors that can be opened or detached to put in or

remove parts, components or other material for processing in the tank. Tanks heated solely by an electric heater, boiler, thermal fluid heater or heat recovered from another process using heat exchangers are excluded from this definition.

- ~~(12)~~(17) PROCESS HEATER means any combustion equipment fired with liquid and/or gaseous (including landfill and digester gas) and/or solid fossil fuel and which transfers heat from combustion gases to water or process streams. Process Heater does not include any kiln or oven used for drying, curing, baking, cooking, calcining, or vitrifying; or any unfired waste heat recovery heater that is used to recover sensible heat from the exhaust of any combustion equipment.
- ~~(13)~~(18) RATED HEAT INPUT CAPACITY means the heat input capacity specified on the nameplate of the combustion unit. If the combustion unit has been altered or modified such that its maximum heat input is different than the heat input capacity specified on the nameplate, the new maximum heat input shall be considered as the rated heat input capacity.
- ~~(14)~~(19) SCHOOL means any public or private school, including juvenile detention facilities with classrooms, used for purposes of the education of more than 12 children at the school, including in kindergarten and grades 1 to 12, inclusive, but does not include any private school in which education is primarily conducted in private homes. The term includes any building or structure, playground, athletic field, or other area of school property, but does not include unimproved school property.
- ~~(15)~~(20) STANDBY BOILER is a boiler which operates as a temporary replacement for primary steam or hot water while the primary steam or hot water supply unit is out-of-service.
- ~~(16)~~(21) THERM means 100,000 Btu.
- ~~(17)~~(22) THERMAL FLUID HEATER means a PROCESS HEATER in which a process is heated indirectly by a heated fluid other than water.
- ~~(18)~~(23) UNIT means any boiler, steam generator, or process heater as defined in paragraph (b)~~(45)~~ or (b)~~(1217)~~ of this subdivision.

(c) Requirements

- (1) The owner or operator shall subject all of the units within the facility to the NOx emission limits and schedules specified in Table 1146-1:

Table 1146-1 – Standard Compliance Limits and Schedule

Rule Reference	Category	Limit	Submit Compliance Plan on or before	Submit Application for Permit to Construct on or before	Unit Shall be in Full Compliance on or before
(c)(1)(A)	All Units Fired on Gaseous Fuels	30 ppm or for natural gas fired units 0.036 lbs/10 ⁶ Btu	-	-	September 5, 2008
(c)(1)(B)	Any Units Fired on Non-gaseous Fuels	40 ppm	-	-	September 5, 2008
(c)(1)(C)	Any Units Fired on Landfill Gas	25 ppm	-	-	January 1, 2015
(c)(1)(D)	Any Units Fired on Digester Gas	15 ppm	-	-	January 1, 2015
(c)(1)(E)	Atmospheric Units	12 ppm or 0.015 lbs/10 ⁶ Btu	January 1, 2010	January 1, 2013	January 1, 2014
(c)(1)(F)	Group I Units	5 ppm or 0.0062 lbs/10 ⁶ Btu	-	January 1, 2012	January 1, 2013
(c)(1)(G)	Group II Units 75% or more of units (by heat input)	9 ppm or 0.011 lbs/10 ⁶ Btu	January 1, 2010	January 1, 2011	January 1, 2012
(c)(1)(H)	Group II Units 100% of units (by heat input)		January 1, 2010	January 1, 2013	January 1, 2014
(c)(1)(I)	Group III Units 75% or more of units (by heat input)		January 1, 2011	January 1, 2012	January 1, 2013
(c)(1)(J)	Group III Units 100% of units (by heat input)		January 1, 2011	January 1, 2014	January 1, 2015

- (2) In lieu of complying with the NOx emission limits and schedules specified in paragraph (c)(1), the owner or operator may elect to subject all of the units within the facility to the requirements specified in Table 1146-2. The owner or operator that fails to submit a Compliance Plan or Application for Permit to Construct pursuant to the schedule specified in Table 1146-1 for any of the Group II units shall be subject to the NOx limits and schedule specified in Table 1146-2.

Table 1146-2 – Enhanced Compliance Limits and Schedule

Rule Reference	Category	Limit	Submit Compliance Plan on or before	Submit Application for Permit to Construct on or before	Unit Shall be in Full Compliance on or before
(c)(2)(A)	Group II Units 75% or more of units (by heat input)	5 ppm or 0.0062 lbs/10 ⁶ Btu	January 1, 2011	January 1, 2013	January 1, 2014
(c)(2)(B)	Group II Units 100% of units (by heat input)		January 1, 2011	January 1, 2015	January 1, 2016

- (3) For dual fuel co-fired combustion a weighted average limit calculated by Equation 1146-1 may be used provided a totalizing fuel flow meter is installed pursuant to paragraph (c)(8), for units burning a combination of both fuels.

$$\text{Weighted Limit} = \frac{(CL_A \times Q_A) + (CL_B \times Q_B)}{Q_A + Q_B} \quad \text{Equation 1146-1}$$

Where:

- CL_A = compliance limit for fuel A
- CL_B = compliance limit for fuel B
- Q_A = heat input from fuel A
- Q_B = heat input from fuel B

- (4) The owner or operator of any unit(s) with a heat input capacity greater than or equal to 5 million Btu per hour shall not discharge into the atmosphere carbon monoxide (CO) emissions in excess of 400 ppm or for natural gas fired units 0.30 lbs/10⁶ Btu.
- (5) In lieu of complying with the applicable emission limits specified in paragraphs (c)(1), (c)(2), ~~and (c)(3)~~, and (c)(4), the owner or operator of any unit(s) in operation prior to September 5, 2008 with an annual heat input less than or equal to 9.0 x 10⁹ Btu (90,000 therms) per year, shall:

- (A) operate the unit(s) in a manner that maintains stack gas oxygen concentrations at less than or equal to 3 percent on a dry basis for any 15-consecutive-minute averaging period; or
 - (B) tune the unit(s) at least twice per year, (at intervals from 4 to 8 months apart) in accordance with the procedure described in Attachment 1 or the unit manufacturer's specified tune-up procedure. If a different tune-up procedure from that described in Attachment 1 is used then a copy of this procedure shall be kept on site. The operator of any unit(s) selecting the tune-up option shall maintain records for a rolling twenty four month period verifying that the required tune-ups have been performed. If the unit does not operate throughout a continuous six-month period within a twelve month period, only one tuneup is required for the twelve month period that includes the entire period of non-operation. For this case, the tune-up shall be conducted within thirty (30) days of start-up. No tune-up is required during a rolling twelve month period for any unit that is not operated during that rolling twelve month period; this unit may be test fired to verify availability of the unit for its intended use but once the test firing is completed the unit shall be shutdown. Records of test firings shall be maintained for a rolling twenty four month period, and shall be made accessible to an authorized District representative upon request.
- (6) Any unit(s) with a rated heat input capacity greater than or equal to 40 million Btu per hour and an annual heat input greater than 200×10^9 Btu per year shall have a continuous in-stack nitrogen oxides monitor or equivalent verification system in compliance with 40 CFR part 60 Appendix B Specification 2. Maintenance and emission records shall be maintained and made accessible for a period of two years to the Executive Officer.
 - (7) An owner or operator that has installed or modified a Group III natural gas fired unit prior to ~~(September 5, 2008)~~ complying with the applicable BACT emission limit of 12 ppm or less of NOx may defer compliance with subparagraphs (c)(1)(I) or (c)(1)(J) until the unit's burner(s) replacement.
 - (8) Any owner or operator who chooses the pound per million Btu compliance option specified in paragraph(s) (c)(1) (c)(2), or (c)(4) or chooses the

weighted average emission limit using Equation 1146-1 under paragraph (c)(3) shall install a non-resettable totalizing fuel meter to measure the total of each fuel used by each individual unit, as approved by the Executive Officer.

- (9) The owner or operator of Group II or III units shall submit for the approval of the Executive Officer a compliance plan in accordance with the requirements of Rule 221 – Plans and Rule 306 – Plan Fees by the applicable date specified in Tables 1146-1 or 1146-2. The compliance plan shall include the following information:
- (A) Owner/operator contact information (company name, AQMD facility identification number, contact name, phone number, address, e-mail address).
 - (B) Number and size (mmbtu/hr) of Group II and III units located at the facility.
 - (C) Selection of the Standard (Table 1146-1) or Enhanced (Table 1146-2) compliance schedule by Group II and III units.
 - (D) The owner or operator of more than one unit located within the same facility that have opted to divide the units by heat input for the purpose of separate compliance dates according to Tables 1146-1 or 1146-2 shall indicate which units are categorized 75 percent or more of the heat input and which units make up the remaining 100 percent of the heat input.
- (10) On or after January 1, 2015, an owner operator of any landfill or digester gas (biogas) unit co-fired with natural gas shall not operate the unit in a manner that exceeds the emission concentration limits specified in subparagraphs (c)(1)(C) or (c)(1)(D), provided that the facility monthly average biogas usage by the biogas units is 90% or more, based on the higher heating value of the fuels used.
- (A) The Executive Officer may approve the burning of more than 10% up to:
 - (i) 25% natural gas in a biogas fired unit at the 15 ppm (digester gas) or 25 ppm (landfill gas) NO_x level, when it is necessary, if the only alternative to limiting natural gas to 10% would be shutting down the unit and flaring more biogas.

- (ii) 50% natural gas in a digester gas-fired unit at the 15 ppm NO_x level, when it is necessary as specified in clause (c) (10)(A)(i) and for units installed on or after September 5, 2008 provided the unit has demonstrated compliance with the NO_x limits in paragraph (c)(1) applicable to units fired exclusively on natural gas.

For units subject to this subparagraph, the percent natural gas usage shall be based on the facility monthly average biogas usage by the biogas units and the higher heating value of the fuels used.

- (B) Any biogas-fired unit burning more than the approved percent natural gas as determined under subparagraph (c)(10)(A) shall comply with the weighted average NO_x limit specified in paragraph (c)(3).

