



# South Coast Air Quality Management District

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

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## A G E N D A

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### MEETING, MAY 2, 2014

A meeting of the South Coast Air Quality Management District Board will be held at 9:00 a.m., in the Auditorium at SCAQMD 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.

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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](http://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.

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*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

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Staff/Phone (909) 396-

## **CONSENT CALENDAR (Items 1 through 17)**

Note: Consent Calendar items held for discussion will be moved to Item No. 18

1. Approve Minutes of April 4, 2014 Board Meeting **McDaniel/2500**
2. Set Public Hearings June 6, 2014<sup>1</sup> to Consider Amendments and/or Adoption to SCAQMD Rules and Regulations: **Wallerstein/3131**

- (A) Amend Rule 2202 - On-Road Motor Vehicle Mitigation Options, Rule 2202 Implementation Guidelines, Rule 301 Permitting and Associated Fees, and Rule 311 Air Quality Investment Program Fees **Chang/3186**

The proposal is to amend Rule 2202 - On-Road Motor Vehicle Mitigation Options, the accompanying rule Implementation Guidelines, Rule 301 Permitting and Associated Fees, and Rule 311 Air Quality Investment Program (AQIP) Fees. Sections of Rule 2202 and the Implementation Guidelines will be amended to address the use of Emission Reduction Credits and clarify the use of other existing emission credits. The proposed amendment for Rule 301 is to add a transfer fee for the administration and tracking of Short Term Emission Reduction Credits. AQIP is a program option for applicable worksites within Rule 2202. The proposed Rule 311 amendment is to reduce the per employee fee, to more accurately reflect the costs to obtain the required emission reductions. (Reviewed: Mobile Source Committee, April 18, 2014)

- (B) Amend Regulation III – Fees **Fine/2239**

The proposed amendments to Regulation III - Fees include a CPI (1.6%) adjustment pursuant to Rule 320 - Automatic Adjustment Based on Consumer Price Index for Regulation III Fees. Staff is also proposing an additional 6% increase in fees for permit processing and annual permit renewals, phased in over two years, to partially compensate for a shortfall in fees associated with permits. Staff's proposal would increase fees in each of these two categories by 3% for FY 2014-15 and 3% for FY 2015-16. Staff's proposal has been incorporated into the draft budget for FY 2014-15. Minor administrative clarifications are also included. (Reviewed: Board Budget Workshop, April 25, 2014)

<sup>1</sup>Note: The public hearing on the Proposed AQMD FY 2014-15 Budget and Work Program, which was set by the Board on April 4, 2014 for May 2, 2014 has been rescheduled to the June 6, 2014 Board meeting.

**Budget/Fiscal Impact**

3. **Execute Contract and Reissue RFP for Third-Party Investigations of Unplanned Shutdowns of Emission Control Devices at Large Lead-Acid Battery Recycling Facilities** **Chang/3186**

Rule 1420.1 requires a third party independent analysis to investigate the reason(s) for unplanned shutdown of any emission control device at a large lead-acid battery recycling facilities, if the owner/operator cannot determine the cause within five business days of the event. In February 2014, the Board approved an RFP to solicit bids from qualified bidders in order to establish a list of prequalified candidates. One proposal by Amerex Environmental Services was received and evaluated, and the proposal met the RFP requirements. This action is to execute a contract with Amerex Environmental Services. In addition, this action is to reissue the RFP to solicit proposals from additional contractors, since only one proposal was received and given that the consultant is based in Illinois. Funds for this proposal in an amount not to exceed \$100,000 are available in the FY 2013-14 Budget and shall be reimbursed pursuant to Rule 1420.1 by the facilities for which the investigation is performed. (Reviewed: Stationary Source Committee, April 18, 2014; Recommended for Approval)

4. **Recognize Revenue, Execute Contracts and Purchase Equipment to Support Hydrogen Readiness in Early Market Communities** **Miyasato/3249**

In August 2013, under the AB 118 Program, the CEC issued a PON for projects to develop strategies for the deployment of alternative fuel infrastructure and encourage the adoption of alternative fuel vehicles. On March 12, 2014, the CEC issued a Revised Notice of Proposed Awards awarding \$299,360 to the SCAQMD for a proposal to support hydrogen readiness in early market communities. This action is to recognize revenue in the amount of \$299,360 from the CEC into the Hydrogen Fueling Station Special Revenue Fund (55) and to execute a contract in an amount not to exceed \$299,360 with Bevilacqua-Knight, Inc. to conduct education and outreach activities to support hydrogen readiness in early market communities. This action also includes executing a contract to develop sampling and testing protocols for analyzing impurities in hydrogen automotive fuel per SAE J2719 and for purchase of equipment for performing hydrogen fuel quality testing in an amount not to exceed \$212,100 from the Clean Fuels Fund (31). (Reviewed: Technology Committee, April 18, 2014; Recommended for Approval)

5. Amend Contract to Develop and Demonstrate Battery Electric Drayage Trucks **E** **Miyasato/3249**

On October 5, 2012, as part of a DOE grant, the Board approved a \$1,142,070 contract with Transportation Power (TransPower) for four battery electric drayage trucks. This action is to amend the contract with TransPower to add \$375,000 from the Clean Fuels Fund (31) to cost share the development and demonstration of three additional trucks and related engineering design upgrades. The revised contract award will be \$1,517,070, comprised of \$1,142,070 from the Advanced Technology Goods Movement Fund (61) and \$375,000 from the Clean Fuels Fund (31). (Reviewed: Technology Committee, April 18, 2014; Recommended for Approval)

6. Approve Truck Projects under “Year 4” Proposition 1B-Goods Movement Program **Miyasato/3249**

At its April 4, 2014 meeting, the Board approved a list of heavy-duty truck projects under the “Year 4” Proposition 1B-Goods Movement Program, subject to CARB’s final approval. Some truck projects were not included in the recommended list either because of missing information for completion of evaluations or for not furnishing the campaign contribution disclosure forms on time. Since then, staff has worked with these applicants and more truck projects have become eligible. This action is to augment the list of truck projects, previously approved by the Board, with additional truck projects as outlined in Table 1, subject to CARB’s final approval. These additional projects will not delay the program implementation schedule, as the final approval will be subsequent to completion of compliance checks by CARB, after which contracts will be executed. (No Committee Review)

7. Issue RFP to Expand and Upgrade Electric Vehicle Charging Infrastructure at SCAQMD Headquarters **E** **Miyasato/3249**

Electric vehicle charging infrastructure at SCAQMD headquarters is not sized to meet the current high demand of plug-in electric vehicles (PEVs) and their charging needs. To address this challenge and prepare for future growth, existing electric vehicle supply equipment (EVSE) needs to be expanded and upgraded to align with workplace charging needs and provide SCAQMD with greater control of building energy demand. Additional features of EVSE will allow for cost recovery, integration with the building energy management system, and demand response capabilities. This action is to issue an RFP to expand and upgrade electric vehicle charging infrastructure at SCAQMD headquarters. (Reviewed: Technology Committee, April 18, 2014; Recommended for Approval)

8. Recognize Revenue and Appropriate Funds for PM2.5 Monitoring Program and Issue Purchase Orders for Air Monitoring and Analysis Equipment **Tisopulos/3123**

U.S. EPA has allocated Section 103 Grant funds in the amount of \$780,455 for the PM2.5 Program. This action is to recognize revenue and appropriate funds for the PM2.5 Monitoring Program and issue purchase orders for air monitoring and analysis equipment. (Reviewed: Administrative Committee, April 11, 2014; Recommended for Approval)

9. Appropriate Funding and Authorize Enhancements to SCAQMD's Air Toxics Monitoring Program **Tisopulos/3123**

Air toxics monitoring at SCAQMD continues to be an integral part of ongoing efforts to better characterize air toxics exposure and assess the effectiveness of air toxics reduction programs. While such monitoring efforts are given the highest priority, their effectiveness and staff efficiency can be greatly enhanced by investing in new and updated laboratory and field equipment and data management software that would allow for rapid response and near-real time monitoring, data processing and reporting. This action is to: 1) transfer and appropriate funding to the Science & Technology Advancement FY 2013-14 and/or FY 2014-15 Budget and 2) release RFQs and issue purchase orders for laboratory and field equipment. (Reviewed: Administrative Committee, April 11, 2014; Recommended for Approval)

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

The MSRC approved a total of twelve new contracts under the Local Government Match Program as part of their FYs 2012-14 AB 2766 Discretionary Fund Work Program. At this time the MSRC seeks Board approval of the contract awards under the FYs 2012-14 Work Program. (Reviewed: Mobile Source Air Pollution Reduction Review Committee, April 17, 2014, Recommended for Approval)

**Items 11 through 17 - Information Only/Receive and File**

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

This report highlights the March 2014 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)

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

This reports the actions taken by the Hearing Board during the period of March 1 through March 31, 2014. (No Committee Review)

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

This reports the monthly penalties from March 1 through March 31, 2014, and legal actions filed by the General Counsel's Office during March 1 through March 31, 2014. An Index of District Rules is attached with the penalty report. (Reviewed: Stationary Source Committee, April 18, 2014)

14. 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 March 1, 2014 and March 31, 2014, and those projects for which the SCAQMD is acting as lead agency pursuant to CEQA. (Reviewed: Mobile Source Committee, April 18, 2014)

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

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

16. Report of RFPs and RFQs Scheduled for Release in May **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 May. (Reviewed: Administrative Committee, April 11, 2014; Recommended for Approval)

17. Status Report on Major Projects for Information Management Scheduled to Start During Last 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 last six months of FY 2013-14. (No Committee Review)

18. Items Deferred from Consent Calendar

**BOARD CALENDAR**

19. Administrative Committee (Receive & File) **Chair: Burke Wallerstein/3131**

20. Legislative Committee **Chair: Gonzales Smith/3242**

Receive and file; and take the following actions as recommended:

<b>Agenda Item</b>	<b>Recommended Action</b>
AB 2013 (Muratrsuchi) Vehicles: High-Occupancy Vehicle Lanes	Support
AB 2242 (Perea) Air Quality Improvement Program	Support with Amendments
SB 1204 (Lara and Pavley) California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program	Support
SB 1275 (De Leon) Vehicle Retirement and Replacement: Charge Ahead California Initiative	Support and Work with the Author
Proposed Federal Surface Transportation Law (MAP 21) Reauthorization Language	Approve Proposed Language with Amendments

21. Mobile Source Committee (Receive & File) **Chair: Parker Chang/3186**

22. Stationary Source Committee (Receive & File) **Chair: Yates Nazemi/2662**

23. Technology Committee (Receive & File) **Chair: J. Benoit Miyasato/3249**

24. Mobile Source Air Pollution Reduction  
Review Committee (Receive & File) **Board Liaison: Antonovich Hogo/3184**

25. California Air Resources Board Monthly  
Report (Receive & File) **Board Rep: Mitchell McDaniel/2500**

## **PUBLIC HEARINGS**

26. Amend Rule 1130 - Graphic Arts (***Continued from April 4, 2014 Board Meeting***) **Fine/2239**

The proposed amendment incorporates certain U.S. EPA Control Techniques Guidelines recommendations applicable to printing operations not included in the current rule that pertain to the overall add-on control device efficiency and VOC content requirements for fountain solutions. The proposed amendment further adds prohibition of storage of non-compliant VOC-containing materials at a worksite, removes obsolete rule language, updates definitions for consistency with other SCAQMD rules, adds a rule exemption for graphic arts materials that have a VOC content of no more than 10 g/L, as applied, and makes minor corrections and clarifications. This action is to adopt the resolution: 1) Certifying the Final Environmental Assessment for Proposed Amended Rule 1130; and 2) Amending Rule 1130. (Reviewed: Stationary Source Committee, February 21, 2014 & April 18, 2014)

27. Amend Rule 1155 – Particulate Matter (PM) Control Devices **Fine/2239**

Rule 1155 was adopted in December 2009 and subsequently forwarded to CARB for inclusion in the SIP. CARB approved the submittal and forwarded to U.S. EPA in July 2010. U.S. EPA has raised concerns about certain exemptions during equipment start-up. In order to address U.S. EPA's concern regarding approval of this rule into the SIP, Rule 1155 is proposed for an administrative amendment clarifying that certain provisions of Rule 401 – Visible Emissions and the provisions of Rule 404 – Particulate Matter - Concentration are applicable to equipment subject to Rule 1155. This action is to adopt the resolution: 1) Certifying the Notice of Exemption for Proposed Amended Rule 1155; and 2) Amending Rule 1155. (Reviewed: Stationary Source Committee, March 21, 2014)

28. Amend Rule 102 - Definition of Terms **Fine/2239**

The proposed amendment exempts trans 1-chloro-3,3,3-trifluoropropene from the VOC definition of the rule. The U.S. EPA has already exempted the compound from the federal VOC definition because of its negligible photochemical reactivity level. This action is to adopt the resolution: 1) Certifying the Notice of Exemption for Proposed Amended Rule 102; and 2) Amending Rule 102. (Reviewed: Stationary Source Committee, February 21, 2014)

**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 with Southern California Association of Governments (No. C14319) and a memorandum of agreement with Los Angeles Department of Water and Power (No. C14336). The contractors are potential sources of income for Governing Board Member Joseph Lyou, which qualify 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 or the memorandum of agreement.

### **CLOSED SESSION - (No Written Material)**

Wiese/3460

It is necessary for the Board to recess to closed session pursuant to Government Code section 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:

- California Building Industry Association v. Bay Area AQMD, 1<sup>st</sup> Appellate District Case Nos. A135335 and A136212 (Bay Area AQMD CEQA thresholds);
- CBE, CCAT v. EPA, U.S. Court of Appeals, Ninth Circuit, Case No. 12-72353 (1315);
- Clean Air Council, California Communities Against Toxics, and Sierra Club v. EPA, et al., U.S. Court of Appeals, D.C. Circuit, Case No. 12-1460 (seeking authorization to file amicus brief);
- 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);
- Exide Technologies, Inc. v. SCAQMD, et al. v., Los Angeles Superior Court Case No. BC146770 (Writ of Mandate);
- People of the State of California, ex rel SCAQMD v. Exide Technologies, Inc., Los Angeles Superior Court Case No. BC533528; United States District Court Case No. CV 14-1169 (Civil Penalties);
- In the Matter of SCAQMD v. Exide Technologies, Inc., SCAQMD Hearing Board Case No. 3151-29 (Order for Abatement);
- Exide Technologies, Inc., Petition for Variance, SCAQMD Hearing Board Case No. 3151-31;
- In re: Exide Technologies, Inc., U.S. Bankruptcy Court for the District of Delaware, Case No. 13-11482 (KJC) (Bankruptcy case);
- Friends of the Fire Rings v. SCAQMD, Orange Co. Superior Court Case No. 30-2013-00690328-CU-WM-CXC (Nov. 26, 2013);
- 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);
- People of the State of California, ex rel. Kamala D. Harris, Attorney General v. SCAQMD, Consent Agreement and Stipulation for Entry of Final Judgment and Order, Los Angeles Superior Court;

- Petition for Declaratory Order by U.S. Environmental Protection Agency, Surface Transportation Board Docket No. FD 35803 (Railroad Rules);
- 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);
- Physicians for Social Responsibility, et al. v. U.S. EPA, U.S. Court of Appeals, Ninth Circuit, Case No. 12-71340 (2007 Ozone Plan);
- Quantification Settlement Agreement Cases, Court of Appeal of the State of California, Third Appellate District, Case No. C074592 (seeking authorization to file amicus brief);
- SCAQMD v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BS143381 (SCIG);
- SCAQMD v. U.S. EPA, U.S. Court of Appeals Ninth Circuit No. 13-73936 (Morongo Redesignation); and
- Utility Air Regulatory Group v. EPA, U.S. Supreme Court Case No. 12-1146 (consolidated with 12-1272, 12-1248, 12-1254, 12-1268, and 12-1269; EPA GHG permitting rules; amicus).

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 (one case) and pursuant to Government Code section 54956.9(b) due to significant exposure to litigation (one case).

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](mailto: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 <sub>x</sub> = 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 <sub>10</sub> = Particulate Matter ≤ 10 microns
CNG = Compressed Natural Gas	PM <sub>2.5</sub> = Particulate Matter ≤ 2.5 microns
CO = Carbon Monoxide	PON = Public Opportunity Notice
CTG = Control Techniques Guideline	PR = Proposed Rule
DOE = Department of Energy	RFP = Request for Proposals
EV = Electric Vehicle	RFQ = Request for Quotations
FY = Fiscal Year	SCAG = Southern California Association of Governments
GHG = Greenhouse Gas	SIP = State Implementation Plan
HRA = Health Risk Assessment	SO <sub>x</sub> = Oxides of Sulfur
IAIC = Interagency AQMP Implementation Committee	SOON = Surplus Off-Road Opt-In for NO <sub>x</sub>
LEV = Low Emission Vehicle	SULEV = Super Ultra Low Emission Vehicle
LNG = Liquefied Natural Gas	TCM = Transportation Control Measure
MATES = Multiple Air Toxics Exposure Study	ULEV = Ultra Low Emission Vehicle
MOU = Memorandum of Understanding	U.S. EPA = United States Environmental Protection Agency
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	

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BOARD MEETING DATE: May 2, 2014

AGENDA NO. 1

MINUTES: Governing Board Monthly Meeting

SYNOPSIS: Attached are the Minutes of the April 4, 2014 meeting.

**RECOMMENDED ACTION:**

Approve Minutes of the April 4, 2014 Board Meeting.

Sandra McDaniel,  
Clerk of the Boards

SM:rd

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**FRIDAY, APRIL 4, 2014**

Notice having been duly given, the regular meeting of the South Coast Air Quality Management District Board was held at District Headquarters, 21865 Copley Drive, Diamond Bar, 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 9:15 a.m.)  
County of Los Angeles

Mayor Pro Tem 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

Supervisor Josie Gonzales  
County of San Bernardino

Dr. Joseph K. Lyou  
Governor's Appointee

Mayor Judith Mitchell  
Cities of Los Angeles County – Western Region

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

Members Absent:

Supervisor Shawn Nelson  
County of Orange

Mayor Miguel A. Pulido  
Cities of Orange County

**CALL TO ORDER:** Chairman Burke called the meeting to order at 9:01 a.m.

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

Supervisor Cacciotti. Expressed concerns regarding a recent newspaper article about plans by Valero Refining Company in Valencia to transport oil by Union Pacific trains to its Benicia refinery in Northern California.

Dr. Barry R. Wallerstein, Executive Officer. Noted that during a meeting hosted by Councilmember Buscaino, community members' principal concern was a project by Valero to add a rail unloading facility. Dr. Wallerstein added that in a recently received letter, Valero withdrew their permit applications for the project.

Dr. Wallerstein. Noted that two errata sheets were provided to the Board and the audience on Agenda Items 3 and 25. On Agenda Item No. 3, which provides Prop 1B funding for small truck owners, four (4) trucks are being added today to the list of eligible trucks, as supporting documents and Campaign Contribution Disclosure (CCD) forms have been obtained from the applicants; and eighty-seven (87) truck projects are being removed since the applicants did not submit their forms, and are being placed on a back up list that will be brought to the Board for consideration at its May meeting, if the forms are received.

In response to Dr. Burke's question regarding why some vehicle owners received \$40,000 and others \$50,000, Fred Minassian, Director of Technology Implementation, explained that the dollar amounts received by the vehicle owners are established by CARB guidelines and are based on the classification of the trucks.

Dr. Wallerstein noted that the errata sheet on Agenda Item No. 25, regarding the goals and objectives for FY 2014-15 would be discussed during the public hearing on the item.

Mayor Mitchell. Announced that Frank Zerunyan, a colleague on the Rolling Hills Estates City Council and professor at USC would be attending the meeting with a group of graduate students.

- Presentation of Retirement Awards to Carmelita Benitez and Belinda Wan

Chairman Burke presented a retirement award to Belinda Wan, Senior Air Quality Engineer II, in recognition of 33 years of dedicated District service; and to Carmelita Benitez, Air Quality Inspector II, in recognition of 26 years of dedicated District service.

(Supervisor Antonovich arrived at 9:15 a.m.)

**CONSENT CALENDAR**

1. Approve Minutes of March 7, 2014 Board Meeting
2. Set Public Hearings May 2, 2014 to:
  - (A) Amend Rule 102 – Definition of Terms
  - (B) Amend Rule 1155 – Particulate Matter (PM) Control Devices

**Budget/Fiscal Impact**

3. Approve Truck Projects under “Year 4” Proposition 1B-Goods Movement Program

**An errata sheet containing modifications to the Truck List was provided to the Board Members and copies made available to the public.**

4. Recognize Revenue and Execute Contract to Demonstrate Emission Control Technology for Ocean-Going Vessels
5. Execute Contract for School Bus PM Control Retrofit
6. Recognize Revenue, Increase Appropriation and Amend/Execute Contracts with Outside Counsel
7. Authorize Purchase of Phone System Replacement
8. Authorize Mid-Year Budget Adjustments, Transfers, and Purchase of Equipment, Vehicles, and Licenses
9. Amend Contract for Legislative Representation
10. Approve Contract Awards and Modifications Approved by MSRC

**Items 12 through 18 - Information Only/Receive and File**

11. Legislative & Public Affairs Report

12. Hearing Board Report
13. Civil Filings and Civil Penalties Report
14. Lead Agency Projects and Environmental Documents Received by SCAQMD
15. Rule and Control Measure Forecast
16. Report of RFPs and RFQs Scheduled for Release in April
17. Status Report on Major Projects for Information Management Scheduled to Start During Last Six Months of FY 2013-14

Supervisor Benoit announced his abstention on Agenda Item No. 3 due to political contributions from Robertson's Ready Mix and CR&R Incorporated. He announced that, while he was not required to recuse himself from Agenda Item No. 10, he wanted to note for the record that he is a member of Riverside County Transportation Commission (RCTC).

Mayor Pro Tem Benoit noted for the record that he was also a member of RCTC.

Dr. Lyou announced his abstention on the following items involving contracts with those who have made contributions/donations to his employer, Coalition for Clean Air: Agenda Item No. 3, as UPS is a potential source of income and is materially affected by this item; Agenda Item No. 4, as Advanced Cleanup Technologies, Inc. is a potential source of income and is materially affected by this item; and Agenda Item No. 10, as Los Angeles County Metropolitan Transportation Authority is a potential source of income and is materially affected by this item.

MOVED BY MITCHELL, SECONDED BY CACCIOTTI, AGENDA ITEMS 1 THROUGH 17, APPROVED AS RECOMMENDED, WITH THE MODIFICATION TO AGENDA ITEM 3, ADDING FOUR (4) PROJECTS AND REMOVING EIGHTY-SEVEN (87) PROJECTS FROM THE LIST OF ELIGIBLE TRUCK PROJECTS, AS SET FORTH IN THE ERRATA SHEET, BY THE FOLLOWING VOTE:



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

NOES: None.

ABSTAIN: J. Benoit (Item #3 only)  
Lyou (*Items #3, #4 & #10*).

ABSENT: Nelson and Pulido.

18. Items Deferred from Consent Calendar

None.

**BOARD CALENDAR**

- 19. Administrative Committee
- 20. Legislative Committee
- 21. Mobile Source Committee
- 22. Stationary Source Committee
- 23. Technology Committee
- 24. Mobile Source Air Pollution Reduction Review Committee

MOVED BY MITCHELL, SECONDED BY CACCIOTTI, AGENDA ITEMS 19 THROUGH 24 APPROVED AS RECOMMENDED, RECEIVING AND FILING THE BOARD COMMITTEE AND MSRC REPORTS, AND ADOPTING THE POSITIONS ON LEGISLATION AS SET FORTH BELOW, BY THE FOLLOWING VOTE:

AYES: Antonovich, B. Benoit, J. Benoit, Burke, Busciano, Cacciotti, Gonzales, Lyou, Mitchell, Parker and Yates.

NOES: None.

ABSENT: Nelson and Pulido.

<b>Agenda Item</b>	<b>Recommended Action</b>
AB 2208 (Allen) California Environmental Quality Act: Southern California International Gateway Project	Oppose
Amendment to Gonzales, Quintana & Hunter, LLC Contract	Approved
S.488 (Stabenow) H.R. 1027 (Peters) Advanced Vehicle Technology Act of 2013	Support and Recommended Amendments

## **PUBLIC HEARINGS**

### 25. Receive Public Input on Executive Officer's Draft Goals and Priority Objectives for FY 2014-15

Dr. Wallerstein explained that the draft goals and objectives document outlines the priority objectives/projects and outcome staff will be working on, but is not a comprehensive list of all priorities or projects. He noted that staff is continuing to work on the 2016 AQMP, community based monitoring, and zero and near zero emissions goods movement. He announced his intent to soon bring to the Board a drought response plan. He mentioned that following discussions with Supervisor Gonzales, Goal No. III in the proposed document has been further defined as provided in the errata sheet distributed to the Board and made available to the public. He indicated that the item today is to elicit input from Board members on any items of interest. He noted that the staff is continuing its efforts to enhance outreach by expanding targeted areas.

Supervisor Gonzales expressed her appreciation for Dr. Wallerstein's assistance in bringing the errata sheet and proposed draft language for inclusion from the Board. She emphasized the need for Board members to become more involved, more aggressive in self-marketing, develop better communication, and provide input in the proposed draft document.

Supervisor Benoit inquired whether the District has a definition for the term "timely" as used in the language for processing permit applications for stationary sources.

Dr. Wallerstein explained that of the ten thousand or more permits processed yearly, there are different categories within that total number that range from simple name changes for businesses to matters that are very complex and require EIRs, so that staff has different internal guidelines depending on the complexity, importance, and operator needs of the permit action. The permit processing is a two-step process in which permits are granted temporarily to facilitate business renovation and growth until the issuance of the final permit can be made. He further explained that establishing a guideline for issuance of permits within a set number of days or weeks for those permits falling within the pre-routine category, as suggested by Supervisor Benoit, may be complicated and recommended that staff present an update to the Stationary Source Committee and then provide a copy of the update to the full Board.

Dr. Wallerstein further responded to Supervisor Benoit's recommendation that Abbott and Associates conduct an independent analysis on the SCAQMD's major policy discussions to reach a consensus, regardless of difference of opinions, to bolster the credibility of this agency's recommendations, by noting that a project report is expected to be presented to the full Board toward the end of summer or early fall.

Mayor Mitchell commented on the importance of establishing partnerships with the business and regulated communities and conveyed their desire to be more involved in the development of the 2016 AQMP. She emphasized the value of engaging them early in the process in order to avoid compliance issues in the future. She spoke of the efforts that Southern California Association of Governments (SCAG) engaged in their 2012 RTP and working closely with Southern California Leadership Network and the Group Council. She anticipates that the SCAQMD will also move towards engaging these groups or any newly formed groups to seek input in the development of the 2016 AQMP.

In response to Mayor Mitchell, Dr. Wallerstein informed the Board that he has already been meeting with staff from these groups, Southern California Leadership Council and other invitees similar to Group Council membership, and assured the Board that the business community outreach is already occurring and staff will extensively brief them and seek their input in the development of the 2016 AQMP. Dr. Wallerstein added that he intends to respond in writing to BizFed's recent letter to the Board clarifying that, although certain stakeholders were referenced by name during a slide presentation at committee, in particular CARB and SCAG who by law assist in writing the plan and the transportation agencies because the regional transportation plan will be developed for the first time in tandem with the same schedule as the AQMP, the AQMP advisory group will continue to work fully with all business and environmental communities and any other stakeholder groups in the development of the 2016 AQMP.

Dr. Wallerstein responded to Mayor Mitchell's inquiry whether the issue of waste management should be included in the draft document and indicated that staff has been approached by state agencies in charge of waste handling and is currently working with them to assist in meeting waste diversion requirements.

Dr. Burke noted that he met with BizFed members and informed them of his plans to establish a committee and encouraged their participation in the committee. They indicated their interest but have yet to respond to his follow up call.

On the issue of permit processing, Mayor Pro Tem Benoit noted that he had recently met with the City of Temecula and other companies and that their main concern was the length of time required for processing permits and a specific timeline when an applicant can expect issuance of a permit. He asked that staff evaluate permit processing to determine where improvements can be made in terms of timeliness and issuance of permits. He also encouraged staff to focus on IT infrastructure efficiencies when considering the budget at the upcoming retreat.

Dr. Wallerstein responded that in the past there have been periods of time where companies approached the SCAQMD with difficulties concerning permit processing; but the District has not recently received any complaints in this area. Nonetheless, he indicated that staff is always looking for opportunities to improve efficiencies. Because of budget constraints, however, his two main areas of importance are that businesses approach the agency early on to ensure all paperwork is complete and when a business encounters a problem that they contact staff who has been and will continue to be available to take phone calls or meet with them.

Councilman Buscaino thanked and commended staff on their work on the goals set in the proposed document. He noted the importance of this agency being inclusive in the rulemaking process with stakeholders, business, labor, SCAG, and community based organizations, so that when a rule comes before the Board, all details and concerns have been previously addressed which makes it easier for the Board to move forward on staff's recommendations. He acknowledged that the business community/industry needs to balance out their time to participate, and strongly encouraged them to be vocal and visible in the process.

Councilman Cacciotti concurred with his fellow Board members' comments, and suggested that, in the future, staff first discuss with Board members their ideas and suggestions for goals/objectives before a document is presented to the entire Board. He showed a slide presentation on the use of gasoline leaf blowers and their impacts on emissions, noise pollution, and toxic chemical solvents. At his request, Dan Mabe from the Greenstation gave a live demonstration of an all-electric backpack with a leaf blower, noting its quiet operation and efficient performance.

The public hearing was opened and, there being no requests from the public to comment on this item, the public hearing was closed.

MOVED BY GONZALES, SECONDED BY CACCIOTTI, AGENDA ITEM NO. 25 APPROVED AS RECOMMENDED BY STAFF, AND INCORPATING THE ADDITIONAL GOAL AND OBJECTIVES AS SET FORTH IN THE ERRATA SHEET AND NOTED BELOW, BY THE FOLLOWING VOTE:

AYES: Antonovich, B. Benoit, J. Benoit, Burke, Busciano, Lyou, Mitchell, Parker and Yates.

NOES: None.

ABSENT: Nelson and Pulido.

**Added Item Nos. 3, 4 & 5 under Goal III as follows:**

<b>Priority Objective/Project</b>	<b>Outcome</b>
3. Provide excellent customer service to the business and regulated community, as well as other stakeholders.	Ensure that all stakeholders are treated as partners, and that regulations, requirements and objectives are made clear early in the permitting, rulemaking and planning processes. Work with stakeholders in a cooperative and collaborative manner toward air quality goals and related activities in a timely and cost-effective manner, always seeking to balance public health with business retention, economic growth, and job creation, while meeting Federal and State Clean Air Laws.
4. Build and maintain partnerships with public agencies, stakeholder groups and the business community.	Further enhanced outreach programs to public agencies in areas including, but not limited to, rulemaking and rule implementation and enforcement, regional air quality impacts and attainment strategies, and other issues affecting public agencies, especially local government. Develop partnerships with local jurisdictions and regional agencies, and seek cooperative strategies for achieving air quality goals and objectives while supporting local control and sustainable economic growth, and leveraging local efforts to improve the health and well-being of residents. Develop new partnerships with the business and regulated communities, as well as environmental justice, environmental organizations, and community groups through outreach to, and participation in, various activities, conferences, and other opportunities to cultivate early and continuing cooperative relationships.

5. Ensure rulemaking is transparent and inclusive.	Implement early and continuing outreach to affected and interested stakeholders, including businesses, local agencies, environmental justice and environmental groups, and affected communities in the rulemaking process, and provide ample opportunity for input and collaboration.
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26. Amend Rule 1130 - Graphic Arts

Staff recommended that the public hearing on this item be continued to the May 2, 2014 Board Meeting.

MOVED BY YATES, SECONDED BY BUSCAINO, and UNANIMOUSLY CARRIED (Absent: Nelson & Pulido), AGENDA ITEM 25 WAS CONTINUED TO THE MAY 2, 2014 BOARD MEETING.

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

There was no public comment on non-agenda items.

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Mayor Mitchell introduced Frank Zerunyan from the USC Price School of Public Policy.

Councilman Zerunyan expressed appreciation for the partnerships that have been developed between the University and the SCAQMD. He introduced students from a graduate-level class that studies the effect of business on public policy and public policy on business.

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**CLOSED SESSION**

The Board recessed to closed session at 10:25 a.m., 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, as follows:

- Exide Technologies, Inc. v. SCAQMD, et al. v., Los Angeles Superior Court Case No. BC146770;
- People of the State of California, ex rel South Coast AQMD v. Exide Technologies, Inc., Los Angeles Superior Court Case No. BC533528; and
- Quantification Settlement Agreement Cases, Court of Appeal of the State of California, Third Appellate District, Case No. C074592 (seeking authorization to file amicus brief).

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 the General Counsel at 11:05 a.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on April 4, 2014.

Respectfully Submitted,

Rosalinda Diaz  
Deputy Clerk Transcriber

Date Minutes Approved: \_\_\_\_\_

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Dr. William A. Burke, Chairman

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## **ACRONYMS**

AQMP = Air Quality Management Plan

CARB = California Air Resources Board

DTSC = Department of Toxic Substances Control

EIR = Environmental Impact Report

ERC = Emission Reduction Credit

FY = Fiscal Year

MSRC = Mobile Source (Air Pollution Reduction) Review Committee

MOU = Memorandum of Understanding

NO<sub>x</sub> = Oxides of Nitrogen

PAMS = Photochemical Assessment Monitoring Stations

PAR = Proposed Amended Rule

RFP = Request for Proposals

RFQ = Request for Quotations

RTP = Regional Transportation Plan



BOARD MEETING DATE: May 2, 2014

AGENDA NO. 2

PROPOSAL: Set Public Hearings June 6, 2014 to Consider Amendments and/or Adoption to SCAQMD Rules and Regulations:

- (A) Amend Rule 2202 - On-Road Motor Vehicle Mitigation Options, Rule 2202 Implementation Guidelines, and Rule 311 Air Quality Investment Program Fees. The proposal is to amend Rule 2202 - On-Road Motor Vehicle Mitigation Options, the accompanying rule Implementation Guidelines, and Rule 311 - Air Quality Investment Program (AQIP) Fees. Sections of Rule 2202 and the Implementation Guidelines will be amended to address the use of Emission Reduction Credits and clarify the use of other existing emission credits. AQIP is a program option for applicable worksites within Rule 2202. The proposed amendment is to reduce the per employee fee, to more accurately reflect the costs to obtain the required emission reductions. (Reviewed: Mobile Source Committee, April 18, 2014)
  
- (B) Amend Regulation III – Fees. The proposed amendments to Regulation III - Fees include a CPI (1.6%) adjustment pursuant to Rule 320 - Automatic Adjustment Based on Consumer Price Index for Regulation III Fees. Staff is also proposing an additional 6% increase in fees for permit processing and annual permit renewals, phased in over two years, to partially compensate for a shortfall in fees associated with permits. Staff's proposal would increase fees in each of these two categories by 3% for FY 2014-15 and 3% for FY 2015-16. Staff's proposal has been incorporated into the draft budget for FY 2014-15. Minor administrative clarifications are also included. (Reviewed: Board Budget Workshop, April 25, 2014).

The complete text of the proposed amendments, staff reports, and other supporting documents are available from the District's Public Information Center, (909) 396-2550, and on the Internet ([www.aqmd.gov](http://www.aqmd.gov)) as of May 7, 2014.

**RECOMMENDED ACTION:**

Set Public Hearings June 6, 2014 to amend Rules 2202 and 311 and Regulation III.

Barry R. Wallerstein, D.Env.  
Executive Officer

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BOARD MEETING DATE: May 2, 2014

AGENDA NO. 3

**PROPOSAL:** Execute Contract and Reissue RFP for Third-Party Investigations of Unplanned Shutdowns of Emission Control Devices at Large Lead-Acid Battery Recycling Facilities

**SYNOPSIS:** Rule 1420.1 requires a third-party independent analysis to investigate the reason(s) for unplanned shutdown of any emission control device at large lead-acid battery recycling facilities, if the owner/operator cannot determine the cause within five business days of the event. In February 2014, the Board approved an RFP to solicit bids from qualified bidders in order to establish a list of prequalified candidates. One proposal by Amerex Environmental Services was received and evaluated, and the proposal met the RFP requirements. This action is to execute a contract with Amerex Environmental Services. In addition, this action is to reissue the RFP to solicit proposals from additional contractors, since only one proposal was received and given that the consultant is based in Illinois. Funds for this proposal in an amount not to exceed \$100,000 are available in the FY 2013-14 Budget and shall be reimbursed pursuant to Rule 1420.1 by the facilities for which the investigation is performed.

**COMMITTEE:** Stationary Source, April 18, 2014; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Authorize the Chairman to execute a contract in an initial amount not to exceed \$100,000, which thereafter may be increased by the Executive Officer as the SCAQMD is reimbursed, with Amerex Environmental Services to conduct third-party investigations at large lead-acid battery recycling facilities pursuant to Rule 1420.1 (n)(2)(B) from the Planning, Rules and Area Sources FY 2013-14 budget, Services and Major Object, Professional and Special Services account.
2. Authorize the reissuance of RFP #P2014-13R to identify additional qualified contractors to conduct third-party investigations at large lead-acid battery recycling facilities pursuant to Rule 1420.1 (n)(2)(B).

Barry R. Wallerstein, D.Env.  
Executive Officer

## **Background**

Rule 1420.1 - Emission Standards for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recycling Facilities subparagraph (n)(2)(B) requires owners and operators of large lead-acid battery recycling facilities to use an independent third-party approved by the Executive Officer, to investigate and report on an unplanned shutdown of pollution control equipment if the reason/cause is unknown to the facility operator. Contractor responsibilities include but are not limited to physical inspection of the control equipment and surrounding portions of the facility, which may provide information to understand the reason(s) for the unplanned shutdown; and review of equipment maintenance and operation records, logs, and other documentation which may provide information to understand the reason(s) for the unplanned shutdown. The Contractor is also responsible for inspection of all equipment repaired or replaced in response to the unplanned shutdown, to ensure affected control equipment can operate properly. Within 30 calendar days after the facility owner or operator notifies the Executive Officer of an unplanned shutdown of emissions control equipment, the Contractor will submit a written report summarizing the findings of the investigation to the SCAQMD Executive Officer, and the Director of the California Department of Toxic Substances Control.

On February 7, 2014, the Board approved the release of a Request for Proposals (RFP) to solicit proposals so that the SCAQMD can develop a list of approved contractors. By the end of the RFP submittal period, the SCAQMD received one proposal from Amerex Environmental Services. This proposal was evaluated and met all criteria set forth in the RFP.

## **Proposal**

Staff recommends executing a contract with Amerex Environmental Services to conduct third-party investigations at Rule 1420.1 facilities. Staff is also recommending that the Board authorize the reissuance of the RFP to solicit proposals so that the SCAQMD can develop a larger list of approved contractors due to the following reasons:

- Amerex Environmental Services is located in Chicago which may result in a delay of up to a week to begin an investigation. Amerex is committed to being at the site the Tuesday following the week the SCAQMD staff notifies Amerex to begin an investigation;
- Amerex is dedicating one staff person to work on this project. If that staff person is not available, there would be an additional delay in the investigation; and
- Having more than one pre-qualified consultant enables investigations to occur in the event there are multiple requests that occur in the same timeframe.

Schedule of Events for Reissued RFP

May 2, 2014	RFP Released
August 12, 2014	Proposals Due – No Later Than 5:00 pm
September 5, 2014	Complete Proposal Evaluations
October 3, 2014	Governing Board Awards Contract

**Benefits to SCAQMD**

Rule 1402.1 requires facilities subject to Rule 1420.1 to use an independent third party to investigate unplanned shutdowns by using an independent SCAQMD-approved contractor that is experienced in the design, repair, inspection and/or maintenance of control methods and techniques used in the metallurgical industry. The requirement is intended to facilitate and improve the SCAQMD's and the public's understanding of why air pollution control equipment was unexpectedly shut down, broke down, or experienced service interruptions in order to prevent similar failures in the future.

**Resource Impacts**

Funds for this contract are available in an amount not to exceed \$100,000 from the Planning, Rule Development and Area Sources FY 2013-14 budget, Services and Major Object, Professional and Special Services account. As required by Rule 1420.1 (n)(2)(B)(iv) and (v), affected facilities must reimburse the SCAQMD in an amount not to exceed \$12,000 per investigation.

**Attachment**

RFP #P2014-13R – Third-Party Investigators for Unplanned Shutdowns of Emission Control Device at Large Lead-Acid Battery Recycling Facilities

## **SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

### **REQUEST FOR PROPOSALS FOR**

#### **THIRD-PARTY INVESTIGATORS FOR UNPLANNED SHUTDOWNS OF EMISSION CONTROL DEVICE AT LARGE LEAD-ACID BATTERY RECYCLING FACILITIES**

#P2014-13R

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 "Consultant" are used interchangeably.

#### **PURPOSE**

The purpose of this Request for Proposals (RFP) is to solicit qualified firms or sole practitioners to conduct investigations when there is an unplanned shutdown of an emissions control device that occurs at a large lead-acid battery recycling facility. Upon being notified by the Executive Officer, the Consultant will conduct an investigation of the reason(s) for an unplanned shutdown of an emissions control device (unplanned shutdown) at a large lead-acid battery recycling facility subject to Rule 1420.1. An investigation of this type, as defined under subparagraph (n)(2)(B) is necessary only in situations where the owner or operator of a large lead-acid battery recycling facility does not know the reason for the breakdown or unexpected shutdown of an emissions control device and cannot determine the reason within five (5) business days of the event. Contractor responsibilities include but are not limited to physical inspection of the control equipment and surrounding portions of the facility, which may provide information to understand the reason(s) for the unplanned shutdown: and review of equipment maintenance and operation records, logs, and other documentation which may provide information to understand the reason(s) for the unplanned shutdown. The contractor is also responsible for inspection of all equipment repaired or replaced in response to the unplanned shutdown, to ensure affected control equipment can operate properly. Within 30 calendar days of the reported unplanned shutdown, the contractor will submit a written report summarizing the findings of the investigation to the SCAQMD Executive Officer and the Director of the California Department of Toxic Substances Control.

Work will be on an as needed basis. The intent of this RFP is to contract with knowledgeable contractors to be available to conduct an investigation within 3 days after notification by the SCAQMD personnel. Contractor will be reimbursed on a Time and Materials (T&M) basis for work performed against tasks. Due to the indefinite nature of the work, the actual contract amount cannot be determined at this time.