(d) Compliance Determination

- (1) An owner or operator of any unit(s) shall have the option of complying with either the pound per million Btu or parts per million emission limits specified in paragraphs (c)(1), (c)(2), (c)(3), and (c)(4).
- (2) All emission determinations shall be made in the as-found operating condition, except no compliance determination shall be established during start-up, shutdown, or under breakdown conditions. Compliance determination as specified in paragraph (d)(6) shall be conducted at least 250 operating hours, or at least thirty days subsequent to the tuning or servicing of any unit, unless it is an unscheduled repair.
- (3) All parts per million emission limits specified in subdivision (c) are referenced at 3 percent volume stack gas oxygen on a dry basis averaged over a period of 15 consecutive minutes.
- (4) Compliance with the NO_x and CO emission requirements of paragraphs (c)(1), (c)(2), (c)(3), and (c)(4) and the stack-gas oxygen concentration requirement of subparagraph (c)(5)(A) shall be determined using a District approved contractor under the Laboratory Approval Program according to the following procedures:
 - (A) District Source Test Method 100.1 - Instrumental Analyzer Procedures for Continuous Gaseous Emission Sampling (March 1989), or

- (B) District Source Test Method 7.1 - Determination of Nitrogen Oxide Emissions from Stationary Sources (March 1989) and District Source Test Method 10.1 - Carbon Monoxide and Carbon Dioxide by Gas Chromatograph/Non-Dispersive Infrared Detector (GC/NDIR) - Oxygen by Gas Chromatograph-Thermal Conductivity (GC/TCD) (March 1989); or
- (C) United States Environmental Protection Agency Conditional Test Method CTM-030, Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Emissions from Natural Gas-Fired Engines, Boilers and Process Heaters Using Portable Analyzers; or
- (D) ASTM D6522-00(2005) Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas-Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers
- (E) any other test method determined to be alternative and approved before the test in writing by the Executive Officers of the District and the California Air Resources Board and the Regional Administrator of the United States Environmental Protection Agency, Region IX; or
- (F) a continuous in-stack nitrogen oxide monitor or equivalent verification system as specified in paragraph (c)(6).

Records of all source tests shall be made available to District personnel upon request. Emissions determined to exceed any limits established by this rule through the use of any of the above-referenced test methods shall constitute a violation of this rule.

- (5) For any operator who chooses the pound per million Btu of heat input compliance option of paragraph (c)(1), (c)(2), (c)(3), or (c)(4), NO_x emissions in pounds per million Btu of heat input shall be calculated using procedures in 40 CFR Part 60, Appendix A, Method 19, Sections 2 and 3 and CO emissions in pounds per million Btu of heat input shall be calculated according to the Protocol for the Periodic Monitoring of Nitrogen Oxides, Carbon Monoxide, and Oxygen from Units Subject to South Coast Air Quality Management District Rules 1146 and 1146.1.

- (6) Compliance determination with the NO_x emission requirements in paragraph (d)(4) shall be conducted once:
- (A) every three years for units with a rated heat input greater than or equal to 10 million Btu per hour, except for units subject to paragraph (c)(6).
 - (B) every five years for units with a rated heat input less than 10 million Btu per hour down to and including 5 million Btu per hour.
- (7) Provided the emissions test is conducted within the same calendar year as the test required in paragraph (d)(6), an owner or operator may use the following emissions tests to comply with paragraph (d)(6):
- (A) Periodic monitoring or testing of a unit as required in a Title V permit pursuant to Regulation XXX, or
 - (B) Relative accuracy testing for continuous emissions monitoring verification pursuant to Rule 218.1 or 40 CFR part 60 Appendix B Specification 2.
- (8) Any owner or operator of units subject to this rule shall [perform diagnostic emission checks of](#) NO_x emissions with a portable NO_x, CO and oxygen analyzer according to the Protocol for the Periodic Monitoring of Nitrogen Oxides, Carbon Monoxide, and Oxygen from Units Subject to South Coast Air Quality Management District Rules 1146 and 1146.1 according to the following schedule:
- (A) On or after July 1, 2009, the owner or operator of units subject to paragraphs (c)(1), (c)(2), (c)(3), and (c)(4) shall check NO_x emissions at least monthly or every 750 unit operating hours, whichever occurs later. If a unit is in compliance for three consecutive [diagnostic](#) emission checks, without any adjustments to the oxygen sensor set points, then the unit may be checked quarterly or every 2,000 unit operating hours, whichever occurs later, until [the resulting there is a diagnostic](#) emission check [indicating noncompliance exceeds the applicable limit specified in paragraphs \(c\)\(1\), \(c\)\(2\), or \(c\)\(3\)](#).
 - (B) On or after January 1, 2015 or during burner replacement, whichever occurs later, the owner or operator of units subject to paragraph (c)(5) shall check NO_x emissions according to the tune-up schedule specified in subparagraph (c)(5)(B).

- (C) Records of all monitoring data required under subparagraphs (d)(8)(A) and (d)(8)(B) shall be maintained for a rolling twelve month period of two years (5 years for Title V facilities) and shall be made available to District personnel upon request. ~~An owner or operator shall not be considered in violation of the emissions limits of this rule or in permit conditions if the owner or operator complies with requirements specified in paragraph (d)(10). Any emission check conducted by District staff that finds excess emissions is a violation.~~
- (D) The portable analyzer ~~tests~~ diagnostic emission checks required under subparagraph (d)(8)(A) and (d)(8)(B) shall only be conducted by a person who has completed an appropriate District-approved training program in the operation of portable analyzers and has received a certification issued by the District.
- (9) An owner or operator shall ~~opt to~~ comply with the requirements as applied to CO emissions specified in paragraph (d)(8) ~~or~~ and subparagraph:
- (A) (d)(6)(A) for units greater than or equal to 10 mmbtu/hr, or
- (B) (d)(6)(B) for units less than 10 mmbtu/hr.
- (10) A ~~source test specified under paragraph (d)(6) or an~~ diagnostic emission check conducted under the requirements specified in paragraph (d)(8) that finds emissions in excess of those allowed by this rule or a permit condition shall not constitute a violation of this rule if the owner or operator corrects the problem and demonstrate compliance with another ~~source test or~~ emission check within 72 hours from the time the owner or operator knew of excess emissions, or reasonably should have known, or shut down the unit by the end of an operating cycle, whichever is sooner.
- (11) Notwithstanding the requirements specified in paragraph (d)(10) any diagnostic emission check conducted by District staff that finds emissions in excess of those allowed by this rule or a permit condition is a violation.
- (112) An owner or operator may opt to lower the unit's rated heat input capacity. The lowered rated heat input capacity shall not be less than or equal to 2 million Btu per hour and shall be based on manufacturer's identification or rating plate or permit condition.

(e) Compliance Schedule

- (1) An owner or operator of units subject to paragraph (c)(1) shall comply with the schedule specified in Table 1146-1.
- (2) An owner or operator of units subject to paragraph (c)(2) shall comply with the schedule specified in Table 1146-2.
- (3) On or after January 1, 2015 or during burner replacement, whichever occurs later, no person shall operate in the District any unit subject to paragraph (c)(5) which does not meet the emissions limits specified in subparagraph (c)(1)(A) of Table 1146-1.
- (4) Any unit subject to the requirements specified in paragraph (c)(5) that exceeds 90,000 therms of heat input from all fuels used in any twelve month period, the operators shall:
 - (A) within 4 months after exceeding 90,000 therms of heat input in any twelve month period, submit required applications for permits to construct and operate; and
 - (B) within 18 months after exceeding 90,000 therms of heat input in any twelve month period, demonstrate and maintain compliance with all applicable requirements of paragraphs (c)(1), (c)(2), (c)(3), and (c)(6) for the life of the unit.
- (5) The Executive Officer shall grant a time extension to the full compliance date with the applicable NOx compliance limits specified in subparagraphs (c)(1)(E) through (c)(1)(J) and paragraph (c)(2) for any health facility as defined in Section 1250 of the California Health and Safety Code that can demonstrate that the Office of Statewide Health Planning and Development has approved an extension of time to comply with seismic safety requirements pursuant to Health and Safety Code Sections 130060 and 130061.5. The extension of time granted by the Executive Officer shall be consistent with the time extension granted pursuant to Health and Safety Code Section 130060 but not to exceed January 1, 2015 and shall be consistent with the time extension granted pursuant to Health and Safety Code Section 130061.5 but not to exceed January 1, 2020. Those health facilities granted a time extension shall submit a compliance plan to the Executive Officer on or before January 1, 2010.

ATTACHMENT 1

A. Equipment Tuning Procedure¹ for Forced-Draft Boilers, Steam Generators, and Process Heaters

Nothing in this Equipment Tuning Procedure shall be construed to require any act or omission that would result in unsafe conditions or would be in violation of any regulation or requirement established by Factory Mutual, Industrial Risk Insurers, National Fire Prevention Association, the California Department of Industrial Relations (Occupational Safety and Health Division), the Federal Occupational Safety and Health Administration, or other relevant regulations and requirements.

Should a different tuning procedure be used, a copy of this procedure should be kept with the unit records for two years and made available to the District personnel on request.

1. Operate the unit at the firing rate most typical of normal operation. If the unit experiences significant load variations during normal operation, operate it at its average firing rate.
2. At this firing rate, record stack gas temperature, oxygen concentration, and CO concentration (for gaseous fuels) or smoke-spot number² (for liquid fuels), and observe flame conditions after unit operation stabilizes at the firing rate selected. If the excess oxygen in the stack gas is at the lower end of the range of typical minimum values³, and if CO emissions are low and there is not smoke, the unit is probably operating at near optimum efficiency - at this particular firing rate.

However, complete the remaining portion of this procedure to determine whether still lower oxygen levels are practical.

3. Increase combustion air flow to the furnace until stack gas oxygen levels increase by one to two percent over the level measured in Step 2. As in Step 2, record the

¹ This tuning procedure is based on a tune-up procedure developed by KVB, Inc. for the United States EPA.

² The smoke-spot number can be determined with ASTM Test Method D-2156 or with the Bacharach method. ASTM Test Method D-2156 is included in a tuneup kit that can be purchased from the Bacharach Company.

³ Typical minimum oxygen levels for boilers at high firing rates are:

1. For natural gas: 0.5% - 3%
2. For liquid fuels: 2% - 4%

- stack gas temperature, CO concentration (for gaseous fuels) or smoke-spot number (for liquid fuels), and observe flame conditions for these higher oxygen levels after boiler operation stabilizes.
4. Decrease combustion air flow until the stack gas oxygen concentration is at the level measured in Step 2. From this level gradually reduce the combustion air flow, in small increments. After each increment, record the stack gas temperature, oxygen concentration, CO concentration (for gaseous fuels) and smoke-spot number (for liquid fuels). Also observe the flame and record any changes in its condition.
 5. Continue to reduce combustion air flow stepwise, until one of these limits is reached:
 - a. Unacceptable flame conditions - such as flame impingement on furnace walls or burner parts, excessive flame carryover, or flame instability.
 - b. Stack gas CO concentrations greater than 400 ppm.
 - c. Smoking at the stack.
 - d. Equipment-related limitations - such as low windbox/furnace pressure differential, built in air-flow limits, etc.
 6. Develop an O₂/CO curve (for gaseous fuels) or O₂/smoke curve (for liquid fuels) similar to those shown in Figures 1 and 2 using the excess oxygen and CO or smoke-spot number data obtained at each combustion air flow setting.

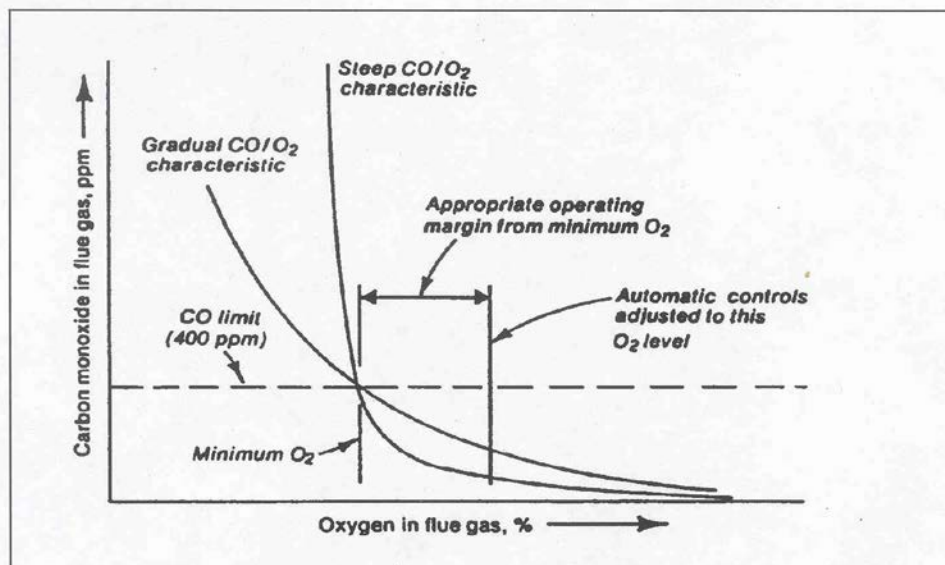


Figure 1 Oxygen/CO Characteristic Curve

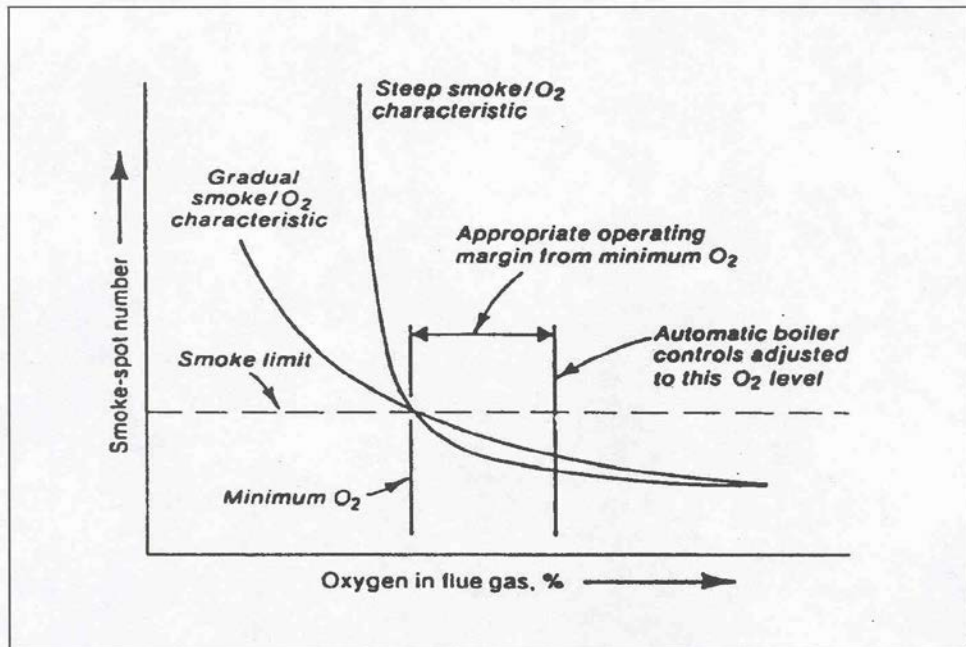


Figure 2 Oxygen/Smoke Characteristic Curve

7. From the curves prepared in Step 6, find the stack gas oxygen levels where the CO emissions or smoke-spot number equal the following values:

Fuel	Measurement	Value
Gaseous	CO Emissions	400 ppm
#1 and #2 oils	smoke-spot number	number 1
#4 oil	smoke-spot number	number 2
#5 oil	smoke-spot number	number 3
Other oils	smoke-spot number	number 4

The above conditions are referred to as the CO or smoke thresholds, or as the minimum excess oxygen level.

Compare this minimum value of excess oxygen to the expected value provided by the combustion unit manufacturer. If the minimum level found is substantially higher than the value provided by the combustion unit manufacturer, burner adjustments can probably be made to improve fuel and air mixing, thereby allowing operation with less air.

8. Add 0.5 to 2.0 percent O₂ to the minimum excess oxygen level found in Step 7 and reset burner controls to operate automatically at this higher stack gas oxygen level. This margin above the minimum oxygen level accounts for fuel variations, variations in atmospheric conditions, load changes, and nonrepeatability or play in automatic controls.

9. If the load of the combustion unit varies significantly during normal operation, repeat Steps 1-8 for firing rates that represent the upper and lower limits of the range of the load. Because control adjustments at one firing rate may affect conditions at other firing rates, it may not be possible to establish the optimum excess oxygen level at all firing rates. If this is the case, choose the burner control settings that give best performance over the range of firing rates. If one firing rate predominates, settings should optimize conditions at that rate.
10. Verify that the new settings can accommodate the sudden load changes that may occur in daily operation without adverse effects. Do this by increasing and decreasing load rapidly while observing the flame and stack. If any of the conditions in Step 5 result, reset the combustion controls to provide a slightly higher level of excess oxygen at the affected firing rates. Next, verify these new settings in a similar fashion. Then make sure that the final control settings are recorded at steady-state operating conditions for future reference.
11. When the above checks and adjustments have been made, record data and attach combustion analysis data to boiler, steam generator, or heater records indicating name and signature of person, title, and date the tuneup was performed.

B. Equipment Tuning Procedure for Natural Draft-Fired Boilers, Steam Generators, and Process Heaters.

Nothing in this Equipment Tuning Procedure shall be construed to require any act or omission that would result in unsafe conditions or would be in violation of any regulation or requirement established by Factory Mutual, Industrial Risk Insurers, National Fire Prevention Association, the California Department of Industrial Relations (Occupational Safety and Health Division), the Federal Occupational Safety and Health Administration, or other relevant codes, regulations, and equipment manufacturers specifications and operating manuals.

Should a different tuning procedure be used, a copy of this procedure should be kept with the unit records for two years and made available to the District personnel on request.

1. PRELIMINARY ANALYSIS

a. CHECK THE OPERATING PRESSURE OR TEMPERATURE.

Operate the boiler, steam generator, or heater at the lowest acceptable pressure or temperature that will satisfy the load demand. This will minimize heat and radiation losses. Determine the pressure or temperature

that will be used as a basis for comparative combustion analysis before and after tuneup.

b. CHECK OPERATING HOURS.

Plan the workload so that the boiler, steam generator, or process heater operates only the minimum hours and days necessary to perform the work required. Fewer operating hours will reduce fuel use and emissions. For units requiring a tuneup to comply with the rule, a totalizing non-resettable fuel meter will be required for each fuel used and for each boiler, steam generator, and heater to prove fuel consumption is less than the heat input limit in therms per year specified in the rule.

c. CHECK AIR SUPPLY.

Sufficient fresh air supply is essential to ensure optimum combustion and the area of air supply openings must be in compliance with applicable codes and regulations. Air openings must be kept wide open when the burner is firing and clear from restriction to flow.

d. CHECK VENT.

Proper venting is essential to assure efficient combustion. Insufficient draft or overdraft promotes hazards and inefficient burning. Check to be sure that vent is in good condition, sized properly and with no obstructions.

e. COMBUSTION ANALYSIS.

Perform an "as is" combustion analysis (CO, O₂, etc.) with a warmed up unit at high and low fire, if possible. In addition to data obtained from combustion analysis, also record the following:

- i. Inlet fuel pressure at burner (at high & low fire)
- ii. Draft at inlet to draft hood or barometric damper
 - 1) Draft hood: high, medium, and low
 - 2) Barometric Damper: high, medium, and low
- iii. Steam pressure, water temperature, or process fluid pressure or temperature entering and leaving the boiler, steam generator, or process heater.
- iv. Unit rate if meter is available.

With above conditions recorded, make the following checks and corrective actions as necessary:

2. CHECKS & CORRECTIONS**a. CHECK BURNER CONDITION.**

Dirty burners or burner orifices will cause boiler, steam generator, or process heater output rate and thermal efficiency to decrease. Clean burners and burner orifices thoroughly. Also, ensure that fuel filters and moisture traps are in place, clean, and operating properly, to prevent plugging of gas orifices. Confirm proper location and orientation of burner diffuser spuds, gas canes, etc. Look for any burned-off or missing burner parts, and replace as needed.

b. CHECK FOR CLEAN BOILER, STEAM GENERATOR, OR PROCESS HEATER TUBES & HEAT TRANSFER SURFACES.

External and internal build-up of sediment and scale on the heating surfaces creates an insulating effect that quickly reduces unit efficiency. Excessive fuel cost will result if the unit is not kept clean. Clean tube surfaces, remove scale and soot, assure proper process fluid flow and flue gas flow.

c. CHECK WATER TREATMENT & BLOWDOWN PROGRAM.

Soft water and the proper water or process fluid treatment must be uniformly used to minimize scale and corrosion. Timely flushing and periodic blowdown must be employed to eliminate sediment and scale build-up on a boiler, steam generator or process heater.

d. CHECK FOR STEAM, HOT WATER OR PROCESS FLUID LEAKS.

Repair all leaks immediately since even small high-pressure leaks quickly lead to considerable fuel, water and steam losses. Be sure there are no leaks through the blow-off, drains, safety valve, by-pass lines or at the feed pump, if used.

3. SAFETY CHECKS

a. Test primary and secondary low water level controls.

b. Check operating and limit pressure and temperature controls.

c. Check pilot safety shut off operation.

d. Check safety valve pressure and capacity to meet boiler, steam generator or process heater requirements.

e. Check limit safety control and spill switch.

4. ADJUSTMENTS

While taking combustion readings with a warmed up boiler, steam generator, or process heater at high fire perform checks and adjustments as follows:

- a. Adjust unit to fire at rate; record fuel manifold pressure.
- b. Adjust draft and/or fuel pressure to obtain acceptable, clean combustion at both high, medium and low fire. Carbon Monoxide (CO) value should always be below 400 parts per million (PPM) at 3% O₂. If CO is high make necessary adjustments.

Check to ensure boiler, steam generator, or process heater light offs are smooth and safe. A reduced fuel pressure test at both high and low fire should be conducted in accordance with the manufacturers instructions and maintenance manuals.

- c. Check and adjust operation of modulation controller. Ensure proper, efficient and clean combustion through range of firing rates.

When above adjustments and corrections have been made, record all data.

5. FINAL TEST

Perform a final combustion analysis with a warmed up boiler, steam generator, or process heater at high, medium and low fire, whenever possible. In addition to data from combustion analysis, also check and record:

- a. Fuel pressure at burner (High, Medium, and Low).
- b. Draft above draft hood or barometric damper (High, Medium and Low).
- c. Steam pressure or water temperature entering and leaving boiler, steam generator, or process heater.
- d. Unit rate if meter is available.