**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 I: BACKGROUND/INFORMATION**

Rule 1420.1 was amended by the South Coast Air Quality Management District (SCAQMD) Governing Board on January 10, 2014. Rule 1420.1 includes a requirement under paragraph (n)(2) whereby a facility that has an unplanned shutdown and cannot determine the cause of the shutdown within 5 business days must use an independent third party to determine the cause of the shutdown, as well as submit a report to the Executive Officer and the Director of the DTSC.

**SECTION II: CONTACT PERSON:**

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

Susan Nakamura, Director of Strategic Initiatives  
SCAQMD  
21865 Copley Drive  
Diamond Bar, CA 91765-4178  
(909) 396-3105

**SECTION III: SCHEDULE OF EVENTS**

May 2, 2014	RFP Released
August 12, 2014	Proposals Due – No Later Than 5:00 pm
September 5, 2014	Complete Proposal Evaluations
October 3, 2014	Governing Board Award Contract

**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 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 geographical boundaries of the SCAQMD at the time of bid or proposal submittal and performs 90% of the work related to the contract within the geographical boundaries of the SCAQMD 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 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.

- D. 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.
- E. 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.
- F. 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.
- G. 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.
- H. 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.
- I. In compliance with federal fair share requirements set forth in 40 CFR Part 33, the SCAQMD shall establish a fair share goal annually for expenditures with federal funds covered by its procurement policy.

## **SECTION V: STATEMENT OF WORK/SCHEDULE OF DELIVERABLES**

### **A. Statement of Work**

Upon being notified by the Executive Officer or designee, the Contractor will conduct an investigation of the reason(s) for an unplanned shutdown of an emissions control device (unplanned shutdown) at a large lead-acid battery recycling facility subject to Rule 1420.1. An investigation of this type, as defined under subparagraph (n)(2)(B) is necessary only in situations where the owner or operator of a large lead-acid battery recycling facility does not know the reason for the breakdown or unexpected shutdown of an emissions control device and cannot determine the reason within five (5) business days of the event. Contractor responsibilities include but are not limited to:

1. Physical inspection of the control equipment and surrounding portions of the facility, which may provide information to understand the reason(s) for the unplanned shutdown; and
2. Review of equipment maintenance and operation records, logs, and other documentation which may provide information to understand the reason(s) for the unplanned shutdown.

The contractor is also responsible for inspection of all equipment repaired or replaced in response to the unplanned shutdown, in order to ensure affected control equipment can operate properly. Within 30 calendar days after the facility owner or operator initially notifies the Executive Officer of an unplanned shutdown to emissions control equipment, the contractor will submit a written report summarizing the findings of the investigation to:

1. The SCAQMD Executive Officer; and
2. The Director of the California Department of Toxic Substances Control.

The written report must include the following information:

1. Date of the unplanned shutdown of emission control equipment;
2. Reason for the unplanned shutdown of emission control equipment;
3. Results of the physical inspection of air pollution control equipment and surrounding portions of the facility, including a list of equipment inspected and a discussion of the factors related to the physical inspection that may have led to the unplanned shutdown, in order to help the facility avoid similar shutdowns in the future;
4. Results of the review of equipment maintenance and operation records, logs, and other documentation, including a list of equipment for which maintenance and operation records and/or equipment logs were reviewed, and a discussion of any information revealed by the review of such information that may may help the facility to avoid similar shutdowns in the future;
5. List of all equipment repaired or replaced in response to the unplanned shutdown and corrective actions taken to prevent recurrence of the unplanned shutdown of emission control equipment; and
6. Written verification that the affected emission control equipment is operational. If the affected equipment is not operational, provide an approximate date the subject equipment is expected to be operational.

#### B. Schedule of Deliverables

Within 30 calendar days after the facility owner or operator initially notifies the Executive Officer of an unplanned shutdown to emissions control equipment, the Contractor will submit a written report summarizing the findings of the investigation to the SCAQMD Executive Officer and the Director of the California Department of Toxic Substances Control.

### **SECTION VI: REQUIRED QUALIFICATIONS**

Persons or firms bidding on this proposal should:

- A. Not be employed by or working under contract with Exide Technologies or Quemetco, Inc. for the past 5 years;

- B. Be knowledgeable regarding the design, repair, inspection and/or maintenance of pollution control equipment, methods and techniques used in the metallurgical industry, including but not limited to control devices such as baghouses, wet electrostatic precipitators (WESP), air scrubbers, afterburners, and regenerative thermal oxidizers (RTO);
- C. Be experienced in conducting investigations and writing inspection reports of a technical nature;
- D. Be familiar with the lead-acid battery recycling industry in general and Rule 1420.1 in particular; and
- E. Have a working knowledge of the equipment and processes used at facilities engaged in lead-acid battery recycling.

Proposer must submit the following:

- A. Resumes or similar statement of qualifications of person or persons who will be conducting the investigation of an unplanned shutdown or breakdown of emissions control devices used at lead-acid battery recycling facilities.
- B. List of representative clients.
- C. Summary of proposer's general qualifications to meet required qualifications and fulfill statement of work, including additional firm personnel and resources beyond those of the designated lead personnel conducting the investigation.

## **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 will result in elimination from proposal evaluation.

Each proposal must be submitted in two separate volumes:

- Volume I - Technical Proposal
- Volume II - Cost Proposal

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 firm's representative designated as contact.

## **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.

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.

Qualifications (Section D) - Describe the technical capabilities of the firm. Provide references of other work performed during the last five years demonstrating ability to conduct the proposed work. Include contact name, title, and telephone number for any references listed. Provide a statement of your firm's background and experience in performing similar investigations 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.
2. 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.
3. 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 time and materials contract for each successful bidder. Cost information must be provided as listed below:

1. Detail must be provided by the following categories:
  - A. Labor - List 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.

## **SECTION VIII: PROPOSAL SUBMITTAL**

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 four (4) 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 #P2014-13R." **All proposals are due no later than 5:00 p.m., August 12, 2014, 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.**



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.

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. Proposals will be evaluated by a panel of three or more SCAQMD staff members familiar with the subject matter of the project. The panel will be appointed by the Executive Officer or his designee. The panel will make a recommendation to the Executive Officer for a list of prequalified independent third-party contractors.
- B. 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.

### 1. Proposal Evaluation Criteria

#### (a) Special Project Requiring Unique Knowledge or Abilities

No or Limited Relationship with Large Lead-acid Battery Recyclers other than Exide or Quemetco	20
Contractor Qualifications	60
Cost	<u>20</u>
TOTAL	100

#### (b) Additional Points

Small Business or Small Business Joint Venture	10
DVBE or DVBE Joint Venture	10
Use of DVBE or Small Business Subcontractors	7
Low-Emission Vehicle Business	5
Local Business (Non-Federally Funded Projects Only)	5
Off-Peak Hours Delivery Business	2

**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.**

**Self-Certification for Additional Points**

**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.**

2. 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.

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 10 points, this proposal would receive the full 10 points. If the next lowest cost proposal is \$1,100 it would receive 9 points reflecting the fact that it is 10% higher than the lowest cost (90% of 10 points = 9 points).

- C. During the evaluation process the evaluation panel may wish to interview some proposers for clarification purposes only. No new material will be permitted at this time. Additional information provided during the bid review process is limited to clarification by the Proposer of information presented in his/her proposal, upon request by SCAQMD.
- D. Selection of a list of pre-qualified independent third-party investigators will be made based on the above-described criteria and rating factors. Proposers may be notified of the results by letter.
- E. 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.
- F. 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.
- G. 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.
- H. Disposition of Proposals – Pursuant to the District's Procurement Policy and Procedure, SCAQMD reserves the right to reject any or all proposals. All proposals become the property of SCAQMD, and are subject to the California Public Records Act. 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.



# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178

(909) 396-2000 • [www.aqmd.gov](http://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

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



# South Coast Air Quality Management District

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

\_\_\_\_\_  
NAME

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
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 (required): <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"/> Other (see instructions) ▶ _____	
	<input type="checkbox"/> Exempt payee	
	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.

<b>Social security number</b>										

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

<b>Employer identification number</b>										

**Part II Certification**

- Under penalties of perjury, I certify that:
- 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
  - 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
  - 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.

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶
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**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:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- 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 <sup>1</sup>	Generally, exempt payees 1 through 7 <sup>2</sup>

<sup>1</sup> See Form 1099-MISC, Miscellaneous Income, and its instructions.

<sup>2</sup> 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](http://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](http://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](http://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.

### 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 <sup>1</sup>
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor <sup>2</sup>
4. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee <sup>1</sup>
b. So-called trust account that is not a legal or valid trust under state law	The actual owner <sup>1</sup>
5. Sole proprietorship or disregarded entity owned by an individual	The owner <sup>3</sup>
6. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulation section 1.671-4(b)(2)(i)(A))	The grantor <sup>*</sup>
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 <sup>4</sup>
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

<sup>1</sup> 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.

<sup>2</sup> Circle the minor's name and furnish the minor's SSN.

<sup>3</sup> 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.

<sup>4</sup> 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.

**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](mailto: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](mailto:spam@uce.gov) or contact them at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or 1-877-IDTHEFT (1-877-438-4338).

Visit [IRS.gov](http://IRS.gov) to learn more about identity theft and how to reduce your risk.

### 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](http://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](http://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](http://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](http://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](http://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](http://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

## **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.

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Typed Name & Title of Authorized Representative

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Signature of Authorized Representative Date

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

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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](http://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):** \_\_\_\_\_

-	DBA, Name _____, County Filed in _____
	Corporation, ID No. _____
	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.**

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 (SCAQMD) 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 SCAQMD 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 SCAQMD for distribution. This will delay my payment.
- This authorization remains in effect until SCAQMD receives written notification of changes or cancellation from you.
- I hereby release and hold harmless SCAQMD 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**

<b>Staple Voided Check Here</b>	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 SCAQMD Use Only

Input By \_\_\_\_\_

Date \_\_\_\_\_

BOARD MEETING DATE: May 2, 2014

AGENDA NO. 4

**PROPOSAL:** Recognize Revenue, Execute Contracts and Purchase Equipment to Support Hydrogen Readiness in Early Market Communities 

**SYNOPSIS:** In August 2013, under the AB 118 Program, the CEC issued a PON for projects to develop strategies for the deployment of alternative fuel infrastructure and encourage the adoption of alternative fuel vehicles. On March 12, 2014, the CEC issued a Revised Notice of Proposed Awards awarding \$299,360 to the SCAQMD for a proposal to support hydrogen readiness in early market communities. This action is to recognize revenue in the amount of \$299,360 from the CEC into the Hydrogen Fueling Station Special Revenue Fund (55) and to execute a contract in an amount not to exceed \$299,360 with Bevilacqua-Knight, Inc. to conduct education and outreach activities to support hydrogen readiness in early market communities. This action also includes executing a contract to develop sampling and testing protocols for analyzing impurities in hydrogen automotive fuel per *SAE J2719* and for purchase of equipment for performing hydrogen fuel quality testing in an amount not to exceed \$212,100 from the Clean Fuels Fund (31).

**COMMITTEE:** Technology, April 18, 2014; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Recognize upon receipt \$299,360 from the CEC under the AB 118 Program into the Hydrogen Fueling Station Special Revenue Fund (55).
2. Authorize the Chairman to execute the following;
  - a. A contract with Bevilacqua-Knight, Inc. (BK<sub>i</sub>) to support hydrogen readiness in early market communities in an amount not to exceed \$299,360 from the Hydrogen Fueling Station Special Revenue Fund (55); and
  - b. A contract with The Regents of the University of California to develop sampling and testing protocols for analyzing impurities in hydrogen automotive fuel per *SAE J2719* in amount not to exceed \$120,000 from the Clean Fuels Fund (31).

3. Authorize the Procurement Manager to execute a purchase order with MKS Instruments for the purchase of a Fourier Transform Infrared Spectroscopy (FTIR) gas analyzer in an amount not to exceed \$92,100 from the Clean Fuels Fund (31).

Barry R. Wallerstein, D.Env.  
Executive Officer

MMM:LW

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### **Background**

The SCAQMD supports the development and deployment of alternative and renewable fuels for advanced transportation technologies including hydrogen fueling infrastructure. As stations are funded and built in multiples instead of one at a time, it is vital to address challenges in financing, planning and permitting stations and to build awareness about hydrogen and fuel cells in the early market communities. It is also necessary to ensure a reliable supply of hydrogen fuel, establish fueling stations, and be able to accurately measure the quantity and quality of the fuel in order to be able to sell the fuel on a commercial basis.

### CEC PON-13-603

Through the AB 118 Alternative and Renewable Fuel and Vehicle Technology Program, the CEC provides funding to develop and deploy alternative and renewable fuels and advanced transportation technologies to help attain the state's climate change policies. This grant program includes funding for the construction and commissioning of hydrogen stations. In August 2013, the CEC issued #PON-13-603 providing \$2.1 million in grant funding to develop Alternative Fuel Readiness Plans that would provide strategies for the deployment of alternative fuel infrastructure and encourage the adoption of alternative fuel vehicles, including hydrogen fuel cell infrastructure and vehicles. One desired outcome of this funding opportunity was to establish workforce training programs, conduct public education and create and promote technology centers. The SCAQMD submitted a proposal in response to this PON to conduct education and outreach activities to support hydrogen readiness in early market communities, leveraging 25 years of experience in fuel cells and hydrogen and proposing to integrate activities with the California Fuel Cell Partnership (CaFCP) and California Hydrogen Business Council. On March 12, 2014, the CEC issued a Revised Notice of Proposed Awards, which included an award to the SCAQMD for this proposal.

### Technical Analysis/FTIP Gas Analyzer

Proper codes and standards are essential for the commercial deployment of hydrogen and fuel cell technologies. The *SAE J2719* fuel quality standard has been adopted for hydrogen fuel quality; however, testing protocols, along with equipment that can measure hydrogen fuel quality at those levels, need to be assessed. The fuel quality

required by *SAE J2719* must be quantified at the vehicle-fueling station interface and a determination made as to how the presence of small amounts of contaminants may affect the performance and durability of proton exchange membrane (PEM) fuel cells. Current analyses of hydrogen fuel quality have to be enhanced or developed for approximately half of the fuel cell specifications.

## **Proposal**

### CEC PON-13-603

This action is to recognize revenue from the CEC up to \$299,360 into the Hydrogen Fueling Station Special Revenue Fund (55) to support hydrogen readiness in early market communities and to execute a contract with BKi, on behalf of the CaFCP (BKi manages the CaFCP), in an amount not to exceed \$299,360 from the Hydrogen Fueling Station Special Revenue Fund (55) to conduct education and outreach activities to support hydrogen readiness in early market communities. Proposed activities would include the following:

- Provide hands-on training to active-duty fire fighters using a hydrogen vehicle prop commissioned by the internationally recognized HAMMER training facility.
- Provide local fire marshals and CalFire with education about NFPA 2, a fire code update and address any information gaps with local fire authorities.
- Develop station education materials for non-emergency response personnel and other decision-makers to dispel misinformation about safety.
- Perform marketing research and analysis with private fleet operators and individual drivers to understand their motivations for buying an alternative fuel vehicle, in general, and a fuel cell electric vehicle, in particular.
- Develop marketing and outreach materials and strategies to address target audiences and motivations.

### Technical Analysis/FTIP Gas Analyzer

This action is also to execute a contract and purchase order from the Clean Fuels Fund (31), as follows: 1) a contract with The Regents of the University of California in the amount of \$120,000 to conduct informed evaluation of current protocols and to propose enhanced protocols for analyzing impurities in hydrogen automotive fuel per *SAE J2719*; and 2) a purchase order with MKS Instruments in the amount of \$92,100 for the purchase of an FTIR gas analyzer to perform hydrogen fuel quality testing.

The University of California at Irvine (UCI) has an Organized Research Unit called AirUCI (Atmospheric Integrated Research at the University of California at Irvine). AirUCI is a multidisciplinary environmental research group, representing partnerships between faculty at UCI campuses and international researchers, that is dedicated to understanding and solving critical issues relating to air pollution and other environmental issues. The AirUCI team, which includes Drs. Donald Blake, Sergey Nizkorodov and Hyun Ji (Julie) Lee, have expertise in chemical processes and

measurements that brings state-of-the-art techniques for measuring trace gases. Both Drs. Blake and Nizkorodov's research areas include development of new analytical methods and approaches to the evaluation of gases; Dr. Lee works under the guidance of Dr. Nizkorodov.

AirUCI will conduct an evaluation of current protocols and propose enhanced protocols as well as develop and implement method(s) to identify and quantify trace contaminants present in hydrogen fuel at hydrogen vehicle fueling stations located within the South Coast Air Basin. The short term goal is to detect contaminants at the concentrations specified in *SAE J2719* and in the *California Code of Regulations (CCR), Title 4, Division 9, Chapter 6, Article 8, Sections 4180-4181*. AirUCI will prepare a report on the feasibility of measuring trace contaminants as specified in these documents and make recommendations on the necessary instrumentation and measurement methodologies. They will also provide recommendations on additional trace contaminants that need determination and on instrument configurations and standard operation procedures (SOPs) to develop and establish a proper and comprehensive hydrogen quality assessment. The long term goal is to transfer all project results to the SCAQMD for establishing in-house expertise for analyzing hydrogen fuel purity on an on-going basis.

SCAQMD laboratory staff have investigated the applicability of various instruments and determined a purpose-designed FTIR gas analyzer for measuring certain contaminants within hydrogen fuel would be most cost-efficient. The equipment cost includes software, operational calibration recipes and training. A significant cost savings is realized by the purchase of this equipment. If this equipment were not acquired, separate analyses would have to be developed for sampling of acid halides (no known method for halogens such as chlorine or bromine), formaldehyde (HPLC analysis for formaldehyde at four hours per sample), and ammonia (impinger sampling and IC analysis for ammonia at four hours). Halogen gas sampling and analysis has yet to be scoped. This equipment will act as the cornerstone for analyzing hydrogen fuel purity.

### **Sole Source Justification**

Section VIII.B.2 of the Procurement Policy and Procedures identifies four major provisions under which a sole source award may be justified. The request for sole source award with The Regents of the University of California/AirUCI is made under provision B.2.d (7): Research and development efforts with educational institutions and nonprofit organizations. AirUCI's team are experts in the sampling, testing and development of standard operating procedures for trace gas analyses. In addition, AirUCI has unique access to installed analytical instrumentations and equipment at UCI, thereby achieving significant cost savings to complete the project.

The request to purchase an FTIR gas analyzer on a sole source basis is made under provision VIII B.2.c(1): The unique experience and capabilities of the proposed contractor or contractor team; and under provision VIII B.2.c (2): The project involves the use of proprietary technology. The MKS Instruments FTIR system has been built with capabilities that no other unit currently on the market possesses. It has been designed and manufactured specifically for determining the properties of hydrogen fuel and is the only FTIR available that has the ability to recognize ammonia as a contaminant, a contaminant that could find its way into commercially produced hydrogen. The instruments cell length and proprietary software comes only from the identified vendor.

### **Benefits to SCAQMD**

#### CEC PON-13-603

The proposed contract is included in the *Technology Advancement Office 2014 Plan Update* under “Hydrogen and Fuel Cell Technologies and Infrastructure.” The AQMP also relies on the expedited implementation of low-emission technologies and fuel cell vehicle related projects to help the SCAQMD to achieve its clean air goals. This work will assist in identifying the best, most cost-effective techniques to acquire all of the information necessary to ensure quality hydrogen fuel for the anticipated fuel cell vehicle rollout.

#### Technical Analysis/FTIR Gas Analyzer

The proposed contract and equipment purchase is included in the *Technology Advancement Office 2014 Plan Update* under “Hydrogen and Fuel Cell Technologies and Infrastructure.” The current standards were intended to apply to limited-scale introduction of original equipment manufactured fuel cell vehicles (FCVs). This work will directly change these standards in concert with the progress of FCV technology and fuel quality testing. The effects of poor fuel quality on PEM fuel cell performance and durability will be minimized leading to the successful wide-scale deployment of FCVs. This project will provide an assessment of current SAE fuel quality standards testing protocols and the types of equipment that can be used to accurately measure hydrogen fuel quality, ultimately leading to the commercialization of hydrogen as an automotive fuel. By conducting multiple pilot analyses using sampling and analytical test methods developed and published by UCI (which are comparable to *ASTM International*), it can be determined if analytical enhancements and alternative analytical methodologies and/or instruments will be necessary.

### **Resource Impacts**

#### CEC PON-13-603

The CEC under the AB 118 Program has awarded the SCAQMD \$299,360 to support hydrogen readiness in early market communities, and these funds will be recognized upon receipt into the Hydrogen Fueling Station Special Revenue Fund (55). The contract with BKi in the amount of \$299,360 will be fully funded using these CEC pass-



through funds. The Hydrogen Fueling Station Special Revenue Fund was established to collect revenue from other government agencies to support projects increasing the utilization of clean fuels, including conducting education and outreach activities to support hydrogen readiness.

Technical Analysis/FTIR Gas Analyzer

The total cost for this project will not exceed \$212,100 from the Clean Fuels Fund (31), comprising: 1) a contract with The Regents of the University of California, on behalf of AirUCI, in the amount of \$120,000 to develop sampling and testing protocols for analyzing impurities in hydrogen automotive fuel per *SAE J2719*; and 2) a purchase order with MKS Instruments in the amount of \$92,100 for the purchase of an FTIR gas analyzer to perform hydrogen fuel quality testing. Sufficient funds are available in the Clean Fuels Fund (31) for this proposed project. 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: May 2, 2014

AGENDA NO. 5

**PROPOSAL:** Amend Contract to Develop and Demonstrate Battery Electric Drayage Trucks 

**SYNOPSIS:** On October 5, 2012, as part of a DOE grant, the Board approved a \$1,142,070 contract with Transportation Power (TransPower) for four battery electric drayage trucks. This action is to amend the contract with TransPower to add \$375,000 from the Clean Fuels Fund (31) to cost share the development and demonstration of three additional trucks and related engineering design upgrades. The revised contract award will be \$1,517,070, comprised of \$1,142,070 from the Advanced Technology Goods Movement Fund (61) and \$375,000 from the Clean Fuels Fund (31).

**COMMITTEE:** Technology, April 18, 2014, Recommended for Approval

**RECOMMENDED ACTION:**

Authorize the Chairman to amend the contract with TransPower to add \$375,000 from the Clean Fuels Fund (31) to develop and demonstrate three additional battery electric drayage trucks, including related engineering design upgrades.

Barry R. Wallerstein, D.Env.  
Executive Officer

MMM:BC

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**Background**

Heavy-duty diesel trucks in the South Coast Air Basin (Basin) remain a large source of emissions with adverse health effects, especially in the surrounding communities along the goods movement corridors near the Ports of Los Angeles and Long Beach and next to major freeways. In order to mitigate the impact and attain stringent federal ozone standards, SCAQMD has been strongly promoting and supporting the development and deployment of advanced zero emission cargo transport technologies.

On October 5, 2012, the Board recognized a \$4,169,000 grant from the DOE into the Advanced Technology Goods Movement Fund (61) for the development and demonstration of zero emission drayage truck technologies. Concurrently, the Board also approved contracts with four electric vehicle manufacturers to develop these truck technologies, including a \$1,142,070 contract with TransPower for four battery electric drayage trucks. Subsequent to the SCAQMD Board award, TransPower received additional funding from CEC and the San Pedro Bay Ports' Technology Advancement Program (TAP) to develop and demonstrate three more electric drayage trucks. During the second half of 2013, TransPower also completed and began testing a prototype electric "Pilot Truck," previously cost shared by the SCAQMD, which provided TransPower with practical experience manufacturing and operating trucks of this type. With an expanded project scope to build seven electric drayage trucks, coupled with an opportunity to improve its electric truck design based on lessons learned from the new Pilot Truck, TransPower elected to invest more resources to improve the drive system. This decision was taken in order to incorporate additional technology advancements and design improvements gained from the completion and initial operations of the Pilot Truck. It is anticipated that updating the design for the demonstration trucks will result in more efficient and cost competitive vehicles well-positioned for commercialization.

### **Proposal**

This action is to amend the contract with TransPower to add \$375,000 as cost-share to develop and demonstrate three additional battery electric drayage trucks, including related engineering design upgrades, for a total of seven battery electric drayage trucks. The additional funding will primarily be used for engineering design upgrades to enhance the truck operating efficiency and to reduce vehicle assembly costs.

Some of the key advances to be developed and/or incorporated include the following:

- Automated manual transmission – a new system, not available in any existing electric vehicle, using proprietary software to precisely match powertrain gearing to vehicle torque requirements, enhance performance and operating efficiency, and achieve significant cost savings through the use of a lower-cost electric motor and off-the-shelf manual transmission.
- Advanced energy storage subsystem – numerous technological advances have been incorporated into the energy storage subsystem to improve battery balancing and maintenance and reduce the cost and complexity of integrating large battery systems onto Class 8 trucks. The battery pack design has also been streamlined to require much less wiring and connectors resulting in substantial savings in assembly labor and battery components costs. Finally, a new battery management system will be developed to balance cells faster and more efficiently in order to extend the operating range as well as battery life.

- Power control and accessory subsystem – using an innovative concept, pre-integrated components for vehicle control and electrically driven accessories will be placed onto a specially designed free-standing structure then hoisted into the truck to be connected with minimal additional integration hardware and wiring. This approach is easier and safer than mounting individual components directly onto the truck and will reduce significant time and costs in assembly of production vehicles.

TransPower anticipates these improvements to increase the operating efficiency and reduce vehicle assembly costs by approximately 25 percent, significantly improving the commercial value of the drive system.

**Benefits to SCAQMD**

This project is included in the *Technology Advancement Office Clean Fuels Program 2014 Plan Update* under “Electric/Hybrid Technologies & Infrastructure.” Zero emission transportation and goods movement technologies are also included within SCAG’s Regional Transportation Plan, the joint CARB, SCAQMD and San Joaquin Valley APCD *Vision for Clean Air* document and SCAQMD’s FY 2013-14 Goals and Objectives. Successful development and demonstration of battery electric drayage trucks will move the technology closer to commercialization for wide-scale market deployment as well as move the region closer to attainment of clean air standards in the Basin by eliminating diesel particulate matter and NO<sub>x</sub> emissions. Additionally, since drayage trucks are used to move goods in and around the ports, the application of zero emission technologies will improve the air quality in these disproportionately impacted communities.

**Resource Impacts**

The SCAQMD’s total cost-share shall not exceed \$1,517,070, comprised of the original award in the amount of \$1,142,070 from the Advanced Technology Goods Movement Fund (61) plus the additional funds in the amount of \$375,000 from the Clean Fuels Fund (31). The total estimated cost for this project is \$5,122,267, broken down by partner cost-share as follows:

	<b>Cost-Share</b>	<b>Percentage</b>
DOE	\$1,142,070	22%
CEC	\$2,296,617	45%
TransPower	\$1,008,580	20%
TAP	\$300,000	6%
SCAQMD (requested)	\$375,000	7%
<b>Total</b>	<b>\$5,122,267</b>	<b>100%</b>

Sufficient funds are available in the Clean Fuels Fund (31) for this proposed project. The Clean Fuels Fund (31) is 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.

BOARD MEETING DATE: May 2, 2014

AGENDA NO. 6

**PROPOSAL:** Approve Truck Projects under “Year 4” Proposition 1B-Goods Movement Program

**SYNOPSIS:** At its April 4, 2014 meeting, the Board approved a list of heavy-duty truck projects under the “Year 4” Proposition 1B-Goods Movement Program, subject to CARB’s final approval. Some truck projects were not included in the recommended list either because of missing information for completion of evaluations or for not furnishing the campaign contribution disclosure forms on time. Since then staff has worked with these applicants and more truck projects have become eligible. This action is to augment the list of truck projects, previously approved by the Board, with additional truck projects as outlined in Table 1, subject to CARB’s final approval. These additional projects will not delay the program implementation schedule, as the final approval will be subsequent to completion of compliance checks by CARB, after which contracts will be executed.

**COMMITTEE:** Not Applicable

**RECOMMENDED ACTION:**

Approve additional truck projects as outlined in Table 1, to augment the projects previously approved by the Board, subject to CARB’s final ranking and compliance check approval under the Proposition 1B-Goods Movement Program.

Barry R. Wallerstein, D.Env.  
Executive Officer

MMM:FM

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**Background**

At its April 4, 2014 meeting, the Board approved goods movement truck projects under the second solicitation phase of the “Year 4” Proposition 1B-Goods Movement Program. Some truck projects were not included in staff’s recommended list either because of missing information for completion of evaluations or for not furnishing the campaign contribution disclosure forms on time. Since then staff has worked with these applicants and more truck projects have become eligible.

## **Outreach**

Relative to the Proposition 1B-Goods Movement Program projects, and in accordance with SCAQMD's Procurement Policy and Procedure, 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.

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.

## **Proposal**

This action is to approve additional truck projects, as outlined in Table 1, to augment the projects previously approved by the Board on April 4, 2014, all of which are subject to CARB's final ranking and compliance check approval under the Proposition 1B-Goods Movement Program. These truck projects have now become eligible because they either provided missing information and/or furnished campaign contribution disclosure forms.

## **Benefits to SCAQMD**

The successful implementation of these truck projects will reduce NO<sub>x</sub>, PM and other pollutant emissions in a cost-effective and expeditious manner, which will help achieve the goals of the AQMP. The new equipment/vehicles funded under this program are expected to operate for many years, providing long-term emission reduction benefits in the region.

## **Resource Impacts**

On February 7, 2014, the Board recognized revenue from CARB into SCAQMD's Proposition 1B-Goods Movement Program Fund (81), as part of the "Year 4" Proposition 1B-Goods Movement Program, including a minimum of \$11,809,524 for second phase project funding. Funding for the truck projects listed in Table 1, as well as the ones previously approved by the Board on April 4, 2014, shall not exceed \$11,809,524, in addition to any unused funds from the "Year 4" Proposition 1B truck projects, from the Proposition 1B-Goods Movement Program Fund (81).

## **Attachment**

Table 1: Heavy-Duty Diesel Truck Projects

**Table 1: Heavy-Duty Diesel Truck Projects**

The following forty-four (44) projects are being added to the list of eligible trucks as supporting documents and Campaign Contributions Disclosure forms have been received.


<b>RANK</b>	<b>PROJECT ID</b>	<b>APPLICANT NAME</b>	<b>PROJECT</b>	<b>PROP 1B AWARD</b>
6	888-1984-GNA	FRANCISCO GONZALEZ	REPLACEMENT	\$40,000
8	404-4557-GNA	RAMON SOLIS	REPLACEMENT	\$40,000
13	786-1336-GNA	TRANSCORDOVA, INC.	REPLACEMENT	\$40,000
38	774-1871-GNA	WILFREDO EDUARDO RODAS	REPLACEMENT	\$40,000
49	793-2056-GNA	EL MAGUEY EXPRESS TRANSPORT	REPLACEMENT	\$40,000
50	490-28875-GNA	DORADOS TRUCKING	REPOWER	\$20,000
78	785-26122-GNA	ALCALA BROTHERS TRUCKIN	REPLACEMENT	\$40,000
82	539-89296-GNA	F NAVA TRUCKING	REPLACEMENT	\$40,000
99	833-2065-GNA	MANUEL CRUZ ANGELES	REPLACEMENT	\$40,000
102	518-001-GNA	ALEX CHACON	REPLACEMENT	\$40,000
104	864-8945-GNA	JOSE AVILA	REPLACEMENT	\$40,000
114	789-2010-GNA	SANTIAGO S TRUCKING	REPLACEMENT	\$40,000
146	348-279-GNA	LEE H TRANSPORT	REPLACEMENT	\$40,000
180	774-2186-GNA	WILFREDO EDUARDO RODAS	REPLACEMENT	\$40,000
184	741-545-GNA	OSVALDO BARCENAS	REPLACEMENT	\$40,000
187	462-813-GNA	JUAN CAUDILLO	REPLACEMENT	\$40,000
208	874-1026-GNA	EDGAR ESQUIVEL	REPLACEMENT	\$40,000
211	369-130-GNA	JOSE AGUILAR	REPLACEMENT	\$50,000
231	699-007-GNA	ARAIK TRUCKING	REPLACEMENT	\$40,000
237	772-20-5241982-GNA	DONALDO'S TRANSPORT	REPLACEMENT	\$40,000
265	507-9003-GNA	FRANK E BLISSENBACH	REPLACEMENT	\$40,000
284	800-1697-GNA	ROGER JOSE MORALES PINEDA	REPLACEMENT	\$40,000
307	537-001-GNA	JUAN CARCAMO	REPLACEMENT	\$40,000
314	516-7521-GNA	MARTZ TRUCKING	REPLACEMENT	\$40,000
321	798-1456-GNA	MARCO ANTONIO PENALOZA	REPLACEMENT	\$40,000
335	776-2108-GNA	ROBERTO SOUZA	REPLACEMENT	\$40,000
355	678-731-GNA	MARIO ERNESTO CRUZ	REPLACEMENT	\$40,000
359	371-7221-GNA	VICENTE MARTINEZ HERNANDEZ	REPLACEMENT	\$40,000
361	640-290-GNA	FRANCISCO ANGULO AGUILAR	REPLACEMENT	\$40,000
391	748-001-GNA	FELIX TRUCKING	REPLACEMENT	\$50,000
408	982-001-AN	DE LEON TRUCKING	REPLACEMENT	\$40,000
471	361-001-GNA	JOSE J. PADILLA	REPLACEMENT	\$40,000
485	694-001-GNA	LUIS ADOLFO BARRIOS	REPLACEMENT	\$40,000
500	752-31453-GNA	DAN CAVALLO, INC.	REPLACEMENT	\$50,000
512	669-1137-GNA	SALVADOR GALVEZ BRAVO	REPLACEMENT	\$40,000
545	913-017-GNA	E.G. TRUCKING	REPLACEMENT	\$40,000
563	735-001-GNA	DENNIS D MEJIA	REPLACEMENT	\$40,000



<b>RANK</b>	<b>PROJECT ID</b>	<b>APPLICANT NAME</b>	<b>PROJECT</b>	<b>PROP 1B AWARD</b>
579	459-2346-GNA	MOISES CABRERA	REPLACEMENT	\$40,000
597	368-7432-GNA	RIVAS TRUCKING	REPLACEMENT	\$40,000
602	312-010-GNA	CM RAMIREZ TRANSPORT	REPLACEMENT	\$40,000
639	506-5114-GNA	RAFAEL TELLES	REPLACEMENT	\$40,000
660	460-8920-GNA	LUIS F BONILLA	REPLACEMENT	\$40,000
1308	336-001-GNA	SEAN BRODIE TRUCKING	REPLACEMENT	\$50,000
1309	644-1-GNA	REGO'S LOWBED	REPLACEMENT	\$50,000

BOARD MEETING DATE: May 2, 2014

AGENDA NO. 7

**PROPOSAL:** Issue RFP to Expand and Upgrade Electric Vehicle Charging Infrastructure at SCAQMD Headquarters 

**SYNOPSIS:** Electric vehicle charging infrastructure at SCAQMD headquarters is not sized to meet the current high demand of plug-in electric vehicles (PEVs) and their charging needs. To address this challenge and prepare for future growth, existing electric vehicle supply equipment (EVSE) needs to be expanded and upgraded to align with workplace charging needs and provide SCAQMD with greater control of building energy demand. Additional features of EVSE will allow for cost recovery, integration with the building energy management system, and demand response capabilities. This action is to issue an RFP to expand and upgrade electric vehicle charging infrastructure at SCAQMD headquarters.

**COMMITTEE:** Technology, April 18, 2014; Recommended for Approval

**RECOMMENDED ACTION:**

Issue RFP #P2014-24 to Expand and Upgrade Electric Vehicle Charging Infrastructure at SCAQMD headquarters.

Barry R. Wallerstein, D.Env.  
Executive Officer

MMM:AK:PSK

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**Background**

Currently, the EVSE (which refers to chargers and all associated infrastructure) at SCAQMD headquarters includes 31 Level 2 chargers and one DC fast charger. The majority of the charging infrastructure was installed in 2011 and 2012 under two grants administered by the U.S. Department of Energy (DOE) and a grant administered by the California Energy Commission (CEC). Initially, the charging infrastructure was more than adequate to supply PEV charging requirements of SCAQMD's staff and its vehicle fleet, the public and SCAQMD Board members. Since the initial installation of EVSE at SCAQMD headquarters, national sales of PEVs have increased 600 percent. At SCAQMD headquarters, it is estimated that 70 PEVs are typically present during business hours. The large number of PEVs

requires drivers to closely monitor their vehicles' state of charge and rotate vehicles between charging spaces and regular parking spaces. Unfortunately, even with vehicle rotations, many PEV drivers have difficulty gaining access to charging during working hours.

EVSE in SCAQMD's main parking lot is shared primarily between employees and visitors. This often results in visitors not being able to charge since employees arrive earlier in the day. Installation of additional EVSE and designation of a charging area for visitors will help alleviate this problem. Due to the difference in the dwell time spent at SCAQMD between visitors and employees, charging requirements for these two types of users are quite different. Adding a combination of Level 1 and Level 2 EVSE for employee use and Level 2 EVSE along with a reserved charging area for visitors should resolve this problem.

**Proposal**

Staff proposes to issue RFP #P2014-24 to solicit proposals to expand and upgrade SCAQMD electric vehicle charging infrastructure from qualified, independent, third party vendors. Successful bidding entities should have proven expertise in developing and/or installing EVSE. The RFP will allow for bidding entities to submit proposals on all or part of the RFP tasks.

The RFP identifies four areas in SCAQMD's main parking lot for the expansion and upgrade of EVSE and seeks to install up to 80 Level 1 EVSE, replace up to 20 existing Level 2 EVSE, and install up to 22 additional Level 2 EVSE. The RFP also seeks the new EVSE to include additional capabilities, such as access control, cost recovery and energy management capabilities. SCAQMD staff, with assistance from the Electric Power Research Institute (EPRI), will review and identify power requirements and infrastructure upgrades needed to support EVSE and review any necessary infrastructure upgrades with proposers at the mandatory bidders conference/site walk.

The proposed schedule of events for the RFP is as follows:

<b>Date</b>	<b>Event</b>
May 2, 2014	RFP released
May 16, 2014	Mandatory Bidders Conference/Site Walk at 10am
June 6, 2014	Proposals Due at 5:00pm
July 25, 2014	Technology Committee
September 5, 2014	Governing Board Approval

**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 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.

### **Bid Evaluation**

Proposals will be reviewed and evaluated by a diverse, technically qualified panel in accordance with criteria contained in the attached RFP.

### **Benefits to SCAQMD**

This project will provide additional workplace charging to encourage deployment of electric vehicles, showcase EVSE technologies and create a viable workplace charging network that will be accessible, convenient and affordable for PEV drivers working at or visiting SCAQMD headquarters. In addition, using this project as a learning experience, SCAQMD and EPRI will collaborate to compile best practices for EVSE siting, installation, utilization, cost recovery and energy management to encourage more workplace charging to support the California PEV market. This project is included in the *Technology Advancement Office Clean Fuels Program 2014 Plan Update* under "Electric/Hybrid Technologies and Infrastructure."

### **Resource Impacts**

The total cost to expand and upgrade EVSE at SCAQMD headquarters cannot be determined at this time due to the range of technologies that may be proposed by bidding entities, but the most cost effective and promising technologies that best fit the charging needs at SCAQMD headquarters will be selected and presented to the Board for consideration.

Sufficient funds are available from the Clean Fuels Fund (31), 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.

### **Attachment**

RFP #P2014-24 - Expand and Upgrade Electric Vehicle Charging Infrastructure at SCAQMD Headquarters



**South Coast  
Air Quality Management District**

**REQUEST FOR PROPOSALS**

**EXPAND AND UPGRADE ELECTRIC VEHICLE CHARGING INFRASTRUCTURE  
AT SCAQMD HEADQUARTERS**

#P2014-24

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 "Consultant" are used interchangeably.

**PURPOSE**

The purpose of this Request for Proposals (RFP) is to obtain bids from potential contractors who can supply, maintain and/or install electrical vehicle supply equipment (EVSE) for plug-in electric vehicles (PEVs) at SCAQMD headquarters in Diamond Bar, California. Contractors will need to provide and/or install EVSE to expand and upgrade EVSE for employee, fleet, and public charging needs at this location.

**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	Draft Contract

Attachment A - Certifications and Representations

Attachment B – SCAQMD EV Charging Site Plan

**SECTION I: BACKGROUND/INFORMATION**

The South Coast Air Quality Management District (SCAQMD) is a regional governmental agency responsible for meeting air quality health standards in Orange County and the urban portions of Los Angeles, Riverside and San Bernardino counties. The SCAQMD is requesting bids for a qualified supplier and/or installer of EVSE. The purpose of this RFP is to upgrade and expand EVSE at SCAQMD headquarters. This RFP includes the purchase, installation, replacement, and maintenance of Level 1, outlets for cordsets, and/or Level 2 EVSE in multiple parking areas. Parking areas under this RFP are being designed to accommodate different EVSE users based upon their dwell time at SCAQMD. For example, one of the parking areas under this RFP will establish guest EVSE parking with Level 2 chargers whereas the employee designated EVSE area can utilize Level 1 and/or Level 2 charging.

Other desirable characteristics if available is the ability to manage power loads to the EVSE in order to help with demand charges and other energy management needs of the SCAQMD building. Technology and charging characteristics of the planned EVSE upgrade and expansion are further described in Section V and are related to specific parking areas at SCAQMD headquarters. EVSE equipment suppliers should include the cost and terms for a five year maintenance period.

**SECTION II: CONTACTS:**

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

Administrative:

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

Technical:

Patricia Kwon, Air Quality Specialist  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, CA 91765  
909-396-3065  
[pkwon@aqmd.gov](mailto:pkwon@aqmd.gov)

Aaron Katzenstein, Ph.D., Program Supervisor  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, CA 91765  
909-396-2219  
[ak Katzenstein@aqmd.gov](mailto:ak Katzenstein@aqmd.gov)

**SECTION III: SCHEDULE OF EVENTS**

May 2, 2014  
May 16, 2014

June 6, 2014  
September 5, 2014

RFP Released  
**Mandatory Bidder’s Conference/  
Site Walk\***  
Proposals Due – **No Later Than 5:00 pm**  
Governing Board Approval

**\*Participation in the Bidder’s Conference is mandatory.** The Bidder’s Conference will be held in Room CC6 at the SCAQMD Headquarters in Diamond Bar, California at 10:00 am on

Friday, May 16, 2014. For further questions on attending the Bidder's Conference/Site Walk, please contact Anita Shabandari at (909) 396-3107 or [ashabandari@aqmd.gov](mailto:ashabandari@aqmd.gov).