When the above checks and adjustments have been made, record data and attach combustion analysis data to boiler, steam generator, or process heater records indicating name and signature of person, title, company name, company address and date the tuneup was performed.

ATTACHMENT G

(Adopted October 5, 1990)(Amended July 10, 1992)(Amended May 13, 1994)
(Amended Amended September 5, 2008)
(November 1, 2013)

RULE 1146.1 EMISSIONS OF OXIDES OF NITROGEN FROM SMALL INDUSTRIAL, INSTITUTIONAL, AND COMMERCIAL BOILERS, STEAM GENERATORS, AND PROCESS HEATERS

(a) Applicability

This rule applies to boilers, steam generators, and process heaters that are greater than 2 million Btu per hour and less than 5 million Btu per hour rated heat input capacity used in any industrial, institutional, or commercial operation with the exception of RECLAIM facilities (NOx emissions only).

(b) Definitions

(1) ADSORPTION CHILLER UNIT means any natural gas fired unit that captures and uses waste heat to provide cold water for air conditioning and other process requirements.

~~(2)~~(2) ANNUAL HEAT INPUT means the actual amount of heat released by fuels burned in a unit during a calendar year, based on the fuel's higher heating value.

~~(2)~~(3) ATMOSPHERIC UNIT means any natural gas fired unit with a non-sealed combustion chamber in which natural draft is used to exhaust combustion gases.

~~(3)~~(4) BOILER OR STEAM GENERATOR means any combustion equipment fired with liquid and/or gaseous (including landfill and digester gas) and/or solid fossil fuel, used to produce steam or to heat water, and that is not used exclusively to produce electricity for sale. Boiler or Steam Generator does not include any open heated tank, adsorption chiller unit, or waste heat recovery boiler that is used to recover sensible heat from the exhaust of a combustion turbine or any unfired waste heat recovery boiler that is used to recover sensible heat from the exhaust of any combustion equipment.

~~(4)~~(5) BTU means British thermal unit or units.

(6) COMMERCIAL OPERATION means any office building, lodging place, or similar location designed for tenancy by one or more business entities or residential occupants.

- ~~(5)~~(7) HEALTH FACILITY has the same meaning as defined in Section 1250 of the California Health and Safety Code.
- (8) INDUSTRIAL OPERATION means any entity engaged in the production and/or provision of chemicals, foods, textiles, fabricated metal products, real estate, personal services or other kindred or allied products or services.
- (9) INSTITUTIONAL OPERATION means any public or private establishment constituted to provide medical, educational, governmental, or other similar services to promote safety, order, and welfare.
- ~~(6)~~(10) NO_x EMISSIONS means the sum of nitric oxide and nitrogen dioxide in the flue gas, collectively expressed as nitrogen dioxide.
- (11) OPEN HEATED TANK means a non-pressurized self-heated tank that may include a cover or doors that can be opened or detached to put in or remove parts, components or other material for processing in the tank. Tanks heated solely by an electric heater, boiler, thermal fluid heater or heat recovered from another process using heat exchangers are excluded from this definition.
- ~~(7)~~(12) PROCESS HEATER means any combustion equipment fired with liquid and/or gaseous (including landfill and digester gas) and/or solid fossil fuel and which transfers heat from combustion gases to water or process streams. Process Heater does not include any kiln or oven used for drying, curing, baking, cooking, calcining, or vitrifying; or any unfired waste heat recovery heater that is used to recover sensible heat from the exhaust of any combustion equipment.
- ~~(8)~~(13) RATED HEAT INPUT CAPACITY means the heat input capacity specified on the nameplate of the combustion unit. If the combustion unit has been altered or modified such that its maximum heat input is different than the heat input capacity specified on the nameplate, the new maximum heat input shall be considered as the rated heat input capacity.
- ~~(9)~~(14) SCHOOL means any public or private school, including juvenile detention facilities with classrooms, used for purposes of the education of more than 12 children at the school, including in kindergarten and grades 1 to 12, inclusive, but does not include any private school in which education is primarily conducted in private homes. The term includes any building or structure, playground, athletic field, or other area of school property, but does not include unimproved school property.

- ~~(10)~~(15) THERM means 100,000 Btu.
- ~~(11)~~(16) THERMAL FLUID HEATER means a PROCESS HEATER in which a process is heated indirectly by a heated fluid other than water.
- ~~(12)~~(17) UNIT means any boiler, steam generator, or process heater as defined in paragraph (b)~~(34)~~ or (b)~~(712)~~.

(c) Requirements

- (1) On or after September 5, 2008, the owner or operator of any unit subject to subdivision (a) shall operate such unit so that it discharges into the atmosphere no more than 30 ppm of NOx emissions or for natural gas fired units 0.037 pound NOx per million Btu of heat input, as specified in the permit to operate.
- (2) An owner or operator of any unit subject to subdivision (a) must select to comply with one of the following NOx emission limits specified in Table 1146.1-1 and apply for a permit to construct to operate such unit in compliance with the selected emission limit and the corresponding permit application and full compliance dates.

Table 1146.1-1

Category	Limit	Submit Application for Permit to Construct on or before	Unit Shall be in Full Compliance on or before
Any Units Fired on Landfill Gas	25 ppm	January 1, 2014	January 1, 2015
Any Units Fired on Digester Gas	15 ppm	January 1, 2014	January 1, 2015
Atmospheric Units	12 ppm or 0.015 lbs/10 ⁶ Btu	January 1, 2013	January 1, 2014
Any Units Fired on Natural Gas, Excluding Units Located at Schools and Universities, Atmospheric Units, and Thermal Fluid Heaters	9 ppm or 0.011 lbs/10 ⁶ Btu	January 1, 2011	January 1, 2012
Any Units Fired on Natural Gas Located at Schools and Universities, Excluding Atmospheric Units, and Thermal Fluid Heaters		January 1, 2013	January 1, 2014

- (3) For dual fuel co-fired combustion units a weighted average limit calculated by Equation 1146.1-1 may be used provided a totalizing fuel flow meter is installed pursuant to paragraph (c)(7), for units burning a combination of both fuels.

$$\text{Weighted Limit} = \frac{(CL_A \times Q_A) + (CL_B \times Q_B)}{Q_A + Q_B} \quad \text{Equation 1146.1-1}$$

Where:

CL_A = compliance limit for fuel A

CL_B = compliance limit for fuel B

Q_A = heat input from fuel A

Q_B = heat input from fuel B

- (4) The owner or operator of any unit(s) with a heat input capacity greater than ~~or equal to~~ 2 million Btu per hour shall not discharge into the atmosphere carbon monoxide (CO) emissions in excess of 400 ppm or for natural gas fired units 0.30 lbs/10⁶ Btu.
- (5) In lieu of complying with the applicable emission limits specified in paragraph (c)(1), ~~or~~ (c)(2), (c)(3), and (c)(4) any unit(s) subject to subdivision (a) in operation prior to September 5, 2008, and with an annual heat input of less than or equal to 18,000 therms per calendar year, shall:
- (A) be operated in a manner that maintains stack-gas oxygen concentrations at less than or equal to 3 percent on a dry basis for any 15-consecutive-minute averaging period; or
- (B) be tuned at least twice per year, (at intervals from four to eight months apart) in accordance with the procedure described in Attachment 1 or the unit manufacturer's specified tuneup procedure. If a different tuneup procedure from that described in attachment 1 is used then a copy of this procedure shall be kept on site. The operator of any unit(s) selecting the tune-up option shall maintain records for a rolling of twenty four month period verifying that the required tune-ups have been performed. If the unit does not operate throughout a continuous six-month period

within 12 month period, only one tuneup is required for the twelve month period that includes the entire period of non-operation. For this case, the tune-up shall be conducted within 30 days of start-up. No tune-up is required during a rolling twelve month period for any unit that is not operated during that rolling twelve month period; this unit may be test fired to verify availability of the unit for its intended use but once test firing is completed it shall be shutdown. Records of test firings shall be maintained for a rolling twenty four month period, and shall be made accessible upon request from an authorized District representative upon request.

- (6) An owner or operator that has installed or modified a natural gas fired unit prior to September 5, 2008 complying with the applicable BACT emission limit of 12 ppm or less of NO_x may defer compliance with paragraph (c)(2) until the unit's burner(s) replacement.
- (7) Any owner or operator who chooses the pound per million Btu of heat input compliance option in paragraph (c)(1), (c)(2), or (c)(4) for natural gas fired units or chooses the weighted average emission limit using Equation 1146.1-1 under paragraph (c)(3) shall install a non-resettable, totalizing fuel meter for each fuel used on an individual unit basis, as approved by the Executive Officer.
- (8) On or after January 1, 2015, an owner operator of any landfill or digester gas (biogas) unit co-fired with natural gas shall not operate the unit in a manner that exceeds the applicable landfill or digester gas emission concentration limits specified in paragraph (c)(2), provided that the facility monthly average biogas usage by the biogas units is 90% or more, based on the higher heating value of the fuels used.
 - (A) The Executive Officer may approve the burning of more than 10% up to:
 - (i) 25% natural gas in a biogas fired unit at the 15 ppm (digester gas) or 25 ppm (landfill gas) NO_x level, when it is necessary, if the only alternative to limiting natural gas to 10% would be shutting down the unit and flaring more biogas.
 - (ii) 50% natural gas in a digester gas-fired unit at the 15 ppm NO_x level, when it is necessary as specified in clause (c) (8)(A)(i) and for units installed on or after September 5,

2008 provided the unit has demonstrated compliance with the NO_x limits in paragraph (c)(2) applicable to units fired exclusively on natural gas.

For units subject to this subparagraph, the percent natural gas usage shall be based on the facility monthly average biogas usage by the biogas units and the higher heating value of the fuels used.

(B) Any biogas-fired unit burning more than the approved percent natural gas as determined under subparagraph (c)(8)(A) shall comply with the weighted average NO_x limit specified in paragraph (c)(3).