#### **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 geographical boundaries of the SCAQMD at the time of bid or proposal submittal and performs 90% of the work related to the contract within the geographical boundaries of the SCAQMD 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 Part 33, the SCAQMD shall establish a fair share goal annually for expenditures with federal funds covered by its procurement policy.

## **SECTION V: STATEMENT OF WORK/SCHEDULE OF DELIVERABLES**

Proposals for this project should address concisely the information requested in the following scope of work in the format specified in Section VII Proposal Submittal Requirements. Applicants are encouraged to pay close attention to Section IX Proposal Evaluation/Contractor Selection Criteria to assess how their bids will be evaluated. Proposers can bid on all, individual parts, and/or subsections within each part; each bid will be evaluated separately and multiple awards may be made under this RFP. Information provided should be specific enough for evaluation and scoring purposes, and for inclusion into a binding contract. Proposals should expand, and provide more complete details based on the requirements and available options in the statement of work outlined below. Please refer to Attachment B for the SCAQMD's building parking lot map for the areas where new EVSE will be expanded and upgraded.

Currently, there are 31 Level 2 EVSE installed at several allocated spaces at the SCAQMD's parking lot for employees, fleet vehicles, visitors and SCAQMD Board members. In recent years the number of the PEVs has dramatically increased and the current number of EVSE is not adequate to meet PEV charging needs at the facility. In addition to meeting general performance requirements specified in this section, EVSE at each location will need to meet specific performance requirements, and if possible, address desirable and optional performance requirements.

**Proposers have the option to bid on Parts A and/or B, and/or individual subsections within each Part. Responses need to specify costs for each Part and/or subsection being responded to, along with details on meeting desirable performance requirements. The amount of chargers procured in each parking area may vary depending upon installation and/or power requirements.**

### **PART A: Provision of Charging Stations**

Proposer should purchase and provide EVSE for the following locations at SCAQMD headquarters. Please refer to Attachment B for a map of specific site locations at SCAQMD headquarters.

- **CC8 Parking Lot**

10 pedestal-mounted Level 2 EVSE to be installed in the parking spaces across the access road. These chargers are required to have access control that can consist of using employee id badges and/or keypads.

Charger Type/Quantity:	10 Level 2 (30 amp max)
Cord management system:	Desirable
Mounting Type:	Pedestal (single or dual)
Access Control:	Required (keypad and/or employee badge)
Energy Management Capabilities:	None

- **Front Lobby Parking Area (Guest Charging)**

13 Level 2 EVSE to be installed to replace 7 existing EVSE and to add 6 additional EVSE. Two of the existing Level 2 chargers will be relocated in the lower level parking deck for fleet charging. Four new pedestal mounted EVSE will be installed to provide EVSE access at the nearby handicap parking spaces. Additionally, EVSE should have the capability to limit the duration of charging. The Level 2 charging in this area will have options for cost recovery so that employees and/or guests can be charged for their use of Level 2 charging if needed. SCAQMD shall have the ability to turn payment systems on or off. Payment can occur through a pin code system, employee badge, parking app, or other payment options. Payment options can be combined with access control options. Other desirable characteristics include demand management capabilities that allow for charging to be ramped down or turned off to avoid demand charges and energy management characteristics that can react to power requirements of other chargers and the building's energy management system.

Charger Type/Quantity:	Up to 13 Level 2 (30 amp max)
Cord management system:	Desirable
Mounting Type:	Pedestal (single and dual)
Access Control and Payment System:	Required (keypad, employee badge, credit card, and/or smartphone)
Energy Management Capabilities:	Desirable (demand response capability, ability to work with building's energy management system, communication between chargers)
Ability to Limit Charging Duration:	Yes

- **Upper Parking Deck/Solar Carport**

19 pedestal mounted Level 2 EVSE to be installed to replace 13 existing EVSE and to add 6 additional EVSE under solar carport. One of the existing Level 2 chargers will be relocated to the lower level parking deck for fleet charging. The 6 additional EVSE will be upgrades from charging spaces with paddle chargers and wall outlets. The Level 2 charging in this area will have options for cost recovery so that employees and/or guests can be charged for their use of Level 2 charging if needed. SCAQMD shall have the ability to turn payment systems on or off. Payment can occur through a pin code system, employee badge, parking app, or other payment options. Payment options can be combined with access control options. Other desirable characteristics include demand management capabilities that allow for charging to be ramped down or turned off to avoid demand charges and energy management characteristics that can react to power requirements of other chargers and the building's energy management system.

Charger Type/Quantity:	Up to 19 Level 2 (30 amp max)
Cord management system:	Desirable
Mounting Type:	Single Mount Pedestal
Access Control and Payment System:	Required (desirable access through keypad, employee badge, credit card, and/or smartphone)
Energy Management Capabilities:	Desirable (demand response capability, ability to work with buildings energy management system, communication between chargers)
Ability to Limit Charging Duration:	Yes

• **Upper Parking Deck (Employee Charging)**

In the outer perimeter and inner rows of the upper level carport (starting with the outer perimeter parking spaces first), up to 80 wall or pedestal mounted EVSE will need to be purchased to provide additional employee charging during work hours and public charging on night/weekends. In this parking section, outlets may also be proposed for vehicle cordsets to be used. Proposers may choose to bid to provide Level 1 outlets and/or Level 2 chargers for this area. However, if Level 2 charging stations are proposed in this area, the chargers need to have the capability to ramp down power or turn off during utility peak demand periods and demand response events.

Charger Type/Quantity:	Up to 80 Level 1 outlets for cordsets, or Level 2 chargers (Level 2 can be proposed but need to have power management control)
Cord management system:	Desirable
Mounting Type:	Pedestal and/or wall mount
Access Control:	No
Energy Management Capabilities:	Required if Level 2 is proposed

**Required Performance Requirements:**

1. EVSE should be UL listed and/or equivalent rating;
2. EVSE must utilize SAE J1772 connectors (except if outlets are being proposed);
3. All EVSE must have cord sets that are at least 18 feet long, preferably 25 feet long to accommodate charging ports in the front, side, or back of the vehicle;
4. Installation of the EVSE will comply with universal charging access guidelines in *PEVs: Universal Charging Access Guidelines and Best Practices* published by the State of California Governor’s Office of Planning and Research (OPR) and the Division of the State Architect [http://opr.ca.gov/docs/PEV\\_Access\\_Guidelines.pdf](http://opr.ca.gov/docs/PEV_Access_Guidelines.pdf);
5. Installation of EVSE will comply with *ZEV Community Readiness Guidebook* published by OPR pertaining to best practices for installation of EVSE [http://opr.ca.gov/docs/ZEV\\_Guidebook.pdf](http://opr.ca.gov/docs/ZEV_Guidebook.pdf);
6. EVSE vendors need to separate their hardware pricing from any installation costs;
7. Any recurring costs such as network fees must be clearly identified;
8. Access Control Options must provide at a minimum:
  - Ability for SCAQMD to restrict access to EVSE, and
  - Easy to use interface that can be utilized by employees and guests with minimal instruction or assistance from SCAQMD staff;

9. EVSE vendors should describe complete attributes of access control, payment, and energy management options, including all costs associated with these options;
10. Payment Options must provide at a minimum:
  - Ability for SCAQMD to control if usage fees or per session fees are collected, and
  - Ability for SCAQMD to set rates.

**Desirable Performance Requirements:**

1. EVSE is Open Charge Point Protocol (OCPP) compliant, allowing other network providers to take over operation of the EVSE if required;
2. EVSE network can be controlled and operated by SCAQMD;
3. Options to set rates should include:
  - Ability for SCAQMD to set rates either per session, per month or by electricity usage, and/or
  - Ability for SCAQMD to set rates based on time of day or real time electricity pricing;
4. Energy management options:
  - Ability to adjust power to chargers or turn off or ramp down chargers when needed for demand response,
  - Ability to monitor energy usage of the EVSE,
  - Ability for chargers to adjust energy to vehicles based on overall power usage of EVSE,
  - Ability to integrate with building energy management systems, and
  - Ability to respond to utility provided demand response signals (zigbee, Wifi, etc..).

**PART B: Site Preparation and Installation of Equipment**

- Proposers will be required to obtain the necessary permits to install chargers specified in Part A.
- Proposers will be required to do all site preparation work, including but not limited to trenching, removal of existing vehicle chargers, relocation of several vehicle chargers, installation of conduit and electrical wire, potential upgrade of existing electrical infrastructure including panel additions and transformer replacements, and installation of vehicle chargers. **Further details on electrical infrastructure requirements and site preparation work needed will be provided at the mandatory bidder's conference/site walk.**
- Proposers should ensure that the provisions for safety controls for the entire installed system will meet or exceed industry standards and will be compliant with all applicable building and electrical codes.
- Proposers are also required to understand and follow installation and accessibility specifications within the American Disabilities Act.
- For installers submitting bids only on Part B, include bids on installation of both Level 1 and Level 2 EVSE.

**SECTION VI: REQUIRED QUALIFICATIONS**

Hardware providers should have the ability to provide EVSE volume discounts and timely delivery of hardware to meet the required deadlines of the project. Hardware providers can only provide pricing for EVSE which meets all of the required and desirable specifications and

must be able to cooperatively work with the EVSE manufacturers for any necessary warranty, replacement, and/or repair issues that arise during installation.

Installers should have past experience in installing EVSE and have the ability to cooperatively work with EVSE manufacturers and hardware providers for any necessary warranty, replacement, and/or repair issues that arise after installation for up to five years post installation.

### **PERFORMANCE BOND**

The selected contractor shall post a performance bond in the final, negotiated contract amount from a surety authorized to issue such bonds within the State. 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. This requirement shall be included in any resultant contract.

### **PREVAILING WAGES**

CONTRACTOR shall comply with state prevailing wage law, Chapter 1 of Part 7 of Division 2 of the Labor Code, commencing with Section 1720; and Title 8, California Code of Regulations, Chapter 8, Subchapter 3, commencing with Section 16000, for all construction, alteration, demolition, installation, repair or maintenance work over \$1,000 performed under the Contract. CONTRACTOR's obligations under prevailing wage laws include without limitation: pay at least the applicable prevailing wage for public works activities performed on the Contract; comply with overtime and working hour requirements; comply with apprenticeship obligations; comply with payroll recordkeeping requirements; and comply with other obligations as required by law. CONTRACTOR shall submit to the SCAQMD a certificate signed by CONTRACTOR and its subcontractors performing any of the work described in resultant contract, stating that prevailing wages were paid as required by law. 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.

### **WARRANTY**

1. Specifications: EVSE hardware providers shall include a written warranty that, for a period of at least five years following installation of EVSE, the hardware providers must work with the installer to meet the requirements listed above and will comply with the performance specifications listed hereinafter. If there is a failure of the EVSE during the warranty period, the hardware provider shall agree to replace such components or parts within 72 hours of notification of the installer. During the first two years following installation, the installer shall agree to make no charge for this service.
2. Field Service: In the event of an EVSE malfunction that cannot be resolved by routine servicing procedures, the installer shall agree to place EVSE into proper operating condition within seven days after the arrival of service personnel or to provide an



operational, equivalent EVSE within the same seven-day period for use as a substitute until the original EVSE has been repaired. During the first two years following installation, the installer shall agree to make no charge for this service.

## **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 will 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 firm's 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 the .

Program Schedule (Section B) - Provide projected milestones or benchmarks for installation and completion.

Project Organization (Section C) - Describe the proposed management structure, program monitoring procedures, and organization of the proposed team.

Qualifications (Section D) - Describe the technical capabilities of the firm. 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.

**Proposers who bid on Part B of Section V should provide costs for an operation and maintenance contract for maintaining EVSE.**

**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 four (4) 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 #P2014-24." **All proposals are due no later than 5:00 p.m., June 6, 2014, 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.**

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.

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. Proposals will be evaluated by a panel of three to five SCAQMD staff members familiar with the subject matter of the project. The panel shall be appointed by the Executive Officer or his designee. In addition, the evaluation panel may include such outside public sector or academic community expertise as deemed desirable by the Executive Officer. 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.
- B. 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.

1. Proposal Evaluation Criteria

<u>Special Projects Requiring Unique Knowledge or Abilities</u>	<u>Points</u>
Hardware & Technical Specifications/Installation Approach	30
Contractor Qualifications	20
Previous Experience on Similar Projects	20
Cost	<u>30</u>
TOTAL:	100

Additional Points

Small Business or Small Business Joint Venture	10
DVBE or DVBE Joint Venture	10
Use of DVBE or Small Business Subcontractors	7
Low-Emission Vehicle Business	5
Local Business (Non-Federally Funded Projects Only)	5
Off-Peak Hours Delivery Business	2

**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.**

**Self-Certification for Additional Points**

**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.**

2. 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.

3. For procurement of Research and Development (R&D) projects requiring technical or scientific expertise or special projects requiring unique knowledge and abilities (as is the case with this RFP), technical factors including past experience shall be weighed at 70 points and cost shall be weighted at 30 points. A proposal must receive at least 56 out of 70 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.
  4. 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 30 points, this proposal would receive the full 30 points. If the next lowest cost proposal is \$1,100 it would receive 27 points reflecting the fact that it is 10% higher than the lowest cost (90% of 30 points = 27 points).
- C. 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. Additional information provided during the bid review process is limited to clarification by the Proposer of information presented in his/her proposal, upon request by SCAQMD.
  - D. 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.
  - E. 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.
  - F. 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.

- G. 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.
- H. 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.
- I. Disposition of Proposals – Pursuant to the District's Procurement Policy and Procedure, SCAQMD reserves the right to reject any or all proposals. All proposals become the property of SCAQMD, and are subject to the California Public Records Act. 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.

**SECTION X: DRAFT CONTRACT (Provided as a sample only)**



**South Coast  
Air Quality Management District**

This Contract consists of \*\*\* pages.

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 within the geographical boundaries of the South Coast Air Quality Management District 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.
3. PERFORMANCE REQUIREMENTS
  - A. CONTRACTOR agrees to obtain and maintain the required licenses, permits, and all other appropriate legal authorizations from all applicable federal, state and local jurisdictions and pay all applicable fees. CONTRACTOR further agrees to immediately notify SCAQMD in writing of any change in its licensing status which has a material impact on the CONTRACTOR's performance under this Contract.
  - 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.
  - 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.

G. CONTRACTOR shall require its subcontractors to abide by the requirements set forth in this Contract.

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 Contract, 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 Contract 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 Contract 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 Contract with the exception of a record copy of such materials, which may be retained by CONTRACTOR.

6. STOP WORK – SCAQMD may, at any time, by written notice to CONTRACTOR, require CONTRACTOR to stop all or any part of the work tasks in this Contract. A stop work order may be issued for reasons including, but not limited to, the project exceeding the budget, out of scope work, delay in project schedule, or misrepresentations. Upon receipt of the stop work order, CONTRACTOR shall immediately take all necessary steps to comply with the order. CONTRACTOR shall resume the work only upon receipt of written instructions from SCAQMD cancelling the stop work order. CONTRACTOR agrees and understands that CONTRACTOR will not be paid for performing work while the stop work order is in effect, unless SCAQMD agrees to do so in its written cancellation of the stop work order.

7. 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 – USE FOR LAW FIRMS AND SOFTWARE RELATED CONTRACTS]
- 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.

8. **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, claims, demands, causes of action judgments, attorney's fees, or any other expenses arising from or related to any third party claim against SCAQMD, its officers, employees, agents, representatives, or successors in interest that arise or result in whole or in part, from any actual or alleged act or omission of CONTRACTOR, its employees, subcontractors, agents or representatives in the performance of this Contract.

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

- A. CONTRACTOR shall obtain co-funding as follows: \*\*\*, \*\*\* Dollars (\$\*\*\*); \*\*\*, \*\*\* 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.

10. **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's 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's sole judgment.

11. 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.
  
12. 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: \*\*\*

13. INDEPENDENT CONTRACTOR – CONTRACTOR is an independent contractor. 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. SCAQMD will not supervise, direct, or have control over, or be responsible for, CONTRACTOR's or subcontractor's means, methods, techniques, work sequences or procedures or for the safety precautions and programs incident thereto, or for any failure by them to comply with any local, state, or federal laws, or rules or regulations, including state minimum wage laws and OSHA requirements. CONTRACTOR shall promptly notify SCAQMD of any material changes to subcontracts that affect the Contract's scope of work, deliverable schedule, and/or payment/cost schedule.
  
14. 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).

15. 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.

16. 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.

17. 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.

18. 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.
19. 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.
20. 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.
21. 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.
22. 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.
23. 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.
24. 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.
25. DUPLICATE EXECUTION - This Contract is executed in duplicate. Each signed copy shall have the force and effect of an original.
26. 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.
27. PRE-CONTRACT COSTS - Any costs incurred by CONTRACTOR prior to CONTRACTOR receipt of a fully executed Contract shall be incurred solely at the risk of the CONTRACTOR. In the event that a formal Contract is not executed, the SCAQMD shall not be liable for any amounts expended in anticipation of a formal Contract. If a formal Contract does result, pre-contract cost expenditures authorized by the Contract will be reimbursed in accordance with the cost schedule and payment provision of the Contract.
28. 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. Notwithstanding the above, CONTRACTOR, in the performance of this Contract, shall not discriminate against any person in violation of 8 USC Section 1324b.

- B. 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.

29. **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 Counsels' office. **[REMOVE IF NOT REQUESTED ON CRAM]**

In addition, the Act requires a contractor to disqualify himself or herself from participating in, making or influencing a decision, which would have a foreseeable material effect on his or her financial interests.

30. **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.

31. **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. **[REMOVE IF NOT REQUESTED ON CRAM]**
32. **PROPOSAL INCORPORATION** – CONTRACTOR’s proposal dated \*\*\* submitted in response to Request for Proposal (RFP) #\*\*\*, is expressly incorporated herein by this reference and made a part hereof of this Contract. **[REMOVE IF NOT REQUESTED ON CRAM]**
33. **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. **[REMOVE IF NOT REQUESTED ON CRAM]**
34. **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.
35. **SUBCONTRACTOR APPROVAL** – If CONTRACTOR intends to subcontract all or a portion of the work under this Contract, then CONTRACTOR must first obtain written approval from SCAQMD’s Executive Officer or designee prior to subcontracting any work. Any material changes to the subcontract(s) that affect the scope of work, deliverable schedule, and/or payment/cost schedule shall also require the prior written approval of the Executive Officer or designee. No subcontract charges will be reimbursed unless the required approvals have been obtained from SCAQMD.
36. **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

\*\*\*

\_\_\_\_\_  
Barry R. Wallerstein, D.Env., Executive Officer  
Dr. William A. Burke, Chairman, Governing Board

\_\_\_\_\_  
Name:  
Title:

Date: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:  
Saundra McDaniel, Clerk of the Board

By: \_\_\_\_\_

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

By: \_\_\_\_\_

//Standard Boilerplate  
Revised: April 3, 2013



# **ATTACHMENT A**

## **CERTIFICATIONS AND REPRESENTATIONS**



# South Coast Air Quality Management District

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

\_\_\_\_\_  
NAME

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
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 (required):	
	<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"/> 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.

<b>Social security number</b>		
	-	
	-	

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

<b>Employer identification number</b>		
	-	
	-	

### Part II Certification

- Under penalties of perjury, I certify that:
- 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
  - 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
  - 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.

<b>Sign Here</b>	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:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- 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 <sup>1</sup>	Generally, exempt payees 1 through 7 <sup>2</sup>

<sup>1</sup> See Form 1099-MISC, Miscellaneous Income, and its instructions.  
<sup>2</sup> 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](http://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](http://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](http://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.

### 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 <sup>1</sup>
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor <sup>2</sup>
4. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee <sup>1</sup>
b. So-called trust account that is not a legal or valid trust under state law	The actual owner <sup>1</sup>
5. Sole proprietorship or disregarded entity owned by an individual	The owner <sup>3</sup>
6. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulation section 1.671-4(b)(2)(i)(A))	The grantor <sup>*</sup>
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 <sup>4</sup>
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

<sup>1</sup> 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.

<sup>2</sup> Circle the minor's name and furnish the minor's SSN.

<sup>3</sup> 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.

<sup>4</sup> 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.

**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](mailto: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](mailto:spam@uce.gov) or contact them at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or 1-877-IDTHEFT (1-877-438-4338).

Visit [IRS.gov](http://IRS.gov) to learn more about identity theft and how to reduce your risk.

### 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](http://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](http://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](http://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](http://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](http://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](http://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



## 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](http://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):** \_\_\_\_\_

- DBA, Name _____, County Filed in _____ Corporation, ID No. _____ 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.**

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 (SCAQMD) 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 SCAQMD 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 SCAQMD for distribution. This will delay my payment.
- This authorization remains in effect until SCAQMD receives written notification of changes or cancellation from you.
- I hereby release and hold harmless SCAQMD 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**

<b>Staple Voided Check Here</b>	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 SCAQMD Use Only

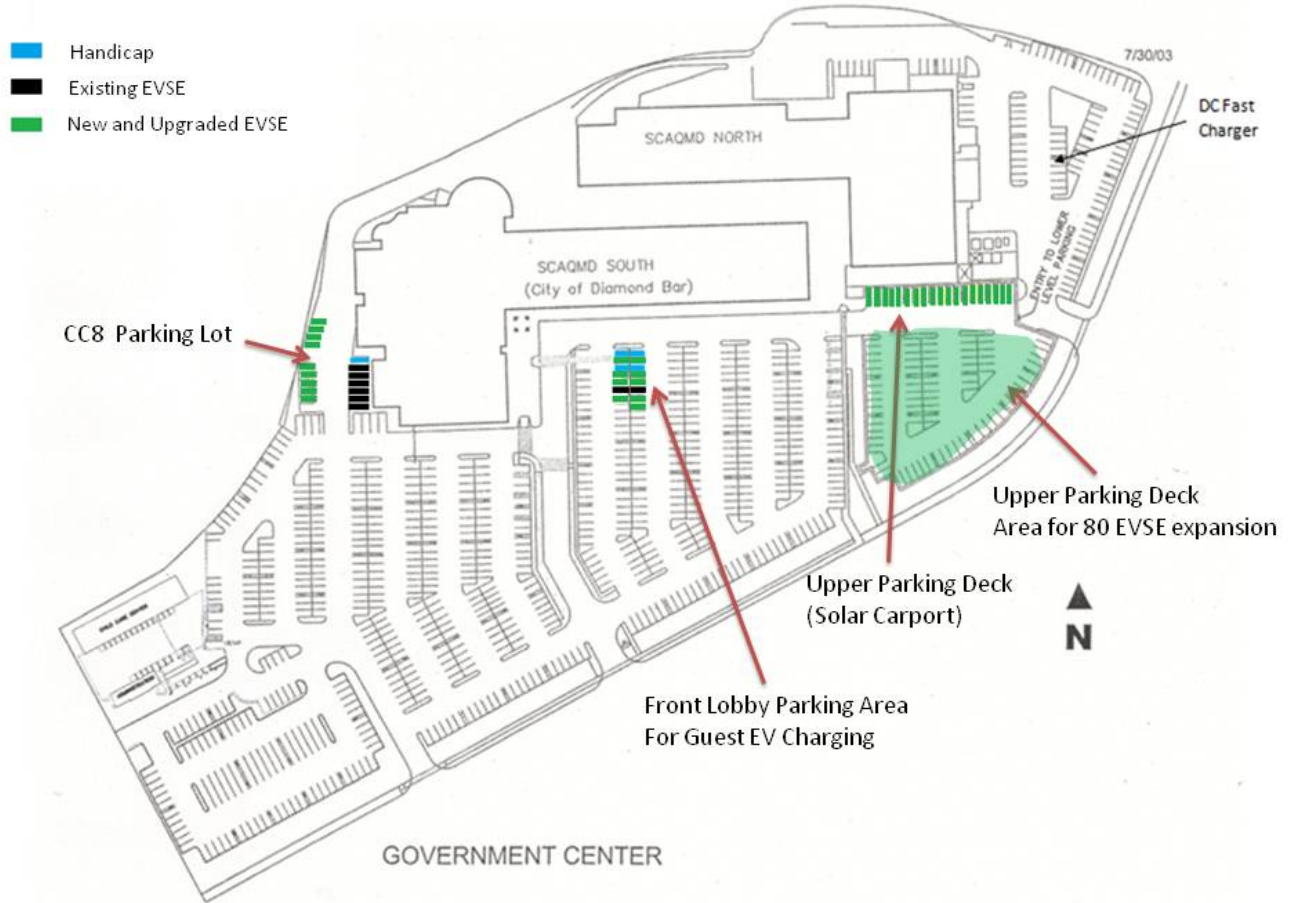
Input By \_\_\_\_\_

Date \_\_\_\_\_



# ATTACHMENT B

## SCAQMD EV CHARGING SITE PLAN



BOARD MEETING DATE: May 2, 2014

AGENDA NO. 8

**PROPOSAL:** Recognize Revenue and Appropriate Funds for PM2.5 Monitoring Program and Issue Purchase Orders for Air Monitoring and Analysis Equipment

**SYNOPSIS:** U.S. EPA has allocated Section 103 Grant funds in the amount of \$780,455 for the PM2.5 Program. This action is to recognize revenue and appropriate funds for the PM2.5 Monitoring Program and issue purchase orders for air monitoring and analysis equipment.

**COMMITTEE:** Administrative, April 11, 2014; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Recognize upon receipt \$319,455 awarded by U.S. EPA for the PM 2.5 Monitoring Program and appropriate in the FY 2013-14 Budget as shown in Attachment 1.
2. Authorize the Procurement Manager to:
  - a. Issue a purchase order with Thermo Scientific in an amount not to exceed \$50,000 for the purchase of three FRM PM2.5 Partisol single-filter samplers as budgeted in the proposed FY 2013-14 PM2.5 Program Expenditures;
  - b. Issue a purchase order with URG Corporation in an amount not to exceed \$28,000 for the purchase of two PM2.5 speciation samplers as budgeted in the proposed FY 2013-14 PM2.5 Program Expenditures; and
  - c. Issue a purchase order with Metrohm in an amount not to exceed \$36,000 for the purchase of an ion chromatograph analyzer upgrade as budgeted in the proposed FY 2013-14 PM2.5 Program Expenditures.

Barry R. Wallerstein, D.Env.  
Executive Officer

LT:JCL:cv

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**Background**

PM2.5 Program

Since 1998, U.S. EPA has provided funds under a Section 103 Grant for a comprehensive PM2.5 Air Monitoring Program. To date, there are 20 ambient SCAQMD monitoring stations operating 23 Federal Reference Method (FRM) PM2.5

monitors under U.S. EPA funding. In addition, U.S. EPA has supported the expansion of the network to collect continuous PM<sub>2.5</sub> mass and chemical speciation at several sites within the South Coast Air Basin. This augmentation substantially adds to the fine particulate data which will help in the characterization of PM<sub>2.5</sub> sources, current air quality conditions, and health impacts.

## **Proposal**

### PM<sub>2.5</sub> Program

U.S. EPA is expected to provide funding in the amount of \$780,455 in Section 103 Grant funds for the continuation of the PM<sub>2.5</sub> Program through March 31, 2015. This action is to recognize revenue and appropriate \$319,455 in the FY 2013-14 Budget. The award includes a one-time funding of \$78,000 for the purchase of three FRM PM<sub>2.5</sub> monitors and two PM<sub>2.5</sub> speciation monitors. In addition, staff is proposing the purchase of an upgrade for an ion chromatograph in an amount not to exceed \$36,000 to enhance existing analytical capabilities. The U.S. EPA concurs with staff's proposed allocation.

### Issue Purchase Order for Three FRM PM<sub>2.5</sub> Monitors

Since 1998, U.S. EPA has provided funds under a Section 103 Grant for a comprehensive PM<sub>2.5</sub> Air Monitoring Program. To date, there are 20 ambient SCAQMD monitoring stations operating 23 FRM PM<sub>2.5</sub> monitors under U.S. EPA funding. Many of the samplers have been in operation since the inception of the PM<sub>2.5</sub> air monitoring program and are in need of replacement. Staff recommends that the Board authorize the Procurement Manager to issue a sole source purchase order with Thermo Scientific for three single-filter PM<sub>2.5</sub> Partisol air samplers at a total cost not to exceed \$50,000 as budgeted in the proposed FY 2013-14 PM<sub>2.5</sub> Program Expenditures.

### Issue Purchase Order for Two PM<sub>2.5</sub> Speciation Monitors

Since 1998, U.S. EPA has provided funds under a Section 103 Grant for a comprehensive PM<sub>2.5</sub> Air Monitoring Program which includes measuring the trends in PM<sub>2.5</sub> concentration levels of selected ions, metals, carbon species, and organic compounds. Many of the samplers have been in operation since the inception of the PM<sub>2.5</sub> Air Monitoring Program and are in need of replacement. Staff recommends that the Board authorize the Procurement Manager to issue a sole source purchase order with URG Corporation for two PM<sub>2.5</sub> speciation monitors at a total cost not to exceed \$28,000 as budgeted in the proposed FY 2013-14 PM<sub>2.5</sub> Program Expenditures.

### Issue Purchase Order for Ion Chromatography Upgrade

Since 1998, U.S. EPA has provided funds under a Section 103 Grant for a comprehensive PM<sub>2.5</sub> Air Monitoring Program which includes measuring the trends in PM<sub>2.5</sub> concentration levels of selected ions, metals, carbon species, and organic compounds. A Metrohm ion chromatograph analyzer is used to analyze the selected

ions and is in need of an upgrade to conform to the current computer operating platform. Staff recommends that the Board authorize the Procurement Manager to issue a sole source purchase order with Metrohm for an ion chromatography upgrade at a total cost not to exceed \$36,000 as budgeted in the proposed FY 2013-14 PM2.5 Program Expenditures.

### **Sole Source Justifications**

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 and 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.

The request for sole source purchase of the PM2.5 FRM single-filter samplers, PM2.5 speciation samplers, and ion chromatography upgrade are made under Section VIII, B.3.a for which the items are available only from a single source.

### **Resource Impacts**

The grant award total is \$780,455 of which \$461,000 has already been included in the budget. Therefore, revenue and an appropriation in the amount of \$391,455 is identified in Recommended Action 1. U.S. EPA Section 103 Grant funding will support the continuation of the PM2.5 Monitoring Program, including equipment, contracts, temporary services, and supplies necessary to meet the objectives of the program.

### **Attachment**

Proposed FY 2013-14 PM2.5 Program Expenditures

**ATTACHMENT 1**  
**Proposed FY 2013-14 PM 2.5 Program Expenditures**

<b>Account Description</b>	<b>Account Number</b>	<b>Program Code</b>	<b>Estimated Expenditures</b>
<b>Services &amp; Supplies</b>			
Rents and Leases Structure	67350	47500	\$ 4,500
Professional and Specialized Services	67450	47500	45,000
Maintenance of Equipment	67600	47500	73,000
Building Maintenance	67650	47500	20,000
Travel	67800	47500	4,000
Laboratory Supplies	68050	47500	33,839
Office Expense	68100	47500	5,400
Small Tools	68300	47500	19,716
<b>Total Services &amp; Supplies</b>			<b>\$ 205,455</b>
<b>Capital Outlay:</b>			
FRM PM2.5 Monitor (Qty 3)	77000	47500	\$ 50,000
PM2.5 Speciation Monitor (Qty 2)	77000	47500	28,000
Ion Chromatography Upgrade (Qty 1)	77000	47500	36,000
<b>Total Capital Outlays</b>			<b>\$ 114,000</b>
<b>FY 2013-14 Appropriations</b>			<b>\$ 319,455</b>
Salaries and Benefits		44500	\$461,000
<b>Total Award</b>			<b>\$ 780,455</b>

[↑ Back to Agenda](#)

BOARD MEETING DATE: May 2, 2014

AGENDA NO. 9

**PROPOSAL:** Appropriate Funding and Authorize Enhancements to SCAQMD's Air Toxics Monitoring Program

**SYNOPSIS:** Air toxics monitoring at SCAQMD continues to be an integral part of ongoing efforts to better characterize air toxics exposure and assess the effectiveness of air toxics reduction programs. While such monitoring efforts are given the highest priority, their effectiveness and staff efficiency can be greatly enhanced by investing in new and updated laboratory and field equipment and data management software that would allow for rapid response and near-real time monitoring, data processing and reporting. This action is to: 1) transfer and appropriate funding to the Science & Technology Advancement FY 2013-14 and/or FY 2014-15 Budget and 2) release RFQs and issue purchase orders for laboratory and field equipment.

**COMMITTEE:** Administrative, April 11, 2014; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Transfer and appropriate funding up to \$1,327,450 from the BP ARCO Settlements Projects Fund (46) to the Science & Technology Advancement FY 2013-14 and/or FY 2014-15 Budget (Org 44) Capital Outlays Major Object and Services and Supplies Major Object; and
2. Authorize the Procurement Manager to:
  - a) Release RFQs in the amount of \$762,450 and issue subsequent purchase orders, in accordance with Procurement Policy and Procedures, for laboratory and field equipment not to exceed the amounts as listed in Table 1; and
  - b) Issue sole source purchase orders in the amount of \$565,000 for laboratory and field equipment not to exceed the amounts as listed in Table 2.

Barry R. Wallerstein, D.Env.  
Executive Officer

## **Background**

Air toxics monitoring at SCAQMD continues to be an integral part of ongoing efforts to better characterize air toxic exposure and assess the progress and effectiveness of toxic air contaminant reduction programs. Currently, staff is completing the MATES IV fixed site monitoring program data evaluation and conducting active monitoring and analysis for toxics at several facilities including TAMCO, Exide, Carlton Forge Works, Allenco, Hixson, Mecca, and Ridgeline. Additionally, samples are collected and analyzed to assess the impact of oil extraction operations, as well as source tests of toxic emissions from facilities such as Quemetco. With the ever improving public awareness of air pollution in general, and air toxics in particular, requests for similar monitoring at other facilities is only expected to grow in the future.

In addition to the local initiatives and efforts to reduce and monitor toxic air contaminants, there are ongoing federal monitoring programs for toxics, such as U.S. EPA's National Air Toxics Trends Sites (NATTS) program and near-road monitoring, which are also being conducted locally by staff. There are currently 188 hazardous air pollutants (HAPs), or air toxics, regulated under the Clean Air Act that are associated with a wide variety of adverse health effects, including cancer and neurological effects. The U.S. EPA Government Performance Results Act specifies a goal of reducing air toxics emissions by 75% from 1993 levels to significantly reduce the health risks. The NATTS Program was developed to fulfill the need for long-term national HAP monitoring data. In 2007, U.S. EPA expanded the NATTS Program and awarded Section 103 grant funds to conduct monitoring for toxic air contaminants at two existing SCAQMD monitoring sites--Central Los Angeles and Rubidoux. The air toxics data compiled through these monitoring efforts serves as a continuum between past and future air toxics measurements programs, such as MATES, and allows for more accurate evaluation of toxic trends on a regional basis.

While these programs are given the highest priority, SCAQMD's response time, in terms of final data reporting, public dissemination of information and data capture rates, can be enhanced with new and updated laboratory instrumentation, monitoring equipment, and vehicles. Further, given current resource constraints, staff efficiency can be enhanced with the employment of new data management software that will allow the automation of certain aspects of data processing.

## **Proposal**

In an effort to further upgrade and continue to modernize SCAQMD's air toxics monitoring capability and improve efficiency, this action is to appropriate up to \$1,327,450 for the purchase of the following laboratory and field equipment, vehicles and software upgrades through a combination of competitive and sole source purchases, as described below and summarized in Tables 1 and 2.

## Proposed Purchases through an RFQ Process

### Inductively Coupled Plasma/Mass Spectrometer (ICP/MS)

ICP/MS systems are analytical laboratory-based instrumentation utilized to generate data for the NATTS and other air toxics monitoring programs. Presently, the laboratory has one functional ICP/MS which is used for all special metals monitoring programs such as Exide, Carlton Forge Works (CFW), TAMCO and the ambient lead monitoring network. Additionally, this instrument is used for analyzing samples collected during source tests at Exide, Quemetco, TAMCO and CFW. Since there is no back-up for this instrument, when it is down for repairs, we lose the ability to analyze metals until it is repaired. An additional ICP/MS would double the current metals analyses capacity and provide uninterrupted analytical capability when one instrument is inoperable. This instrument can be purchased for approximately \$220,000.

### Gas Chromatograph/Mass Spectrometer (GC/MS)

One of the GC/MS instruments that is used to analyze canister samples for ambient toxic VOCs is ten years old, and the current operating system and associated PC is no longer supported by the vendor nor are upgrades available. As a result, this GC/MS PC has been taken off the network, thereby eliminating staff's ability to check the instrument's performance after hours or electronically transfer data for review, validation and report generation. Additionally, this older instrument is not capable of meeting EPA's newly mandated NATTS lower detection limits. A new upgraded GC/MS system costs approximately \$145,000.

### Mobile Monitoring Platform

An ambient near-real time metals monitor is being proposed for purchase (see Table 1). A trailer and/or medium-duty vehicle (mobile monitoring platform) will be needed to house and deploy this new metals monitor. The mobile platform would need to be equipped with a generator, meteorological system, communications capability, and the ability to carry and support a variety of rack mounted instruments. The estimated cost for a vehicle, with instruments (excluding the metals monitor), is approximately \$100,000.

### Data Processing Software

The SCAQMD conducts three particulate monitoring programs; total suspended particulates (TSP) for lead, PM<sub>10</sub> and PM<sub>2.5</sub> for mass and speciation. Combined, these networks generate over 10,000 filters annually. The TSP and PM<sub>10</sub> networks use samplers whose technology has remained fundamentally unchanged for at least three decades. Recent updates have allowed for the electronic capture of sample elapsed time and flow rate data of TSP and PM<sub>10</sub> samples consistent with the PM<sub>2.5</sub> samples; however, paper-based chain-of-custody information must still be manually entered into a database and later manually quality assured. Data processing software is now available that will automatically populate data fields, include sampler location, perform



first level quality assurance checks, and format the data for uploading to other databases including the Laboratory's Information Management System (LIMS). Data processing software has been in use by local, state and federal agencies and is accepted by the U.S. EPA. The data generated by the PM programs ultimately resides in US EPA's Air Quality System (AQS) database.

Employment of such software will greatly enhance data processing accuracy of efficiency by allowing for the elimination of the current paper-chains-of-custody generated at ambient monitoring stations and integrate everything into digital format. It will also facilitate the transfer of data between field and laboratory staff, doing away with the time-consuming transcription of data and manual checking for errors. The cost of the software, which would be installed on laptops currently utilized by field personnel, is approximately \$90,000.

#### High Volume Samplers

Typically, ambient concentrations of metals such as lead, nickel, manganese, cadmium and particulate arsenic have been determined by filter-based sampling followed by laboratory analysis. High volume TSP samplers are the Federal Reference Method (FRM) for lead and are being used by the SCAQMD to determine other metals in ambient air at various sites throughout the Basin such as battery recyclers and metal forging facilities. Six additional samplers are needed to conduct routine metals monitoring at an increasing number of locations. The cost of one High Volume TSP air sampler is \$7,075 so the total cost of six samplers would be approximately \$42,450.

#### Hydrocarbon Analyzer

Hydrocarbon analyzers are currently being used at special monitoring locations near VOC sources. These sources include oil production facilities, materials recovery facilities and landfills. The hydrocarbon analyzers provide continuous measurements of total non-methane hydrocarbons. The instrument's output is a data file providing total hydrocarbon data including toxic air contaminants as a function of time. As with other continuous monitors, when combined with wind speed and direction data, the information generated provides a powerful tool to assess a facility's impact on a nearby community as well as the potential to determine specific processes that may be causing hydrocarbon emissions through use of the time stamp. The analyzer has also been configured to trigger a canister sample which can then be brought to the laboratory for detailed chemical speciation. Further, the analyzer can be mounted in the SCAQMD Community Response Trailer or in one of the SCAQMD air monitoring stations to greatly enhance SCAQMD's ability to rapidly respond to community concerns. The cost of a non-Methane Hydrocarbon Analyzer is approximately \$20,000.

#### Audit Vehicle

In accordance with 40 CFR Part 58 Appendix A regulations, SCAQMD's Quality Assurance (QA) branch conducts performance evaluation audits on all monitors that

report data to U.S. EPA's AQS database. The audits are performed to assure that all data uploaded to AQS is of sufficient quality to meet all Federal programs objectives. Currently, the QA branch conducts all required annual and semi-annual audits for all continuous monitors at 32 air monitoring sites. U.S. EPA's and CARB's preferred method of auditing involves the use of an audit vehicle. The audit vehicle is used to transport the audit instruments to each of the air monitoring sites in shock-absorbing racks that prevent damage to the instruments. The vehicle is also being used to safely transport multiple cylinders of calibration and carrier gases used during an audit. An audit vehicle is preferred in that it increases efficiency and minimizes the potential of contamination in the auditing system by eliminating the need to set-up and disassemble instruments and gas lines.

Currently, there is only one field auditor in the QA branch assigned to perform the required monitor and site audits. The purchase of an audit vehicle would improve efficiency greatly. Finally, the audit vehicle could be used for quick deployment of instrumentations by other SCAQMD groups, when needed. The cost for an audit vehicle is approximately \$70,000.

#### Source Testing Vehicle

Source test trucks are used for transporting SCAQMD source testing personnel and sampling equipment to and from facilities that are being tested for emissions. Currently, the two 1990 model trucks in use require regular repairs and a replacement vehicle is needed. The replacement truck would need to keep the same features of the current vehicles, specifically crew cab (six person seating capacity) with dual rear tires, one ton suspension, and an 11-foot length enclosable and lockable utility bed. The bed must be enclosed and lockable for equipment and sample storage and chain-of-custody purposes. A clean fuel and low-emission vehicle is preferred. The estimated cost of the source testing vehicle is \$75,000.

#### **Proposed Purchases through Sole Sources**

##### Ambient Near-Real Time Metals Monitor

An ambient near-real time metals monitor on a mobile platform will provide SCAQMD with the ability to take measurements of ambient metals concentrations in intervals as short as 15 minutes and deploy the instrument within a matter of hours. Data can be reported to field staff and back to headquarters in near-real time. While the instrument is not capable of chrome VI analysis, it is able to measure a wide range of metals simultaneously. Metals that can be monitored include lead, nickel, manganese, arsenic, and chromium, which have been of most concern in recent projects. In combination with wind data, this near-real time capability will provide a powerful tool to better pinpoint potential sources and estimate exposure to toxic metal emissions. The cost of the ambient metals monitor shall not exceed \$290,000 and is manufactured only by

Cooper Scientific Instruments. This instrument is the same as the monitor being considered on a lease-to-own basis for fixed-site monitoring near Exide and Quemetco.

#### Fast Mobility Particle Sizer

The Fast Mobility Particle Sizer (FMPS) spectrometer measures particles in the range from 5.6 to 560 nm, and produces particle-size-distribution measurements in real time (i.e. one-second time resolution). The FMPS is easy to transport, set up, and operate. Because of its versatility and fast response, the FMPS is ideal for special monitoring applications and for measuring the particle-size distribution near freeways, airports, refineries, and other sources. Other potential applications include: particle formation and growth studies, indoor air-quality measurements, and transient emission studies from stacks, boilers, and wood burners. The FMPS can be operated inside a fixed monitoring station or mounted inside an electric vehicle for mobile measurements. The purchase of an FMPS would greatly enhance the monitoring capabilities of the atmospheric measurement and special monitoring groups. The cost of an FMPS unit shall not exceed \$90,000 and is currently manufactured only by TSI Instruments.

#### Automated Data Loggers

Air monitoring data acquisition and storage is a vital function in assuring that data is completely and accurately recorded and transmitted to SCAQMD's air monitoring data server and website in near-real time. Continuous air monitoring instruments are operating at 37 air monitoring stations throughout the Basin. Most data from these instruments is generated on a minute basis, 24 hours a day. Air monitoring data are subject to multiple layers of quality control to assure data completeness, and thus measures are needed to provide added security from data loss such as data storage backup. For over a decade, data loggers have been the primary means of redundant data storage at each air monitoring site. In the event there is an interruption of the data stream or issues with the centralized data at the primary server, the instrument data at the stations is stored on the data logger and can be retrieved later as needed. The current data loggers are over ten years old and are no longer being supported by the manufacturer. In addition, modern air monitoring instruments use digital output for which the old data loggers do not support. To support the data acquisition and recording of the newer instrumentation, Agilaire 8872 data loggers have already been installed at 11 existing air monitoring stations to succeed the existing data loggers and provide the appropriate digital interface for data storage and video functionality. They are compatible with the AirVision data acquisition system currently in use at SCAQMD. Twenty six additional units are needed to complete the full network upgrade at each station with continuous air monitoring instruments. A purchase order to Agilaire for these 26 additional units shall not exceed \$125,000.

#### Black Carbon Monitor

Aethalometers are used to measure levels of black carbon in air. Black carbon is emitted from all types of combustion, but most notably from diesel exhaust. It has long

been recognized that diesel emissions are carcinogenic. There is, however, no direct measurement technique of diesel emissions available. As such, black carbon, also known as elemental carbon, is the surrogate that is used to estimate diesel emissions. Black carbon is measured either through filter-based analysis or in real time with the use of aethalometers. The SCAQMD owns several aethalometers already and any new units should be compatible technologically such that site-to-site comparisons can be accurately made. At this time one additional unit is needed to be able to characterize local area impacts as part of a broader effort to characterize toxics throughout the basin. A purchase order to Teledyne/API for one additional aethalometer shall not exceed \$25,000.

#### Laboratory Data Entry Software

The Laboratory uses the LIMS for logging in of samples for analysis. LIMS also serves as the primary data storage hub as well as report generator for many of the lab's analysis. Data is often entered into the LIMS manually due to the lack of ability to electronically upload data generated by analytical instrumentation. Within the past few years commercially available software has matured to the point where most laboratory instruments can be reliably interfaced with LIMS. LimsLink<sup>®</sup> is one such software that has reduced errors and costs associated with manual data entry in the laboratory by ensuring that instrument generated results and sample information are accurately and efficiently transferred in real time between instruments, instrument data systems and the LIMS. LimsLink<sup>®</sup> has also automated the many routine manual tasks that chemists carry out on a daily basis, such as ensuring QC standards meet specific criteria and making certain duplicate runs of samples are completed and within specification. Several LimsLink<sup>®</sup> licenses were procured two years ago and have since proven to reduce manual transcription errors, increase throughput and expedite accessing and reporting analytical data. Ten additional licenses are requested and shall not exceed a total cost of \$35,000.

#### **Outreach**

In accordance with SCAQMD's Procurement Policy and Procedure, a public notice advertising the RFQs 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 RFQs 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.

**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. The request for sole source purchases through Cooper Scientific Instruments and TSI Instruments are made under Section VIII.B.2(1) The unique experience and capabilities of the proposed contractor or contractor team. Additionally, Section VIII.B.2.d(6) of the SCAQMD's Procurement Policy and Procedure allows for sole source purchases in which: "Other circumstances exist which in the determination of the Executive Officer require such waiver in the best interests of the SCAQMD. Such circumstances may include but are not limited to: Projects requiring compatibility with existing specialized equipment." The purchase of the additional LimsLink® licenses are proposed under this section because the Laboratory already has LimsLink® licenses in use in the lab and additional licenses will ensure compatibility with the existing licenses. Likewise, the purchase of the Agilaire data loggers and Teledyne/API aethalometer is also proposed under this section since identical items are already in use in SCAQMD's air monitoring network stations and have been integrated well with a history of reliability.

**Benefits to SCAQMD**

The purchase of new laboratory and field equipment and data management software will provide for greater efficiency and accuracy of data collection and reduced costs over time.

**Resource Impacts**

There is adequate funding in the BP ARCO Settlements Projects Fund (46) to cover the proposed purchases, which are listed in Tables 1 and 2 below. The proposed amounts for any items not encumbered in FY 2013-14 may be appropriated in FY 2014-15. Purchase orders and contracts will be executed by the Chairman or Executive Officer in accordance with Procurement Policy and Procedures in amounts not to exceed those listed below

**Table 1  
Proposed Purchases through RFQ Process**

Description	Qty	Total Amount
Inductively Coupled Plasma/Mass Spectrometer (ICP/MS)	1	\$220,000
Gas Chromatograph/Mass Spectrometer (GC/MS)	1	\$145,000
Mobile Monitoring Platform	1	\$100,000

Data Processing Software	1	\$90,000
High Volume Samplers	6	\$42,450
Hydrocarbon Analyzer	1	\$20,000
Audit Vehicle	1	\$70,000
Source Testing Vehicle	1	\$75,000
Total Proposed Purchases through RFQ Process		\$762,450

**Table 2**  
**Proposed Purchases through Sole Sources**

Description	Qty	Total Amount
Ambient Near-Real Time Metals Monitor	1	\$290,000
Fast Mobility Particle Sizer (FMPS)	1	\$90,000
Agilaire 8872 Data Loggers	26	\$125,000
Black Carbon Monitor	1	\$25,000
Laboratory Data Entry Software (LimsLink <sup>®</sup> Licenses)	10	\$35,000
Total Proposed Purchases through Sole Sources		\$565,000



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BOARD MEETING DATE: May 2, 2014

AGENDA NO. 10

PROPOSAL: Approve Contract Awards Approved by MSRC

SYNOPSIS: The MSRC approved a total of twelve new contracts under the Local Government Match Program as part of their FYs 2012-14 AB 2766 Discretionary Fund Work Program. At this time the MSRC seeks Board approval of the contract awards under the FYs 2012-14 Work Program.

COMMITTEE: Mobile Source Air Pollution Reduction Review, April 17, 2014, Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Approve the award of twelve contracts totaling \$1,566,409 (using \$667,022 of the funds previously allocated plus an additional \$899,387 previously unallocated) under the Local Government Match Program, as part of approval of the FYs 2012-14 AB 2766 Discretionary Fund Work Program, as described in this letter and as follows:
  - a. A contract with the County of Los Angeles in an amount not to exceed \$104,400 for the installation of electric vehicle charging stations;
  - b. A contract with the City of La Habra in an amount not to exceed \$60,000 for the purchase of two heavy-duty natural gas vehicles;
  - c. A contract with the City of San Fernando in an amount not to exceed \$500,000 for installation of a new CNG fueling station;
  - d. A contract with the City of Hawthorne in an amount not to exceed \$32,000 for expansion of their existing CNG fueling station;
  - e. A contract with the City of Claremont in an amount not to exceed \$60,000 for the purchase of two heavy-duty natural gas vehicles;
  - f. A contract with the City of Orange in an amount not to exceed \$10,000 for the installation of electric vehicle charging stations;

- g. A contract with the City of South Pasadena in an amount not to exceed \$142,096 for bicycle trail improvements;
  - h. A contract with the City of Duarte in an amount not to exceed \$60,000 for the purchase of two heavy-duty natural gas vehicles;
  - i. A contract with the City of South Pasadena in an amount not to exceed \$10,183 for installation of an electric vehicle charging station;
  - j. A contract with the City of Beaumont in an amount not to exceed \$200,000 for installation of a new CNG station;
  - k. A contract with the City of Rancho Cucamonga in an amount not to exceed \$365,245 for bicycle trail improvements; and
  - l. A contract with the City of Manhattan Beach in an amount not to exceed \$22,485 for installation of electric vehicle charging stations;
2. Authorize MSRC the authority to adjust contract awards up to five percent, as necessary and previously granted in prior work programs; and
  3. Authorize the Chairman of the Board to execute new and modified contracts under FYs 2012-14 Work Program, as described above and in this letter.

Greg Pettis,  
Chair, MSRC

MM:HH:CR

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### **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 subvended 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 April 17, 2014 meeting, the MSRC considered recommended and backup list awards under the Local Government Match Program. Details are provided below in the Proposals section.

### **Outreach**

In accordance with SCAQMD's Procurement Policy and Procedure, a public notice advertising the Local Government Match 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 solicitation 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 solicitation was 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 April 17, 2014 meeting, the MSRC considered recommendations from its MSRC-TAC and approved the following:

#### **Local Government Match Program**

As an element of the FYs 2012-14 Work Program, the MSRC allocated \$11.0 million for the Local Government Match Program. A Program Announcement, #PA 2014-04, was developed and released on September 6, 2013. As in the previous Work Program, the Local Government Match Program offers to co-fund qualifying medium- and heavy-duty alternative fuel vehicles, alternative fuel infrastructure projects, electric vehicle charging infrastructure, and regional street sweeping in the Coachella Valley. Bicycle projects were added as a new category. In all categories funding is provided on a dollar-for-dollar match basis, and funding for all eligible entities shall be distributed on a first-come, first-served basis with a geographic minimum per county of \$1.375 million. The Program Announcement includes an open application period commencing October 15, 2013 and closing February 28, 2014. The MSRC previously allocated an additional \$1,076,000 to the Program and awarded a total of \$11,408,978 to 32 projects. Additional applications have been received. The MSRC considered recommendations as well as the backup list of eligible projects. In an action addressing all remaining applications under this Program, the MSRC unanimously approved 12 additional contract awards totaling \$1,566,409 (using \$667,022 of the funds previously allocated plus an additional \$899,387 previously unallocated) under the Local Government Match Program, as part of the FYs 2012-14 AB 2766 Discretionary Fund Work Program, as follows:

- a. A contract with the County of Los Angeles in an amount not to exceed \$104,400 for the installation of electric vehicle charging stations;
- b. A contract with the City of La Habra in an amount not to exceed \$60,000 for the purchase of two heavy-duty natural gas vehicles;
- c. A contract with the City of San Fernando in an amount not to exceed \$500,000 for installation of a new CNG fueling station;
- d. A contract with the City of Hawthorne in an amount not to exceed \$32,000 for expansion of their existing CNG fueling station;

- e. A contract with the City of Claremont in an amount not to exceed \$60,000 for the purchase of two heavy-duty natural gas vehicles;
- f. A contract with the City of Orange in an amount not to exceed \$10,000 for the installation of electric vehicle charging stations;
- g. A contract with the City of South Pasadena in an amount not to exceed \$142,096 for bicycle trail improvements;
- h. A contract with the City of Duarte in an amount not to exceed \$60,000 for the purchase of two heavy-duty natural gas vehicles;
- i. A contract with the City of South Pasadena in an amount not to exceed \$10,183 for installation of an electric vehicle charging station;
- j. A contract with the City of Beaumont in an amount not to exceed \$200,000 for installation of a new CNG station;
- k. A contract with the City of Rancho Cucamonga in an amount not to exceed \$365,245 for bicycle trail improvements; and
- l. A contract with the City of Manhattan Beach in an amount not to exceed \$22,485 for installation of electric vehicle charging stations.

At this time the MSRC requests the SCAQMD Board to approve the contract awards as part of approval of the FYs 2012-14 AB 2766 Discretionary Fund Work Program as outlined above. The MSRC also requests the Board to 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: May 2, 2014

AGENDA NO. 11

PROPOSAL: Legislative and Public Affairs Report

SYNOPSIS: This report highlights the March 2014 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

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## **BACKGROUND**

This report summarizes the activities of Legislative and Public Affairs for March 2014. 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 March. These events involve communities that may suffer disproportionately from adverse air quality impacts.

### March 13

- Staff met with representatives from the First 5 Riverside County Children and Family Commission and provided information on SCAQMD and upcoming programs.
- Staff participated in the Children's Hospital of Orange County's planning meeting for their upcoming Air Power Games and provided informational materials to attendees.

### March 19

- Staff attended a public meeting hosted by the Department of Toxic Substances Control in Boyle Heights to discuss soil issues from a nearby battery recycling plant.
- Staff represented SCAQMD at the Coachella Valley Environmental Justice Taskforce meeting in Mecca. Staff informed participants about the Coachella Valley Town Hall meeting in April and the Lawn Mower Exchange Program.

### March 26

- Staff participated in the Delhi Neighborhood Association meeting in Santa Ana, provided information on SCAQMD and discussed with attendees how to file air quality complaints.

## **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:

### March 1

- Coachella Valley Wildflower Festival, National Monument Visitor Center, Palm Desert.
- Chino Youth Museum DairyAire 5K Fun Run Event, Chino.

### March 8

- 35<sup>th</sup> Annual Los Angeles Environmental Education Fair, Los Angeles County Arboretum, Arcadia.

### March 21

- 5<sup>th</sup> Annual Auto Club Speedway Mathematics & Science Day, Fontana.
- An Evening of Colors Event, Diamond Palace Restaurant, Diamond Bar.

### March 22

- 12<sup>th</sup> Annual Chino Rotary Club's Corn Feed Run Event, Chino

### March 26 & 27

- 2014 Orange County Water District's Children's Water Festival, University of California, Irvine.

### March 27 & 28

- 2014 San Bernardino Associated Governments San Bernardino City/County Conference Meeting, Lake Arrowhead Resort.

### March 29

- Redlands Sustainability Festival, University of Redlands.
- Youth Technology Conference, San Gabriel Valley Section of National Council of Negro Women, Mt. San Antonio College, Walnut.

### March 30

- City of Rancho Mirage's Race To Be Ready Event, Rancho Mirage High School.

## **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.

### March 3

- Staff presented an overview presentation on SCAQMD and air quality, and displayed a hydrogen fuel cell vehicle to 46 students at Corona High School.

### March 12

- Staff provided an overview presentation on SCAQMD, air quality and gave a tour of the agency's Diamond Bar headquarters, laboratory and display of alternative fuel cell vehicle to 12 students and staff from Mark Keppel High School in Alhambra.

### March 26

- Staff provided an overview presentation on SCAQMD and air quality to three attendees at the Harbor Community Clinic in San Pedro.

- Staff provided an overview presentation on SCAQMD and air quality to 38 Girl Scouts in Girl Scout Troops 975 & 2995, at the Lemonade Stand Community Center in Lomita.

**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 March 2014 are summarized below:

Main Line Calls	2,954
1-800-CUT-SMOG® Line	1,601
After Hours Calls*	350
Spanish Line Calls	<u>41</u>
<i>Total Calls</i>	4,946

\* 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 March 2014 is summarized below:

Calls Received by PIC Staff	40
Calls to Automated System	<u>1,092</u>
<i>Total Calls</i>	1,132

Visitor Transactions	232
E-Mail Advisories Sent	21,416

**BUSINESS ASSISTANCE**

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

- Conducted two free on-site consultations
- Provided permit application assistance to 132 companies
- Issued 23 clearance letters

**Types of business assisted:**

Restaurants	Plating facilities	Printing facilities
Furniture manufacturers	Dry cleaners	Construction services
Auto body shops	CNG stations	Coatings manufactures
Food production		

**OUTREACH TO COMMUNITY GROUPS AND FEDERAL, STATE, AND LOCAL GOVERNMENTS**

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

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

South El Monte	Temple City	Villa Park	Westminster
South Gate	Torrance	Walnut	Whittier
South Pasadena	Tustin	West Covina	Wildomar
Stanton	Upland	West Hollywood	Yorba Linda
Temecula	Vernon	Westlake Village	Yucaipa

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

- U.S. Congressman Mark Takano
- U.S. Congressman Gary Miller
- U.S. Congressman Raul Ruiz
- State Senator Bob Huff
- State Senator Mark Wyland
- State Senator Holly J. Mitchell
- Assembly Member Jean Fuller
- Assembly Member Ted Gains
- Assembly Member Cristina Garcia
- Assembly Member Curt Hagman
- Assembly Member Loni Hancock
- Assembly Member Jerry Hill
- Assembly Member Ben Hueso
- Assembly Member Brian Jones
- Assembly Member Ricardo Lara
- Assembly Member Mark Leno
- Assembly Member Jose Medina
- Assembly Member Melissa Melendez
- Assembly Member William Morning
- Assembly Member Brian Nestande
- Assembly Member Fran Pavley
- Assembly Member Sharon Quirk-Silva
- Assembly Member Lois Wolk

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

Alhambra Chamber of Commerce  
American Cancer Society, Riverside  
American Cancer Society, San Gabriel Valley  
Association of California Cities, Orange County  
Banning Chamber of Commerce  
Beaumont Chamber of Commerce  
Calamesa Chamber of Commerce  
Calamesa Senior Center  
California Department of Toxic Substances Control  
Coachella Valley Economic Partnership  
Coachella Valley Environmental Justice Task Force  
Dales Senior Center, Riverside



First 5 Riverside; Riverside County Children and Family Commission  
Five Mountain Communities Government Affairs Council  
Gateway Cities Council of Governments  
Greater Riverside Chambers of Commerce  
Harbor City Community Clinic  
Hemet/San Jacinto Chamber of Commerce  
Inland Action Economic Group, San Bernardino  
League of California Cities, Los Angeles County Division  
League of California Cities, Orange County Division  
Long Beach Harbor Department  
Montebello Chamber of Commerce  
Moreno Valley Chamber of Commerce  
Moreno Valley Community Center  
North Orange County Legislative Alliance  
Orange County City Managers Association  
Orange County Council of Governments  
Orange County Transportation Authority  
Pasadena Chamber of Commerce  
Pico Rivera Chamber of Commerce  
Redlands Chamber of Commerce  
Riverside Transit Agency (RTA)  
Riverside Community College  
Riverside Public Library  
Riverside County Transportation Commission  
San Bernardino Associated Governments  
San Bernardino County Department of Education  
San Bernardino Chamber of Commerce  
San Bernardino Valley College  
San Gabriel Valley Council of Governments  
San Gabriel Valley Economic Partnership  
Santa Fe Springs Chamber of Commerce  
South Bay Cities Council of Governments  
South Bay Environmental Service Center  
South Pasadena Chamber of Commerce  
Torrance Chamber of Commerce  
Upland Chamber of Commerce  
United Nations Association of the USA, Pasadena/Foothill Chapter  
Yucaipa Chamber of Commerce  
Western Riverside County Council of Governments  
Western Riverside County Transportation NOW (RTA)

- Greater Riverside Chapter, Riverside
- Hemet/San Jacinto Chapter, Hemet

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BOARD MEETING DATE: May 2, 2014

AGENDA NO. 12

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of March 1 through March 31, 2014.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:

Receive and file this report.

Edward Camarena  
Chairman of Hearing Board

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Two summaries are attached: **Rules From Which Variances and Orders for Abatement Were Requested in 2014** and **March 2014 Hearing Board Cases**.

The total number of appeals filed during the period March 1 to March 31, 2014 is 0; and total number of appeals filed during the period of January 1 to March 31, 2014 is 2.



























## Report of March 2014 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. Breitburn Operating, L.P. Case No. 4858-11 (N. Sanchez)	462(d)(5)	Crude oil transmission pipeline failure requires petitioner to ship product by tanker truck in excess of the permit limit for the truck loading facility.	Not Opposed/Granted	IV granted commencing 3/27/14 and continuing for 90 days or until the RV scheduled for 5/1/14, or until the facility connected to Crimson Pipeline is returned to full service, whichever occurs first.	VOC: 1.9 lbs/day NO <sub>x</sub> : 2.2 lbs/day
2. California Amforge Corporation Case No. 5945-1 Consent Calendar Item (N. Feldman)	N/A	Status report.	Not Opposed/No action taken	Status Report submitted to the Board.	N/A
3. ExxonMobil Oil Corporation Case No. 1183-484 (R. Fernandez)	203(b) 2004(f)(1) 3002(c)(1)	Activity of SCR serving the FCCU has dropped. SCR must be replaced and must be bypassed during the process.	Not Opposed/Granted	SV & AOC granted commencing 3/14/14 and continuing through 5/4/14.	Variance and AOC NO <sub>x</sub> : 763 lbs/day
4. Monterey Oil Corporation Case No. 5981-1 (K. Manwaring)	461(e)(5)	Petitioner failed the GDF vent blockage test.	Not Opposed/Granted	Ex Parte EV granted commencing 3/7/14 and continuing for 30 days or until the EV hearing currently scheduled for 3/13/14, whichever comes first.	None
5. Ontario West Travel Centers Case No. 5984-1 (N. Sanchez)	203(b) 461(e)(2) 461(e)(5)	Petitioner failed the GDF vent blockage test.	Not Opposed/Granted	Ex Parte EV granted commencing 3/26/14 and continuing for 30 days or until the EV scheduled for 3/27/14, whichever comes first.	VOC: TBD by 4/12/14.
6. Ontario West Travel Centers Case No. 5984-1 (N. Sanchez)	203(b) 461(e)(2) 461(e)(5)	Petitioner failed the GDF vent blockage test.	Not Opposed/Granted	EV granted commencing 3/27/14 and continuing through 4/10/14, the FCD.	VOC: TBD by 4/13/14
7. Rapid Gas #8 Case No. 5985-1 (M. Reichert)	203(b) 461(e)(5)	Petitioner failed the GDF vent blockage test.	Not Opposed/Granted	Ex Parte EV granted commencing 3/28/14 and continuing for 30 days or until the EV scheduled for 4/3/14, whichever comes first.	VOC: TBD by 4/14/14

8. SCAQMD vs. AGD Enterprises Case No. 5979-1 (N. Sanchez)	203(a)	Respondent is operating two boilers without valid operating permits.	Not Stipulated/Issued	O/A issued commencing 3/27/14 and continuing through 6/27/14. The Hearing Board shall retain jurisdiction until 6/27/14.	N/A
9. SCAQMD vs. Alloys Cleaners, Inc. Case No. 5975-1 (T. Barrera)	203(b)	Respondent exceeded the process limits and other permit conditions while operating a chemical milling facility.	Stipulated/Issued	O/A issued commencing 3/6/14, and continuing through 3/6/15, while Permit to Operate Nos. G14694 and G14695 are modified, whichever comes first.	N/A
10. SCAQMD vs. 3M Monrovia Case No. 5970-2 (K. Manwaring)	202(a) 203(b) 1147 1303(a)(1) 3002(c)	Respondent remains unable to comply with the emission limits despite installation of new burners.	Stipulated/Issued	O/A issued commencing 3/5/14 and continuing through 9/14/15. The Hearing Board shall retain jurisdiction over this matter until 9/14/15, or 30 days after respondent has achieved final compliance, whichever occurs first.	N/A
11. Southern California Gas Co. Case No. 137-71 (N. Sanchez)	203(b) 2004(f)(1) 3002(c)(1)	Petitioner must switch to emergency power from on site generators during "Red Flag Warning" to power remote facilities. Due to the unusual weather, petitioner expects to exceed the 200 hour operating limits on its generators.	Not Opposed/Granted	RV granted commencing 3/11/14 and continuing through 3/1/15, the FCD.	NO <sub>x</sub> : 19 lbs/day VOC: 1 lb/day PM10: .32 lb/day CO: 5 lbs/day SO <sub>x</sub> : .12 lb/day

### Acronyms

AOC: Alternative Operating Conditions  
 BACT: Best Available Control Technology  
 CEMS: Continuous Emissions Monitoring System  
 CO: Carbon Monoxide  
 EV: Emergency Variance  
 FCD: Final Compliance Date  
 FCCU: Fluid Catalytic Cracking Unit  
 GDF: Gasoline Dispensing Facility  
 H<sub>2</sub>S: Hydrogen Sulfide  
 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  
 NH<sub>3</sub>: Ammonia  
 NOV: Notice of Violation  
 NO<sub>x</sub>: Oxides of Nitrogen  
 N/A: Not Applicable  
 O/A: Order for Abatement  
 PM: Particulate Matter  
 PPM: Parts Per Million  
 RATA: Relative Accuracy Test Audit  
 ROG: Reactive Organic Gases  
 RTO: Regenerative Thermal Oxidizer  
 RV: Regular Variance



SCR: Selective Catalytic Reduction  
SOx: Oxides of Sulfur  
SV: Short Variance  
TBD: To be determined  
VOC: Volatile Organic Compound  
VRS: Vapor Recovery System

[↑ Back to Agenda](#)

BOARD MEETING DATE: May 2, 2014

AGENDA NO. 13

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This reports the monthly penalties from March 1 through March 31, 2014, and legal actions filed by the General Counsel's Office during from March 1 through March 31, 2014. An Index of District Rules is attached with the penalty report.

COMMITTEE: Stationary Source, April 18, 2014, Reviewed

RECOMMENDED ACTION:  
Receive and file this report.

Kurt R. Wiese  
General Counsel

KRW:lc

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No Civil Actions were filed in March 2014.

Attachments  
March 2014 Penalty Reports  
Index of District Rules and Regulations

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

**March 2014 Settlement Penalty Report**

**Total Penalties**

<b>Civil Penalties:</b>	<b>\$127,438.52</b>
<b>Self-Reported Violation Penalties:</b>	<b>\$140,000.00</b>
<b>MSPAP Penalties:</b>	<b>\$38,610.00</b>
<b>Hearing Board Penalties:</b>	<b>\$4,250.00</b>
<b>Total Cash Penalties:</b>	<b>\$310,298.52</b>
<b>Total SEP Value:</b>	<b>\$0.00</b>
<b>Fiscal Year through March 2014 Cash Total:</b>	<b>\$8,597,326.76</b>
<b>Fiscal Year through March 2014 SEP Value Only Total:</b>	<b>\$398,500.00</b>

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
<b>CIVIL PENALTIES:</b>							
157632	BEHR PROCESS CORPORATION	1113(C)(1)		3/21/2014	WBW	P60303	\$5,161.20
7411	DAVIS WIRE CORP	203(A), 2004, 3004 3002(C)(1), 2012 2004	Y	3/25/2014	KCM	P54969 P54970	\$9,300.00
146463	DOUBLETREE SUITES BY HILTON	203 (B), 1470		3/19/2014	KCM	P60254	\$3,500.00
54732	INLAND VALLEY REGIONAL MEDICAL C	222, 1146.2, 1472		3/11/2014	NAS	P61174	\$40,000.00
18001	L A TEMPLE, JESUS CHRIST OF LATT	203 (B), 1470		3/25/2014	JMP	P60253	\$500.00
172594	MARTIN ENTERPRISES	3002		3/18/2014	KCM	P59827	\$3,300.00
87171	NCM CONTRACTING GROUP, LP	1403		3/28/2014	NAS	P53975	\$1,000.00
800408	NORTHROP GRUMMAN SYSTEMS	1164, 2004	Y	3/11/2014	JMP	P54972	\$29,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
170608	PERSONALIZED LAWNS & TREE SERVICE Small claims settlement	203(A)		3/7/2014	PH3	P59253	\$1,000.00
800079	PETRO DIAMOND TERMINAL CO	3002		3/25/2014	KCM	P34680	\$16,000.00
173106	PHENOMENEX, INC.	201		3/19/2014	WBW	P50627	\$5,677.32
8220	PROVIDENCE ST JOSEPH MED CTR	3002(C)(1)		3/5/2014	KCM	P54148	\$1,000.00
172212	PUBLIC STORAGE	201 203(A), 1470		3/19/2014	NAS	P61220 P58844	\$1,500.00
172023	RJ CONSTRUCTORS, INC	1166		3/28/2014	WBW	P53079	\$500.00
99303	RODOLFO "A" AUTO PAINT	109, 203(B), 1151(E)(1) 109, 203(B)		3/25/2014	KCM	P53490 P53495	\$500.00
159612	SIGNATURE FLIGHT SUPPORT Small claims penalty	203(B), 461 41960.2		3/27/2014	PH3	P60113	\$550.00
96037	TEXTURE DESIGN FURNITURE INC	3002(C)(1)		3/12/2014	RRF	P59843	\$1,250.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
53729	TREND OFFSET PRINTING SERVICES,	203(A), 2004(F)(1) 203(B), 3002(C)(1)	Y	3/26/2014	KCM	P56309	\$7,700.00

**TOTAL CIVIL PENALTIES: \$127,438.52**

**SELF-REPORTED VIOLATIONS**

174243	SOLARCITY		1403	3/12/2014	NAS	SRV98	\$140,000.00
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**TOTAL SELF-REPORTED VIOLATIONS: \$140,000.00**

**MSPAP SETTLEMENTS:**

175509	A LOFT HOTELS		203 (A)	3/18/2014		P61408	\$440.00
59237	AMERICAN SECURITY PRODUCTS CO INC.		3002	3/18/2014		P61405	\$1,260.00
148299	ARCO #05157 SHILO ENTERPRISES		41960.2 461	3/13/2014		P62234	\$500.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
168904	ARCO FACILITY #00002	461(C)(2)(B) 41960.2		3/11/2014		P61463	\$375.00
47354	CAL ST FORESTRY DEPT	461 461 (E) (3)		3/20/2014		P59513	\$2,420.00
137200	CALIF DEPT OF TRANSPORTATION, CA	202(A), 203(B), 461		3/28/2014		P58996	\$2,700.00
109477	CALIFORNIA HIGHWAY PATROL	203(A)		3/4/2014		P56034	\$450.00
164850	CRESTLINE VALERO MARKET	461(C)(2)(B)		3/26/2014		P59767	\$960.00
173415	DIAMOND HILLS COLLISION CENTER	201		3/12/2014		P59472	\$1,430.00
17478	DOHENY DRY CLEANERS	203(A), 1102		3/18/2014		P60119	\$1,950.00
90091	EXXONMOBIL # 11507 AMERICAN PETROLEUM	461(C)(2)(B) 41960.2		3/20/2014		P35794	\$500.00
54700	IRVINE UNIFIED SCHOOL DIST TRANS	203 (B)		3/12/2014		P58585	\$1,350.00
167414	J & C POWDER COATING SOLUTIONS	203 (A)		3/11/2014		P56093	\$600.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
167040	LOS ANGELES COUNTY METROPOLITAN	203 (B), 1470		3/12/2014		P62360	\$1,100.00
153991	MAGDI MAHFOUZ	461, 41960.2		3/20/2014		P61466	\$600.00
14523	PACIFIC BELL, AT&T CALIFORNIA	203 (B)		3/11/2014		P58892	\$450.00
174206	PIPELINE PETROLEUM BANNING LLC	201, 461 (E) (1)		3/5/2014		P56841	\$1,100.00
175199	POMONA UNI SCH DIST POMONA HIGH SCHOC	403 403		3/28/2014		P59477 P59478	\$2,475.00
64172	ROBERTSON CLEANERS,S DJAHANBANI	1146.2		3/18/2014		P57998	\$600.00
80919	UNITED MEMORIAL PROD ROSE HILLS	203 (B)		3/12/2014		P59616	\$10,000.00
13850	UNITED RENTAL INC	461		3/11/2014		P58199	\$850.00
170251	UNIVERSITY OF LA VERNE	403 403 403		3/12/2014		P57688 P57689 P57690	\$1,250.00
160366	WATERMAN CONVALESCENT HOSPITAL	1146.2		3/28/2014		P61414	\$1,000.00



FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
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111301	WWF OPERATING COMPANY	203 (A), 203(B)		3/11/2014		P59479	\$4,250.00
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**TOTAL MSPAP SETTLEMENT: \$38,610.00**

**HEARING BOARD SETTLEMENTS:**

35188	3M COMPANY Hearing Board Case No. 5970-2 Facility will pay monthly payments for on-going operation of the facility's equipment. Penalty due the 15th of each month. April penalty.	203, 1147, 1303 3002		3/11/2014	KCM	HRB2212	\$4,000.00
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160637	4929 WILSHIRE LP Hearing Board Case No. 5972-2 Facility agrees to pay \$250/month until permanently ceases use of caterpillar ICE in noncompliance with Rule 1470. March penalty.	1470		3/12/2014	LN	HRB2213	\$250.00
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**TOTAL HEARING BOARD SETTLEMENTS: \$4,250.00**

## DISTRICT RULES AND REGULATIONS INDEX FOR MARCH 2014 PENALTY REPORTS

### REGULATION I - GENERAL PROVISIONS

Rule 109 Recordkeeping for Volatile Organic Compound Emissions (*Amended 8/18/00*)

### 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 202 Temporary Permit to Operate (*Amended 5/7/76*)

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 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*)

### REGULATION XI - SOURCE SPECIFIC STANDARDS

Rule 1102 Petroleum Solvent Dry Cleaners (*Amended 11/17/00*)

Rule 1113 Architectural Coatings (*Amended 6/20/01*)

Rule 1118 Emissions From Refinery Flares (*Adopted 2/13/98*)

Rule 1146.2 Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers (*Adopted 1/9/98*)

Rule 1147 NOx REDUCTIONS FROM MISCELLANEOUS SOURCES (9/08)

Rule 1151 Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations (*Amended 12/11/98*)

Rule 1164 Semiconductor Manufacturing (*Amended 1/13/95*)

Rule 1166 Volatile Organic Compound Emissions from Decontamination of Soil (*Amended 5/11/01*)

Rule 1173 Fugitive Emissions of Volatile Organic Compounds (*Amended 5/13/94*)

Rule 1176 Sumps and Wastewater Separators (*Amended 9/13/96*)

## **REGULATION XIV - TOXICS**

- Rule 1403 Asbestos Emissions from Demolition/Renovation Activities (*Amended 4/8/94*)
- Rule 1469.1. Spraying operations using coatings containing chromium
- Rule 1470 Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines
- Rule 1472. Requirements for Facilities with Multiple Stationary Emergency Standby Diesel Fueled Internal Combustion Engines

## **REGULATION XX REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)**

- Rule 2004 Requirements (*Amended 5/11/01*)
- Rule 2012 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO<sub>x</sub>) Emissions (*Amended 5/11/01*)

## **REGULATION XXX - TITLE V PERMITS**

- Rule 3002 Requirements (*Amended 11/14/97*)
- Rule 3004 Permit Types and Content

## **CALIFORNIA HEALTH AND SAFETY CODE § 41700**

- 41960.2 Gasoline Vapor Recovery

BOARD MEETING DATE: May 2, 2014

AGENDA NO. 14

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 March 1, 2014 and March 31, 2014, and those projects for which the SCAQMD is acting as lead agency pursuant to CEQA.

COMMITTEE: Mobile Source, April 18, 2014, Reviewed

RECOMMENDED ACTION:  
Receive and file.

Barry R. Wallerstein, D.Env.  
Executive Officer

EC:LT:SN:MK:IM:AK

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## 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 and reviewed during the reporting period of March 1, 2014, through March 31, 2014 is included in Attachment A. A list of active projects from previous reporting periods for which SCAQMD staff is continuing to evaluate or has prepared 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. If the SCAQMD staff provided written comments to the lead agency as noted in the column "Comment Status", there is a link to the "SCAQMD Letter" under the Project Description. In addition, if the SCAQMD staff testified at a hearing for the proposed project, a notation is provided under the "Comment Status." If there is no notation that the SCAQMD staff testified, then staff did not provide testimony at a hearing for the proposed project.

During the period March 1, 2014 through March 31, 2014, the SCAQMD received 99 CEQA documents. Of the total of 110 documents listed in Attachments A and B:

- 2 comment letters were sent;
- 9 documents were reviewed, but no comments were made;
- 60 documents are currently under review;
- 8 documents did not require comments (e.g., public notices, plot plans, Final Environmental Impact Reports);
- 3 documents were not reviewed; and
- 28 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](http://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 March, the SCAQMD received no new requests to be the lead agency for stationary source permit application projects. As noted in Attachment C, through the end of March 2014, the SCAQMD continued working on the CEQA documents for nine active projects.

Through the end of March 2014, SCAQMD staff has been responsible for preparing or having prepared CEQA documents for nine permit application projects, all continuing from 2013. One project ceased evaluation as the permit applications were withdrawn.

### **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  
MARCH 1, 2014 TO MARCH 31, 2014**

<u>SCAQMD LOG-IN NUMBER</u> PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Warehouse &amp; Distribution Centers</i> <b>SBC140318-09</b> Shaw Development Warehouse	The proposed project consists of the construction and operation of an approximately 366,698 square-foot warehouse on approximately 16.07 acres. The approval of Tentative Parcel Map 36625 is requested to consolidate six parcels into one parcel to accommodate development of the Warehouse Project. Comment Period: N/A Public Hearing: 3/27/2014	Draft Mitigated Negative Declaration	City of Moreno Valley	Document under review as of 3/31/14
<i>Warehouse &amp; Distribution Centers</i> <b>SBC140326-13</b> Modular Logistics Center	The proposed project consists of the redevelopment of an underutilized 50.84 gross-acre property. The redevelopment process would involve the demolition and removal of existing industrial buildings and improvements from the subject property, grading and preparation of the site for redevelopment, and construction and operation of a logistics warehouse structure containing 1,109,378 square feet of building space and 256 loading bays. Comment Period: 3/26/2014 - 4/24/2014 Public Hearing: N/A	Notice of Preparation	City of Moreno Valley	Document under review as of 3/31/14
<i>Airports</i> <b>LAC140304-05</b> Los Angeles International Airport West Aircraft Maintenance Area Project	The proposed project consists of grading approximately 84 acres in the southwestern portion of the airfield and developing approximately 68 acres of the 84 acres with taxiways and aircraft parking apron areas, maintenance hangars, employee parking, service roads, and ancillary facilities. Comment Period: N/A Public Hearing: N/A	Final Environmental Impact Report	City of Los Angeles	Document does not require comments
<i>Airports</i> <b>LAC140307-06</b> Midfield Satellite Concourse	The proposed project consists of a new multi-level concourse located within the western portion of the airfield west of the existing Tom Bradley International Terminal and associated passenger processing space in the proposed Central Terminal Processor that would be located in the Central Terminal Area of the LAX. Comment Period: 3/7/2014 - 4/21/2014 Public Hearing: N/A	Draft Environmental Impact Report	Los Angeles World Airports	Document under review as of 3/31/14
<i>Airports</i> <b>LAC140313-05</b> Los Angeles International Airport (LAX) Terminal 1 Modernization Project	The proposed project consists of modernizing Terminal 1 to improve efficiency and increase the passenger level of service while meeting evolving federal security requirements. The project includes reconfiguring the existing terminal uses to improve passenger service and amenities, better accommodate security requirements, and improve curbside circulation. Additional components include an addition to the building square footage; modifications of the gates, including an overall reduction of one gate (from 15 gates to 14); upgrading existing mechanical systems and infrastructure; interior improvements; and potential upgrades to the exterior façade. Comment Period: 3/13/2014 - 4/2/2014 Public Hearing: N/A	Draft Negative Declaration	City of Los Angeles	Document under review as of 3/31/14
<i>Airports</i> <b>LAC140327-03</b> Bob Hope Airport	This document consists of an Air Quality Assessment Protocol. The proposed project consists of several related components to be constructed in two phases. The first phase includes a three-level Regional Intermodal Transportation Center structure to be constructed on either spread or piled foundation over portions of the existing Parking Lot D. The second phase of the proposed project consists of an enclosed pedestrian bridge/lounge facility over Empire Avenue connecting the RITC structure with the Bob Hope Airport Train Station. Comment Period: N/A Public Hearing: N/A	Other	Burbank-Glendale-Pasadena Airport Authority	Document under review as of 3/31/14

\*Sorted by Land Use Type (in order of land uses most commonly associated with air quality impacts), followed by County, then date received.