(d) Compliance Determination

- (1) Owners or operators of any units shall have the option of complying with either the pound per million Btu of heat input or parts per million emission limits specified in paragraph (c)(1), (c)(2), (c)(3), or (c)(4).
- (2) All emission determinations shall be made in the as-found operating condition, except no compliance determination shall be established during unit start up, shutdown, or under breakdown conditions. Start up or shutdown intervals shall not last longer than is necessary to reach stable temperatures. In no case shall the start up or shutdown interval last longer than six hours or the time specified in the permit to operate, whichever is less. Start-ups and shutdowns shall not last longer than is necessary to reach stable conditions. An compliance determination as specified in paragraph (d)(6) shall be conducted at least 250 operating hours, or at least thirty days subsequent to the tuning or servicing of any unit, unless it is an unscheduled repair.
- (3) All parts per million emission limits specified in subdivision (c) are referenced at 3 percent volume stack-gas oxygen on a dry basis averaged over a period of 15 consecutive minutes.
- (4) Compliance with the NO_x and CO emission requirements of paragraphs (c)(1) through (c)(4) and the stack-gas oxygen concentration requirement of subparagraph (c)(5)(A) shall be determined using a District approved contractor under the Laboratory Approval Program according to the following procedures:

- (A) District Source Test Method 100.1 - Instrumental Analyzer Procedures for Continuous Gaseous Emission Sampling (March 1989), or
- (B) District Source Test Method 7.1 - Determination of Nitrogen Oxide Emissions from Stationary Sources (March 1989) and Method 10.1 - Carbon Monoxide and Carbon Dioxide by Gas Chromatograph/Non-Dispersive Infrared Detector (GC/NDIR) - Oxygen by Gas Chromatograph-Thermal Conductivity (GC/TCD) (March 1989), or
- (C) United States Environmental Protection Agency Conditional Test Method CTM-030, Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Emissions from Natural Gas-Fired Engines, Boilers and Process Heaters Using Portable Analyzers; or
- (D) ASTM D6522-00(2005) Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas-Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers
- (E) any other test method determined to be alternative and approved before the test in writing by the Executive Officers of the District and the California Air Resources Board and the Regional Administrator of the United States Environmental Protection Agency, Region IX.

Records of all source tests shall be maintained for a period of two years (five years for Title V facilities) and shall be made available to District personnel upon request. Emissions determined to exceed any limits established by this rule through the use of any of the above-referenced test methods shall constitute a violation of this rule.

- (5) For any owner or operator who chooses the pounds of per million Btu of heat input compliance option of paragraph (c)(1), (c)(2), or (c)(4) for natural gas fired units, NO_x emissions in pounds per million Btu of heat input shall be calculated using the procedures in 40 CFR Part 60, Appendix A, Method 19, Sections 2 and 3 and CO emissions in pounds per million Btu of heat input shall be calculated according to the Protocol for the Periodic Monitoring of Nitrogen Oxides, Carbon Monoxide, and

Oxygen from Units Subject to South Coast Air Quality Management District Rules 1146 and 1146.1.

- (6) Compliance determination with the NOx emission requirements specified in paragraph (d)(4) shall be conducted once every five years.
- (7) Any owner or operator of units subject to this rule shall perform diagnostic emission checks of NOx emissions with a portable NOx, CO and oxygen analyzer according to the Protocol for the Periodic Monitoring of Nitrogen Oxides, Carbon Monoxide, and Oxygen from Units Subject to South Coast Air Quality Management District Rules 1146 and 1146.1 according to the following schedule:
 - (A) On or after July 1, 2009, the owner or operator of units subject to paragraphs (c)(1) through (c)(4) shall check NOx emissions at least quarterly or every 2,000 unit operating hours, whichever occurs later. If a unit is in compliance for four consecutive required diagnostic emission checks, without any adjustments to the oxygen sensor set points, then the unit may be checked semi-annually or every 4,000 unit operating hours, whichever occurs later, until there is an the diagnostic emission check indicating noncompliance exceeds the applicable limit specified in paragraphs (c)(1), (c)(2), or (c)(3).
 - (B) On or after January 1, 2015 or during burner replacement, whichever occurs later, units subject to paragraph (c)(5) shall check NOx emissions according to the tune-up schedule specified in subparagraph (c)(5)(B).
 - (C) Records of all monitoring data required under subparagraphs (d)(7)(A) and (d)(7)(B) shall be maintained for a rolling twelve month period of two years (five years for Title V facilities) and shall be made available to District personnel upon request. ~~An owner or operator shall not be considered in violation of the emissions limits of this rule or in permit conditions if the owner or operator complies with requirements specified in paragraph (d)(9). Any emission check conducted by District staff that finds excess emissions is a violation.~~
 - (D) The portable analyzer ~~tests~~ diagnostic emission checks required under subparagraphs (d)(7)(A) and (d)(7)(B) shall only be conducted by a person who has completed an appropriate District-

approved training program in the operation of portable analyzers and has received a certification issued by the District.

- (8) An owner or operator shall ~~opt to~~ comply with the requirements as applied to CO emissions specified in paragraphs (d)(6) ~~or and~~ (d)(7).
 - (9) A ~~source test specified under paragraph (d)(6) or an diagnostic~~ emission check conducted under the requirements specified in paragraph (d)(7) that finds emissions in excess of those allowed by this rule or a permit condition shall not constitute a violation of this rule if the owner or operator corrects the problem and demonstrate compliance with another ~~source test or~~ emission check within 72 hours from the time the owner or operator knew of excess emissions, or reasonably should have known, or shut down the unit by the end of an operating cycle, whichever is sooner.
 - (10) Notwithstanding the requirements specified in paragraph (d)(9) any diagnostic emission check conducted by District staff that finds emissions in excess of those allowed by this rule or a permit condition is a violation.
 - (1011) An owner or operator may opt to lower the unit's rated heat input capacity. The lowered rated heat input capacity shall not be less than or equal to 2 million Btu per hour and shall be based on manufacturer's identification or rating plate or permit condition.
- (e) Compliance Schedule
- (1) Owners or operators of units shall comply with the applicable schedule specified in paragraphs (c)(1) and (c)(2).
 - (2) On or after January 1, 2015 or during burner replacement, whichever is later, no person shall operate in the District any unit subject to paragraph (c)(5) which does not meet the emissions limits specified in paragraph (c)(1).
 - (3) If any unit subject to paragraph (c)(5) exceeds 18,000 therms of annual heat input from all fuels used in any twelve month period, the owners or operators shall:
 - (A) within 4 months after exceeding 18,000 therms of heat input in any twelve month period, submit required applications for permits to construct and operate; and
 - (B) within 18 months after exceeding 18,000 therms of heat input in any twelve month period, demonstrate and maintain compliance

with all applicable requirements specified in paragraphs (c)(1) through (c)(4) for the life of the unit.

- (4) The Executive Officer shall grant a time extension to the full compliance date with the applicable NOx compliance limits for any natural gas fired units specified in paragraph (c)(2) for any health facility as defined in Section 1250 of the California Health and Safety Code that can demonstrate that the Office of Statewide Health Planning and Development has approved an extension of time to comply with seismic safety requirements pursuant to Health and Safety Code Sections 130060 and 130061.5. The extension of time granted by the Executive Officer shall be consistent with the time extension granted pursuant to Health and Safety Code Section 130060 but not to exceed January 1, 2015 and shall be consistent with the time extension granted pursuant to Health and Safety Code Section 130061.5 but not to exceed January 1, 2020. Those health facilities granted a time extension shall submit a compliance plan to the Executive Officer on or before January 1, 2010.

ATTACHMENT 1

A. Equipment Tuning Procedure¹ for Forced-Draft Boilers, Steam Generators, and Process Heaters

Nothing in this Equipment Tuning Procedure shall be construed to require any act or omission that would result in unsafe conditions or would be in violation of any regulation or requirement established by Factory Mutual, Industrial Risk Insurers, National Fire Prevention Association, the California Department of Industrial Relations (Occupational Safety and Health Division), the Federal Occupational Safety and Health Administration, or other relevant regulations and requirements.

1. Operate the unit at the firing rate most typical of normal operation. If the unit experiences significant load variations during normal operation, operate it at its average firing rate.
2. At this firing rate, record stack gas temperature, oxygen concentration, and CO concentration (for gaseous fuels) or smoke-spot number² (for liquid fuels), and observe flame conditions after unit operation stabilizes at the firing rate selected. If the excess oxygen in the stack gas is at the lower end of the range of typical minimum values³, and if CO emissions are low and there is not smoke, the unit is probably operating at near optimum efficiency - at this particular firing rate.
3. Increase combustion air flow to the furnace until stack gas oxygen levels increase by one to two percent over the level measured in Step 2. As in Step 2, record the stack gas temperature, CO concentration (for gaseous fuels) or smoke-spot number (for liquid fuels), and observe flame conditions for these higher oxygen levels after boiler operation stabilizes.

However, complete the remaining portion of this procedure to determine whether still lower oxygen levels are practical.

¹This tuning procedure is based on a tune-up procedure developed by KVB, Inc. for the United States EPA.

²The smoke-spot number can be determined with ASTM Test Method D-2156 or with the Bacharach method. ASTM Test Method D-2156 is included in a tuneup kit that can be purchased from the Bacharach Company.

³Typical minimum oxygen levels for boilers at high firing rates are:

1. For natural gas: 0.5% - 3%
2. For liquid fuels: 2% - 4%

4. Decrease combustion air flow until the stack gas oxygen concentration is at the level measured in Step 2. From this level gradually reduce the combustion air flow, in small increments. After each increment, record the stack gas temperature, oxygen concentration, CO concentration (for gaseous fuels) and smoke-spot number (for liquid fuels). Also observe the flame and record any changes in its condition.
5. Continue to reduce combustion air flow stepwise, until one of these limits is reached:
 - a. Unacceptable flame conditions - such as flame impingement on furnace walls or burner parts, excessive flame carryover, or flame instability.
 - b. Stack gas CO concentrations greater than 400 ppm.
 - c. Smoking at the stack.
 - d. Equipment-related limitations - such as low windbox/furnace pressure differential, built in air-flow limits, etc.
6. Develop an O₂/CO curve (for gaseous fuels) or O₂/smoke curve (for liquid fuels) similar to those shown in Figures 1 and 2 using the excess oxygen and CO or smoke-spot number data obtained at each combustion air flow setting.

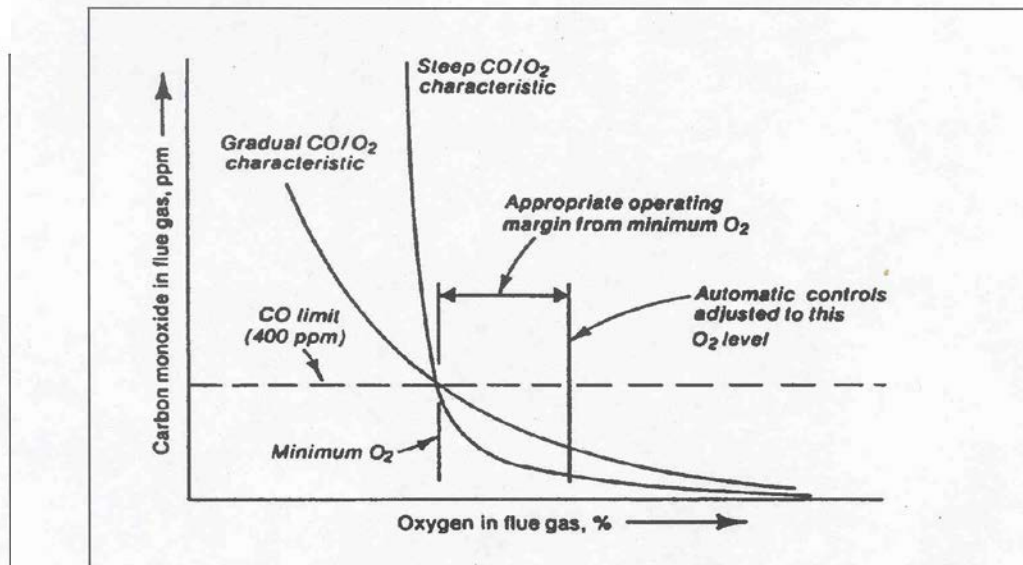


Figure 1 Oxygen/CO Characteristic Curve

Figure 2 Oxygen/Smoke Characteristic Curve

7. From the curves prepared in Step 6, find the stack gas oxygen levels where the CO emissions or smoke-spot number equal the following values:

<u>Fuel</u>	<u>Measurement</u>	<u>Value</u>
Gaseous	CO Emissions	400 ppm
#1 and #2 oils	smoke-spot number	number 1
#4 oil	smoke-spot number	number 2
#5 oil	smoke-spot number	number 3
Other oils	smoke-spot number	number 4

The above conditions are referred to as the CO or smoke thresholds, or as the minimum excess oxygen level.

Compare this minimum value of excess oxygen to the expected value provided by the combustion unit manufacturer. If the minimum level found is substantially higher than the value provided by the combustion unit manufacturer, burner adjustments can probably be made to improve fuel and air mixing, thereby allowing operation with less air.

8. Add 0.5 to 2.0 percent O₂ to the minimum excess oxygen level found in Step 7 and reset burner controls to operate automatically at this higher stack gas oxygen level. This margin above the minimum oxygen level accounts for fuel variations, variations in atmospheric conditions, load changes, and nonrepeatability or play in automatic controls.
9. If the load of the combustion unit varies significantly during normal operation, repeat Steps 1-8 for firing rates that represent the upper and lower limits of the range of the

load. Because control adjustments at one firing rate may affect conditions at other firing rates, it may not be possible to establish the optimum excess oxygen level at all firing rates. If this is the case, choose the burner control settings that give best performance over the range of firing rates. If one firing rate predominates, settings should optimize conditions at that rate.

10. Verify that the new settings can accommodate the sudden load changes that may occur in daily operation without adverse effects. Do this by increasing and decreasing load rapidly while observing the flame and stack. If any of the conditions in Step 5 result, reset the combustion controls to provide a slightly higher level of excess oxygen at the affected firing rates. Next, verify these new settings in a similar fashion. Then make sure that the final control settings are recorded at steady-state operating conditions for future reference.
11. When the above checks and adjustments have been made, record data and attach combustion analysis data to boiler, steam generator, or heater records indicating name and signature of person, title, and date the tuneup was performed.

B. Equipment Tuning Procedure for Natural Draft-Fired Boilers, Steam Generators, and Process Heaters.

Nothing in this Equipment Tuning Procedure shall be construed to require any act or omission that would result in unsafe conditions or would be in violation of any regulation or requirement established by Factory Mutual, Industrial Risk Insurers, National Fire Prevention Association, the California Department of Industrial Relations (Occupational Safety and Health Division), the Federal Occupational Safety and Health Administration, or other relevant codes, regulations, and equipment manufacturers specifications and operating manuals.

Should a different tuning procedure be used, a copy of this procedure should be kept with the unit records for two years and made available to the District personnel on request.

1. **PRELIMINARY ANALYSIS**

a. **CHECK THE OPERATING PRESSURE OR TEMPERATURE.**

Operate the boiler, steam generator, or heater at the lowest acceptable pressure or temperature that will satisfy the load demand. This will minimize heat and radiation losses. Determine the pressure or temperature that will be used as a basis for comparative combustion analysis before and after tuneup.

b. **CHECK OPERATING HOURS.**

Plan the workload so that the boiler, steam generator, or process heater operates only the minimum hours and days necessary to perform the work required. Fewer operating hours will reduce fuel use and emissions. For units requiring a tuneup to comply with the rule, a totalizing non-resettable fuel meter will be required for each fuel used and for each boiler, steam generator, and heater to prove fuel consumption is less than the heat input limit in therms per year specified in the rule.

c. **CHECK AIR SUPPLY.**

Sufficient fresh air supply is essential to ensure optimum combustion and the area of air supply openings must be in compliance with applicable codes and regulations. Air openings must be kept wide open when the burner is firing and clear from restriction to flow.

d. **CHECK VENT.**

Proper venting is essential to assure efficient combustion. Insufficient draft or overdraft promotes hazards and inefficient burning. Check to be sure that vent is in good condition, sized properly and with no obstructions.

e. **COMBUSTION ANALYSIS.**

Perform an "as is" combustion analysis (CO, O₂, etc.) with a warmed up unit at high and low fire, if possible. In addition to data obtained from combustion analysis, also record the following:

i. Inlet fuel pressure at burner (at high & low fire)

ii. Draft at inlet to draft hood or barometric damper

1) Draft hood: high, medium, and low

2) Barometric Damper: high, medium, and low

iii. Steam pressure, water temperature, or process fluid pressure or temperature entering and leaving the boiler, steam generator, or process heater.

- iv. Unit rate if meter is available.

With above conditions recorded, make the following checks and corrective actions as necessary:

2. CHECKS & CORRECTIONS

a. **CHECK BURNER CONDITION.**

Dirty burners or burner orifices will cause boiler, steam generator, or process heater output rate and thermal efficiency to decrease. Clean burners and burner orifices thoroughly. Also, ensure that fuel filters and moisture traps are in place, clean, and operating properly, to prevent plugging of gas orifices. Confirm proper location and orientation of burner diffuser spuds, gas canes, etc. Look for any burned-off or missing burner parts, and replace as needed.

b. **CHECK FOR CLEAN BOILER, STEAM GENERATOR, OR PROCESS HEATER TUBES & HEAT TRANSFER SURFACES.**

External and internal build-up of sediment and scale on the heating surfaces creates an insulating effect that quickly reduces unit efficiency. Excessive fuel cost will result if the unit is not kept clean. Clean tube surfaces, remove scale and soot, assure proper process fluid flow and flue gas flow.

c. **CHECK WATER TREATMENT & BLOWDOWN PROGRAM.**

Soft water and the proper water or process fluid treatment must be uniformly used to minimize scale and corrosion. Timely flushing and periodic blowdown must be employed to eliminate sediment and scale build-up on a boiler, steam generator or process heater.

d. **CHECK FOR STEAM, HOT WATER OR PROCESS FLUID LEAKS**

Repair all leaks immediately since even small high-pressure leaks quickly lead to considerable fuel, water and steam losses. Be sure there are no leaks through the blow-off, drains, safety valve, by-pass lines or at the feed pump, if used.

3. SAFETY CHECKS

a. Test primary and secondary low water level controls.

b. Check operating and limit pressure and temperature controls.

c. Check pilot safety shut off operation.

d. Check safety valve pressure and capacity to meet boiler, steam generator or process heater requirements.

- e. Check limit safety control and spill switch.

4. ADJUSTMENTS

While taking combustion readings with a warmed up boiler, steam generator, or process heater at high fire perform checks and adjustments as follows:

- a. Adjust unit to fire at rate; record fuel manifold pressure.
- b. Adjust draft and/or fuel pressure to obtain acceptable, clean combustion at both high, medium and low fire. Carbon Monoxide (CO) value should always be below 400 parts per million (PPM) at 3% O₂. If CO is high make necessary adjustments.

Check to ensure boiler, steam generator, or process heater light offs are smooth and safe. A reduced fuel pressure test at both high and low fire should be conducted in accordance with the manufacturers instructions and maintenance manuals.

- c. Check and adjust operation of modulation controller. Ensure proper, efficient and clean combustion through range of firing rates.

When above adjustments and corrections have been made, record all data.

5. FINAL TEST

Perform a final combustion analysis with a warmed up boiler, steam generator, or process heater at high, medium and low fire, whenever possible. In addition to data from combustion analysis, also check and record:

- a. Fuel pressure at burner (High, Medium, and Low).
- b. Draft above draft hood or barometric damper (High, Medium and Low).
- c. Steam pressure or water temperature entering and leaving boiler, steam generator, or process heater.
- d. Unit rate if meter is available.

When the above checks and adjustments have been made, record data and attach combustion analysis data to boiler, steam generator, or process heater records indicating name and signature of person, title, company name, company address and date the tuneup was performed.

ATTACHMENT H

DRAFT BOARD LETTER

BOARD LETTER RELEASE DATE: October 4, 2013

PROPOSAL: Amend Rules 1146 - Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters, and 1146.1 - Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters

SYNOPSIS: The proposed amendments to Rules 1146 and 1146.1 will address a SIP approvability issue related to rule enforceability raised by U.S. EPA. As requested by U.S. EPA, the proposed rules clarify that source test results showing emissions in excess of rule limits are considered a rule violation. However, the proposed amended rules allow diagnostic emission checks for boiler maintenance purposes. None of the proposed changes will affect rule emission limits or result in any adverse environmental, socioeconomic, or cost impacts. (Reviewed: Stationary Source Committee, September 20, 2013)

COMMITTEE: Stationary Source, September 20, 2013

RECOMMENDED ACTION:
Set Public Hearing November 1, 2013 to Amend Rules 1146 and 1146.1.

Barry R. Wallerstein, D. Env.
Executive Officer

LT:JC:GQ

Background

Rules 1146 and 1146.1 were adopted on September 9, 1988 and October 5, 1990, respectively. These rules apply to existing boilers, steam generators, and process heaters with maximum rated heat input capacities greater than or equal to five million British Thermal Units (BTU) per hour (Rule 1146) and greater than two million BTU per hour and less than five million BTU per hour (Rule 1146.1). Both rules establish emission limits for oxides of nitrogen (NO_x) and carbon monoxide (CO), and provide compliance options for units that meet low fuel usage thresholds.

These rules do not apply to electric utility boilers, refinery boilers and process heaters with a rated heat input greater than 40 million BTU per hour, sulfur plant reaction boilers, or waste heat recovery boilers serving combustion turbines. These sources are subject to other rules.

In addition, the NO_x limits in Rules 1146 and 1146.1 do not apply to NO_x RECLAIM facilities. Instead, these facilities are subject to NO_x limits established through the RECLAIM program.

The primary purpose of the proposed amendment is to provide resolution of a federal State Implementation Plan (SIP) approvability issue pertaining to rule enforceability and incorporate other rule clarifications.

This draft Board letter is intended to serve as the draft Staff Report for the proposed amendments.

Public Process

The rule development effort was based on discussions with U.S. EPA staff followed by the release of the July 8, 2011 Federal Register notice. In this Federal Register notice, the U.S. EPA proposed a SIP deficiency based on rule enforceability and the credible evidence rule. Discussions have taken place between U.S. EPA and SCAQMD staff on ways to rectify this SIP deficiency. Early in 2013, an agreeable solution was developed. For this rule development, SCAQMD staff held a Task Force Meeting on July 11, 2013 and a Public Workshop on August 28, 2013. SCAQMD staff presented the proposed amendments to the Stationary Source Committee at its September 20, 2013 meeting.