# - Project has potential environmental justice concerns due to the nature and/or location of the project.

Comment letters can be accessed at: [www.aqmd.gov/ceqa/letters.html](http://www.aqmd.gov/ceqa/letters.html)





**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
MARCH 1, 2014 TO MARCH 31, 2014**

<u>SCAQMD LOG-IN NUMBER</u> PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Waste and Water-related</i> <b>LAC140312-10</b> Exide Technologies	The proposed project consists of conducting additional sampling at 39 homes, in the two neighborhoods and beyond to ensure Department of Toxic Substance Control has the necessary information to make decisions about future actions; and address lead concentrations in residential yards where it exceeds acceptable levels.  Comment Period: N/A Public Hearing: 3/19/2014	Community Notice	Department of Toxic Substances Control	Document does not require comments
<i>Waste and Water-related</i> <b>LAC140313-02</b> California School for the Deaf	The proposed project consists of an environmental investigation by the California Department of Education at the California School for Deaf (CDE). CDE has begun some renovations and construction on Site. As part of these activities, an environmental review is being conducted to address hazardous substances. Previous environmental investigations indicate that hazardous substances may be present from historic agricultural use, lead-based paint from buildings, school activities, and maintenance activities.  Comment Period: 3/13/2014 - 4/1/2014 Public Hearing: N/A	Community Notice	Department of Toxic Substances Control	Document does not require comments
<i>Waste and Water-related</i> <b>LAC140325-02</b> Groundwater Reliability Improvement Program (GRIP) Recycled Water Project	The proposed project consists of allowing Water Replenishment District to offset the current use of imported water with a combined total of 21,000 acre-feet per year from both tertiary and advanced water treatment recycled water supplies for groundwater replenishment in the Central Basin via the Montebello Forebay. A new advanced water treatment plant would be constructed within or adjacent to the Los Angeles County Sanitation Districts' San Joe Creek Water Reclamation Plant (SJCWRP) West or within SJCWRP-East for advanced treatment of the tertiary treated recycled water from SJCWRP prior to recharge via spreading.  Comment Period: 3/25/2014 - 5/9/2014 Public Hearing: N/A	Draft Environmental Impact Report	Water Replenishment District	Document under review as of 3/31/14
<i>Waste and Water-related</i> <b>LAC140326-16</b> Georgia Pacific Former Montebello Facility	The proposed project consists of an Implementation Work Plan. Investigations at the facility indicate that volatile organic compounds are present in the soil at concentrations that exceed the selected Environmental Screening Level. Georgia Pacific has submitted a Corrective Measure study and associated Implementation Work Plan that proposes cleanup activities for the facility.  Comment Period: 3/26/2014 - 5/9/2014 Public Hearing: N/A	Community Notice	Department of Toxic Substances Control	Document under review as of 3/31/14
<i>Waste and Water-related</i> <b>LAC140326-17</b> Crosby & Overton, Inc. Draft Permit Renewal	The proposed project consists of a draft Hazardous Waste Facility Permit Renewal. The facility is an off-site hazardous waste storage and treatment facility that accepts hazardous wastes in bulk and in containers. The facility primarily treats wastewater containing hydrocarbons. The facility has a tank treatment system, several container storage areas and container processing areas.  Comment Period: 3/26/2014 - 5/9/2014 Public Hearing: N/A	Community Notice	Department of Toxic Substances Control	Document under review as of 3/31/14
<i>Waste and Water-related</i> <b>LAC140327-04</b> Claremont Water System Acquisition Project	The proposed project consists of exploration of potential acquisition of the Claremont Water System from Gold State Water Company (GSWC), including the facilities, infrastructure, real property of the system, and GSWC's rights to water supply for the Claremont System.  Comment Period: N/A Public Hearing: N/A	Notice of Availability of a Final Environmental Impact Report	City of Claremont	Document does not require comments

# - Project has potential environmental justice concerns due to the nature and/or location of the project.

Comment letters can be accessed at: [www.aqmd.gov/ceqa/letters.html](http://www.aqmd.gov/ceqa/letters.html)



**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
MARCH 1, 2014 TO MARCH 31, 2014**

<u>SCAQMD LOG-IN NUMBER</u> PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Waste and Water-related</i> <b>RVC140328-04</b> Mangular Blending Facility Project	The proposed project consists of a new Mangular Blending Facility to replace the existing Mangular Booster Pump Station (BPS), blending station, and motor control center. The new Mangular Blending Facility will also remove the operational activities associated with the chloramination disinfection facilities at Well 11, and the Border BPS. The Project includes demolition of the existing Mangular BPS, which consists of a single potable water booster pump and potable water/well water blending station. The Well 11 disinfection facilities will not be physically modified as part of the Project; however, the disinfection facilities will no longer be operational at Well 11. The project includes replacement disinfection facilities within the proposed building. The new Mangular Blending Facility will include sodium hypochlorite and ammonia storage areas with spill containment facilities, chemical feed equipment and chemical fill stations.	Notice of Preparation	City of Corona	Document under review as of 3/31/14
<i>Waste and Water-related</i> <b>SBC140319-01</b> Stringfellow Superfund Site Project Update	The proposed project consists of environmental actions to clean up the Stringfellow Superfund site under the US EPA's directions. The site was used to dispose of liquid hazardous waste. It operated from 1956 to 1972 and received about 35 million gallons of hazardous waste.  Comment Period: N/A Public Hearing: N/A	Community Notice	Department of Toxic Substances Control	Document does not require comments
<i>Utilities</i> <b>LAC140305-09</b> ENV-2014-426/ 3027 W. San Fernando Rd.; Northeast Los Angeles	The proposed project consists of demolishing an existing 82-foot tall wireless telecommunications facility, and the construction, use and maintenance of an 83-foot tall wireless telecommunications facility disguised as a pine tree, with 12 panel antennas, 24 remote radio units, two surge suppressors, and two GPS antennas, together with an existing 16-foot by 21-foot ground level equipment facility.  Comment Period: 3/5/2014 - 3/26/2014 Public Hearing: N/A	Notice of Availability of a Draft Mitigated Negative Declaration	City of Los Angeles	Document under review as of 3/31/14
<i>Utilities</i> <b>LAC140319-05</b> ENV-2013-3035/ 11312 1/2 W. Huston St.; North Hollywood-Valley Village	The proposed project consists of the construction, use and maintenance of an unmanned, wireless telecommunications facility in conjunction with an existing, three-story, 49'-4" feet tall, three-story, 14 unit, residential building.  Comment Period: 3/19/2014 - 4/21/2014 Public Hearing: N/A	Notice of Availability of a Draft Mitigated Negative Declaration	City of Los Angeles	Document under review as of 3/31/14
<i>Utilities</i> <b>LAC140327-02</b> El Segundo Power Redevelopment Project	This document consists of a Preliminary Staff Assessment. The proposed project consists of replacing utility boiler Units 3 and 4 at the El Segundo Energy Center (ESEC), with one new combined-cycle generator (Unit 9), one new steam turbine generator (Unit 10), and two new simple-cycle gas turbines (Units 11 and 12), totaling 449 megawatts. ESEC project will replace the once-through seawater cooling system with dry-cooling technology.  Comment Period: N/A Public Hearing: N/A	Other	California Energy Commission	Document under review as of 3/31/14

# - Project has potential environmental justice concerns due to the nature and/or location of the project.  
Comment letters can be accessed at: [www.aqmd.gov/ceqa/letters.html](http://www.aqmd.gov/ceqa/letters.html)

**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
MARCH 1, 2014 TO MARCH 31, 2014**

<u>SCAQMD LOG-IN NUMBER</u> PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Utilities</i> <b>ORC140311-03</b> Huntington Beach Energy Project	This document consists of a Preliminary Staff Assessment Part B. The proposed project consists of developing the Huntington Beach Energy Project (HBEP) on a 28.6-acre site. The project will include demolition of the existing Huntington Beach Generating Station (HBGS) and replacement with the HBEP. The HBEP would be built entirely within the footprint of the HBGS. The project will add 939 MW of generating capacity to this facility while removing 430 MW from onsite boilers and another 655 MW from the AES Redondo Beach Generating Facility. Comment Period: N/A Public Hearing: N/A	Other	California Energy Commission	Document under review as of 3/31/14
<i>Utilities</i> <b>RVC140318-08</b> Agricultural Preserve Case No. 1027 and Conditional Use Permit No. 3693	The proposed project consists of the Agricultural Preserve Case No. 1027, which would diminish Chuckwalla Agricultural Preserve No. 2, Map No. 622 and cancel two proposals to separate land conservation contracts; and Conditional Use Permit No. 3693 which proposes a 4.5 megawatt photovoltaic solar power plant utilizing either fixed, tilt, or tracker mounting supports on two parcels of private land totaling 40.12 acres, and proposes to deliver power through an interconnection of Southern California Edison Desert Center's 12.47 kilovolts distribution line which transect the subject site. Comment Period: N/A Public Hearing: 4/8/2014	Notice of a Public Hearing	County of Riverside	Document under review as of 3/31/14
<i>Transportation</i> <b>LAC140305-12</b> Roadside Bridge Widening Project	The proposed project consists of widening the existing Roadside Drive Bridge over Medea Creek, modifying the approach segments of Roadside Drive, re-striping Roadside Drive, adding a sidewalk on the south side of Roadside Drive on the west side of the bridge, and installing landscape and lighting improvements. Comment Period: 3/6/2014 - 4/7/2014 Public Hearing: N/A	Notice of Availability of a Draft Mitigated Negative Declaration	City of Agoura Hills	Document under review as of 3/31/14
<i>Transportation</i> <b>LAC140312-04</b> ENV-2013-2429/ 13147 N. Gladstone Ave.; Sylmar	The proposed project consists of the construction, use and maintenance of a 138-unit, three-story plus basement, 50-foot tall, 118,500 square-foot total eldercare facility with 142 parking space on a 94,038 square-foot lot. Comment Period: 3/12/2014 - 4/14/2014 Public Hearing: N/A	Notice of Availability of a Draft Mitigated Negative Declaration	City of Los Angeles	Document under review as of 3/31/14
<i>Transportation</i> <b>ORC140313-03</b> Brookhurst Street Improvement Project	The proposed project consists of widening an approximately 0.4-mile segment of Brookhurst Street. The project would provide an additional lane in each direction, resulting in a six-lane facility within the project study area. Comment Period: 3/12/2014 - 4/10/2014 Public Hearing: N/A	Notice of Availability of a Draft Environmental Assessment	City of Brookhurst	Document reviewed - No comments sent

# - Project has potential environmental justice concerns due to the nature and/or location of the project.  
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**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
MARCH 1, 2014 TO MARCH 31, 2014**

SCAQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Institutional (schools, government, etc.)</i> <b>LAC140326-08</b> ENV-2014-547/ 20953 West Osborne Street; Chatsworth-Porter Ranch	The proposed project consists of renovations to an existing 10,674 square-foot warehouse for the use, maintenance, and operation of a private, non-profit, youth center to be used primarily as an indoor basketball court. In addition, tenant improvements include alterations to the existing mezzanine, which will result in 567 square feet of new floor area.  Comment Period: 3/26/2014 - 4/16/2014 Public Hearing: N/A	Notice of Availability of a Draft Mitigated Negative Declaration	City of Los Angeles	Document under review as of 3/31/14
<i>Institutional (schools, government, etc.)</i> <b>ORC140307-05</b> Sports Complex	The proposed project consists of installation of new athletic facilities, bleachers and lighting on the Valley High School campus. The new stadium complex would have a maximum bleacher capacity of approximately 3,500 seats; 2,000-seat bleachers for the home side and 1,500-seat bleachers for the visitor side.  Comment Period: 3/6/2014 - 4/4/2014 Public Hearing: N/A	Notice of Preparation	Santa Ana Unified School District	Document under review as of 3/31/14
<i>Institutional (schools, government, etc.)</i> <b>SBC140318-03</b> P201400053/RMC	The proposed project consists of revisions to an approved action to add an 8,000 square-foot gymnasium to an existing worship facility on 5.53 acres.  Comment Period: 3/18/2014 - 3/24/2014 Public Hearing: N/A	Other	County of San Bernardino	Document under review as of 3/31/14
<i>Retail</i> <b>LAC140313-04</b> El Monte Walmart	The proposed project consists of a new 182,429 square-foot Walmart within an approximately 15.41-acre site.  Comment Period: 3/13/2014 - 4/13/2014 Public Hearing: N/A	Notice of Preparation	City of El Monte	Document under review as of 3/31/14
<i>Retail</i> <b>SBC140326-11</b> P201300624/CF	The proposed project consists of developing an 8,320 square-foot general retail building on 1.01 acres, with a concurrent request to merge multiple properties.  Comment Period: 3/26/2014 - Public Hearing: N/A	Initial Project Consultation	County of San Bernardino	Document under review as of 3/31/14
<i>Retail</i> <b>SBC140327-01</b> South Moreno Valley Walmart Project	The proposed project consists of 193,000 square feet of new retail/commercial uses within an approximately 22.28-acre site.  Comment Period: 3/28/2014 - 4/28/2014 Public Hearing: N/A	Notice of Preparation	City of Moreno Valley	Document under review as of 3/31/14

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<u>SCAQMD LOG-IN NUMBER</u> PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>General Land Use (residential, etc.)</i> <b>RVC140304-01</b> 13-TM-05, Tentative Tract Map 36583	The proposed project consists of a land division of 521 lots - 497 residential single-family; 16 open space; three parks; three water basins; one well, and one sewer lift station, ranging from 0.12 acres to 12.47 acres totaling 192.61 acres.  Comment Period: 3/4/2014 - 3/18/2014 Public Hearing: N/A	Initial Project Consultation	City of Beaumont	Document under review as of 3/31/14
<i>General Land Use (residential, etc.)</i> <b>RVC140312-12</b> 13-TM-01, Tentative Tract Map 36558	The proposed project consists of a Tentative Tract Map 36558 which is a proposal for the land division of 95 residential single-family home lots, ranging in size from 4,500 square feet to 17,583 square feet. Additionally, there will be eight-open-space lots, and seven lots for public streets, ranging in size from 713 square feet to 3.56 acres.  Comment Period: 3/12/2014 - 3/26/2014 Public Hearing: N/A	Initial Project Consultation	City of Beaumont	Document does not require comments
<i>General Land Use (residential, etc.)</i> <b>RVC140318-01</b> General Plan Amendment No. 1132, Change of Zone No. 7816, Tentative Tract Map No. 36475	The proposed project consists of a changing the zoning of the site from Light Agricultural to One Family Dwelling. The Tentative Tract Map proposes a Schedule A subdivision of 168.33 acres into 171 residential lots, two water quality basins, two park sites and several open space lots.  Comment Period: 3/18/2014 - 4/10/2014 Public Hearing: N/A	Initial Project Consultation	County of Riverside	Document under review as of 3/31/14
<i>General Land Use (residential, etc.)</i> <b>SBC140318-07</b> Big Bear Alpine Zoo Relocation Project	The proposed project consists of the relocation of the Big Bear Alpine Zoo, also known as the Moonridge Zoo or Moonridge Animal Park. The Zoo is currently located on a 2.5-acre site on Goldmine Drive in the City of Big Bear Lake.  Comment Period: N/A Public Hearing: 3/25/2014	Notice of a Public Hearing	County of San Bernardino	Document under review as of 3/31/14
<i>Plans and Regulations</i> <b>ALL140314-03</b> Update to the Climate Change Scoping Plan	This document consists of updates to the Climate Change Scoping Plan. The proposed project will build upon the initial Scoping Plan with new strategies and recommendations. The update identifies opportunities to leverage existing and new funds to further drive GHG emission reductions through strategic planning and targeted low carbon investments.  Comment Period: N/A Public Hearing: N/A	Other	California Air Resources Board	Document under review as of 3/31/14
<i>Plans and Regulations</i> <b>LAC140304-03</b> City of Industry General Plan Update	The proposed project consists of an update of the City's General Plan. The Plan involves a revision to the current land use map and all elements except Housing, which was adopted February 11, 2014. The Plan would guide growth and development within the City by designating land uses on the proposed land use map and through implementation of goals and policies.  Comment Period: 2/28/2014 - 4/14/2014 Public Hearing: N/A	Draft Environmental Impact Report	City of Industry	Document under review as of 3/31/14

# - Project has potential environmental justice concerns due to the nature and/or location of the project.  
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**ATTACHMENT A  
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MARCH 1, 2014 TO MARCH 31, 2014**

<u>SCAQMD LOG-IN NUMBER</u> PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Plans and Regulations</i> <b>LAC140305-11</b> Port of Los Angeles Plan Amendment No. 28	The proposed project consists of the Port of Los Angeles Port Master Plan Amendment No. 28 to consolidate and combine the original 1980 Port Master Plan and its subsequent amendments into a comprehensive user-friendly long-range master planning document that reflects recent land use and planning projects and accommodates forecasted cargo growth. The port has previously approved an EIR for this project.  Comment Period: N/A Public Hearing: 3/12/2014	Notice of a Public Hearing	California Coastal Commission	Document does not require comments
<i>Plans and Regulations</i> <b>LAC140328-01</b> Homestead South	The proposed project consists of Homestead South which would implement the third tentative tract map for the Newhall Ranch Specific Plan in Santa Clarita, which was approved by the Board of Supervisors on May 27, 2003. The Homestead South would provide single- and multi-family residences, retail/commercial uses, school sites, public parks, private recreation facilities, open space and plant preserve areas, and other facilities and infrastructure necessary to facilitate Project Development.  Comment Period: 3/28/2014 - 4/28/2014 Public Hearing: N/A	Notice of Preparation	County of Los Angeles	Document under review as of 3/31/14
<i>Plans and Regulations</i> <b>LAC140328-02</b> West Covina Holt Specific Plan	The proposed project consists of demolishing and removing both single-family homes, 44 trees, and construction of 48 multi-family attached homes with three community open spaces areas for a maximum density of 9.2 dwelling units per acre.  Comment Period: 3/31/2014 - 4/29/2014 Public Hearing: 5/13/2014	Draft Mitigated Negative Declaration	City of West Covina	Document reviewed - No comments sent
<i>Plans and Regulations</i> <b>ORC140304-02</b> Fullerton Downtown Core and Corridors Specific Plan	The proposed project consists of the adoption of the Downtown Core and Corridors Specific Plan which serves as the zoning for the project site. It would establish the necessary plans, development standards, regulations, infrastructure requirements, design guidelines, and implementation programs on which subsequent project-related development activities would be founded. The proposed project would be developed by a number of landowners over time, within the framework established by the Downtown Core and Corridors Specific Plan.  Comment Period: 3/4/2014 - 4/3/2014 Public Hearing: N/A	Notice of Preparation	City of Fullerton	Document under review as of 3/31/14
<i>Plans and Regulations</i> <b>ORC140318-04</b> Newport Beach General Plan Land Use Element Amendment	The proposed project consists of an amendment to the City of Newport Beach General Plan Land Use Element. The amendment is intended to shape future development within the City and involves the alteration, intensification, and redistribution of land uses in certain areas of the City.  Comment Period: 3/17/2014 - 4/30/2014 Public Hearing: N/A	Supplemental Environmental Impact Report	City of Newport Beach	Document under review as of 3/31/14
<i>Plans and Regulations</i> <b>ORC140320-05</b> Mackay Place Specific Plan	The proposed project consists of a Specific Plan, which would create a comprehensive land use plan for the 9.7-acre site of the closed Mackay Elementary School.  Comment Period: 3/21/2014 - 5/5/2014 Public Hearing: N/A	Draft Environmental Impact Report	City of Cypress	Document under review as of 3/31/14

# - Project has potential environmental justice concerns due to the nature and/or location of the project.  
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MARCH 1, 2014 TO MARCH 31, 2014**

SCAQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Plans and Regulations</b> <b>RVC140318-06</b> Murrieta Hills Specific Amendment	The proposed project consists of amending and replacing Specific Plan No. SMP-4 with the Murrieta Hills Specific Plan (MHSP) and includes the annexation of the project area into the City of Murrieta. The MHSP proposes up to 750 residences, commercial, mixed-use, and natural and improved open space on approximately 974 acres. Comment Period: 3/18/2014 - 4/15/2014 Public Hearing: N/A	Notice of Preparation	City of Murrieta	Document under review as of 3/31/14
<b>Plans and Regulations</b> <b>RVC140325-05</b> Western Riverside Council of Governments (WRCOG) Climate Action Plan	The proposed project consists of the Western Riverside Council of Governments Subregional Climate Action Plan. The plan provides a vision for climate leadership and provides a vision for a subregion that is vibrant, economically prosperous, and healthy. Comment Period: 3/25/2014 - 4/21/2014 Public Hearing: N/A	Other	Western Riverside Council of Governments	Document under review as of 3/31/14
<b>Plans and Regulations</b> <b>RVC140326-15</b> Ramona Creek Specific Plan and General Plan Amendment	The proposed project consists of an amendment to the residential development capacity of the 2030 General Plan; a long-range plan for development with multiple-use commercial and residential dwelling units and 649,044 square feet of commercial land uses; and subdivision of the project site. Comment Period: 3/21/2014 - 5/5/2014 Public Hearing: N/A	Draft Environmental Impact Report	City of Hemet	Document under review as of 3/31/14
<b>Plans and Regulations</b> <b>SBC140307-02</b> PL13-0601, PL13-0602 (East Chino Specific Plan Amendment, and Addendum to the Chino General Plan Environmental Impact Report of the Albers/Verhoeven Residential	The proposed project consists of a request to change the existing land use designations; an amendment to the East Chino Specific Plan for modifications to street sections and several cleanup provisions due to the land use change; and an addendum to the Chino General Plan Update. Comment Period: 3/7/2014 - 3/17/2014 Public Hearing: 4/1/2014	Notice of a Public Hearing	City of Chino Hills	Document reviewed - No comments sent
<b>Plans and Regulations</b> <b>SBC140320-04</b> Harmony Specific Plan (SPR-011-001)	The proposed project consists of a master-planned residential community consisting of a maximum of 3,632 residential units on approximately 658 acres reflecting a mix of residential product types. Comment Period: 3/21/2014 - 5/5/2014 Public Hearing: N/A	Draft Environmental Impact Report	City of Highlands	Document under review as of 3/31/14

**TOTAL DOCUMENTS RECEIVED AND REVIEWED THIS REPORTING PERIOD: 71**

# - Project has potential environmental justice concerns due to the nature and/or location of the project.  
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**ATTACHMENT B\***  
**ONGOING ACTIVE PROJECTS FOR WHICH SCAQMD HAS**  
**OR IS CONTINUING TO CONDUCT A CEQA REVIEW**

SCAQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Industrial and Commercial</b> <b>LAC140211-04</b> Shell Oil Products US Carson Revitalization Project	The proposed project consists of adoption and implementation of the Carson Revitalization Project (CRP) Specific Plan. The Plan provides land use and infrastructure planning of the East and West Distribution Facilities as well as the Revitalization Areas within the proposed project site. The CRP proposes up to an additional 83,000 square feet of retail and 1,580,000 square feet of mixed industrial and business park uses.  Comment Period: 2/11/2014 - 3/26/2014 Public Hearing: N/A	Notice of Availability of a Draft Environmental Impact Report	City of Carson	Document under review as of 3/31/14
<b>Institutional (schools, government, etc.)</b> <b>ORC140221-02</b> Ball Road Basin Park Project	The proposed project consists of developing an approximately 19.5-acre site as an active park with lighted playing fields and a stadium with associated parking and concession areas. The project site currently exists as the Ball Road Basin, a recharge basin which has an approximately 220 acre-foot holding capacity and captures overflow from the adjacent Burris Recharge Basin and storm water runoff from the Orange County Flood Control District facilities. As part of the proposed project, the basin would be filled with engineered soil and the City would develop a park.  Comment Period: 2/21/2014 - 3/17/2014 Public Hearing: 3/3/2014	Notice of Preparation	City of Anaheim	Document under review as of 3/31/14
<b>Institutional (schools, government, etc.)</b> <b>SBC140227-03</b> Indian Springs High School Athletic Facilities Improvements	The proposed project consists of the development and operation of a 3,500-seat grandstand, competition-level field lights, a PA system, and a concession/restroom building at the track and field, as well as an aquatic center with competition lighting and a 12-lane swimming pool.  Comment Period: 2/27/2014 - 3/31/2014 Public Hearing: N/A	Notice of Preparation	San Bernardino City Unified School District	Document under review as of 3/31/14
<b>Retail</b> <b>LAC140212-01</b> The Ford Theatres Project	The proposed project consists of improvements that would result in approximately 47,550 net square feet of new facilities and approximately 48,750 net new square feet of outdoor plaza within the project site, for a total of 96,300 square feet. The project includes rehabilitation and improvements to the existing Amphitheatre and development of the Ford Terrace, the Ford Plaza, the Transit Center and a hiking trail.  Comment Period: 2/12/2014 - 3/11/2014 Public Hearing: N/A	Notice of Preparation	County of Los Angeles	Document under review as of 3/31/14
<b>General Land Use (residential, etc.)</b> <b>LAC140205-07</b> 5901 Sunset	The proposed project consists of a mixed-use project that would include approximately 26,000 square feet of retail use at street level, 274,000 square feet of office use in a tower structure, and 1,118 parking spaces on a 1.55-acre site. The improvements would comprise approximately 300,000 square feet of new floor area and would replace the existing surface parking lot by up to 18 stories and approximately 260 feet in height.  Comment Period: 2/5/2014 - 3/10/2014 Public Hearing: N/A	Notice of Preparation	City of Los Angeles	Document under review as of 3/31/14
<b>General Land Use (residential, etc.)</b> <b>LAC140220-05</b> Talaria at Burbank Mixed-Use Project	The proposed project consists of a mixed-use development that would include 241 residential units, 43,000 square feet, and 750 parking spaces on an approximately 3.9-acre site.  Comment Period: 2/20/2014 - 3/22/2014 Public Hearing: 3/5/2014	Notice of Preparation	City of Burbank	Document under review as of 3/31/14

\*Sorted by Comment Status, followed by Land Use, then County, then date received.

# - Project has potential environmental justice concerns due to the nature and/or location of the project.

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**ATTACHMENT B  
ONGOING ACTIVE PROJECTS FOR WHICH SCAQMD 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
<i>Plans and Regulations</i> <b>LAC140214-02</b> City of Los Angeles Mobility Plan 2035	The proposed project is a comprehensive revision of the adopted 1999 City of Los Angeles Transportation Element of the General Plan that will guide mobility decisions in the City through year 2035. The proposed Mobility Plan 2035 includes: (1) Policies - that support the goals and objectives; (2) an Enhanced Complete Street System - that prioritizes selected roadways for pedestrian, bicycle, transit, or vehicle enhancements; (3) an Action Plan - That prioritizes actions necessary for implementing the policies and programs; (4) a Complete Street Manual - that describes and identifies implementation procedures for the City's expanded Street Standards and Guidelines; and (5) a Bicycle Plan - incorporated into this plan since the previous 2010 Bicycle Plan was adopted in 2011.  Comment Period: 2/13/2014 - 5/13/2014 Public Hearing: N/A	Draft Environmental Impact Report	City of Los Angeles	Document under review as of 3/31/14
<i>Plans and Regulations</i> <b>ORC140205-08</b> Planning Areas 17/33 - General Plan Amendment and Zone Change	The proposed project consists of a General Plan Amendment and Zone Change involved in the City of Irvine's Planning Area 17 and PC 33, in Orange County, California. The project includes development of the 77.2 acre project site. The project would transfer 600,000 square feet of non-residential uses from Planning Area 33 to Planning Area 17.  Comment Period: 2/3/2014 - 3/5/2014 Public Hearing: N/A	Notice of Preparation	City of Irvine	Document under review as of 3/31/14
<i>Plans and Regulations</i> <b>ORC140225-01</b> College Town Specific Plan	The proposed project consists of developing a Specific Plan on an approximately 88 acre site in the eastern portion of the City. The College Town Specific Plan would be adopted as ordinance and serve as the zoning for the project site. It would establish the necessary plan, development standards, regulations, infrastructure requirements, design guidelines, and implementation programs for subsequent project-related development activities.  Comment Period: 2/25/2014 - 4/7/2014 Public Hearing: 3/13/2014	Draft Environmental Impact Report	City of Fullerton	Document under review as of 3/31/14
<i>Industrial and Commercial</i> <b>LAC140221-03</b> Line 63 Re-Route Project	The proposed project consists of a 2.27-mile long re-route of a segment of a petroleum pipeline (line 63) and approximately 2,000 linear feet of Horizontal Directional Drilling. The new locations would avoid a concentration of geologic hazards located along the existing Line 63 alignment, within a deep canyon between Fisher Springs Road and the Old Ridge Route. The proposed action would relocate the pipeline into a previously disturbed pipeline corridor, along an existing oil pipeline. The re-route alignment is proposed based on the presence of fewer geologic hazards, accessibility and constructability of the route. <a href="http://aqmddev/ceqa/jgr/2014/March/NOline63.pdf">http://aqmddev/ceqa/jgr/2014/March/NOline63.pdf</a>  Comment Period: 2/18/2014 - 3/20/2014 Public Hearing: N/A	Community Notice	US Department of Agriculture	SCAQMD staff commented 3/19/2014
<i>General Land Use (residential, etc.)</i> <b>RVC140213-09</b> Skyline Heights Project	The proposed project consists of annexation of 421.2 acres into the City of Corona. The annexation is accompanied by a tentative tract map to subdivide approximately 271 acres into 291 single family residential lots. <a href="http://www.aqmd.gov/ceqa/jgr/2014/March/NOPskyline.pdf">http://www.aqmd.gov/ceqa/jgr/2014/March/NOPskyline.pdf</a>  Comment Period: 2/13/2014 - 3/5/2014 Public Hearing: N/A	Notice of Preparation	City of Corona	SCAQMD staff commented 3/11/2014

# - Project has potential environmental justice concerns due to the nature and/or location of the project.

Comment letters can be accessed at: [www.aqmd.gov/ceqa/letters.html](http://www.aqmd.gov/ceqa/letters.html)

**ATTACHMENT B  
ONGOING ACTIVE PROJECTS FOR WHICH SCAQMD HAS  
OR IS CONTINUING TO CONDUCT A CEQA REVIEW**

SCAQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
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<b>TOTAL NUMBER OF REQUESTS TO SCAQMD FOR DOCUMENT REVIEW THIS REPORTING PERIOD:</b>	<b>99</b>
<b>TOTAL NUMBER OF COMMENT LETTERS SENT OUT THIS REPORTING PERIOD:</b>	<b>2</b>
<b>TOTAL NUMBER OF DOCUMENTS REVIEWED, BUT NO COMMENTS WERE SENT:</b>	<b>9</b>
<b>TOTAL NUMBER OF DOCUMENTS CURRENTLY UNDER REVIEW:</b>	<b>60</b>
<b>TOTAL NUMBER OF DOCUMENTS THAT DID NOT REQUIRE COMMENTS:</b>	<b>8</b>
<b>TOTAL NUMBER OF DOCUMENTS THAT WERE NOT REVIEWED:</b>	<b>3</b>
<b>TOTAL NUMBER OF DOCUMENTS THAT WERE SCREENED WITHOUT ADDITIONAL REVIEW:</b>	<b>28</b>

# - Project has potential environmental justice concerns due to the nature and/or location of the project.  
Comment letters can be accessed at: [www.aqmd.gov/ceqa/letters.html](http://www.aqmd.gov/ceqa/letters.html)

**ATTACHMENT C  
ACTIVE SCAQMD LEAD AGENCY PROJECTS  
THROUGH MARCH 28, 2014**

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	Negative Declaration	Staff revised responses to the 3 comment letters received on Draft ND and consultant providing edited responses and finalizing the 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	Environmental Impact Report	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 reviewed the Draft EIR and the consultant is revising the document.	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 (i.e., frequency of filling and emptying tank) 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	Negative Declaration	The Draft ND was released for a 30-day public review and comment period beginning on September 10, 2013 and ending on October 9, 2013. Three comment letters were received. SCAQMD reviewed the responses to the comment letters and the consultant is making edits to the responses and finalizing the Draft ND.	Environmental Audit, Inc.
The Tesoro Refining and Marketing Los Angeles Refinery operators are proposing to replace two existing tanks with two new larger tanks and to connect one existing tank to an existing vapor recovery system. The proposed project also includes replacing an onsite 12-inch pipe with a new 48-inch diameter pipe to connect to an existing pipeline to the marine terminal.	Tesoro Refining and Marketing Company Los Angeles Refinery	Negative Declaration	SCAQMD staff has reviewed the Draft ND and submitted comments to the consultant. Consultant is currently revising the Draft ND in preparation for release for public review and comment.	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 Negative Declaration	SCAQMD staff has reviewed the Draft Supplemental ND and submitted comments to the consultant. Consultant is currently finalizing the Supplemental ND in preparation for release for public review and comment.	Environ

A shaded row indicates a new project.

#=SCAQMD was contacted regarding potential environmental justice concerns due to the natural and/or location of the project.

**ATTACHMENT C  
ACTIVE SCAQMD LEAD AGENCY PROJECTS  
THROUGH MARCH 28, 2014**

PROJECT DESCRIPTION	PROPONENT	TYPE OF DOCUMENT	STATUS	CONSULTANT
<del>Operators of the Ultramar Wilmington Refinery are proposing to add rail service to their facility. (Project application was withdrawn)</del>	<del>Ultramar Wilmington Refinery</del>	<del>Environmental Impact Report</del>	<del>The consultant is preparing an Initial Study.</del>	<del>Environmental Audit, Inc.</del>
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 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 had prepared Draft Negative Declaration. SCAQMD staff is currently reviewing the Draft Negative Declaration to determine if it is the appropriate type of CEQA document for the project.	SABS Consulting
Quemetco is proposing an increase in daily furnace feed rate	Quemetco	To Be Determined	Initial Study under review by SCAQMD staff.	Trinity Consultants
Chevron is proposing modifications to its Product Reliability and Optimization (PRO) Project and has applied for a change of permit conditions to reduce NOx emissions and fired duty operating conditions of the Tail Gas Unit.	Chevron	To Be Determined	To Be Determined	Environmental Audit, Inc.

A shaded row indicates a new project.

#=SCAQMD was contacted regarding potential environmental justice concerns due to the natural and/or location of the project.



[↑ Back to Agenda](#)

BOARD MEETING DATE: May 2, 2014

AGENDA NO. 15

REPORT: Rule and Control Measure Forecast

SYNOPSIS: This report highlights SCAQMD rulemaking activity and Public Workshops potentially scheduled for the year 2014.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file.

Barry R. Wallerstein, D.Env.  
Executive Officer

EC:LT:cg

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1168	Adhesive and Sealant Applications (CTS-02)
Rule 1168 is moved from June to July to allow additional time to address stakeholder comments and to complete the CEQA analysis.	
Reg. IX X	Standards of Performance for New Stationary Sources National Emission Standards for Hazardous Air Pollutants
Regulations IX and X are moved from July to October due to limited resources and competing priorities. This will allow staff additional time to fully research and evaluate federal changes.	
1430	Control of Toxic Air Contaminants from Metal Forging, Shredding, Grinding and Other Metal Processing Operations
Proposed Rule 1430 is being moved from June to December 2014 to allow additional time to collect and analyze data and work with stakeholders.	
Reg. XX	Regional Clean Air Incentives Market (RECLAIM) (CMB-01)
Regulation XX is moved from July to September to allow additional time to complete the BARCT and cost analysis.	

## 2014 MASTER CALENDAR (continued)

Below is a list of all rulemaking activity scheduled for the year 2014. 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.*

*<sup>1</sup>Subject to Board approval*

*California Environmental Quality Act shall be referred to as "CEQA."*

*Socioeconomic Analysis shall be referred to as "Socio."*

### 2014

June		AQMP	Toxics	Other	Climate Change
Reg. III	Fees			√	
2202	On-Road Motor Vehicle Mitigation Options			√	
July					
1123	Refinery Process Turnarounds (MCS-03)	√			
1151 <sup>*+</sup>	Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations			√	
1168 <sup>1</sup>	Adhesive and Sealant Applications (CTS-02)	√			
4001	Backstop to Ensure AQMP Emission Reduction Targets Are Met at Commercial Marine Ports (IND-01)	√			
September					
1111	Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces			√	
1153.1	Emissions of Oxides of Nitrogen from Commercial Food Ovens			√	
1401	New Source Review of Toxic Air Contaminants		√		
1402	Control of Toxic Air Contaminants from Existing Sources				

**2014 MASTER CALENDAR (continued)**

**2014**

<b>September</b>	<b>(continued)</b>	<b>AQMP</b>	<b>Toxics</b>	<b>Other</b>	<b>Climate Change</b>
Reg. XX <sup>1</sup>	Regional Clean Air Incentives Market (RECLAIM) (CMB-01)	√			
<b>October</b>					
415	Odors from Rendering Plants			√	
Reg. IX <sup>1</sup>	Standards of Performance for New Stationary Sources			√	
X <sup>1</sup>	National Emission Standards for Hazardous Air Pollutants				
1161	VOC Reductions from Mold Release Agents (CTS-03)	√			
<b>November</b>					
1188	VOC Reductions from Vacuum Trucks (FUG-01)	√			
1420	Emissions Standard for Lead		√		
1420.2	Emission Standards for Lead from Medium Sources		√		
2305*	Indirect Sources		√	√	
<b>December</b>					
1111.1	NOx Reductions from Commercial Space Heating (CMB-03)	√			
1430 <sup>1</sup>	Control of Toxic Air Contaminants from Metal Forging, Shredding, Grinding and Other Metal Processing Operations		√		
1450	Control of Methylene Chloride Emissions		√		
2301	Control of Emissions from New or Redevelopment Projects (EGM-01)	√			

**2014 TO-BE DETERMINED**

<b>TBD</b>		<b>AQMP</b>	<b>Toxics</b>	<b>Other</b>	<b>Climate Change</b>
219	Equipment Not Requiring a Written Permit Pursuant to Regulation II			√	

**2014 MASTER CALENDAR (continued)**

**2014 TO-BE DETERMINED**

<b>TBD</b>		<b>AQMP</b>	<b>Toxics</b>	<b>Other</b>	<b>Climate Change</b>
222.1	Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation I			√	
1107	Coating of Metal Parts and Products			√	
1113	Architectural Coatings			√	
1118	Control of Emissions from Refinery Flares			√	√
1124	Aerospace Assembly and Component Manufacturing Operations (CTS-02)	√		√	
1162	Polyester Resin Operations (CTS-02)	√		√	
1171	Solvent Cleaning Operations (CTS-02)	√		√	
1147	NOx Reductions from Miscellaneous Sources			√	
1148.1	Oil and Gas Production Wells			√	
1177	Liquefied Petroleum Gas Transfer and Dispensing			√	
1190 Series	Fleet Vehicle Requirements			√	
1304.2	Greenfield or Existing Electrical Generating Facility Fee for Use of Offsets			√	
Reg. XIII	New Source Review			√	
1420.1	Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities		√		
1902	Transportation Conformity - Preamble			√	
2511	Credit Generation Program for Locomotive Head End Power Unit Engines			√	
2512	Credit Generation Program for Ocean-Going Vessels at Berth			√	

**2014 MASTER CALENDAR (continued)**

**2014 TO-BE DETERMINED**

<b>TBD</b>	<b>(continued)</b>	<b>AQMP</b>	<b>Toxics</b>	<b>Other</b>	<b>Climate Change</b>
Reg.XXVII	Climate Change				√
4010 <sup>*+</sup>	General Provisions and Requirements for Ports of Los Angeles and Long Beach (IND-01)	√	√		
4020 <sup>*+</sup>	Backstop Requirements for Ports of Los Angeles and Long Beach (IND-01)	√	√		
Reg. IV, IX, X, XI, XIV, XX and XXX Rules	Rule amendments may be needed to meet the requirements of state and federal laws, to address variance issues/technology-forcing limits, to abate a substantial endangerment to public health or welfare, or to seek additional reductions to meet the SIP short-term measure commitments. The associated rule development or amendments include, but are not limited to, SCAQMD existing rules listed in Table 1 of the December 6, 2013 Rule and Control Measure Forecast and new or amended rules to implement the 2012 AQMP measures in Table 2 of the December 6, 2013 Rule and Control Measure Forecast. The Clean Communities Plan (CCP) has been updated to include new measures to address toxic emissions in the basin. The CCP measures will reduce exposure to air toxics from stationary, mobile, and area sources (Table 3 of the December 6, 2013 Rule and Control Measure Forecast). Rule amendments also include updates to provide consistency with CARB Statewide Air Toxic Control Measures.	√	√	√	√

# ATTACHMENT A

## AQMP Rule Activity Schedule

This attachment lists those control measures that are being developed into rules or rule amendments for Governing Board consideration that are designed to implement the amendments to the 2012 Air Quality Management Plan.

### 2014

<b>July</b>	
1123	<p><b>Refinery Process Turnarounds (MCS-03)</b>  <i>[Projected Emission Reduction: N/A]</i>                      Proposed amendments, if needed, will implement Control Measure MSC-03 of the 2007 AQMP by establishing procedures that better quantify emission impacts from start-up, shutdown or turnaround activities.  <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
1168 <sup>1</sup>	<p><b>Adhesive and Sealant Applications (CTS-02)</b>  <i>[Projected Emission Reduction: N/A]</i>                      Amendments to Rule 1168 will partially implement CTS-02 and reflect improvements in adhesive and sealants technology, as well as remove outdated provisions and include minor clarifications.  <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
4001	<p><b>Backstop to Ensure AQMP Emission Reduction Targets Are Met at Commercial Marine Ports (IND-01)</b>  <i>[Projected Emission Reduction: TBD]</i>                      If triggered, the proposed rule will address cost-effective NO<sub>x</sub>, SO<sub>x</sub>, and PM<sub>2.5</sub> emission reduction strategies from port-related sources to ensure emission reductions claimed or emission targets assumed in the 2012 AQMP for the 24-hour PM<sub>2.5</sub> standard are maintained.  <i>Randall Pasek 909.396.2251 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
<b>September</b>	
Reg. XX <sup>1</sup>	<p><b>Regional Clean Air Incentives Market (RECLAIM) (CMB-01)</b>  <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 rule making.  <i>Joe Cassmassi 909.396.3155 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
<b>October</b>	
1161	<p><b>VOC Reductions from Mold Release Agents (CTS-03)</b>  <i>[Projected Emission Reduction: TBD]</i>                      The proposed rule will establish requirements for mold release products used in composite, fiberglass, metal and plastic manufacturing, and concrete stamping operations.  <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>

# ATTACHMENT A

## AQMP Rule Activity Schedule (continued)

**2014**

<b>November</b>	
1188	<p><b>VOC Reductions from Vacuum Trucks (FUG-01)</b>  <i>[Projected Emission Reduction: TBD]</i>                      The proposed rule will establish VOC emission standards and other requirements associated with the operation of vacuum trucks not covered by Rule 1149 – Storage Tank and Pipeline Cleaning and Degassing.  <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
<b>December</b>	
1111.1	<p><b>NO<sub>x</sub> Reductions from Commercial Space Heating (CMB-03)</b>  <i>[Projected Emission Reduction: N/A]</i>                      Proposed Rule 1111.1 will establish equipment-specific nitrogen oxides emission limits and other requirements for the operation of commercial space heaters.  <i>Joe Cassmassi 909.396.3155 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
2301	<p><b>Control of Emissions from New or Redevelopment Projects (EGM-01)</b>  <i>[Projected Emission Reduction: Committed to reduce 0.5 tons per day of VOC, 0.8 tons per day of NO<sub>x</sub>, and 0.5 tons per day of PM<sub>2.5</sub> 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 Proposed Rule 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 emission reductions targets will be met. In light of these developments, Proposed Rule 2301 will consider the implementation of a menu of mitigation measures as well as capture the co-benefits of VOC, NO<sub>x</sub>, and PM 2.5 emission reductions from SB 375 and the 2012 RTP/SCS.  <i>Carol Gomez 909.396.3264 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>

# ATTACHMENT A

## AQMP Rule Activity Schedule (continued)

### To-Be Determined 2014

<b>To-Be Determined</b>	
1124	<b>Aerospace Assembly and Component Manufacturing Operations (CTS-02)</b>
1162	<b>Polyester Resin Operations (CTS-02)</b>
1171	<b>Solvent Cleaning Operations (CTS-02)</b> <i>[Projected Emission Reduction: TBD]</i> Amendments may be necessary to integrate requirements associated with Proposed Rule 1161 – VOC Reductions from Mold Release Agents. <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i>
4010 <sup>*+</sup>	<b>General Provisions and Requirements for Ports of Los Angeles and Long Beach (IND-01)</b>
4020 <sup>*+</sup>	<b>Backstop Requirements for Ports of Los Angeles and Long Beach (IND-01)</b> <i>[Projected Emission Reduction: TBD]</i> If triggered, the proposed rules will address cost-effective NO <sub>x</sub> , SO <sub>x</sub> , and PM <sub>2.5</sub> emission reduction strategies from port-related sources to ensure emission reductions claimed or emission targets assumed in the AQMP are maintained. <i>Susan Nakamura 909.396.3105 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i>
Reg. IV, IX, X, XI, XIV, XX and XXX Rules	Rule amendments may be needed to meet the requirements of state and federal laws, to address variance issues/technology-forcing limits, to abate a substantial endangerment to public health or welfare, or to seek additional reductions to meet the SIP short-term measure commitments. The associated rule development or amendments include, but are not limited to, SCAQMD existing rules listed in Table 1 of the December 6, 2013 Rule and Control Measure Forecast and new or amended rules to implement the 2012 AQMP measures in Table 2 of the December 6, 2013 Rule and Control Measure Forecast.