Summary of Proposal

The proposed amendments to these rules address a SIP approvability issue that was raised by the U.S. EPA (see Attachment J for a detailed explanation of the SIP approvability issue). This issue relates to how source test data and portable analyzer test results are to be used in enforcing emission standards. Under the current rules and in an effort to promote frequent monitoring and tuning of the units subject to the two rules, an owner or operator that conducts a source test or uses a hand-held portable monitor to measure emissions is allowed 72 hours to correct an exceedance without being deemed in violation of the rules. In its July 8, 2011, Federal Register Notice, U.S. EPA has determined that an exceedance of the rule limits based on a source test, under the credible evidence rule, must be determined as a violation of the rule. Consequently, the proposed

amendment to each rule will clarify that source test results indicating a unit's exceedance of the rule limits will be a violation of the rule. However, the staff proposal maintains the 72-hour time frame for an owner or operator who uses a portable analyzer as a diagnostic tool for monitoring purposes to correct an exceedance from when it is discovered.

Also included in these amendments are various rule clarifications:

- Specifying that the rules do not apply to RECLAIM NO_x sources.
- Including additional definitions which:
 - acknowledge that certain equipment are not included under the definition of a boiler or steam generator category
 - further explain the type of operations subject to these rules
- Specifying that low fuel usage equipment are required to only periodic tune-ups
- Restricting the derating of equipment from going below a level at or below two million BTU/hr
- Modifying rule language to reflect current protocol practice by clarifying that the CO measurements will be done as part of both the source test and the diagnostic emission check.

Further details pertaining to the proposed amendments are presented in Attachment B.

Emission Reductions and Cost Effectiveness

The proposed changes to Rule 1146 or 1146.1 will not affect emissions, will not require the modification or addition of control equipment, and will not have an effect on costs.

AQMP and Legal Mandates

The California Health and Safety Code requires the SCAQMD to adopt an Air Quality Management Plan (AQMP) to meet state and federal ambient air quality standards in the South Coast Air Basin. In addition, the California Health and Safety Code requires the SCAQMD to adopt rules and regulations that carry out the objectives of the AQMP. The previous rule amendments were a control measure included in the 2007 AQMP.

However, this proposal is not implementing an AQMP control measure and does not result in emission reductions, and therefore, a cost-effectiveness analysis is not required. The proposed amended rules will not require anything more stringent than existing federal requirements.

California Environmental Quality Act (CEQA)

SCAQMD staff has reviewed the proposed project pursuant to CEQA Guidelines §15002 (k)(1), the first step of a three-step process for deciding which document to prepare for a project subject to CEQA. The SCAQMD has determined that it can be seen with certainty that there is no possibility that the proposed project may have any new significant adverse effects on the environment, and is, therefore, exempt pursuant to CEQA Guidelines §15061 (b)(3) - Review for Exemption (General Rule Exemption). Furthermore, the proposed amendments are categorically exempt because they are

considered actions to protect or enhance the environment pursuant to CEQA Guidelines §15308 – Class 8 Categorical Exemption. A Notice of Exemption has been prepared pursuant to CEQA Guidelines §15062 - Notice of Exemption. If the proposed project is approved, the Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside and San Bernardino counties.

Socioeconomic Analysis

The proposed rule amendments are consistent with existing federal requirements as currently implemented, and no additional control costs are anticipated due to these rule amendments. Thus, no socioeconomic analysis is required.

Resource Impacts

Existing staff resources are adequate to implement the proposed amendments.

~~Draft Findings Under the California Health and Safety Code 407272~~

~~The draft findings include necessity, authority, clarity, consistency, non-duplication and reference, as defined in Health and Safety Code Section §40727. The draft findings are as follows:~~

~~**Necessity:** The AQMD Governing Board finds and determines that Proposed Amended Rules 1146—Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters and 1146.1—Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters, is necessary to address a SIP approvability issue related to rule enforceability raised by U.S. EPA and to provide minor clarifications to the rules.~~

~~**Authority:** The AQMD Governing Board obtains its authority to adopt, amend or repeal rules and regulations from Health and Safety Code §§ 40000, 40001, 40440, and 42300 et seq.~~

~~**Clarity:** The AQMD Governing Board finds and determines that Proposed Amended Rules 1146 and 1146.1 are written and displayed so that the meaning can be easily understood by persons directly affected by it.~~

~~**Consistency:** The AQMD Governing Board finds and determines that Proposed Amended Rules 1146 and 1146.1 are in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or federal or state regulations.~~

~~**Non-Duplication:** The AQMD Governing Board has determined that Proposed Amended Rules 1146 and 1146.1 do not impose the same requirement as any existing state or federal regulation, and the proposed amendment is necessary and proper to execute the powers and duties granted to, and imposed upon, the AQMD.~~

~~**Reference:** In adopting these proposed amendments, the AQMD Governing Board references the following statutes which AQMD hereby implements, interprets or makes specific: Health and Safety Code §§40000, 40001, 40440, and 42300 et seq.~~

Comparative Analysis

Under Health and Safety Code Section 40727.2, the SCAQMD is required to perform a comparative written analysis when adopting, amending, or repealing a rule or regulation. The comparative analysis is relative to existing federal requirements, existing or proposed AQMD rules and air pollution control requirements and guidelines which are applicable to industrial, institutional, and commercial water heaters, boilers, steam generators, and process heaters.

The SCAQMD staff is not aware of any other AQMD, state or federal requirements regulating air pollution that are applicable to Rule 1146 or 1146.1 type units. Since the proposed amendments do not affect an existing SCAQMD limit or standard and there are no other existing air pollution requirements for Rule 1146 or 1146.1 type units, the proposed amendments are not in conflict with and do not duplicate existing SCAQMD, state or federal requirements.

ATTACHMENT I



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

PROJECT TITLE: PROPOSED AMENDED RULE 1146 – EMISSIONS OF OXIDES OF NITROGEN FROM INDUSTRIAL, INSTITUTIONAL, AND COMMERCIAL BOILERS, STEAM GENERATORS, AND PROCESS HEATERS; AND, PROPOSED AMENDED RULE 1146.1 – EMISSIONS OF OXIDES OF NITROGEN FROM SMALL INDUSTRIAL, INSTITUTIONAL, AND COMMERCIAL BOILERS, STEAM GENERATORS, AND PROCESS HEATERS


Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (SCAQMD) is the Lead Agency and has prepared a Notice of Exemption for the project identified above.

The SCAQMD has reviewed the proposed project pursuant to CEQA Guidelines §15002 (k)(1), the first step of a three-step process for deciding which document to prepare for a project subject to CEQA. The SCAQMD has determined that that it can be seen with certainty that there is no possibility that the proposed project may have any new significant effects on the environment, and is therefore, exempt pursuant to CEQA Guidelines §15061 - Review for Exemption, paragraph (b)(3) – “general rule” exemption. Furthermore, the proposed amendments are categorically exempt because they are considered actions to protect or enhance the environment pursuant to CEQA Guidelines §15308 – Class 8 Categorical Exemption.

A Notice of Exemption has been prepared pursuant to CEQA Guidelines §15062 - Notice of Exemption. If the project is approved, the Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside and San Bernardino counties.

Any questions regarding this Notice of Exemption should be sent to Barbara Radlein (c/o Planning, Rule Development and Area Sources) at the above address. Ms. Radlein can also be reached at (909) 396-2716. Mr. Gary Quinn is also available at (909) 396-3121 to answer any questions regarding the proposed project.

Date: November 1, 2013

Signature: 
Michael Krause
Program Supervisor, CEQA Section
Planning, Rules, and Area Sources

NOTICE OF EXEMPTION

To: County Clerks Counties of Los Angeles, Orange, Riverside and San Bernardino	From: South Coast Air Quality Management District 21865 Copley Drive Diamond Bar, CA 91765
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Project Title:

Proposed Amended Rule 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters; and, Proposed Amended Rule 1146.1 – Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters

Project Location:

South Coast Air Quality Management District (SCAQMD) area of jurisdiction consisting of the four-county South Coast Air Basin (Orange County and the non-desert portions of Los Angeles, Riverside and San Bernardino counties), and the Riverside County portions of the Salton Sea Air Basin and the Mojave Desert Air Basin.

Description of Nature, Purpose, and Beneficiaries of Project:

Amendments to Rules 1146 and 1146.1 are proposed to primarily address a State Implementation Plan (SIP) approvability issue that was raised by the United States Environmental Protection Agency (EPA) regarding the use of source test data and portable analyzers test results to prove a violation of the emission standard. Also included in the proposed amendments are the following minor changes: 1) clarification that Rules 1146 and 1146.1 do not apply to NOx sources subject to the SCAQMD's Regulation XX – Regional Clean Air Incentives Market (RECLAIM); 2) identification of certain equipment that are not included under boiler or steam generator category; 3) enhanced description pertaining to the types of operations that would be subject to Rules 1146 and 1146.1; 4) clarification that low fuel usage equipment are only subject to periodic tune-up requirements; and, 5) prohibition from derating equipment to a level at or below two million British Thermal Units per hour (BTU/hr).

Public Agency Approving Project:

South Coast Air Quality Management District

Agency Carrying Out Project:

South Coast Air Quality Management District

Exempt Status:

Three-Step Process: CEQA Guidelines §15002 (k)(1)

General Rule Exemption: CEQA Guidelines §15061 (b)(3)

Class 8 Categorical Exemption: CEQA Guidelines §15308

Reasons why project is exempt:

SCAQMD staff has reviewed the proposed project pursuant to CEQA Guidelines §15002 (k)(1), the first step of a three-step process for deciding which document to prepare for a project subject to CEQA. Staff has determined that it can be seen with certainty that there is no possibility that the proposed project may have any new significant effects on the environment, and is therefore, exempt pursuant to CEQA Guidelines §15061 - Review for Exemption, paragraph (b)(3) – “general rule” exemption. Furthermore, the proposed amendments are categorically exempt because they are considered actions to protect or enhance the environment pursuant to CEQA Guidelines §15308 – Class 8 Categorical Exemption.

Project Approval Date:

SCAQMD Governing Board Hearing: November 1, 2013, 9:00 a.m.; SCAQMD Headquarters

CEQA Contact Person:

Ms. Barbara Radlein

Phone Number:

(909) 396-2716

Fax Number:

(909) 396-3324

Email:

bradlein@aqmd.gov

Rules Contact Person:

Mr. Gary Quinn

Phone Number:

(909) 396-3121

Fax Number:

(909) 396-3324

Email:

gquinn@aqmd.gov

Date Received for Filing: _____

Signature: _____

(Signed Upon Project Approval)

Michael Krause, Program Supervisor, CEQA Section
Planning, Rule Development & Area Sources

ATTACHMENT J

U.S. EPA'S PROPOSED LIMITED APPROVAL/DISAPPROVAL OF RULES 1146 AND 1146.1

In the July 8, 2011 Federal Register, the U.S. EPA proposed a limited approval and limited disapproval of revisions to the SCAQMD portion of the California State Implementation Plan (SIP) as they pertain to Rules 1146 and 1146.1^{1,2}.