# ATTACHMENT B

## Toxics Rule Activity Schedule

This attachment lists those rules or rule amendments for Governing Board consideration that are designed to implement the Air Toxics Control Plan.

**2014**

<b>September</b>	
1401 1402	<p><b>New Source Review of Toxic Air Contaminants</b>  <b>Control of Toxic Air Contaminants from Existing Sources</b>  <i>[Projected Emission Reduction: TBD]</i>                      Amendments to Rules 1401 and 1402 will address new or revised toxic air contaminants that have been approved by OEHHA.  <i>Susan Nakamura 909.396.3105 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
<b>November</b>	
1420 1420.2	<p><b>Emissions Standard for Lead</b>  <b>Emission Standards for Lead from Medium Sources</b>  <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/m<sup>3</sup>. 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: Cassmassi 909.396.3155</i></p>
2305*	<p><b>Indirect Sources</b>  <i>[Projected Emission Reduction: TBD]</i>                      Proposed Rule 2305 will identify approaches to reduce exposure to diesel particulate emissions and localized NO<sub>2</sub> 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: Cassmassi 909.396.3155</i></p>
<b>December</b>	
1430 <sup>1</sup>	<p><b>Control of Toxic Air Contaminants from Metal Forging, Shredding, Grinding and Other Metal Processing Operations</b>  <i>[Projected Emission Reduction: TBD]</i>                      Proposed Rule 1430 will establish requirements to control toxic air contaminants from metal forging, shredding, grinding, and other metal processing operations.  <i>Susan Nakamura 909.396.3105 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
1450	<p><b>Control of Methylene Chloride Emissions</b>  <i>[Projected Emission Reduction: N/A]</i>                      Proposed Rule 1450 will establish requirements to control methylene chloride from furniture stripping operations and other sources.  <i>Susan Nakamura 909.396.3105 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>

## ATTACHMENT B

### Toxics Rule Activity Schedule (continued)

#### To-Be Determined 2014

<b>To-Be Determined</b>	
1420.1	<p><b>Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities</b>  <i>[Projected Emission Reduction: TBD]</i>                      The proposed amendment will reduce arsenic, benzene, and 1,3-butadiene emissions from large lead-acid battery recycling facilities.  <i>Susan Nakamura 909.396.3105 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
4010 <sup>*+</sup> 4020 <sup>*+</sup>	<p><b>General Provisions and Requirements for Ports of Los Angeles and Long Beach (IND-01)</b>  <b>Backstop Requirements for Ports of Los Angeles and Long Beach (IND-01)</b>  <i>[Projected Emission Reduction: TBD]</i>                      If triggered, the proposed rules will address cost-effective NO<sub>x</sub>, SO<sub>x</sub>, and PM<sub>2.5</sub> emission reduction strategies from port-related sources to ensure emission reductions claimed or emission targets assumed in the AQMP are maintained.  <i>Susan Nakamura 909.396.3105 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
Reg. IV, IX, X, XI, XIV, XX and XXX Rules	<p>The Clean Communities Plan (CCP) has been updated to include new measures to address toxic emissions in the basin. The CCP measures will reduce exposure to air toxics from stationary, mobile, and area sources (Table 3 of the December 6, 2013 and Control Measure Forecast). Rule amendments also include updates to provide consistency with CARB Statewide Air Toxic Control Measures.</p>

# ATTACHMENT C

## Other Rule Activity Schedule

This attachment lists those rules or rule amendments for the Governing Board consideration that are designed to improve rule enforceability, SIP corrections, or implementing state or federal regulations.

**2014**

<b>June</b>	
Reg. III	<p><b>Fees</b> <i>[Projected Emission Reduction: N/A]</i> Regulation III is being amended to better align program revenues with program costs. Other minor amendments may also be proposed to correct typos, eliminate out-of-date references, and improve consistency and clarity. <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
2202	<p><b>On-Road Motor Vehicle Mitigation Options</b> <i>[Projected Emission Reduction: TBD]</i> The proposed amendment is to amend sections of Rule 2202 On-Road Vehicle Mitigation Options and the Rule 2202 Implementation Guidelines that address the use of Emission Reduction Credits (ERCs). Staff is proposing to restrict new transfer of ERCs into the program and to clarify their use. ERCs that are already in the Rule 2202 program will remain there pursuant to existing guideline language. The restricting of the use of ERCs in the program is to prevent potentially negative impacts on their availability to the NSR program. <i>Carol Gomez 909.396.3264 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>

# ATTACHMENT C

## Other Rule Activity Schedule (continued)

**2014**

<b>July</b>	
1151 <sup>*+</sup>	<p><b>Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations</b>  <i>[Projected Emission Reduction: N/A]</i>                      The proposed amendments to the rule will remove language associated with outdated requirements and may also be necessary to reflect further findings relative to recordkeeping requirements for tertiary butyl acetate (TBAC), as well as include minor clarifications.  <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
<b>September</b>	
1111	<p><b>Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces</b>  <i>[Projected Emission Reduction: N/A]</i>                      Amendments may be necessary to reflect the findings of the ongoing technology assessment.  <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
1153.1	<p><b>Emissions of Oxides of Nitrogen from Commercial Food Ovens</b>  <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 909.396.3155 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
<b>October</b>	
415	<p><b>Odors from Rendering Plants</b>  <i>[Projected Emission Reduction: TBD]</i>                      Proposed Rule 415 will address odors from rendering plants.  <i>Phil Fine 909.396.2239 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
Reg. IX <sup>1</sup> X <sup>1</sup>	<p><b>Standards of Performance for New Stationary Sources (NSPS) National Emission Standards for Hazardous Air Pollutants (NESHAPS)</b>  <i>[Projected Emission Reduction: N/A]</i>                      Regulation IX - Standards of Performance for New Stationary Sources and Regulation X - National Emission Standards for Hazardous Air Pollutants, incorporate by reference the corresponding federal requirements. Amendments are being proposed to incorporate the latest federal revisions.  <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>

# ATTACHMENT C

## Other Rule Activity Schedule (continued)

**2014**

November	
2305*	<p><b>Indirect Sources</b>  <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: Cassmassi 909.396.3155</i></p>

## To-Be Determined 2014

To-Be Determined	
219	<p><b>Equipment Not Requiring a Written Permit Pursuant to Regulation II</b>  <i>[Projected Emission Reduction: N/A]</i>                      Amendments to Rule 219 may be proposed to exclude equipment with de minimis emissions from the requirement to obtain written permits.</p> <p><i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
222.1	<p><b>Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation I</b>  <i>[Projected Emission Reduction: N/A]</i>                      Amendments for Rule 222 may be proposed to add additional equipment categories to the streamlined filing/registration program of Rule 222.</p> <p><i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
1107	<p><b>Coating of Metal Parts and Products</b>  <i>[Projected Emission Reduction: N/A]</i>                      Potential amendments to Rule 1107 would further reduce VOC emissions and improve rule clarity and enforceability.</p> <p><i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
1113	<p><b>Architectural Coatings</b>  <i>[Projected Emission Reduction: N/A]</i>                      Potential amendments may be proposed to include administrative fixes and/or any clarifications that may arise due to compliance verification activities or manufacturer and public input.</p> <p><i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>

## ATTACHMENT C

### Other Rule Activity Schedule (continued)

#### To-Be Determined 2014 (continued)

<b>To-Be Determined</b>	<b>(continued)</b>
1118	<p><b>Control of Emissions from Refinery Flares</b>  <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: Cassmassi 909.396.3155</i></p>
1124 1162 1171	<p><b>Aerospace Assembly and Component Manufacturing Operations (CTS-02)</b>  <b>Polyester Resin Operations (CTS-02)</b>  <b>Solvent Cleaning Operations (CTS-02)</b>  <i>[Projected Emission Reduction: N/A]</i>                      Amendments may be necessary to integrate requirements associated with Proposed Rule 1161 – VOC Reductions from Mold Release Agents. 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: Cassmassi 909.396.3155</i></p>
1147	<p><b>NOx Reductions from Miscellaneous Sources</b>  <i>[Projected Emission Reduction: N/A]</i>                      Amendments may be necessary to address findings of ongoing technology assessment.  <i>Joe Cassmassi 909.396.3155 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
1148.1	<p><b>Oil and Gas Production Wells</b>  <i>[Projected Emission Reduction: N/A]</i>                      Amendments may be necessary to improve rule effectiveness in reducing emissions from production wells and associated equipment and improving housekeeping activities.  <i>Susan Nakamura 909.396.3105 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
1177	<p><b>Liquefied Petroleum Gas Transfer and Dispensing</b>  <i>[Projected Emission Reduction: N/A]</i>                      Potential amendments may be proposed to include administrative fixes and/or any clarifications that may arise due to compliance verification activities or manufacturer and public input.  <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
1190 Series	<p><b>Fleet Vehicle Requirements</b>  <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: Cassmassi 909.396.3155</i></p>

# ATTACHMENT C

## Other Rule Activity Schedule (continued)

### To-Be Determined 2014

<b>To-Be Determined</b>	<b>(continued)</b>
1304.2	<p><b>Greenfield or Existing Electrical Generating Facility Fee for Use of Offsets</b>  <i>[Projected Emission Reduction: TBD]</i>                      Rule 1304.2 provides for new, greenfield or additions at existing electrical generating facilities access to the AQMD's internal offset account, subject to qualifying conditions, eligibility, and the payment of a fee to invest in air quality improvement projects consistent with the AQMP. This rule is a companion provision to recently adopted Rule 1304.1 and will provide that new, proposed and other existing electrical generating facilities can compete on a level playing field with existing generating facilities with utility steam boilers, and implement the State's plan to maintain grid reliability.  <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
Reg. XIII	<p><b>New Source Review</b>  <i>[Projected Emission Reduction: TBD]</i>                      Amendments may be necessary to address U.S. EPA comments on SIP approvability issues and/or requirements. Amendments may also be proposed for clarity and improved enforceability.  <i>Naveen Berry 909.396.2363 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
1902	<p><b>Transportation Conformity</b>  <i>[Projected Emission Reduction: TBD]</i>                      Amendments to Rule 1902 may be necessary to bring the District's Transportation Conformity rule in line with current U.S. EPA requirements.  <i>Susan Nakamura 909.396.3105 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>
2511	<p><b>Credit Generation Program for Locomotive Head End Power Unit Engines</b>  <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: Cassmassi 909.396.3155</i></p>
2512	<p><b>Credit Generation Program for Ocean-Going Vessels at Berth</b>  <i>[Projected Emission Reduction: TBD]</i>                      Develop a rule to allow generation of PM, NOx and SOx 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: Cassmassi 909.396.3155</i></p>

# ATTACHMENT C

## Other Rule Activity Schedule (continued)

### To-Be Determined 2014

<b>To-Be Determined</b>	<b>(continued)</b>
Reg. IV, IX, X, XI, XIV, XX and XXX Rules	<p>Rule amendments may be needed to meet the requirements of state and federal laws, to address variance issues/technology-forcing limits, to abate a substantial endangerment to public health or welfare, or to seek additional reductions to meet the SIP short-term measure commitments. The associated rule development or amendments include, but are not limited to, SCAQMD existing rules listed in Table 1 of the December 6, 2013 Rule and Control Measure Forecast and new or amended rules to implement the 2012 AQMP measures in Table 2 of the December 6, 2013 Rule and Control Measure Forecast. The Clean Communities Plan (CCP) has been updated to include new measures to address toxic emissions in the basin. CCP measures will reduce exposure to air toxics from stationary, mobile, and area sources (Table 3 of the December 6, 2013 Rule and Control Measure Forecast). Rule amendments also include updates to provide consistency with CARB Statewide Air Toxic Control Measures.</p>



# ATTACHMENT D

## Climate Change

This attachments lists rules or rule amendments for Governing Board consideration that are designed to implement SCAQMD's Climate Change Policy or for consistency with state or federal rules.

### To-Be Determined 2014

<b>To-Be Determined</b>	
1118	<b>Control of Emissions from Refinery Flares</b> <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: Cassmassi 909.396.3155</i>
Reg. XXVII	<b>Climate Change</b> <i>[Projected Emission Reduction: TBD]</i> Additional protocols may be added to Rules 2701 and 2702. <i>Susan Nakamura 909.396.3105 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i>
Reg. IV, IX, X, XI, XIV, XX and XXX Rules	Rule developments/amendments may be needed to meet the requirements of state and federal laws related to climate change air pollutants.

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BOARD MEETING DATE: May 2, 2014

AGENDA NO. 16

PROPOSAL: Report of RFPs and RFQs Scheduled for Release in May

SYNOPSIS: This report summarizes the RFPs and RFQs for budgeted services over \$75,000 scheduled to be released for advertisement for the month of May.

COMMITTEE: Administrative, April 11, 2014; Recommended for Approval

**RECOMMENDED ACTION:**

Approve the release of RFPs/RFQs for the month of May.

Barry R. Wallerstein, D.Env.  
Executive Officer

MBO:lg

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**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 May 2, 2014.

**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 May 2014

**May 2, 2014 Board Meeting  
Report on RFPs and RFQs Scheduled for Release on May 2, 2014**

**(For detailed information visit SCAQMD's website at  
<http://www.aqmd.gov/rfp/index.html> following Board approval on May 2, 2014)**

**STANDARDIZED SERVICES**

RFP #P2014-23	Issue RFP for Carpet Installation at Diamond Bar Headquarters	JOHNSON/3018
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Over the past several years, worn carpeting has been replaced in high-use areas throughout the Diamond Bar Headquarters facility. Additional carpet replacement is now necessary on select floors. This action is to issue an RFP for the installation of carpet on these select floors for an amount not to exceed \$525,000. Sufficient funding is available upon Governing Board adoption of the proposed Fiscal Year 2014-15 Budget.

**REQUESTS FOR QUALIFICATIONS - Prequalified Vendor List**

NONE

**RESEARCH AND DEVELOPMENT OR SPECIAL TECHNICAL EXPERTISE**

NONE

**REQUEST FOR QUOTATIONS – Commercial Off-the-Shelf Equipment**

NONE

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BOARD MEETING DATE: May 2, 2014

AGENDA NO. 17

**PROPOSAL:** Status Report on Major Projects for Information Management Scheduled to Start During Last 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 last 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

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### **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 January 1 and June 30, 2014. 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 January 1 through June 30, 2014

**ATTACHMENT**  
**May 2, 2014 Board Meeting**  
**Information Management Major Projects**  
**for the Period of January 1 through June 30, 2014**

<b>Item</b>	<b>Brief Description</b>	<b>Budgeted Funds</b>	<b>Schedule of Board Actions</b>	<b>Status</b>
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 April 4, 2014	Completed
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	Completed
Systems Development, Maintenance and Support	Provide Development, Maintenance and Support for: <ul style="list-style-type: none"> <li>• CLASS System Enhancements</li> <li>• eGovernment Infrastructure/Architecture Implementation</li> <li>• Software Version Upgrades</li> <li>• Systems Maintenance</li> </ul>	\$391,560	March 7, 2014	Completed

Double-lined Rows - Board Agenda items current for this month

Shaded Rows - activities completed

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BOARD MEETING DATE: May 2, 2014

AGENDA NO. 19

REPORT: Administrative Committee

SYNOPSIS: The Administrative Committee met on Friday, April 11, 2014. The Committee discussed various issues detailed in the Committee report. The next Administrative Committee meeting is scheduled for Friday, May 9, 2014 at 10:00 a.m.

RECOMMENDED ACTION:

Receive and file.

Dr. William A. Burke, Chair  
Administrative Committee

GC

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**Attendance:** Attending the April 11, 2014 meeting were Committee Members Mayor Dennis Yates and Supervisor Josie Gonzales at SCAQMD headquarters, and Chairman William Burke and Dr. Clark E. Parker, Sr. via videoconference.

**ACTION/DISCUSSION ITEMS:**

1. **Board Members' Concerns:** None
2. **Chairman's Report of Approved Travel:** Executive Officer Barry Wallerstein advised that there were three trips reported. Supervisor Josie Gonzales traveled to Sacramento with staff to meet with members of the Legislature and their staff on April 2, 2014. Mayor Judith Mitchell anticipated a trip to Sacramento to attend the CARB Board meeting on April 23-25, 2014. Also, Mayor Miguel Pulido anticipated a trip to Dallas, Texas to attend the Conference of Mayors relative to air quality and energy on June 19-23, 2014.
3. **Approval of Compensation for Board Member Assistant(s)/Consultant(s):** None to report.

4. **Report of Approved Out-of-Country Travel:** None to report.
5. **Discussion of Reverse 911 Lines:** Assistant Deputy Executive Officer Chris Marlia reported that this item is in response to a discussion from last month's meeting where Dr. Parker inquired about AMBER Alerts and whether SCAQMD had the capability for those type-related alerts. Mr. Marlia provided a presentation describing our current capabilities and what has been done in the past with regard to outreach and Reverse 911 lines. They consist of blast emails using mailing lists we have available, alerts on social media through Twitter and Facebook, and phone messaging to designated areas.

We currently do not have authority to access the Reverse 911 list. However, FEMA has that capability and is the responsible agency for sending out AMBER Alerts. NOAA also has the capability to send out alerts over their radio network. Over the last decade when agencies were brought under the umbrella of the National Security Agency, efforts were taken to integrate these alert systems. FEMA created a system called IPAWS, an Integrated Public Alert and Warning System, for AMBER Alerts and emergency alerting. Local agencies may participate in IPAWS as alerting authorities if they conform to all its regulations and protocols. Interface IPAWS software may also be purchased and configured to conform to its reporting protocols to blast emergency messages. SCAQMD may apply to participate in IPAWS; however, the approval process is very stringent. Once approval is granted, a laptop can be configured to send out messages alerting the public.

Dr. Wallerstein mentioned that typically it is the Fire and Law Enforcement Departments who make the emergency announcements and, ultimately, make determinations about evacuations and sheltering in place after consulting with us on how the public should be advised. He suggested it might be more appropriate for us to work with those entities to put an agreement in place. Staff is seeking direction from the Board.

Rudy Eden, Lab Manager in Source Testing, described the process by which a portable gas chromatograph mass spectrometer is used to collect samples. The device is driven to the field and placed on the back of a fireman who is designated to go into the hot zone to collect a sample. The instrument is brought back out of the hot zone to our staff in the field within 20 minutes. The information is then downloaded and presented to the Fire Department as to what hazardous emissions are found present in the hot zone where the sample was collected.



Dr. Burke was concerned about the timeframe it would take to drive the device to the location of the fire. Dr. Wallerstein mentioned that in the past we have had some initial discussions with the Fire Departments about whether we should place some equipment strategically so that it was nearby some of the areas of highest concentration of chemical plants and places of that nature. Those discussions did not go very far, but may be something we should revisit.

Dr. Burke commented that this is one of the things that Supervisor Gonzales was referring to when she talked about us coordinating with local governments. He added that driving a piece of equipment to a fire does not sound very effective. Dr. Wallerstein indicated that we will revisit this with the other safety officials and agencies. There is an issue about who has the equipment, where you store it, are they properly trained on its use, and do they take care to calibrate the equipment. We are also dealing with multiple jurisdictions in our region.

Dr. Burke asked if a wireless chromatograph was available and what is the cost. Mr. Eden responded that he was not sure about wireless; however, we have the capability to transmit data, but it requires the instrument. The cost is \$125,000 each. Dr. Wallerstein added that, with Dr. Burke's approval, he plans to propose two agenda items for consideration at the Board Retreat which move us in the direction of having remote sensors that can provide real-time analysis and warning so that the data could be shared not only with our agency, but with our partners in the community.

Mayor Yates commented that SCAQMD has four gas chromatograph spectrometers that are proposed for use in the four counties. The Sheriff's Department in all four counties have helicopters. If the Fire Department is trained on the device when one is needed, the helicopter could immediately be dispatched with an instrument.

Supervisor Gonzales indicated that she wants to promote a positive, self-marketing, partnering with Cal Fire, Con Fire, County Fire, and Law Enforcement, to come together for a workshop to discuss and gain input regarding the obstacles they foresee that could be included in our approach. She added that within our region we know where the critical, dangerous locations are. We could begin by focusing on having a monitor on site, first identifying how many sites there are, how much money is needed, what training is involved, and then begin to provide a number of alternatives to consider. It gives us an opportunity to connect with local government allowing them to provide some answers and perhaps some funding.

Dr. Parker mentioned that he believes the County Fire Departments control probably 60 or 70% of small city fire departments since not many cities have their own fire department. It may be good for the four counties we represent to start at the County Fire Department level and work downward in order to refine them into a more manageable group to bring together and start the dialogue.

Mr. Eden responded that we have done that in the past. Post 9/11 we were working with the Fire Departments that had been given the same gas chromatograph mass spectrometer by the Department of Defense. Sadly, they were not able to keep up with the technology because of the technical detail that is required to keep that technology in real time. We have since trained different Fire Departments at the county and city levels where we would communicate with the different entities, let them know what our capacities and capabilities were, and what services we have available. It has been about four years since we last connected with those different departments, but we can certainly consider keeping that more current. Dr. Burke directed staff to look into doing that.

Supervisor Gonzales added that ideally at some point in the future the goal needs to be that we can address the mobile monitoring opportunities no different than what is done with fire extinguishers in places of business. They have an expiration point and are checked, recharged, and inspected. The goal should be, ultimately, working with technology that would lend itself to make that happen.

### **MAY AGENDA ITEMS**

6. **Recognize Revenue and Appropriate Funds for PM2.5 Monitoring Program and Issue Purchase Orders for Air Monitoring and Analysis Equipment:** Assistant Deputy Executive Officer Laki Tisopulos reported that this item is to recognize funding from U.S. EPA for our PM2.5 Monitoring Network and to issue purchase orders for additional air monitoring and analysis equipment.

Moved by Yates; seconded by Gonzales; unanimously approved.

7. **Appropriate Funding and Authorize Enhancements to SCAQMD's Air Toxics Monitoring Program:** Dr. Tisopulos reported that this item is to transfer and appropriate funding to the Science & Technology Advancement Office FY 2013-14 and/or FY 2014-15 Budget and release RFQs and issue purchase orders for laboratory and field equipment.

Moved by Yates; seconded by Gonzales; unanimously approved.

8. **Amend Contract for Enhancement of New Annual Emissions Reporting System:** Deputy Executive Officer Elaine Chang advised that this item is delayed for one month.
9. **Report of RFPs and RFQs Scheduled for Release in May:** Chief Financial Officer Michael O’Kelly requests approval to release an RFP for carpet installation at Diamond Bar Headquarters.

Moved by Parker; seconded by Yates; unanimously approved.

10. **Review of the May 2, 2014 Governing Board Agenda**
11. **Other Business:** None
12. **Public Comment:** None.

Meeting adjourned at 10:45 a.m.

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BOARD MEETING DATE: May 2, 2014

AGENDA NO. 20

REPORT: Legislative Committee

SYNOPSIS: The Legislative Committee held a meeting on Friday, April 11, 2014. The next Legislative Committee meeting is scheduled for Friday, May 9, 2014, at 9 a.m. in Conference Room CC8.

The Committee deliberated on the following agenda items for Board consideration and recommended the following actions:

<b>Agenda Item</b>	<b>Recommendation Action</b>
AB 2013 (Muratsuchi) Vehicles: High-Occupancy Vehicle Lanes	Support
AB 2242 (Perea) Air Quality Improvement Program	Support with Amendments
SB 1204 (Lara and Pavley) California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program	Support
SB 1275 (De Leon) Vehicle Retirement and Replacement: Charge Ahead California Initiative	Support and Work with the Author
Proposed Federal Surface Transportation Law (MAP 21) Reauthorization Language	Approve Proposed Language with Amendments

**RECOMMENDED ACTION:**

Receive, file this report, and approve agenda items as specified in this letter.

Josie Gonzales  
Chair  
Legislative Committee

LBS:GS:PFC:jf

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**Attendance [Attachment 1]**

The Legislative Committee met on April 11, 2014. Committee Chair Supervisor Josie Gonzales was present at SCAQMD's Diamond Bar headquarters as well as Mayor Dennis Yates, who was appointed to the Committee. Committee Member Dr. Clark E. Parker, Sr. and Dr. William Burke, Governing Board Chair, who was also appointed to the Committee, attended via teleconference.

**Update on Federal Legislative Issues**

Mark Kadesh of Kadesh & Associates, SCAQMD federal legislative consultant, updated the Committee on key Washington D.C. issues.

He reported that the Senate has just begun a two-week recess.

Mr. Kadesh also added that Senate Environment and Public Works (EPW) Committee Chair Barbara Boxer, Senator David Vitter (EPW Ranking Member), Senator Tom Carper (Chair, EPW Subcommittee on Transportation and Infrastructure) and Senator John Barrasso (Ranking Member, EPW Subcommittee on Transportation and Infrastructure) announced that they would work expeditiously to mark up the surface transportation reauthorization bill (MAP-21) and move it out of EPW to facilitate an extension of this law by the summer. The Highway Trust Fund is estimated to run out of funds by the summer, which provides extra motivation. The Senate Finance Committee would then need to address the biggest issue concerning this bill: How will adequate funds be generated to pay for the next reauthorization bill?

Mr. Kadesh stated that it appears that EPW plans to put forward a simple extension of the current MAP-21 bill, with the possibility of addition of a rail provision. The Ports of L.A. and Long Beach have submitted a proposal on freight to EPW, and EPW staff has asked for SCAQMD's input on this proposal. EPW is still trying to finalize the Water Resource Development Act (WRDA) legislation which is seen as a prerequisite to turning attention to MAP-21.

Mr. Kadesh indicated that EPW held a hearing (April 8) on Janet McCabe's nomination to become the Assistant Administrator for the U.S. EPA's Air and Radiation Office (currently Acting Assistant Administrator). The next step would be to have this nomination go to the U.S. Senate Floor for consideration, but no timetable is set.

Senate Appropriations Subcommittees have begun holding hearings regarding FY 2015 appropriations bills, with a few of these bills likely to be marked up starting in May.

SCAQMD representatives have had positive conversations with Senator Feinstein's staff about continuing the zero-emission goods movement program which has provided funding to SCAQMD in the past for zero-emission technology projects.

Finally, Mr. Kadesh reported that SCAQMD has been working with Congressman Henry Waxman and Congresswoman Lois Capps regarding issues relating to the International Maritime Organization (IMO) and the effort to preserve the North American Emission Control Area (ECA). Recently, the IMO came to a compromise decision that allowed the ECA's 2016 implementation date for standards relating to Nitrogen Oxides (NOx) to stay intact.

Supervisor Gonzales asked about possible reductions in funding as part of the reauthorization of MAP-21. Mr. Kadesh responded that EPW is looking to maintain funding levels for MAP-21's reauthorization, including an increase in funds to account for inflation. Supervisor Gonzales further inquired about possible additional funding for public transportation projects. Mr. Kadesh responded that he was not aware of any.

Supervisor Gonzales asked for SCAQMD staff's and the consultant's to provide input on SCAQMD's priorities relative to federal funding, such as MAP-21, that can be shared with Senator Dianne Feinstein's new District Representative Kevin Chang.

Mia O'Connell of the Carmen Group, SCAQMD federal legislative consultant, also provided the Committee with updates on key Washington D.C. issues.

She reported that Chairman Ken Calvert rejected the Administration's proposal to zero out funding for the Diesel Emissions Reduction Act (DERA) during the Appropriations Subcommittee on Interior, Environment, and Related Agencies budget hearing.

Regarding MAP-21 reauthorization efforts on the House side, communications have occurred Congressional staff to lay the groundwork for SCAQMD's MAP-21 reauthorization related proposals. Bill Shuster, Chair of the House Transportation and Infrastructure Committee (T&I) stated that the length of the reauthorization would depend on the amount of new funding that can be raised to pay for this legislation.

## **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 the state Legislature began its spring break recess and committee hearings will resume on April 21 and that there will be over 2,000 bills to hear.

Further, Mr. Gonsalves reported that there are three active bills dealing with fracking and/or well stimulation:

- AB 2420 (Nazarian) authorizes local jurisdictions to impose bans on well stimulation treatments;
- SB 1132 (Mitchell) imposes a moratorium on well stimulation treatments; and
- SB 1281 (Pavley) proposes to revisit the amount of fresh water used in well stimulation.

At the local level, Los Angeles, Culver City, Carson, and Santa Cruz County have all passed resolutions to either place or develop a moratorium on well stimulation treatments within their jurisdictions.

There are currently ten or more bills dealing with the use of high-occupancy vehicle (HOV) lanes and alternatively fueled vehicles. There appears to be a trend, with more legislators getting involved with promoting and incentivizing alternatively fueled vehicles. Examples involve bills that include: reducing emissions from state fleets, dedicated parking for cleaner vehicles, increasing availability of HOV stickers for clean cars to allow HOV lane access, and incentives for alternative fueling infrastructure.

Dr. Burke inquired about the status of the bill relating to fire pits [AB 1102 (Allen)]. Mr. Gonsalves responded that there has been no movement on this bill. It remains in the Senate Environmental Quality Committee and the earliest the bill could be heard is June 4.

Will Gonzalez of Gonzalez, Quintana & Hunter, SCAQMD state legislative consultant, also briefed the Committee on key Sacramento issues.

Mr. Gonzalez reported on trends in the Capitol relating to climate change and energy, as there are currently several dozens of these bills in each of these two topic areas. SB 1125 (Pavley) represents the biggest idea being addressed in relation to climate change. This key bill would set a new interim carbon reduction goal for 2030, to complement the current 2020 and 2050 goal dates. Many stakeholders are starting to look beyond the 2020 date as a way to ensure that greenhouse gas (GHG) reduction efforts by utilities and others stay on track. Finally, there appears to be a trend where previous

opponents to GHG reduction efforts are now shifting away from opposing the bills and focusing more on using cap and trade revenues to fund their priorities.

On the energy side, one trend is the lowering of costs and/or attempt to facilitate financing to cover the costs relating to renewable energy and energy efficiency, including:

- SB 1121 (De León) establishes a green bank with multiple types of financing programs for renewable energy or energy efficiency; and
- Several other bills provide financing for residential and commercial property owners for renewable energy or energy efficiency;

The bills are focusing more on increasing access and helping people pay the bills for renewable energy and energy efficiency rather than on more big-picture, mandate-type approaches. Opposition to these bills has included efforts by the utilities, such as AB 1763 (Perea), that question the reliability and availability of sufficient energy supplies.

Finally, Mr. Gonzalez reported on the suspension of three Democratic Senators and the new political dynamic that has been created. The Democratic Caucus previously had a supermajority with 28 members, but now has lost that with only 25 members. Supervisor Gonzales asked about the future of the three suspended Senators. Mr. Gonzalez responded that President pro Tem Darrell Steinberg plans to let the legal process run its course before acting to remove any of the Senators from the Senate. He also responded to Supervisor Gonzales in stating that Senator Rod Wright is termed out in 2016, and that Senators Ron Calderon and Leland Yee are termed out in 2014.

Dr. Burke inquired as to what the timing will be for the transition to a new President pro Tem of the Senate. Mr. Gonzalez responded that there had been no election yet and President pro Tem Steinberg had given no indication as to when the election would be held or when the transition would occur. Dr. Burke further inquired as to whether the suspensions had any impact on the election of a new Senate leader. Mr. Gonzalez responded in the negative.

### **Federal Surface Transportation Law (MAP-21) Reauthorization Language** ***[Attachment 2]***

Lisha B. Smith, Deputy Executive Officer, provided an update on input received from transportation agencies within the South Coast region regarding the proposed language relating to the reauthorization of the federal surface transportation law (MAP-21) and the Clean Air Act (CAA). The proposed language was presented at the March Legislative Committee meeting and staff was asked to report back on input received from the four regional transportation agencies.



Staff recommended that these legislative proposals be approved as presented, incorporating the suggested edits by Metrolink relating to the passenger rail proposals.

*The Legislative Committee unanimously approved staff's recommendation to APPROVE THE PROPOSED LEGISLATIVE LANGUAGE RELATING TO THE MAP-21 REAUTHORIZATION AND THE CAA, AS AMENDED.*

*AYES: Burke, Gonzales, Parker, and Yates*

*NOES: None.*

**Recommend Position on Bills: [Attachment 3]**

**AB 2013 (Muratsuchi) Vehicles: High-Occupancy Vehicle Lanes**

Ms. Smith presented AB 2013 (Muratsuchi) to the Committee. This is an urgency bill that would increase, from 40,000 to 85,000, the number of advanced technology partial zero-emission vehicles (enhanced AT PZEVs) allowed access to HOV lanes through the Green Clean Air Vehicle Sticker Program.

**Staff recommended a SUPPORT position on this bill.**

*The Legislative Committee approved staff's recommended position of SUPPORT on AB 2013 with the recommendation moving to the full Board for approval.*

*AYES: Burke, Parker, Gonzales*

*NOES: None.*

**AB 2242 (Perea) Air Quality Improvement Program**

Sr. Public Affairs Manager Guillermo Sanchez presented AB 2242 (Perea) to the Committee. The goal of this bill is to clarify that Air Quality Improvement Program (AQIP) funding should be focused on areas where it can have the greatest positive impact on air quality.

**Staff recommended a SUPPORT WITH AMENDMENTS position on this bill.**

*The Legislative Committee approved staff's recommended position of SUPPORT WITH AMENDMENTS on AB 2242 with the recommendation moving to the full Board for approval.*

*AYES: Burke, Parker, Gonzales*

*NOES: None.*

**SB 1204 (Lara and Pavley) California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program**

Community Relations Manager Philip Crabbe presented SB 1204 (Lara and Pavley) to the Committee. This bill would create the California Clean Truck, Bus, and Off-Road Vehicle

and Equipment Technology Program, funded by cap and trade revenues, to incentivize the deployment of zero and near-zero emission heavy-duty trucks, public transit buses, and off-road equipment, with preference given to projects in disadvantaged communities.

**Staff recommended a SUPPORT position on this bill.**

*The Legislative Committee approved staff's recommended position of SUPPORT on SB 1204 with the recommendation moving to the full Board for approval.*

*AYES: Burke, Parker, Gonzales*

*NOES: None.*

**SB 1275 (De León) Vehicle Retirement and Replacement: Charge Ahead California Initiative**

Mr. Crabbe presented SB 1275 (De Leon) to the Committee.

This bill would establish the Charge Ahead California Initiative focused on facilitating the placement of one million light, medium, and heavy-duty electric vehicles (cars, trucks, and buses) on California's roads over the next decade while helping to ensure that all Californians, especially lower income households in communities disproportionately impacted by air pollution, benefit from California's transition to a clean transportation sector and zero tailpipe emissions.

Supervisor Gonzales asked whether this bill had funding attached. Mr. Crabbe responded that the bill does not have a specific funding source attached. Dr. Wallerstein stated that both cap and trade auction funds and AB 118 funds are a likely source of funding for this bill.

**Staff recommended a SUPPORT position on this bill. Staff also recommended that it work with the author to incorporate flexibility into the nine-year funding plan.**

*The Legislative Committee approved staff's recommended position of SUPPORT on SB 1275, including staff's working with the author to incorporate flexibility into the nine-year funding plan, with the recommendations moving to the full Board for approval.*

*AYES: Burke, Parker, Gonzales*

*NOES: None.*

**Update on AB 1330 (John Pérez) Environmental Justice**

Barbara Baird, Chief Deputy Counsel, provided an update on the progress of negotiations with Speaker Pérez's staff and interested stakeholders relating to AB 1330. Discussions regarding the bill are focusing on developing revised bill language to address serious and serial violators of environmental pollution laws.

This bill will also impact the Department of Toxic Substance Control (DTSC) and they have proposed legislative language regarding their authority to revoke permits. The Speaker's staff asked whether similar language would be beneficial for SCAQMD.

Staff recommends proposed bill language for AB 1330 that would cause current law to be strengthened within the following two areas of enforcement:

- 1) Permit Revocation - The Executive Officer of an air agency should have the ability to suspend a permit based upon violations or threatened violations of air pollution rules. This would apply when there is a significant need for immediate action, such as when there is an imminent risk of substantial health impacts. The permit holder would retain a right of appeal to the air district hearing board.
- 2) Order of Abatement – These orders, which order a polluter to comply with existing air district regulation or state law, require a 10-day published notice in a newspaper prior to a hearing. Some cases are urgent, and thus giving the hearing board the power to issue a temporary restraining order (TRO), subject to a 24-hour notice, would allow for better protection against public health risks. A hearing with evidence presentations would occur promptly before issuing the TRO.

To better facilitate the passage of the proposal, Dr. Parker recommended that the legislative language should also have a certain time period by which the full suspension hearing would be held. Also, the legislation should state that the governing board of an air district would be given the authority to create rules and regulations to govern the intent of the legislation.

**Report from SCAQMD Home Rule Advisory Group [Attachment 4]**

Please refer to Attachment 4 for written report.

**Other Business:**

None

**Public Comment Period:**

No public comment.

**Attachments**

1. Attendance Record
2. Federal Surface Transportation Law (MAP-21) Reauthorization Language
3. Bill and Bill Analyses
4. SCAQMD Home Rule Advisory Group Report

## ATTACHMENT 1

### ATTENDANCE RECORD –April 11, 2014

#### **DISTRICT BOARD MEMBERS:**

Dr. William A. Burke (teleconference)  
Supervisor Josie Gonzales  
Dr. Clark E. Parker, Sr. (teleconference)  
Mayor Dennis Yates

#### **STAFF TO COMMITTEE:**

Lisha B. Smith, Deputy Executive Officer  
Guillermo Sanchez, Senior Public Affairs Manager  
Julie Franco, Senior Administrative Secretary

#### **DISTRICT STAFF:**

Barry R. Wallerstein, Executive Officer  
Barbara Baird, Chief Deputy Counsel  
Elaine Chang, Deputy Executive Officer  
Peter Greenwald, Senior Policy Advisor  
Bayron Gilchrist, Assistant Chief Deputy Counsel  
Chris Marlia, Assistant Deputy Executive Officer  
Mohsen Nazemi, Deputy Executive Officer  
Laki Tisopulos, Assistant Deputy Executive Officer  
Leeor Alpern, Senior Public Information Specialist  
Marc Carrel, Program Supervisor  
Tina Cox, Senior Public Information Specialist  
Philip Crabbe, Community Manager  
Robert Paud, Telecommunications Technician  
Ricardo Rivera, Senior Staff Specialist (teleconference)  
Danielle Soto, Senior Public Information Specialist  
Kim White, Public Affairs Specialist  
Patti Whiting, Staff Specialist  
Bill Wong, Principal Deputy District Counsel

#### **OTHERS PRESENT:**

Mark Abramowitz, Governing Board Member Consultant (Lyou)  
Tricia Almiron, SANBAG  
Denis Bilodeau, County of Orange  
Paul Gonsalves, Gonsalves & Son (teleconference)  
Will Gonzalez, Gonzalez, Quintana & Hunter (teleconference)  
Mark Kadash, Kadash & Associates (teleconference)  
Rita Loof, RadTech  
Debra Mendelsohn, Governing Board Assistant (Antonovich)  
Peter Okurowski, CEA  
Mia O'Connell, Carmen Group (teleconference)  
David Rothbart, LACSD  
Andy Silva, Governing Board Assistant (Gonzales)  
Susan Stark, Tesor Consultant  
Tara Tisopulos, OCTA  
Lee Wallace, SCG/SDG & E

## ATTACHMENT 2

### **SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT PROPOSALS FOR FEDERAL TRANSPORTATION LEGISLATION:**

#### **ADVANCED TECHNOLOGIES TO REDUCE AIR POLLUTION FROM FREIGHT TRANSPORT TO SUPPORT ATTAINMENT OF FEDERAL AIR QUALITY STANDARDS**

As approved by SCAQMD Legislative Committee 4/11/14

#### **Proposal 1. Increased Federal Funding Share for Infrastructure Enabling or Incentivizing Advanced Freight Technologies**

*Amend MAP-21 Section 1116 as follows (proposed amendments are shown in underline/strike-out):*

##### **SEC. 1116. PRIORITIZATION OF PROJECTS TO IMPROVE FREIGHT MOVEMENT.**

- (a) **IN GENERAL.**—Notwithstanding section 120 of title 23, United States Code, the Secretary may increase the Federal share payable for any project to 95 percent for projects on the Interstate System and 90 percent for any other project if the Secretary certifies that the project meets the requirements of this section.
- (b) **INCREASED FUNDING.**—To be eligible for the increased Federal funding share under this section, a project shall—
  - (1) demonstrate the improvement made by the project to the efficient movement of freight, including making progress towards meeting performance targets for freight movement established under section 150(d) of title 23, United States Code; and
  - (2) be identified in a State freight plan developed pursuant to section 1118.
- (c) **ELIGIBLE PROJECTS.**—Eligible projects to improve the movement of freight under this section may include, but are not limited to—
  - (1) construction, reconstruction, rehabilitation, and operational improvements directly relating to improving freight movement;
  - (2) intelligent transportation systems and other technology to improve the flow of freight;
  - (3) efforts to reduce the environmental impacts of freight movement ~~on the primary freight network~~;
  - (4) railway-highway grade separation;
  - (5) geometric improvements to interchanges and ramps.
  - (6) truck-only lanes;
  - (7) climbing and runaway truck lanes;
  - (8) truck parking facilities eligible for funding under section 1401;
  - (9) real-time traffic, truck parking, roadway condition, and multimodal transportation information systems;

- (10) improvements to freight intermodal connectors; and
  - (11) improvements to truck bottlenecks.
- (d) DEFINITION OF “EFFORTS TO REDUCE THE ENVIRONMENTAL IMPACTS OF FREIGHT MOVEMENT.”—As used in Section 1116 (c)(3), “efforts to reduce the environmental impacts of freight movement” shall include, but not be limited to,—
- (1) transportation infrastructure that enables or incentivizes utilization of Advanced Freight Transport Technologies (as defined in subsection (e)), including, but not limited to, construction of —
    - (A) infrastructure that is dedicated for use by Advanced Freight Transport Technologies, such as highway lanes, rail lines, or lanes providing expedited access to freight facilities;
    - (B) infrastructure that will be operated in a manner to create incentives for use by Advanced Freight Transport Technologies, such as through toll or access fee discounts for highways or freight facilities; and
    - (C) fueling or charging infrastructure, or wayside power, to provide energy for Advanced Freight Transport Technologies; and
  - (2) actions to reduce public health impacts in communities near freight facilities caused by emissions from freight movement, including, but not limited to—
    - (A) deployment of advanced freight technologies or other technologies and strategies to reduce emissions near such communities beyond the benefits of adopted regulatory standards; and
    - (B) establishment of sufficient distance between diesel-powered freight operations and communities, schools, workplaces and other sensitive receptors to prevent significant health impacts.
- (e) DEFINITION OF ADVANCED FREIGHT TRANSPORT TECHNOLOGY. — Advanced Freight Transport Technologies shall include the following:
- (1) TRUCKS. — Heavy-duty trucks powered by –
    - (A) fuel cells;
    - (B) electricity;
    - (C) hybrid-electric technologies with significant zero-emission range, which may use range extenders powered by diesel, natural gas, fuel cells or other power sources; “significant zero-emission range” shall be defined by the Administrator of the EPA so as to encompass a substantial portion of typical daily service in nonattainment areas; or
    - (D) any other technology that emits nitrogen oxides and fine particulates (PM2.5) at rates at least 90% lower than the most stringent applicable emission standards adopted by EPA, or which the Administrator of the EPA determines creates sufficiently low emissions of such pollutants to meet

the air quality attainment needs of all areas designated nonattainment under the Clean Air Act (including areas classified as Extreme Ozone nonattainment.)