Paragraph (d)(8) was added to Rule 1146 and paragraph (d)(7) was added to Rule 1146.1 as part of the September 5, 2008 amendments to incorporate requirements for periodic monitoring of NO_x and CO with portable analyzers. The language in these paragraphs states:

An owner or operator shall not be considered in violation of the emissions limits of this rule or in permit conditions if the owner or operator complies with requirements specified in paragraph (d)(10) [(d)(9)]. Any emission check conducted by District staff that finds excess emissions is a violation.

Paragraph (d)(10) of Rule 1146 and (d)(9) of 1146.1 states:

A source test specified in this rule or an emission check conducted under the requirements specified in paragraph in this rule that finds emissions in excess of those allowed by this rule or a permit condition shall not constitute a violation of this rule if the owner or operator corrects the problem and demonstrates compliance with another source test or emission check within 72 hours from the time the owner or operator knew of excess emissions, or reasonably should have known, or shut down the unit by the end of an operating cycle, whichever is sooner.

These provisions preclude the use of both source test data obtained during compliance testing required by the rule and emission data obtained from portable analyzers from being used to prove a violation of the emission standard if a violation is corrected within 72 hours of detection. According to the U.S. EPA, this contradicts the national credible evidence rule from 1997 which removes what some construed to be a regulatory bar to the admission of non-reference test data to prove a violation of an emission standard (62 FR 8314). Revisions include changes to 51.212(c):

...For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in this part, the plan

¹ U.S. EPA, Technical Support Document for EPA's Notice of Proposed Rulemaking for the California State Implementation Plan; South Coast Air Quality Management District's Rule 1146, Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators and Process Heaters, June 2011

² U.S. EPA, Technical Support Document for U.S. EPA's Notice of Proposed Rulemaking for the California State Implementation Plan; South Coast Air Quality Management District's Rule 1146.1, Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators and Process Heaters, June 2011

must not preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

And 52.12(c):

For purposes of Federal enforcement, the following test procedures and methods shall be used, provided that for the purpose of establishing whether or not a person has violated or is in violation of any provision of the plan, nothing in this part shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test procedures or methods had been performed.

SCAQMD Rules 1146 and 1146.1 contain language addressing this issue in paragraph (d)(4):

“Emissions determined to exceed any limits established by this rule through the use of any of the above-referenced test methods shall constitute a violation of this rule.”

Additionally, Rule 1146 subparagraph (d)(8)(C) and Rule 1146.1 subparagraph (d)(7)(C) state that:

“Any emission check conducted by District staff that finds excess emissions is a violation.”

Despite this language, the U.S. EPA stated the following in its partial disapproval:

“Although we support the District’s effort to increase compliance with the emissions limits of Rule 1146, paragraphs (d)(8) and (d)(10), and Rule 1146.1, paragraphs (d)(7) and (d)(9), conflict with CAA section 110 (a) and the credible evidence Rule. SCAQMD should eliminate language in Rule 1146, paragraph (d)(10), and Rule 1146.1, paragraph (d)(9), that restricts use of source test data to verify rule compliance, particularly since annual compliance tests are a common expectation for the type of sources subject to the rule, although SCAQMD may of course exercise discretion in declining to pursue enforcement in specific circumstances. To the extent that portable analyzer tests required by Rule 1146, paragraph (d)(8), and Rule 1146.1, paragraph (d)(7) are an additional (rather than a replacement) requirement beyond the testing normally appropriate for affected sources, we understand that it may not be appropriate to pursue enforcement for every failed portable analyzer test. However, the rule should also be consistent with national credible evidence policy and should establish reasonable limits on the number and/or frequency of failed portable analyzer tests. Therefore, SCAQMD should also revise Rule 1146, paragraph (d)(10), and Rule 1146.1, paragraph (d)(9) to clarify the consequences of failed portable analyzer tests. For example, this section could be revised to require that any source that fails a portable analyzer test perform appropriate maintenance and retest within 72 hours,

and that failure of 2 monthly tests within 6 months constitutes a violation of the rule. Here too, SCAQMD may also choose to exercise enforcement discretion.”

Possible Sanctions

Based on the above findings, the U.S. EPA is proposing a limited approval of the submitted rules to improve the SIP. If finalized, this action would incorporate the submitted rules into the SIP, including those provisions identified as deficient. This approval is limited because the U.S. EPA is simultaneously proposing a limited disapproval of the rules. The SCAQMD has included these rules in the demonstration that its SIP provides for the implementation of reasonably available control measures (RACM) as necessary to attain the 8-hour ozone and PM_{2.5} NAAQS as expeditiously as practicable.

While the U.S. EPA is proposing to find that the rules provide Reasonable Achievable Control Measure (RACM) level controls, they are also proposing to find that the aforementioned rule provisions raise enforcement concerns. Because of these concerns and the SCAQMD’s inclusion of these rules in its RACM demonstration, if this disapproval is finalized, sanctions will be imposed unless the U.S. EPA approves subsequent SIP revisions³ that correct the rule deficiencies within 18 months of the disapproval.

A final disapproval would also trigger the two-year clock for the Federal Implementation Plan (FIP) requirement. It should be noted that the submitted rules have been adopted by the SCAQMD, and the U.S. EPA’s final limited disapproval would not prevent the SCAQMD from enforcing them.

³ These SIP revisions are the subject of these proposed amendments.

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 32

PROPOSAL: Approve Amendments to SCPEA 2011-2014 MOU and Approve Comparable Terms for Non-Represented Employees
(Continued from October 4, 2013 Board Meeting)

SYNOPSIS: SCAQMD management and representatives of SCPEA representing the Professional employees bargaining unit have reached agreement on changes to the current 2011-2014 Memorandum of Understanding (MOU). This agreement provides an additional one-time payment of \$491 per employee in exchange for elimination of a previously negotiated benefit. Bargaining unit members have ratified this agreement, and this action is to present the ratified agreement to the Board for approval. This action is also to approve a 0.5% increase of annual base salary, as a one-time payment, for non-represented employees.

COMMITTEE: Not Applicable

RECOMMENDED ACTIONS:

1. Authorize the Executive Officer to sign the ratified agreement to the 2011-2014 MOU between SCAQMD and SCPEA, representing the Professional bargaining unit employees. Changes to SCPEA's 2011-2014 MOU are shown in Attachment A. All other provisions remain unchanged from the MOU.
2. Adopt the Resolution in Attachment B, amending AQMD's *Salary Resolution*, to provide a 0.5% increase to annual base salary as a one-time payment, for non-represented employees. The revision to the *Salary Resolution* is reflected in Attachment C.

Barry R. Wallerstein, D.Env.
Executive Officer

WJ

Background

On January 4, 2013, the Board approved a new 42-month labor contract, through December 31, 2014, with the Professional employees bargaining unit, represented by SCPEA. On April 5, 2013, the Board approved a 1.0% increase to annual base salary, as

a one-time payment, for non-represented employees. Also, on June 7, 2013, the Board approved a new two-year MOU with the Teamsters Local 911, for the period of January 1, 2013 to December 31, 2014, providing for an approximate 2.1% average increase as a percentage of base salary for bargaining unit members.

Proposal

The labor agreement approved by the Governing Board for the SCPEA-represented employees in January 2013 provided for an approximate 1.6% increase as a percentage of annual base salary. To provide equitable consideration for all employees in comparison to the recently approved labor agreement providing a 2.1% average increase for Teamsters-represented bargaining unit employees, staff is recommending a one-time payment of \$491 to SCPEA members and an additional 0.5% increase to annual base salary, also as a one-time payment, for non-represented employees.

Management has met and conferred with the SCPEA and has reached a tentative agreement. This tentative agreement has been ratified by bargaining unit members, and this action is to present the ratified amendment to the 2011-2014 SCPEA MOU to the Board for approval. The proposed MOU changes are shown in Attachment A, and all other MOU provisions in the 2011-14 SCPEA MOU remain the same.

This action is also to approve a 0.5% increase to annual base salary for non-represented employees. Attachment C reflects the revision to the *Salary Resolution*, which provide for this change.

Resource Impacts

The FY 2013-14 cost for this one-time payment for SCPEA members and the 0.5% increase to annual base salary is approximately \$267,000. Funds will be made available in the FY 2013-14 Budget through salary savings resulting from an increased vacancy rate.

Attachments

Resolution

Attachment A – SC-PEA MOU Revisions

Attachment B – *Salary Resolution* Amendments

RESOLUTION NO. 13-

A Resolution of the South Coast Air Quality Management District Governing Board amending AQMD's *Salary Resolution* to adopt, for management, confidential, attorney classes and Designated Deputies, a one-time payment equal to 0.5% percent of each employee's annual base salary.

WHEREAS, the Governing Board of the South Coast Air Quality Management District exercises its duty to review and determine appropriate wages, hours, and other terms and conditions of employment provided to employees.

THEREFORE, BE IT RESOLVED that the Board of the South Coast Air Quality Management District, State of California, in regular session assembled on November 1, 2013, does hereby amend AQMD's *Salary Resolution* to adopt a one-time payment equal to 0.5% each employee's annual base salary.

Date

Clerk of the Board

ATTACHMENT A

**SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT**

**MEMORANDUM
OF
UNDERSTANDING**

PROFESSIONAL UNIT

| **July 1, 2010 ~~1~~ -- December 31 ~~June 30~~, 2014**

ARTICLE 3

| SALARIES

Section 3. ~~€~~

ATTACHMENT B

As soon as practicable after November 1, 2013, each employee shall receive a one-time payment of \$491.00.

ARTICLE 23

OTHER LEAVES
OF ABSENCE

~~Section 2. Employee Organizational Leave. AQMD agrees to permit not more than 1 employee of AQMD in any calendar year to take leave without pay or benefits of any kind for a period of up to 1 calendar year to work for the Union. The employee must give management reasonable advance notice of his or her intent to take such leave and shall give AQMD reasonable notice of not less than 2 calendar weeks of the date upon which the employee intends to return to AQMD employment. The employee must return to work for AQMD by not later than 1 calendar year from the date of taking the leave of absence, or he or she shall be deemed to have resigned. The employee shall be returned to his or her former position or a comparable position.~~

ATTACHMENT B

AMENDMENTS TO SALARY RESOLUTION

CHAPTER II, ARTICLE 1

Section 54. MANAGEMENT AND CONFIDENTIAL CLASSIFICATION SALARIES

Effective November 1, 2013

Effective as soon as practicable after November 1, 2013, each management and confidential employee shall receive a one-time payment equal to 0.5% of their annual base salary.

CHAPTER II, ARTICLE 2

Section 54. SALARY

Effective as soon as practicable after November 1, 2013, each Designated Deputy shall receive a one-time payment equal to 0.5% of their annual base salary.