- (2) LOCOMOTIVES. — Freight locomotives powered by –
  - (A) natural gas with advanced emission controls achieving emission levels substantially lower than EPA Tier 4 locomotive standards (as determined by the Administrator of the EPA);
  - (B) fuel cells;
  - (C) electricity;
  - (D) hybrid-electric technologies with significant zero-emission range, which may use range extenders powered by diesel, natural gas, fuel cells or other power sources; “significant zero-emission range” shall be determined by the Administrator of the EPA so as to encompass a substantial portion of typical service in nonattainment areas; or
  - (E) any other technology satisfying the criteria in paragraph (e)(1)(D) above.
- (3) CARGO HANDLING. — Cargo handling equipment powered by –
  - (A) electricity;
  - (B) fuel cells;
  - (A) hybrid-electric technologies with significant zero-emission range, which may use range extenders powered by diesel, natural gas, fuel cells or other power sources; “significant zero-emission range” shall be determined by the Administrator of the EPA so as to encompass a substantial portion of typical daily service; or
  - (C) any other technology satisfying the criteria in paragraph (e)(1)(D) above.

**Proposal 2. Grant Program for Development, Demonstration and Deployment of Advanced Freight Transport Technologies (New)**

- (a) GRANT PROGRAM AUTHORIZATION. – There shall be authorized \$50 million per year for five years to fund eligible projects and programs to develop and demonstrate Advanced Freight Transport Technologies (as defined in Proposal 1), and provide incentives for commercialization and deployment in major freight corridors to support broad markets for advanced technologies.
- (b) ELIGIBLE PROJECTS AND PROGRAMS. — Projects and programs eligible for funding under this section shall be undertaken by a state or local government in partnership with academic or industry participants, and shall be designed to –
  - (1) develop, improve, or expand applications for Advanced Freight Transport Technologies;

- (2) implement prototype demonstrations, or larger scale demonstrations, of Advanced Freight Transport Technologies;
  - (3) assist in overcoming obstacles to commercialization of Advanced Freight Transport Technologies; or
  - (4) provide incentives for commercialization and deployment of Advanced Freight Transport Technologies in major freight corridors. Incentives under this paragraph may include, but are not limited to, subsidies or financing of the incremental capital cost of Advanced Freight Transport Technologies; discounted tolls for Advanced Technology vehicles; dedicated lanes to expedite access to ports and railyards by Advanced Technology vehicles; and public recognition programs for companies utilizing Advanced Technologies.
- (c) **PROCESS AND FUNDING PRIORITIES** – The Secretary shall establish a competitive grant program, and shall prioritize funding for projects or programs that involve –
- (1) technology development and demonstration by entities with a history of successful technology advancement, and expertise regarding emission reduction needs in an area substantially impacted by freight emissions;
  - (2) technologies that have potential to provide economic and other co-benefits, including ability to move larger volumes of goods with less energy and emissions, fuel and maintenance cost reductions, improved energy cost certainty, job creation in the United States, and reduction in emissions impacting climate;
  - (3) a variety of technologies in order to support choice for freight carriers;
  - (4) technology deployment in major freight corridors located in areas of the nation that are designated nonattainment under the Clean Air Act and are substantially impacted by freight emissions, with priority for initial deployment in communities that are located near freight facilities and most significantly impacted by local diesel emissions; and
  - (5) leveraging of resources and funds through partnerships with state or local government, industry, academia, nonprofit or foundation, or other sources; and
- (d) **MINIMUM FUNDING MATCH.**--Eligible projects and programs shall include at least a 20 percent funding match from non-federal sources.
- (e) **FEDERAL AGENCY COORDINATION.** – The Secretary shall seek to coordinate funding under this section with technology development, demonstration and deployment funding by other federal agencies, to maximize effective and efficient use of resources.



**Proposal 3. Grant Program for Fueling and Charging Infrastructure (New)**

- (a) GRANT PROGRAM AUTHORIZATION. – There shall be authorized \$50 million each year for five years for the Secretary of Transportation to provide grants for projects or programs that fund installation of fueling and charging infrastructure for trucks, locomotives and cargo handling equipment employing Advanced Freight Transport Technologies (as defined in Proposal 1).
- (b) ELIGIBLE PROJECTS AND PROGRAMS. – Projects and programs eligible for funding under this section shall be undertaken by a state or local government in partnership with industry participants.
- (c) PROCESS AND FUNDING PRIORITIES – The Secretary shall establish a competitive grant program, and shall prioritize funding for projects or programs that involve –
  - (1) deployment along major freight corridors located in areas of the nation that are designated nonattainment under the Clean Air Act and are substantially impacted by freight emissions, with priority for initial deployment in communities that are located near freight facilities and most significantly impacted by local diesel emissions;
  - (2) fueling and charging infrastructure for a variety of technologies in order to support choice for freight carriers; and
  - (3) leveraging of resources and funds through partnerships with state or local government, industry or other sources.
- (d) MINIMUM FUNDING MATCH. -- Eligible projects and programs shall include at least a 20 percent funding match from non-federal sources.
- (e) FEDERAL AGENCY COORDINATION. – The Secretary shall seek to coordinate funding under this section with fueling and charging infrastructure funding by other federal agencies, to maximize effective and efficient use of resources.

**Proposal 4. Incentives in Fuel Economy Standards (New)**

- (a) INCENTIVES. – The Secretary shall, after consulting with the Administrator of the EPA, ensure that regulations adopted after (date of enactment) pertaining to fuel efficiency for heavy duty trucks are designed to create incentives for deployment of increasing numbers of trucks employing Advanced Freight Transport Technologies (as defined in Proposal 1). Such incentives may take the form of additional credit for trucks employing Advanced Freight Transport Technologies, or any other form of incentive that the Secretary determines is likely to significantly incentivize development and commercialization of such technologies in time to support attainment of ozone air quality standards under the Clean Air Act.
- (b) FUEL AND TECHNOLOGY NEUTRALITY. – Incentive programs under this section shall be designed to be fuel-neutral and technology-neutral.

**Proposal 5. Federal Fleets (New)**

- (a) The Secretary shall make information available to procurement programs of federal agencies regarding the potential to demonstrate Advanced Freight Transport Technologies funded under this act.
- (b) No later than 18 months after (date of enactment), the *(insert Executive Branch office)* shall establish and publish policies for federal agencies to acquire Advanced Freight Transport Technologies to the maximum extent operationally and financially feasible.

**Proposal 6. COMMUTER RAIL TIER 4 LOCOMOTIVE GRANT PROGRAM (New)**

- (a) GRANT PROGRAM AUTHORIZATION. – There shall be authorized \$80 million per year for five years for a competitive grant program to assist commuter rail agencies upgrade their fleet to the least-polluting technology by:
  - (1) Replacing existing locomotives that meet but do not exceed the EPA Tier Zero, Tier 1 or Tier 2 emission standards, with locomotives that meet the EPA’s Tier 4 emission standards, or
  - (2) Retrofitting the engines of existing locomotives that meet but do not exceed the EPA Tier Zero, Tier 1 or Tier 2 emission standards, to engines that meet EPA’s Tier 4 emission standards
- (b) ELIGIBILITY – All commuter rail agencies which have begun, as of July 1, 2014, to replace Tier zero, Tier 1 or Tier 2 locomotives with Tier 4 locomotives, and which serve an area designated as nonattainment for PM2.5 and nonattainment for ozone under the Clean Air Act.
- (c) LOCAL SHARE – The local share of 30% shall be calculated on a fleet-wide basis and not a locomotive by locomotive basis. A commuter rail agency shall be deemed to have met the 30% local match if it provides funding for at least 30% of the cost to replace at least 50% of its Tier 0, Tier 1 and Tier 2 locomotives in its fleet as of July 1, 2013, even if those funds have already been expended on Tier 4 locomotives before the enactment of this Act.
- (d) AVAILABILITY OF FUNDS – Any amount made available under this section —
  - (1) Shall remain available to a project for 3 years after the fiscal year for which the amount is made available or appropriated; and
  - (2) That remains unobligated at the end of the period described in paragraph (1) shall be added to the amount made available in the following year.

**Proposal 7. Grant Program for Development, Demonstration and Deployment of Advanced Passenger Locomotive Technology (New)**

- (a) GRANT PROGRAM AUTHORIZATION. – There shall be authorized \$40 million per year for five years to fund eligible projects and programs to develop and demonstrate advanced passenger locomotive technologies.

- (b) ELIGIBILITY.—
  - (1) Applicants for grants under this section must be commuter rail agency, although they may partner with academic participants, cities, counties, MPOs, state or local air quality agencies, and/or industry participants.
  - (2) Projects and programs eligible for funding under this section shall be designed to –
    - (A) develop, improve, or expand applications for advanced passenger locomotive technologies; or
    - (B) implement prototype demonstrations, or larger scale demonstrations, of advanced passenger locomotive technologies.
- (c) DEFINITION OF ADVANCED PASSENGER LOCOMOTIVE TECHNOLOGIES. -- Advanced Passenger Locomotive Technologies shall mean passenger locomotives powered by –
  - (A) natural gas with advanced emission controls achieving emission levels substantially lower than EPA Tier 4 locomotive standards (as determined by the Administrator of the EPA);
  - (B) fuel cells;
  - (C) an electric battery tender car;
  - (D) hybrid-electric technologies with significant zero-emission range, which may use range extenders powered by diesel, natural gas, fuel cells or other power sources; “significant zero-emission range” shall be determined by the Administrator of the EPA so as to encompass a substantial portion of typical service in nonattainment areas; -
  - (E) a combination of the above or another energy source achieving emissions levels substantially lower than EPA Tier 4 locomotive standards that can reasonably be anticipated to meet performance standards; and
  - (F) refueling and/or recharging infrastructure for locomotives powered by fuels mentioned in subparagraphs (A), (B), (C), (D), or (E).
- (d) MINIMUM FUNDING MATCH.--Eligible projects and programs shall include at least a 20 percent local share. In addition to local funds, eligible match sources include Section 5309 New Starts, Section 5309 Fixed Guideway Modernization, Section 5307 Urbanized Area formula Program, Section 5337 State of Good repair Program Surface Transportation Program and Congestion Mitigation Air Quality Improvement Program. Match source also includes grantee’s previous investments that have a demonstrable link to supporting the grantee’s project under this program.

**Proposal 8. Federal Regulations to Implement State Implementation Plans Under the Clean Air Act (New)**

*This proposal would require EPA to adopt rules to implement the State Implementation Plan (SIP) in circumstances where state and local authority is preempted. Like the above proposals for surface transportation legislation, this proposal would potentially affect equipment involved in freight transport, i.e. interstate trucks and locomotives (in addition to ships and aircraft). This proposal, however, is drafted to amend the Clean Air Act, because the proposal would implement SIPs under*

*that act. It would need to be determined whether this proposal is sufficiently germane to the surface transportation bill to be included in that legislation.*

*Add new Subdivision 110(q) to the Clean Air Act, to read as follows:*

- (a) FEDERAL ATTAINMENT MEASURES. —
- (1) The Administrator shall promulgate regulations applicable to sources within the regulatory authority of the Environmental Protection Agency which shall be sufficient, in conjunction with measures contained in the applicable state implementation plan, to attain all national primary ambient air quality standards throughout the United States by the applicable attainment dates.
  - (2) The duty imposed by this subdivision applies if the Administrator concurs with a state's finding in a state implementation plan revision that the state implementation plan includes all feasible measures that are not preempted by federal law, yet one or more nonattainment areas is unable to attain a national ambient air quality standard by the applicable date. The Administrator shall concur with, or disapprove, a state's finding within the time required to act on the implementation plan revision.
  - (3) The regulations required by this subdivision may, in the Administrator's discretion, be applicable only to one or more specified states, regions, or nonattainment areas.
  - (4) In implementing this subdivision, the Administrator may adopt regulations applicable to motor vehicles and engines, and to non-road vehicles and engines, which are no longer new.

## ATTACHMENT 3a

South Coast Air Quality Management District  
Legislative Analysis Summary – AB 2013, Muratsuchi  
Version: April 2, 2014  
Analyst: LA

### **Assembly Bill 2013 (Muratsuchi)** Vehicles: high-occupancy vehicle lanes.

#### **Summary:**

This is an urgency bill that would increase, from 40,000 to 85,000, the number of advanced technology partial zero-emission vehicles (enhanced AT PZEVs) allowed access to high-occupancy vehicle (HOV) lanes thru the Green Clean Air Vehicle Sticker program.

#### **Background:**

Since 1999, access to highway carpool lanes for single occupant drivers has been an incentive to promote the purchase of cleaner vehicles. There are two kinds of stickers in the Clean Air Vehicle Sticker Program. White Clean Air Vehicle Stickers are available for certified zero emission vehicles - such as electric, hydrogen fuel cell, or compressed natural gas vehicles. The Green Clean Air Vehicle Sticker program was implemented in 2010 to provide such access for up to 40,000 enhanced AT PZEVs (mainly plug-in electric hybrid cars). The new program was originally scheduled to sunset on January 1, 2015, but the sunset was extended last year to January 1, 2019.

As of March 12, 2014, 36,230 green stickers have been issued, and it is expected the current cap will be reached sometime in April 2014. This bill increases the cap on Green Clean Air Vehicle Stickers program to 85,000. The bill indicates this is a level consistent with a now-expired program that provided single-occupant HOV lane access to hybrid vehicles (the yellow sticker program).

SCAQMD supported SB 286 (Yee) and AB 266 (Blumenfeld) last year that extended the sunset of the Green Clean Air Vehicle Sticker program. In the future, the program should be reevaluated in order to prioritize the incentives for plug-in electric hybrid cars with the higher amount of electric vehicle miles traveled.

**Status:** April 1 – Committee on Appropriations. (Ayes 14. Noes 1)

#### **Specific Provisions:**

- Increases the cap on Green Clean Air Vehicle Stickers program to 85,000.

#### **Discussion:**

The White and Green Clean Air Vehicle Sticker programs support the commercialization and widespread utilization of clean air vehicles. This program is a key component of reducing criteria pollutants in the South Coast Air Basin, which has an extensive and expanding high occupancy vehicle lane network.

#### **Recommended Position: SUPPORT**

#### **Support:**

Alliance of Automobile Manufacturers (Sponsor)  
California Electric Transportation Coalition  
California Manufacturers and Technology Association  
Ford Motor Company

**Opposition:** None on file

ATTACHMENT 3b

AMENDED IN ASSEMBLY APRIL 2, 2014

AMENDED IN ASSEMBLY MARCH 17, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2013**

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**Introduced by Assembly Member Muratsuchi**

February 20, 2014

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An act to amend Section 5205.5 of the Vehicle Code, relating to vehicles, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2013, as amended, Muratsuchi. Vehicles: high-occupancy vehicle lanes.

Existing federal law, until September 30, 2017, authorizes a state to allow specified labeled vehicles to use lanes designated for high-occupancy vehicles (HOVs).

Existing law authorizes the Department of Transportation to designate certain lanes for the exclusive use of HOVs. Under existing law, until January 1, 2019, or until federal authorization expires, or until the Secretary of State receives a specified notice, those lanes may be used by certain vehicles not carrying the requisite number of passengers otherwise required for the use of an HOV lane, if the vehicle displays a valid identifier issued by the Department of Motor Vehicles (DMV). Existing law authorizes the DMV to issue no more than 40,000 of those identifiers.

This bill would increase the number of those identifiers that the DMV is authorized to issue to 85,000.

*This bill would declare that it is to take effect immediately as an urgency statute.*

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 5205.5 of the Vehicle Code is amended  
2 to read:

3 5205.5. (a) For purposes of implementing Section 21655.9,  
4 the department shall make available for issuance, for a fee  
5 determined by the department to be sufficient to reimburse the  
6 department for the actual costs incurred pursuant to this section,  
7 distinctive decals, labels, and other identifiers that clearly  
8 distinguish the following vehicles from other vehicles:

9 (1) A vehicle that meets California’s super ultra-low emission  
10 vehicle (SULEV) standard for exhaust emissions and the federal  
11 inherently low-emission vehicle (ILEV) evaporative emission  
12 standard, as defined in Part 88 (commencing with Section  
13 88.101-94) of Title 40 of the Code of Federal Regulations.

14 (2) A vehicle that was produced during the 2004 model-year or  
15 earlier and meets California ultra-low emission vehicle (ULEV)  
16 standard for exhaust emissions and the federal ILEV standard.

17 (3) A vehicle that meets California’s enhanced advanced  
18 technology partial zero-emission vehicle (enhanced AT PZEV)  
19 standard or transitional zero-emission vehicle (TZEV) standard.

20 (b) The department shall include a summary of the provisions  
21 of this section on each motor vehicle registration renewal notice,  
22 or on a separate insert, if space is available and the summary can  
23 be included without incurring additional printing or postage costs.

24 (c) The Department of Transportation shall remove individual  
25 HOV lanes, or portions of those lanes, during periods of peak  
26 congestion from the access provisions provided in subdivision (a),  
27 following a finding by the Department of Transportation as follows:

28 (1) The lane, or portion thereof, exceeds a level of service C,  
29 as discussed in subdivision (b) of Section 65089 of the Government  
30 Code.

31 (2) The operation or projected operation of the vehicles  
32 described in subdivision (a) in these lanes, or portions thereof, will  
33 significantly increase congestion.

34 (3) The finding shall also demonstrate the infeasibility of  
35 alleviating the congestion by other means, including, but not

1 limited to, reducing the use of the lane by noneligible vehicles or  
2 further increasing vehicle occupancy.

3 (d) The State Air Resources Board shall publish and maintain  
4 a listing of all vehicles eligible for participation in the programs  
5 described in this section. The board shall provide that listing to  
6 the department.

7 (e) (1) For purposes of subdivision (a), the Department of the  
8 California Highway Patrol and the department, in consultation  
9 with the Department of Transportation, shall design and specify  
10 the placement of the decal, label, or other identifier on the vehicle.  
11 Each decal, label, or other identifier issued for a vehicle shall  
12 display a unique number, which number shall be printed on, or  
13 affixed to, the vehicle registration.

14 (2) Decals, labels, or other identifiers designed pursuant to this  
15 subdivision for a vehicle described in paragraph (3) of subdivision  
16 (a) shall be distinguishable from the decals, labels, or other  
17 identifiers that are designed for vehicles described in paragraphs  
18 (1) and (2) of subdivision (a).

19 (f) (1) Except as provided in paragraph (2), for purposes of  
20 paragraph (3) of subdivision (a), the department shall issue no  
21 more than 85,000 distinctive decals, labels, or other identifiers that  
22 clearly distinguish a vehicle specified in paragraph (3) of  
23 subdivision (a).

24 (2) The department may issue a decal, label, or other identifier  
25 for a vehicle that satisfies all of the following conditions:

26 (A) The vehicle is of a type identified in paragraph (3) of  
27 subdivision (a).

28 (B) The owner of the vehicle is the owner of a vehicle for which  
29 a decal, label, or other identifier described in paragraph (1) was  
30 previously issued and that vehicle for which the decal, label, or  
31 other identifier was previously issued is determined by the  
32 department, on the basis of satisfactory proof submitted by the  
33 owner to the department, to be a nonrepairable vehicle or a total  
34 loss salvage vehicle.

35 (C) The owner of the vehicle applied for a decal, label, or other  
36 identifier pursuant to this paragraph within six months of the date  
37 on which the vehicle for which a decal, label, or other identifier  
38 was previously issued is declared to be a nonrepairable vehicle or  
39 a total loss salvage vehicle.



1 (g) If the Metropolitan Transportation Commission, serving as  
2 the Bay Area Toll Authority, grants toll-free and reduced-rate  
3 passage on toll bridges under its jurisdiction to a vehicle pursuant  
4 to Section 30102.5 of the Streets and Highways Code, it shall also  
5 grant the same toll-free and reduced-rate passage to a vehicle  
6 displaying an identifier issued by the department pursuant to  
7 paragraph (1) or (2) of subdivision (a).

8 (h) (1) Notwithstanding Section 21655.9, and except as  
9 provided in paragraph (2), a vehicle described in subdivision (a)  
10 that displays a decal, label, or identifier issued pursuant to this  
11 section shall be exempt from toll charges imposed on  
12 single-occupant vehicles in high-occupancy toll lanes as described  
13 in Section 149.7 of the Streets and Highways Code unless  
14 prohibited by federal law.

15 (2) (A) Paragraph (1) does not apply to the imposition of a toll  
16 imposed for passage on a toll road or toll highway, that is not a  
17 high-occupancy toll lane as described in Section 149.7 of the  
18 Streets and Highways Code.

19 (B) On or before March 1, 2014, paragraph (1) does not apply  
20 to the imposition of a toll imposed for passage in lanes designated  
21 for tolls pursuant to the federally supported value pricing and  
22 transit development demonstration program operated pursuant to  
23 Section 149.9 of the Streets and Highways Code for State Highway  
24 Route 10 or 110.

25 (C) Paragraph (1) does not apply to the imposition of a toll  
26 charged for crossing a state-owned bridge.

27 (i) If the Director of Transportation determines that federal law  
28 does not authorize the state to allow vehicles that are identified by  
29 distinctive decals, labels, or other identifiers on vehicles described  
30 in subdivision (a) to use highway lanes or highway access ramps  
31 for high-occupancy vehicles regardless of vehicle occupancy, the  
32 Director of Transportation shall submit a notice of that  
33 determination to the Secretary of State.

34 (j) This section shall become inoperative on January 1, 2019,  
35 or the date the federal authorization pursuant to Section 166 of  
36 Title 23 of the United States Code expires, or the date the Secretary  
37 of State receives the notice described in subdivision (i), whichever  
38 occurs first, and, as of January 1, 2019, is repealed, unless a later  
39 enacted statute, that becomes operative on or before January 1,

1 2019, deletes or extends the dates on which it becomes inoperative  
2 and is repealed.

3 *SEC. 2. This act is an urgency statute necessary for the*  
4 *immediate preservation of the public peace, health, or safety within*  
5 *the meaning of Article IV of the Constitution and shall go into*  
6 *immediate effect. The facts constituting the necessity are:*

7 *In order to ensure, at the earliest possible time, that new owners*  
8 *of certain qualifying clean alternative fuel vehicles will be eligible*  
9 *for participation in the program, and to provide long-term*  
10 *incentives for consumers of clean alternative fuel vehicles, it is*  
11 *necessary that this act take effect immediately.*

## ATTACHMENT 3c

South Coast Air Quality Management District  
Legislative Analysis Summary – AB 2242 (Perea)  
Version: March 28, 2014  
Analyst: GS

### **Assembly Bill 2242 (Perea)** Air Quality Improvement Program

#### **Summary:**

The goal of AB 2242 would be to clarify that Air Quality Improvement Program (AQIP) funding should be focused on areas where it can have the greatest positive impact on air quality.

#### **Background:**

California is home to some of the worst air quality in the nation, negatively impacting the residents. Specifically, air quality in the San Joaquin Valley and South Coast air districts routinely violate U.S. Environmental Protection Agency (EPA) standards, impacting not only quality of life, but being linked to premature death. The AQIP, established by AB 118 (Núñez, 2007), and administered by the California Air Resources Board (ARB), funds “air quality improvement projects relating to fuel and vehicle technologies” it primarily supports “projects to reduce criteria air pollutants, improve air quality, and funds it research to determine and improve the air quality benefits of alternative transportation fuels and vehicles, vessels, and equipment technologies.”

Pursuant to statute, in implementing AQIP, ARB is to “provide preference in awarding funding to those projects with higher benefit-cost scores that maximize the purposes and goals of the AQIP. ARB may also award additional preference as applicable, based on the following criteria:

- (1) Proposed or potential reduction of criteria or toxic air pollutants.
- (2) Contribution to regional air quality improvement
- (3) Ability to promote the use of clean alternative fuels and vehicle technologies
- (4) Ability to achieve climate change benefits in addition to criteria pollutant or air toxic emissions reductions
- (5) Ability to support market transformation of California’s vehicle or equipment fleet to utilize low carbon or zero-emission technologies, and
- (6) Ability to leverage private capital investments.

Programs under AQIP include the Clean Vehicle Rebate Project (CVRP) and incentives for low- and zero-emission trucks and buses. The author, who represents Fresno in the Central Valley, cites the CVRP program as an example of why AQIP needs to be further focused to ensure that air quality problems in our most polluted air districts need to be addressed. The CVRP offers individuals incentives up to \$2,500 to purchase low- or zero-emission vehicles. Each year, CVRP distributes millions of dollars to car buyers in California. Although AQIP funding is intended to improve air quality, the author claims most CVRP rebates are claimed by drivers who live in areas with good air quality.

**Status:** April 1 – Referred to Committee on Natural Resources

#### **Specific Provisions:**

The bill amends Section 44274 (a) of the Health and Safety Code to require that AQIP “shall be focused where the greatest air quality impacts can be identified.”

## ATTACHMENT 2c

South Coast Air Quality Management District  
Legislative Analysis Summary – AB 2242 (Perea)  
Version: March 28, 2014  
Analyst: GS

### **Discussion:**

To the extent the bill is intended to better address the health impacts of air pollution, it is consistent with the purpose of AQIP and the mission of SCAQMD and the other air districts. However, the bill's language, parameters or direction to achieve its goal is very general.

The author's office has indicated its willingness to work with stakeholders to better effectuate the purpose of this bill. Discussions regarding the bill have touched on equity between the various regions in the state, base funding levels and the impacts on environmental justice areas, but the consistent underlying focus has been to improve the air quality related health outcomes. To that end, AQIP funding should primarily be allocated based on the severity of air pollution and the number of people impacted, or in technical terms, the population weighted exposure to criteria air pollutants above federal standards for particulate matter (PM 2.5) and Ozone.

**Recommended Position: SUPPORT IF AMENDED or  
WORK WITH AUTHOR**

**Support:** None on file

**Opposition:** None on file

ATTACHMENT 3d

AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2242**

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**Introduced by Assembly Member Perea**

February 21, 2014

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An act to amend Section ~~40612~~ 44274 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 2242, as amended, Perea. ~~San Joaquin Valley Clean Air Attainment~~ *Air Quality Improvement Program.*

*Existing law establishes the Air Quality Improvement Program that is administered by the State Air Resources Board for the purpose of funding air quality improvement projects. Existing law requires the primary purpose of the program to be the funding of projects to reduce criteria air pollutants, and to improve air quality, and to fund research to determine and improve the air quality impacts of alternative transportation fuels and vehicles, vessels, and equipment technologies.*

*This bill additionally would require the program to be focused where the greatest air quality impacts can be identified.*

~~Existing law establishes the San Joaquin Valley Clean Air Attainment Program for the purpose of the San Joaquin Valley achieving state and federal ambient air quality standards by the earliest practicable date. The program authorizes, in order to provide funding for air pollution control programs, the air pollution control district for that area to increase specified motor vehicle fees and adopt rules and regulations to reduce vehicle trips in order to reduce air pollution from vehicular sources.~~

~~This bill would make a technical, nonsubstantive change to these provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 44274 of the Health and Safety Code is  
2 amended to read:

3     44274. (a) The Air Quality Improvement Program is hereby  
4 created. The program shall be administered by the state board, in  
5 consultation with the districts. The state board shall develop  
6 guidelines to implement the program. Prior to the adoption of the  
7 guidelines, the state board shall hold at least one public hearing.  
8 In addition, the state board shall hold at least three public  
9 workshops with at least one workshop in northern California, one  
10 in the central valley, and one in southern California. The purpose  
11 of the program shall be to fund, upon appropriation by the  
12 Legislature, air quality improvement projects relating to fuel and  
13 vehicle technologies. The primary purpose of the program shall  
14 be to fund projects to reduce criteria air pollutants, *and to improve*  
15 *air quality, and provide funding for and to fund* research to  
16 determine and improve the air quality impacts of alternative  
17 transportation fuels and vehicles, vessels, and equipment  
18 technologies. *The program shall be focused where the greatest air*  
19 *quality impacts can be identified.*

20     (b) The state board shall provide preference in awarding funding  
21 to those projects with higher benefit-cost scores that maximize the  
22 purposes and goals of the Air Quality Improvement Program. The  
23 state board also may give additional preference based on the  
24 following criteria, as applicable, in funding awards to projects:

25     (1) Proposed or potential reduction of criteria or toxic air  
26 pollutants.

27     (2) Contribution to regional air quality improvement.

28     (3) Ability to promote the use of clean alternative fuels and  
29 vehicle technologies as determined by the state board, in  
30 coordination with the commission.

31     (4) Ability to achieve climate change benefits in addition to  
32 criteria pollutant or air toxic emissions reductions.

1 (5) Ability to support market transformation of California’s  
2 vehicle or equipment fleet to utilize low carbon or zero-emission  
3 technologies.

4 (6) Ability to leverage private capital investments.

5 (c) The program shall be limited to competitive grants, revolving  
6 loans, loan guarantees, loans, and other appropriate funding  
7 measures that further the purposes of the program. Projects to be  
8 funded shall include only the following:

9 (1) Onroad and off-road equipment projects that are cost  
10 effective.

11 (2) Projects that provide mitigation for off-road gasoline exhaust  
12 and evaporative emissions.

13 (3) Projects that provide research to determine the air quality  
14 impacts of alternative fuels and projects that study the life-cycle  
15 impacts of alternative fuels and conventional fuels, the emissions  
16 of biofuel and advanced reformulated gasoline blends, and air  
17 pollution improvements and control technologies for use with  
18 alternative fuels and vehicles.

19 (4) Projects that augment the University of California’s  
20 agricultural experiment station and cooperative extension programs  
21 for research to increase sustainable biofuels production and  
22 improve the collection of biomass feedstock.

23 (5) Incentives for small off-road equipment replacement to  
24 encourage consumers to replace internal combustion engine lawn  
25 and garden equipment.

26 (6) Incentives for medium- and heavy-duty vehicles and  
27 equipment mitigation, including all of the following:

28 (A) Lower emission schoolbus programs.

29 (B) Electric, hybrid, and plug-in hybrid onroad and off-road  
30 medium- and heavy-duty equipment.

31 (C) Regional air quality improvement and attainment programs  
32 implemented by the state or districts in the most impacted regions  
33 of the state.

34 (7) Workforce training initiatives related to advanced energy  
35 technology designed to reduce air pollution, including  
36 state-of-the-art equipment and goods, and new processes and  
37 systems. Workforce training initiatives funded shall be broad-based  
38 partnerships that leverage other public and private job training  
39 programs and resources. These partnerships may include, though  
40 are not limited to, employers, labor unions, labor-management

1 partnerships, community organizations, workforce investment  
2 boards, postsecondary education providers including community  
3 colleges, and economic development agencies.

4 (8) Incentives to identify and reduce emissions from  
5 high-emitting light-duty vehicles.

6 (d) (1) Beginning January 1, 2011, the state board shall submit  
7 to the Legislature a biennial report to evaluate the implementation  
8 of the Air Quality Improvement Program established pursuant to  
9 this chapter.

10 (2) The report shall include all of the following:

11 (A) A list of projects funded by the Air Quality Improvement  
12 Account.

13 (B) The expected benefits of the projects in promoting clean,  
14 alternative fuels and vehicle technologies.

15 (C) Improvement in air quality and public health, greenhouse  
16 gas emissions reductions, and the progress made toward achieving  
17 these benefits.

18 (D) The impact of the projects in making progress toward  
19 attainment of state and federal air quality standards.

20 (E) Recommendations for future actions.

21 (3) The state board may include the information required to be  
22 reported pursuant to paragraph (1) in an existing report to the  
23 Legislature as the state board deems appropriate.

24 ~~SECTION 1. Section 40612 of the Health and Safety Code is~~  
25 ~~amended to read:~~

26 ~~40612. (a) To provide funding for air pollution control~~  
27 ~~programs needed to achieve and maintain state and federal air~~  
28 ~~quality, the district may do both of the following:~~

29 ~~(1) Notwithstanding the limits on the amount of the motor~~  
30 ~~vehicle fee specified in Sections 44223 and 44225, increase the~~  
31 ~~fee established pursuant to these sections to up to, but not~~  
32 ~~exceeding, thirty dollars (\$30) per motor vehicle per year for the~~  
33 ~~purposes of establishing and implementing incentive-based~~  
34 ~~programs to achieve surplus emissions reductions that the district~~  
35 ~~determines are needed to remediate air pollution harms created by~~  
36 ~~motor vehicles on which the fee is imposed and that are intended~~  
37 ~~to achieve and maintain state and federal ambient air quality~~  
38 ~~standards required by the federal Clean Air Act (42 U.S.C. Sec.~~  
39 ~~7401 et seq.). Except for the amount of the fee, any increase shall~~  
40 ~~be subject to Chapter 7 (commencing with Section 44220) of Part~~



1 ~~5, including, but not limited to, the adoption of a resolution~~  
2 ~~providing for both the fee increase and a corresponding program~~  
3 ~~for expenditure of the moneys raised by the increased fees for the~~  
4 ~~reduction of mobile source emissions.~~

5 ~~(2) Notwithstanding Section 40717.9, adopt rules and regulations~~  
6 ~~to reduce vehicle trips in order to reduce air pollution from~~  
7 ~~vehicular sources.~~

8 ~~(b) Fees adopted pursuant to this section are in addition to any~~  
9 ~~other fees imposed by the district, and may be charged in any of~~  
10 ~~fiscal years 2009–10 to 2023–24, inclusive. Fees may be assessed~~  
11 ~~after the 2012–13 fiscal year only if the United States~~  
12 ~~Environmental Protection Agency approves the district’s proposed~~  
13 ~~reclassification of its nonattainment status for ozone from severe~~  
14 ~~to extreme. The fees adopted pursuant to this section are for the~~  
15 ~~district portion of the total amount needed to achieve and maintain~~  
16 ~~state and federal ambient air quality standards. At least ten million~~  
17 ~~dollars (\$10,000,000) shall be used to mitigate the impacts of air~~  
18 ~~pollution on public health and the environment in~~  
19 ~~disproportionately impacted environmental justice communities~~  
20 ~~in the San Joaquin Valley. The district board shall convene an~~  
21 ~~environmental justice advisory committee, selected from a list~~  
22 ~~given to the board by environmental justice groups from the San~~  
23 ~~Joaquin Valley, to recommend the neighborhoods in the district~~  
24 ~~that constitute environmental justice communities, and how to~~  
25 ~~expend funds within these communities.~~

26 ~~(e) (1) The fees adopted pursuant to this section shall become~~  
27 ~~effective after the state board makes both of the following findings:~~

28 ~~(A) The district has undertaken all feasible measures to reduce~~  
29 ~~nonattainment air pollutants from sources within the district’s~~  
30 ~~jurisdiction and regulatory control.~~

31 ~~(B) The district has notified the state board that fees have been~~  
32 ~~adopted pursuant to this section and provided the state board with~~  
33 ~~an estimate of the total funds that will be provided annually by~~  
34 ~~each of those fees.~~

35 ~~(2) The state board shall file a written copy of its findings made~~  
36 ~~pursuant to this subdivision with the Secretary of State within two~~  
37 ~~days of its determination.~~

38 ~~(3) The fees adopted pursuant to this section shall be collected~~  
39 ~~nine months after the requirements of paragraph (2) are met.~~

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## ATTACHMENT 3e

South Coast Air Quality Management District  
Legislative Analysis Summary – SB 1204 (Lara & Pavley)  
Bill Version: As amended on March 24, 2014  
PC – April 3, 2014

### **Senate Bill 1204 (Lara and Pavley)**

California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program.

**Summary:** This bill would create the California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program, funded by cap and trade revenues, to incentivize the deployment of zero and near-zero emission heavy-duty trucks, public transit buses, and off-road equipment, with preference given to projects in disadvantaged communities.

**Background:** In 2006, the Legislature approved the Global Warming Solutions Act (AB 32), which seeks to reduce greenhouse gas (GHG) emissions to 1990 levels by 2020. Existing law requires all revenues, except for fines and penalties, collected by the California Air Resources Board (ARB) from cap and trade funds, to be deposited in the Greenhouse Gas Reduction Fund, and to be used upon appropriation by the State Legislature.

California is a leader in climate policy, but more work must be done to meet air quality goals and requirements. The author argues that clean up of the transportation system is critical to meeting the goals of AB 32 and ensuring healthier communities. Currently, 70% of the criteria air pollution and 40% of the state's contribution to climate pollution comes from transportation. In order to meet federal and state clean air mandates, California must reduce emissions by 90% by the mid-2030s.

Medium and heavy-duty trucks, buses, and off-road equipment are a major source of air pollution and GHG emissions in California. Although the movement of freight is a critical part of the state and national economy, with 40% of national imports coming through the ports of Los Angeles and Long Beach, it represents an especially pressing pollution problem. Freight is the largest source of diesel particulate pollution and ozone-causing nitrogen oxide emissions in California. Further, trucks, buses and off-road equipment are also responsible for a large and growing share of GHG emissions. For example, the I-710 Freeway corridor, a 17 mile stretch from the Port of Long Beach to East Los Angeles, is ranked number one for the dirtiest air in the country. Communities adjacent to heavy transportation corridors, such as the I-710, have higher rates of asthma, cancer and birth defects as a consequence of breathing such poor air quality.

Cleaner trucks, buses, and off-road equipment would provide significant air quality and health benefits for the state and especially for the local communities most heavily impacted by air pollution and toxics. However, cleaner technologies for this sector lag behind the passenger car market and many clean options are still in the early stages of demonstration and commercialization. The lack of commercially available options is impeding the transition to zero-emission trucks and buses and stifling the potential for critical health benefits for disadvantaged communities.

**Status:** 4/2/14 From T & H committee: Do pass and re-refer to Com. on E.Q. (Ayes 11. Noes 0.) (April 1). Re-referred to Com. on E.Q.

**Specific Provisions:** Specifically, this bill would:

1. Create the California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program, funded from cap and trade revenues, to incentivize the deployment of zero and near-zero emission heavy-duty trucks, public transit buses, and off-road equipment;

2. Provide that the Program shall fund development, demonstration, pilot deployment, and commercial deployment of zero- and near-zero emission truck, bus, and off-road vehicle and equipment technologies;
3. Provide that priority shall be given to projects located in disadvantaged communities; and
4. Provide that this Program would be administered by ARB in conjunction with the State Energy Resources Conservation and Development Commission.

**Discussion:**

The author purports that this bill would provide additional needed investments to deploy clean technologies for medium and heavy duty vehicles. The bill would specifically target projects in disadvantaged communities, which are directly impacted by poor air quality. Further, the author states that this bill would foster the development of technology that would allow Californians to breathe cleaner air while reducing any financial burden that might be associated with a transition to zero emission trucks, buses and off-road equipment.

This bill is in line with SCAQMD's policy priorities regarding reducing criteria pollutant and toxic emissions from mobile sources within the South Coast region, and in particular within environmental justice communities that suffer from disproportionate and localized impacts from such emissions. This bill would help facilitate a critical progression towards zero and near-zero emission medium and heavy-duty vehicles that can help protect public health and enable the South Coast region to reach attainment of federal ambient air quality standards by the necessary deadlines.

**Recommended Position: SUPPORT**

ATTACHMENT 3f

AMENDED IN SENATE MARCH 24, 2014

**SENATE BILL**

**No. 1204**

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**Introduced by Senators Lara and Pavley**

February 20, 2014

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An act to add Section 39719 to the Health and Safety Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1204, as amended, Lara. California Clean Truck ~~and~~, Bus, *and Off-Road Vehicle and Equipment Technology Program.*

Existing law requires all moneys, except for fines and penalties, collected by the State Air Resources Board from the auction or sale of allowances as part of a market-based compliance mechanism relative to reduction of greenhouse gas emissions, commonly known as cap and trade revenues, to be deposited in the Greenhouse Gas Reduction Fund, and to be used, upon appropriation by the Legislature, for specified purposes.

This bill would create the California Clean Truck ~~and~~, Bus, *and Off-Road Vehicle and Equipment Technology Program*, to be funded from cap and trade revenues, to fund zero- and near-zero emission truck ~~and zero-emission~~, bus, *and off-road vehicle and equipment technology* and related projects, as specified, with preference to be given to projects in disadvantaged communities. The program would be administered by the state board, *in conjunction with the State Energy Resources Conservation and Development Commission.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 39719 is added to the Health and Safety  
2 Code, to read:

3 39719. (a) The California Clean Truck and, Bus, and Off-Road  
4 Vehicle and Equipment Technology Program is hereby created, to  
5 be administered by the state board *in conjunction with the State*  
6 *Energy Resources Conservation and Development Commission.*  
7 *The program, from moneys appropriated from the fund for*  
8 *purposes of the program, shall fund development, demonstration,*  
9 *pilot deployment, and commercial deployment of zero- and*  
10 *near-zero emission truck, bus, and off-road vehicle and equipment*  
11 *technologies. Priority shall be given to projects located in*  
12 *disadvantaged communities pursuant to the requirements of*  
13 *Sections 39711 and 39713.*

14 ~~(b) From funds appropriated from the fund for that purpose, the~~  
15 ~~state board shall establish a focused medium- and heavy-duty truck~~  
16 ~~deployment program, with an emphasis on technology development~~  
17 ~~and demonstration for zero- and near-zero emissions goods~~  
18 ~~movement. Eligible projects under this subdivision shall include,~~  
19 ~~but not be limited to, targeted early stage technological~~  
20 ~~development funding, small scale pilot demonstrations of new~~  
21 ~~technologies, and larger, commercial scale demonstrations of trucks~~  
22 ~~operating in real world conditions. Funding made available under~~  
23 ~~this subdivision shall complement existing efforts in this area at~~  
24 ~~the State Energy Conservation and Development Commission and~~  
25 ~~the state board. Preference shall be given to disadvantaged~~  
26 ~~communities pursuant to the requirements of Sections 39711 and~~  
27 ~~39713.~~

28 ~~(c) From funds appropriated from the fund for that purpose, the~~  
29 ~~state board shall establish an emerging technology demonstration~~  
30 ~~program for zero-emission buses to be used in public transportation.~~  
31 ~~Eligible projects to be funded under the program include projects~~  
32 ~~recommended by public transit agencies to demonstrate and deploy,~~  
33 ~~as part of their fleets, advanced fueled vehicles and associated~~  
34 ~~infrastructure. The objective of the program shall be to demonstrate~~  
35 ~~zero-emission bus technology at a commercial scale, in order to~~  
36 ~~clear the path for broader deployment of zero-emission bus~~  
37 ~~technology throughout the state. Preference shall be given to~~

1 ~~disadvantaged communities pursuant to the requirements of~~  
2 ~~Sections 39711 and 39713.~~

3 *(b) The program shall fund projects in each of the following*  
4 *areas:*

5 *(1) Zero- and near-zero emission medium- and heavy-duty truck*  
6 *technology development, demonstration, and pilot deployment.*

7 *(2) Zero- and near-zero emission buses. The program shall fund*  
8 *pilot deployments to demonstrate operation of large numbers of*  
9 *clean buses in a real world setting, to showcase the following*  
10 *issues: (A) these vehicles can make direct impacts in disadvantaged*  
11 *communities, (B) transit operators are currently unable to*  
12 *economically purchase vehicles of this type because of high costs*  
13 *and technological uncertainty, which may be overcome through*  
14 *large pilot deployments, and (C) zero- and near-zero emission*  
15 *technologies in the bus context, once successfully demonstrated*  
16 *on a large scale, may find applications in a wide variety of other*  
17 *heavy-duty vehicles in addition to buses. In that connection, the*  
18 *state board, in consultation with transit operators, shall develop*  
19 *solicitations to fund at least two large scale zero- or near-zero*  
20 *emission bus pilot deployment projects of between 10 and 40 buses,*  
21 *to be located in or near disadvantaged communities.*

22 *(3) Development, demonstration, and pilot deployment of zero-*  
23 *and near-zero emission technologies to be used in off-road vehicles*  
24 *and equipment, including, but not limited to, port equipment,*  
25 *agricultural equipment, and marine and rail equipment.*

26 *(4) Development of commercially available zero- and near-zero*  
27 *emission trucks, buses, and off-road vehicles and equipment using*  
28 *streamlined purchase incentives pursuant to the California Hybrid*  
29 *and Zero-Emission Truck and Bus Voucher Incentive Project*  
30 *(HVIP). The state board shall create a multiyear framework and*  
31 *plan for HVIP incentives. The plan shall focus on providing*  
32 *incentives for zero- and near-zero emission medium- and*  
33 *heavy-duty vehicles as they become commercially available. The*  
34 *incentives shall be structured to drive acquisition volumes by*  
35 *reducing payback times for these vehicles. The plan shall provide*  
36 *long-term certainty about incentives while also remaining flexible*  
37 *and open to new technologies. The plan shall also examine*  
38 *opportunities to link HVIP vehicle funding with infrastructure*  
39 *funding to provide coordinated funding for both vehicles and*  
40 *related infrastructure. HVIP incentives for plug-in and*

- 1 *zero-emission vehicles in disadvantaged communities shall be*
- 2 *sufficient to increase sales of the cleanest vehicles in communities*
- 3 *where they are needed most.*

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## ATTACHMENT 3g

South Coast Air Quality Management District  
Legislative Analysis Summary – SB 1275 (De Leon)  
Bill Version: As introduced on February 21, 2014  
PC – April 3, 2014

### **Senate Bill 1275 (De Leon)**

Vehicle retirement and replacement: Charge Ahead California Initiative.

**Summary:** This bill would establish the Charge Ahead California Initiative focused on facilitating the placement of one million light, medium, and heavy-duty electric vehicles (cars, trucks, and buses) on California's roads over the next decade while helping to ensure that all Californians, especially lower income households in communities disproportionately impacted by air pollution, benefit from California's transition to a clean transportation sector and zero tailpipe emissions.

**Background:** The author states that accelerating the deployment of zero-emission vehicles and providing transportation choices are essential to achieving California's air quality standards and greenhouse gas (GHG) reduction goals. The bill sponsors point out that in order to attain ozone standards required by federal law, nitrogen oxide (NOx) emissions in the South Coast Air Basin must be cut by 80 percent by 2023, and by almost 90 percent by 2032; and that this will require that virtually all light, medium, and heavy-duty vehicles in the region be zero-emission.

Further, clean vehicle choices are particularly critical to reduce air pollution in the most heavily impacted communities. However, the author indicates that there are many barriers to getting such vehicles into low-income neighborhoods, including costs and lack of infrastructure. Yet, the use of electricity as a transportation fuel can help keep money in the state, stimulating the economy and insulating family budgets from gas price spikes, which hit lower income households especially hard. The bill sponsors state that driving on electricity in California is equivalent to paying only one dollar-per-gallon in a gasoline vehicle. California currently accounts for one-third of the entire country's electric vehicle sales. However, transforming the market to benefit all Californians will take a sustained, long term commitment to better serve the state's most polluted communities.

Existing law creates an Enhanced Fleet Modernization Program (EFMP) for the retirement of high polluting vehicles that is administered by the Bureau of Automotive Repair (BAR) per guidelines adopted by the California Air Resources Board (ARB). Existing law requires the program's guidelines to be updated no later than June 30, 2015, to ensure vehicle replacement be an option for all motor vehicle owners and may be in addition to compensation for vehicles retired.

Existing law also establishes the Air Quality Improvement Program (AQIP) that is administered by ARB and funds projects related to the reduction of criteria air pollutants and improvement of air quality. Per the AQIP, ARB has established the Clean Vehicle Rebate Project (CVRP) to promote the production and use of zero-emission vehicles and the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project to provide vouchers to help California fleets purchase hybrid and zero-emission trucks and buses.

**Status:** 4/2/14 From T. & H. committee: Do pass and re-refer to Com. on RLS. (Ayes 11. Noes 0.) (April 1). Re-referred to Com. on RLS.

**Specific Provisions:** Specifically, this bill would:

1. Require ARB to ensure that the updated EFMP guidelines include a mobility option (i.e. a voucher for public transit or car sharing), and that the compensation for a mobility option be no less than the combination of what the motor vehicle owner would have received as

compensation toward a replacement vehicle and the amount of an incentive available for a qualified plug-in battery electric vehicle per the CVRP. The bill also would require the updated guidelines to ensure the inclusion of car sharing.

2. Establish the Charge Ahead California Initiative to be administered by ARB, in consultation with the State Energy Resources Conservation and Development Commission, air pollution control and air quality management districts, and public stakeholders.
3. Require ARB to adopt, no later than June 30, 2015, a 9-year funding plan, commencing in the 2016–17 fiscal year, to fund certain programs and projects, including CVRP and the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project, in order to meet the goal of putting one million cars, trucks and buses on California streets while ensuring that low-income/disadvantaged communities benefit from the transition to a clean transportation sector.
4. Require ARB to adopt, no later than June 30, 2015, revisions to the criteria and guidelines for the CVRP and the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project;
5. Modify existing programs and create new programs to further the goal of extending the benefits of electric transportation for disadvantaged and low- and moderate- income communities.
6. Develop pilot projects that incentivize electric car programs in low income neighborhoods, such as car-sharing.
7. Support the installation of charging infrastructure in multi-unit dwellings in disadvantaged communities.

**Discussion:** The bill sponsors state that current policies and incentives have given California a head-start, but transforming the market to benefit all Californians will take sustained, long-term commitment. This bill represents a comprehensive and long term effort to facilitate the placement of one million light, medium, and heavy-duty electric vehicles (cars, trucks, and buses) on California's roads over the next decade while at the same time working to ensure that lower income households in communities disproportionately impacted by air pollution also benefit directly from this transition to a clean transportation sector.

This bill is in line with SCAQMD's policy priorities regarding reducing criteria pollutant and toxic emissions within the region in order to protect the health of South Coast residents and meet state and federal ambient air quality standards. In addition, it is consistent with SCAQMD's priority to transition vehicles to zero and near zero emissions, and puts an important emphasis on environmental justice concerns, which would greatly benefit the numerous residents within the South Coast region who are disproportionately impacted by localized criteria pollutant and toxic emissions.

**Recommended Position: SUPPORT**

SCAQMD staff also recommends that it be directed to work with the author to enhance the bill language to incorporate flexibility into the adoption of the 9 year funding plan, in order to anticipate

programmatic changes that will occur over the course of 9 years to maintain effectiveness, thereby allowing for sustained funding despite such changes.

**Support:**

Coalition for Clean Air (Sponsor)  
Communities for a Better Environment (Sponsor)  
Environment California (Sponsor)  
Greenlining Institute (Sponsor)  
NRDC (Sponsor)  
American Lung Association  
CalPIRG  
Environmental Defense Fund (EDF)  
Sierra Club  
Union of Concerned Scientists

**Opposition:**

N/A

**Introduced by Senator De León**

February 21, 2014

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An act to amend Section 44125 of, and to add Chapter 8.5 (commencing with Section 44258) to Part 5 of Division 26 of, the Health and Safety Code, relating to vehicular air pollution.

LEGISLATIVE COUNSEL'S DIGEST

SB 1275, as introduced, De León. Vehicle retirement and replacement: Charge Ahead California Initiative.

(1) Existing law creates an enhanced fleet modernization program for the retirement of high polluting vehicles to be administered by the Bureau of Automotive Repair pursuant to guidelines adopted by the State Air Resources Board. Existing law requires the program's guidelines to be updated no later than June 30, 2015. Existing law requires the updated guidelines to ensure vehicle replacement be an option for all motor vehicle owners and may be in addition to compensation for vehicles retired, as specified.

This bill would require the updated guidelines to ensure there be a mobility option, as defined, and that the compensation for a mobility option be no less than the combination of what the motor vehicle owner would have received as compensation toward a replacement vehicle and the amount of a specified incentive available for a qualified plug-in battery electric vehicle. The bill also would require the updated guidelines to ensure the inclusion of car sharing, as specified.

(2) Existing law establishes the Air Quality Improvement Program that is administered by the State Air Resources Board for the purposes of funding projects related to, among other things, reduction of criteria air pollutants and improvement of air quality. Pursuant to the Air Quality Improvement Program, the state board has established the Clean Vehicle

Rebate Project to promote the production and use of zero-emission vehicles and the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project to provide vouchers to help California fleets to purchase hybrid and zero-emission trucks and buses.

This bill would establish the Charge Ahead California Initiative to be administered by the state board, in consultation with the State Energy Resources Conservation and Development Commission, air pollution control and air quality management districts, and public stakeholders. The bill would require the state board to adopt, no later than June 30, 2015, a 9-year funding plan, commencing in the 2016–17 fiscal year, to fund specified programs and projects; to adopt, no later than June 30, 2015, specified revisions to the criteria and guidelines for the Clean Vehicle Rebate Project and the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project; and to establish programs that further increase access and direct benefits for disadvantaged and low- and moderate-income communities from electric transportation.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the  
2 following:
- 3 (a) Seven of the 10 worst polluted cities in the United States  
4 are in California. California has the largest proportion of its  
5 population, over 40 percent, living close or near busy roadways  
6 and who may be exposed to an elevated risk of air pollution and  
7 health impacts.
- 8 (b) California’s low-income and disadvantaged populations  
9 continue to face disproportionate impacts from substandard air  
10 quality in the form of higher rates of respiratory illnesses,  
11 hospitalizations, and premature death. Climate change is expected  
12 also to have disproportionate impacts on disadvantaged,  
13 low-income, and other vulnerable communities in California.
- 14 (c) Residents and businesses annually spent more than \$70  
15 billion in transportation fuel bills.
- 16 (d) Cars and trucks are the single largest source of global  
17 warming pollution in California. They also are the largest  
18 contributor to air pollution that harms public health.

1 (e) Zero-emission and near-zero-emission vehicles, including  
2 light-, medium-, and heavy-duty vehicles and buses, can improve  
3 the health and welfare of all residents, especially those in lower  
4 income households and disadvantaged communities, by reducing  
5 air pollution and greenhouse gas emissions.

6 (f) California businesses stand to benefit from increased  
7 deployment of zero-emission and near-zero-emission vehicles  
8 through reduced fuel expenditures and reduced pollution exposure  
9 to workers and communities.

10 (g) California attracts over half of the nation’s venture capital  
11 for clean technology and ranks high among the states in the number  
12 of workers and facilities supporting the clean vehicle and electric  
13 vehicle industries.

14 (h) Automakers and truck manufacturers are in early  
15 commercialization of zero-emission and near-zero-emission  
16 vehicles, which can dramatically lower smog and greenhouse gas  
17 emissions even when emissions from the production, distribution,  
18 and refining of fuels and the generation of electricity are  
19 considered.

20 (i) Electric utilities are providing clean renewable electricity in  
21 increasing amounts to transportation customers throughout the  
22 state. Charging-service providers are beginning to deploy electric  
23 vehicle charging infrastructure throughout the state. Expanding  
24 the market for zero-emission and near-zero-emission vehicles to  
25 under-served markets in California is a priority.

26 (j) Low-carbon transportation has been identified as an eligible  
27 investment under the Greenhouse Gas Reduction Fund Investment  
28 Plan and Communities Revitalization Act (Chapter 4.1  
29 (commencing with Section 39710) of Part 2 of Division 26 of the  
30 Health and Safety Code). The act has identified low-carbon freight  
31 transport and zero-emission passenger transportation as a  
32 recommended area for investment.

33 (k) It is the goal of the state to place in service at least one  
34 million zero-emission and near-zero-emission vehicles within eight  
35 years and to establish a self-sustaining zero-emission and  
36 near-zero-emission vehicle industry in which zero-emission and  
37 near-zero-emission vehicles are a viable mainstream option for  
38 individual vehicle purchasers, businesses, and public fleets.

39 (l) It is the goal of the state to increase access for disadvantaged  
40 and low-income communities to zero-emission and

1 near-zero-emission vehicles and to increase the placement of those  
2 vehicles in those communities in order to enhance the air quality,  
3 lower greenhouse gases, and promote overall benefits for those  
4 communities.

5 (m) It is the intent of the Legislature that this act be consistent  
6 with the appropriations processes and criteria established by the  
7 Greenhouse Gas Reduction Fund Investment Plan and  
8 Communities Revitalization Act (Chapter 4.1 (commencing with  
9 Section 39710) of Part 2 of Division 26 of the Health and Safety  
10 Code).

11 SEC. 2. Section 44125 of the Health and Safety Code is  
12 amended to read:

13 44125. (a) No later than July 1, 2009, the state board, in  
14 consultation with the bureau, shall adopt a program to commence  
15 on January 1, 2010, that allows for the voluntary retirement of  
16 passenger vehicles and light-duty and medium-duty trucks that are  
17 high polluters. The program shall be administered by the bureau  
18 pursuant to guidelines adopted by the state board.

19 (b) No later than June 30, 2015, the state board, in consultation  
20 with the bureau, shall update the program established pursuant to  
21 subdivision (a). The program shall continue to be administered by  
22 the bureau pursuant to guidelines updated and adopted by the state  
23 board.

24 (c) The guidelines shall ensure all of the following:

25 (1) Vehicles retired pursuant to the program are permanently  
26 removed from operation and retired at a dismantler under contract  
27 with the bureau.

28 (2) Districts retain their authority to administer vehicle  
29 retirement programs otherwise authorized under law.

30 (3) The program is available for high polluting passenger  
31 vehicles and light-duty and medium-duty trucks that have been  
32 continuously registered in California for two years prior to  
33 acceptance into the program or otherwise proven to have been  
34 driven primarily in California for the last two years and have not  
35 been registered in another state or country in the last two years.  
36 The guidelines may require a vehicle to take, complete, or pass a  
37 smog check inspection.

38 (4) The program is focused where the greatest air quality impact  
39 can be identified.

1 (5) (A) Compensation for retired vehicles shall be at least one  
2 thousand five hundred dollars (\$1,500) for a low-income motor  
3 vehicle owner, as defined in Section 44062.1, and no more than  
4 one thousand dollars (\$1,000) for all other motor vehicle owners.

5 (B) Replacement *or a mobility option* may be an option for all  
6 motor vehicle owners and may be in addition to compensation for  
7 vehicles retired pursuant to subparagraph (A). For low-income  
8 motor vehicle owners, as defined in Section 44062.1, compensation  
9 *toward a replacement vehicle* shall be no less than two thousand  
10 five hundred dollars (\$2,500) *and compensation for the mobility*  
11 *option shall be no less than the combination of what the motor*  
12 *vehicle owner would have received as compensation toward a*  
13 *replacement vehicle and the amount of an incentive available for*  
14 *a qualified plug-in battery electric vehicle pursuant to the Clean*  
15 *Vehicle Rebate Project, established pursuant to Section 44274.*  
16 Compensation for all other motor vehicle owners ~~may~~ shall not  
17 exceed compensation for low-income motor vehicle owners.

18 (C) Compensation for either retired or replacement vehicles for  
19 low-income motor vehicle owners may be increased as necessary  
20 to maximize the air quality benefits of the program while also  
21 ensuring participation by low-income motor vehicle owners, as  
22 defined in Section 44062.1. Increases in compensation amounts  
23 may be based on factors, including, but not limited to, the age of  
24 the retired or replaced vehicle, the emissions benefits of the retired  
25 or replaced vehicle, the emissions impact of any replacement  
26 vehicle, participation by low-income motor vehicle owners, as  
27 defined in Section 44062.1, and the location of the vehicle in an  
28 area of the state with the poorest air quality.

29 (6) Cost-effectiveness and impacts on disadvantaged and  
30 low-income populations are considered. Program eligibility may  
31 be limited on the basis of income to ensure the program adequately  
32 serves persons of low or moderate income.

33 (7) Provisions that coordinate the vehicle retirement and  
34 replacement *and mobility option* components of the program with  
35 the vehicle retirement component of the bureau's Consumer  
36 Assistance Program, established pursuant to other provisions of  
37 this chapter, to ensure vehicle owners participate in the appropriate  
38 program to maximize emissions reductions.

39 (8) Streamlined administration to simplify participation while  
40 protecting the accountability of moneys spent.



1 (9) Specific steps to ensure the vehicle replacement *and mobility*  
2 *option* component of the program is available in areas designated  
3 as federal extreme nonattainment.

4 (10) A requirement that vehicles eligible for retirement have  
5 sufficient remaining life. Demonstration of sufficient remaining  
6 life may include proof of current registration, passing a recent  
7 smog check inspection, or passing another test similar to a smog  
8 check inspection.

9 (d) When updating the guidelines to the program established  
10 pursuant to subdivision (a), the state board shall study and consider  
11 all the following elements:

12 (1) Methods of financial assistance other than vouchers.

13 (2) An option for automobile dealerships or other used car sellers  
14 to accept cars for retirement, provided the cars are dismantled  
15 consistent with the requirements of the program.

16 (3) An incentive structure with varied incentive amounts to  
17 maximize program participation and cost-effective emissions  
18 reductions.

19 (4) Increased emphasis on the replacement of high polluters  
20 with cleaner vehicles or the increased use of public transit *and car*  
21 *sharing* that results in the increased utilization of the vehicle  
22 replacement *and mobility option* component of the program.

23 (5) Increased emphasis on the reduction of greenhouse gas  
24 emissions through increased vehicle efficiency or transit *and car*  
25 *sharing* use as a result of the program.

26 (6) Increased partnerships and outreach with community-based  
27 organizations.

28 (e) *For purposes of this section, the following terms have the*  
29 *following meanings:*

30 (1) *“Car sharing” has the same definition as in Section 44258.*

31 (2) *“Mobility option” means a voucher for public transit or car*  
32 *sharing.*

33 SEC. 3. Chapter 8.5 (commencing with Section 44258) is added  
34 to Part 5 of Division 26 of the Health and Safety Code, to read:

35  
36 CHAPTER 8.5. CHARGE AHEAD CALIFORNIA INITIATIVE

37  
38 44258. For purposes of this chapter, the following terms have  
39 the following meanings:

1 (a) “Car sharing” means a model of vehicle rental where users  
2 can rent vehicles for short periods of time and users are members  
3 that have been preapproved to drive.

4 (b) “Near-zero-emission vehicle” means a light-duty plug-in  
5 hybrid electric vehicle or a medium-duty, heavy-duty, or bus hybrid  
6 electric vehicle or plug-in hybrid electric vehicle.

7 (c) “Zero-emission vehicle” means a light-duty, medium-duty,  
8 heavy-duty, or bus battery electric vehicle or hydrogen fuel cell  
9 vehicle.

10 44258.4. (a) The Charge Ahead California Initiative is hereby  
11 established and shall be administered by the state board.

12 (b) The state board, in consultation with the State Energy  
13 Resources Conservation and Development Commission, districts,  
14 and public stakeholders, shall do all of the following:

15 (1) No later than June 30, 2015, adopt a nine-year funding plan,  
16 commencing in the 2016–17 fiscal year, to fund programs and  
17 projects that include, but are not limited to, any of the following:

18 (A) The Clean Vehicle Rebate Project, established pursuant to  
19 Section 44274.

20 (B) The Hybrid and Zero-Emission Truck and Bus Voucher  
21 Incentive Project, established pursuant to Article 3 (commencing  
22 with Section 44274) of Chapter 8.9.

23 (C) The Advanced Technology Demonstration Projects,  
24 established pursuant to Section 44274.

25 (D) Zero-emission and near-zero-emission vehicle fueling  
26 infrastructure projects eligible under the Alternative and Renewable  
27 Fuel and Vehicle Technology Program, established pursuant to  
28 Article 2 (commencing with Section 44272) of Chapter 8.9.

29 (E) Light-duty, medium-duty, and heavy-duty zero-emission  
30 and near-zero-emission vehicle deployment projects eligible under  
31 the Alternative and Renewable Fuel and Vehicle Technology  
32 Program, established pursuant to Article 2 (commencing with  
33 Section 44272) of Chapter 8.9.

34 (F) Medium-duty and heavy-duty zero-emission and  
35 near-zero-emission vehicle technology demonstration projects  
36 eligible under the Alternative and Renewable Fuel and Vehicle  
37 Technology Program, established pursuant to Article 2  
38 (commencing with Section 44272) of Chapter 8.9.

39 (G) Precommercial demonstration projects of advanced freight  
40 technology to move cargo in the state.

1 (H) Programs adopted pursuant to paragraph (4).

2 (2) No later than June 30, 2015, adopt revisions to the criteria  
3 and guidelines for the Clean Vehicle Rebate Project, established  
4 pursuant to Section 44274, to ensure all of the following:

5 (A) Rebate levels are phased down in multiyear increments  
6 based on cumulative sales levels as determined by the state board.

7 (B) Modifications are adopted to both improve effectiveness  
8 and ensure that the program better serves persons of low and  
9 moderate incomes.

10 (C) Qualified low-income motor vehicle owner participants in  
11 the Enhanced Fleet Modernization Program, established pursuant  
12 to Article 11 (commencing with Section 44125) of Chapter 5, are  
13 eligible for rebates for the purchase of both new zero-emission  
14 and near-zero-emission light-duty vehicles that are eligible for  
15 rebates under the Clean Vehicle Rebate Project, established  
16 pursuant to Section 44274, and used zero-emission and  
17 near-zero-emission light-duty vehicles that were eligible for rebates  
18 when they were originally purchased.

19 (D) Consideration of the conversion to point-of-sale rebates or  
20 other methods to increase participation rates.

21 (3) No later than June 30, 2015, adopt revisions to the criteria  
22 and guidelines for the Hybrid and Zero-Emission Truck and Bus  
23 Voucher Incentive Project to ensure program eligibility for a truck  
24 and bus retrofitted or remanufactured to be a zero-emission or  
25 near-zero-emission vehicle.

26 (4) Establish programs that further increase access and direct  
27 benefits for disadvantaged and low- and moderate-income  
28 communities from electric transportation, including, but not limited  
29 to, any of the following:

30 (A) A loan or loss reserve credit enhancement program to  
31 increase consumer access to zero-emission and near-zero-emission  
32 vehicle financing and leasing options that can help lower  
33 expenditures on transportation.

34 (B) Car sharing programs that serve disadvantaged communities  
35 and incorporate zero-emission and near-zero-emission vehicles.

36 (C) Deployment of charging infrastructure in multiunit dwellings  
37 in disadvantaged communities to remove barriers to zero-emission

- 1 and near-zero-emission vehicle adoption by those who do not live
- 2 in detached homes.

O

## ATTACHMENT 4

### **SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

#### **LEGISLATIVE REPORT FROM HOME RULE ADVISORY GROUP MEETING OF MARCH 18, 2014**

HRAG members present:

Dr. Joseph Lyou, Chairman

Dr. Elaine Chang, SCAQMD

Elizabeth Adams, EPA (participated by phone)

Mike Carroll, Latham & Watkins on behalf of the Regulatory Flexibility Group

Curt 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)

Stephanie Molen on behalf of Enrique Chiock, Breathe California of L.A. County

Art Montez, AMA International

Bill Quinn, CCEEB

Terry Roberts, American Lung Association of California

David Rothbart, Los Angeles County Sanitation Districts

Lee Wallace, So Cal Gas and SDG&E

SCAQMD staff: Philip Crabbe, Jill Whynot, Bill Wong, and Marilyn Traynor

#### **LEGISLATIVE UPDATE**

Philip Crabbe provided the following report on items that were discussed at the Legislative Committee meeting on March 14, 2014:

#### **State**

Over 2,000 bills were introduced this legislative year. Combined with the carryover bills from last year, approximately 3,100 bills are currently active.

A new carbon tax/gas tax proposal bill was introduced by Senate President pro Tem Darrell Steinberg. The bill calls for a tax on fuels paid directly by consumers, and in exchange those fuels will not fall under the Cap and Trade Program. The bill is being opposed by the environmental community, transit agencies, and others. SCAQMD has not taken a position on the bill.

The Committee was given an update on AB 1330 (Pérez). Currently only conceptual enhancements and no specific dollar amount increases of penalties have been proposed by SCAQMD. (NOTE: At the last HRAG meeting, Mr. Crabbe had reported as follows: SCAQMD staff has been working with CAPCOA, Speaker Pérez's staff, and environmental groups on language for AB 1330 (Pérez). The bill focuses on seeking to increase penalties for serious serial violators of environmental laws. SCAQMD has provided some draft legislative language for consideration and will continue to work with the author and stakeholders to move toward common language.)

The following bill was taken to the Legislative Committee for consideration:

Bill	Recommended Action
AB 2208 (Allen)-California Environmental Quality Act: Southern California International Gateway Project (SCIG).	Oppose

AB 2208 would preempt legal challenges filed by SCAQMD and others and would streamline the judicial process to facilitate the development of the Southern California International Gateway (SCIG) Project, a proposed project for the construction of a near-dock intermodal rail yard at the Port of Los Angeles. Staff recommended a position of oppose. The Committee approved staff's recommendation. Dr. Lyou noted that his staff at the Coalition for Clean Air was told that the author plans to let the bill sit in the Rules Committee.

Discussion on State Issues

Mr. Montez asked if the situation with the Exide Battery Recycling plant was the driving force behind AB 1330 (Pérez). Ms. Whynot explained that the Chevron Refinery incident in the Bay Area, which sent thousands of people to seek emergency care, may have been the impetus. Mr. Quinn emphasized that CCEEB is interested in being included in the discussions with the air districts, stakeholders, and the Speaker's office on the AB 1330 bill language. Dr. Lyou suggested that CCEEB work directly with the bill's sponsors. Mr. Montez expressed concern that the additional fines may not be a sufficient deterrent to businesses who may view the fines as a cost of doing business. Mr. Crabbe responded that the intended purpose of AB 1330 is to enhance the current law so as to have a more deterrent effect. Mr. Quinn commented that the companies that CCEEB represents strive for 100 percent compliance which is driven by conscience and not by the amount of the penalty. Dr. Lyou added that the SCAQMD's monthly enforcement reports to the Governing Board have shown companies (not represented by CCEEB) that are not in compliance and that have been paying daily fines or are under Orders for Abatement over the period of five to six years. He explained that even if this is not the companies' fault, this situation is not acceptable. He commented that he hopes for a reasonable amendment to the Health and Safety Code that will deter the serial violators.

Federal

Congress is working on the surface transportation reauthorization bill for the successor to MAP-21, which expires in September 2014. There were seven MAP-21 related hearings that occurred recently in Congress, both in the House and Senate. The Senate Environmental Public Works Committee plans to mark up its version of MAP-21 in April (without funding details); the House plans to mark up its version of MAP-21 in early summer; and the Administration will submit its plan regarding MAP-21 to Congress in mid-April. Although not many major revisions to MAP-21 are planned, Congress does plan to add a rail title to the bill. SCAQMD staff presented proposed MAP-21 bill language to the Legislative Committee for discussion. Staff will again present this language to the Legislative Committee, after input is received from various external agencies, at the next meeting for further discussion.

The Senate recently held an all-night session on climate change. In the end, however, this session demonstrated that there are not enough votes to move any federal climate change legislation forward this year.

The House Appropriations Interior Subcommittee will be holding a hearing this month to discuss EPA's budget for Fiscal Year 2015.

The following bills were taken to the Legislative Committee for consideration:

Bill	Recommended Action
S. 488 (Stabenow) Advanced Vehicle Technology Act H.R. 1027 (Peters) of 2013	Support and recommend amendments

S. 488 (Stabenow) and H.R. 1027 (Peters) are companion bills that relate to advanced vehicle technology. The bills would create a program, administered by the U.S. Department of Energy, to provide support for clean vehicle research, development, demonstration, and commercialization. Staff recommended a position of “support and recommend amendments.” The amendments would call for reducing criteria pollutant emissions and achieving zero or near-zero emission engine technologies, rather than just focusing on achieving greater fuel efficiency. The Legislative Committee approved staff’s recommendations.

Discussion on Federal Issues

Mr. Montez was concerned that H.R. 3963, which would require the United States Postal Service to reduce its fleet petroleum consumption by 2% each year over the next 10 years, did not go far enough. Mr. Crabbe responded that he believes there is a Governor’s initiative that is focused on trying to advance a million EVs and on funding infrastructure. Stephanie Molen added that Senator Pavley sponsored a bill that was passed which resulted in a large number of vehicles in the state’s fleet to be changed over to hybrids. Dr. Lyou noted that the California Air Resources Board studied the issue and that legislation was introduced in response to CARB’s study; however, the legislation did not pass. Dr. Lyou added that the Department of Energy Clean Cities Program, which supports local agencies, has also addressed this issue. Mr. Montez asked if SCAQMD has data that show: (1) the total number of in-use vehicles for the local, state, and federal government fleets, and (2) how many of those vehicles have been converted over to cleaner technology. Dr. Lyou asked that Mr. Montez’s question be forwarded to TAO staff for a response.

BOARD MEETING DATE: May 2, 2014

AGENDA NO. 21

REPORT: Mobile Source Committee

SYNOPSIS: The Mobile Source Committee met Friday, April 18, 2014.  
Following is a summary of that meeting.

RECOMMENDED ACTION:  
Receive and file.

Dr. Clark E. Parker, Sr., Chair  
Mobile Source Committee

EC:fmt

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### **Attendance**

Dr. Parker (*via videoconference*) called the meeting to order at 9:03 a.m. Dr. Joseph Lyou, Mayor Judith Mitchell and Mayor Pro Tem Ben Benoit were present at SCAQMD headquarters. Supervisor Shawn Nelson was absent.

The following items were presented:

### **INFORMATIONAL ITEMS:**

#### **1) Proposed Amendments to Rule 2202 - On-Road Motor Vehicle Mitigation Options, Rule 2202 Implementation Guidelines, and Rule 311 - Air Quality Investment Program Fees**

Ms. Carol Gomez, Planning & Rules Manager, presented a summary of proposed amendments to Rule 2202 – On-Road Motor Vehicle Mitigation Options, Rule 2202 Implementation Guidelines, and Rule 311 - Air Quality Investment Program Fees, which are scheduled for the Board’s consideration at its June 6, 2014 meeting. At the end of 2013 a large number of NOx ERCs held in the New Source Review (NSR) bank were transferred into Rule 2202, raising some concerns regarding future stationary source credit availability. Consequently, the Board approved a temporary moratorium in January 2014 on NOx ERC transfers into Rule 2202 to allow time to review the status of the stationary source emission banks and potential impacts of additional transfers into the Rule 2202 program.



Rule 2202 applies to worksites of 250 or more employees, of which approximately 1,300 worksites are regulated. Worksites have three options for rule compliance: the Employee Commute Reduction Program (ECRP), the Air Quality Investment Program (AQIP), and Emission Reduction Strategies (ERS). The proposed amendments address the ERS, specifically emission reduction credits (ERCs), and the AQIP compliance options. ERS has a number of credit sources other than ERCs that are available for use within the Rule 2202 program. In staff evaluation of the credits currently available within the Rule, along with emission reductions from AQIP and ECRP, staff is not anticipating any issues with meeting the rule reduction targets. On the other hand when looking at the historical use of ERCs in the stationary source programs, there continues to be a concern regarding the future availability of NO<sub>x</sub> ERCs. To address this issue staff is proposing a permanent moratorium on all ERC transfers into the Rule 2202 program. Short-term emission reduction credits (STERCs) would continue to be allowed into the program as they have a relatively short life (seven years).

ERCs that currently reside within the Rule 2202 program would be allowed to stay in, but staff is proposing that they be annually discounted. Rule 2202 reduction targets are adjusted annually downward using EMFAC to account for fleet turnover. However ERCs in Rule 2202 are used as an annual discrete credit, meaning their value does not change. Under the staff proposal, this discount would begin in the 8<sup>th</sup> year after transfer into the program, to allow for seven years with no discount similar to an STERC. In addition the 10% discount that was taken when the credit originally came into the program would be reinstated at the time the new annual discount is to begin. The annual discount would be effective January 1, 2015.

Staff has taken this opportunity to evaluate the Rule 311, AQIP per peak window employee fee, which has remained at its current fee rates of \$60 per employee for an annual program, and \$125 an employee for a triennial submittal since 1995. In evaluating the costs and emission reductions achieved for AQIP projects that have been funded over the last five years, staff has found that we can continue to obtain the emission compliance targets with a fee of \$45 per peak window employee. The triennial rate of \$125 will remain the same.

Ms. Gomez commented that Rule 2202 and its accompanying Implementation Guidelines have not been modified since 2004; therefore, there are a number of administrative updates and clarifications that staff is suggesting. The modifications include clarification of administrative procedures, adding or updating definitions, codifying current practice such as administration of change of status, and removal of outdated sections.

Several public comments have been received, including to continue allowing ERC transfers into Rule 2202 and to not discount current ERCs held in the program. As discussed above, the moratorium on all ERC transfers into Rule 2202 is needed to ensure the NSR market viability. The discount addresses the fact that the ERC value remains the same while the Rule 2202 reduction targets are annually declining. The discount will not begin for eight years which will address comments relating to investments already made. Ms Gomez also noted that a request was made for SCAQMD staff to approve additional protocols to obtain emission reduction credits. Ms. Gomez explained that a provision in the Implementation Guideline allows for additional protocols, and that staff is currently evaluating a couple of options. Dr. Chang also noted that additional protocols proposed by staff at the request of project developers would be presented to the Mobile Source Committee for approval, as per the Implementation Guidelines. A comment was made requesting credit trading status for excess average vehicle ridership (AVR) obtained; and another to look at ways to reduce ECRP program costs. Staff is not addressing ECRP amendments at this time, but has committed to initiate program discussions later this year. The discussions will include potential incentives for surpassing a target AVR, and program simplifications.

Mayor Pro Tem Benoit asked what incentives are currently being considered for employers that have exceeded their AVR target. Dr. Chang replied that staff will work with stakeholders to come up with creative incentives such as an averaging period. Dr. Parker inquired about the cost to implement the SCAQMD's Rideshare Program. Ms. Gomez stated that employees receive a pro-rated incentive amount based on the participation level and the commute type. Dr. Chang noted that rideshare incentives are offered to employees hired prior to 2006. Dr. Parker also requested further clarification on the cost evaluation leading to the \$45 per employee under the AQIP. Ms. Gomez replied that staff reviewed the costs, emissions credits achieved, and costs per pound of emissions for projects submitted under AQIP over the last five years.

Dr. Lyou asked whether the ERCs in the stationary source program are discounted, and if so how much. Dr. Chang explained that ERCs once used under NSR, these emissions could be further reduced due to the implementation of Best Available Retrofit Control Technologies (BARCT). Dr. Lyou also asked whether there are any differences between the stationary source and mobile source discounting of ERCs. Staff stated that the annual discounting of ERCs in the mobile source program is driven by fleet turnover, yet the "discounting" in the stationary source program is primarily due to periodic BARCT evaluation once used to obtain an NSR permit. Dr. Lyou asked whether changing the AQIP fee would raise Proposition 26 issues. Ms. Barbara Baird, Chief Deputy Counsel, stated that changing the AQIP fee would not raise any Proposition 26 issues because the AQIP fee is one of three compliance options available to employers subject to Rule 2202. Ms. Baird noted that the AQIP fee is not a mandatory fee, and that the employer is free to use one of the other

compliance methodologies. Dr. Lyou stated his support for staff to evaluate further incentives for sites that exceed their AVR target.

## **2) Update on Recent International Maritime Organization (IMO) Action Regarding Tier III NOx Emissions Standard**

Mr. Henry Hogo, Assistant Deputy Executive Officer/Science & Technology Advancement, provided an update on the recent International Maritime Organization (IMO) action on the proposed delay in implementation of the Tier III NOx emission standard for new vessel builds from 2016 to 2021. A brief background on the IMO emissions standards and marine fuel sulfur content requirements for oceangoing vessels (adopted in 2008) was first provided. The IMO regulations set new global NOx emission standards for marine vessel builds beginning in 2011 resulting in a 20% reduction in NOx emissions. To reduce sulfur oxide and particulate matter emissions, the regulations set a limit on the sulfur content of marine fuels to at 3.5% (35,000 ppm sulfur content) beginning in 2012 and 0.5% (5,000 ppm sulfur content) beginning in 2020 (implementation could be delayed to 2025 subject to availability review in 2018).

In addition to the global standards, IMO established a mechanism where a country or countries can designate an “emissions control area (ECA)” where more stringent control requirements could be implemented. Under an ECA, marine vessels would be required to use marine fuel with a sulfur content of 1.0% (10,000 ppm sulfur content) or less beginning 2010 to 2014 and marine fuel with a sulfur content of 0.1% (1,000 ppm sulfur content) or less beginning 2015. In addition, any vessels built after 2016 must meet a more stringent NOx emissions standard that is 80% cleaner than the Tier I NOx emissions standard only if the vessel enters an ECA (known as Tier III NOx standard). The U.S. and Canada applied for a “North American ECA” and IMO adopted the U.S. and Canadian application on March 26, 2010.

As part of the ECA, a technology assessment review was conducted to determine if there are control technologies that will achieve the Tier III standards. The technology review provided to IMO in May 2013 indicated that there are several control technologies that can achieve the Tier III NOx emissions standard beginning in 2016. However, the Russian Federation petitioned IMO to delay the implementation of the Tier III standards until 2021. The amendment applies only to the Tier III NOx standard and does not impact the implementation of the sulfur content requirements and was proposed for approval in May 2013. The amendment was considered for final ratification in April 2014.

On April 4, 2014, the IMO finalized its consideration of the proposed amendments decided to keep the 2016 implementation requirements for new vessel builds with engines meeting the Tier III NOx emissions standard that enter existing ECAs (i.e., the North American and Caribbean ECAs). However, new vessel builds after 2016 do

not need to meet the Tier III NOx emissions standard if the vessels do not enter any existing ECAs. For any new ECAs established some point in the future, vessel builds after the ECA is established will be required to have engines meeting Tier III NOx emissions standard if those vessels enter an ECA. For example, if an ECA is established in 2025, then vessel builds after 2025 will be required to have engines meeting Tier III NOx emissions standard if those vessels enter an ECA.

Mr. Hogo indicated that the final IMO action to keep the 2016 requirement for existing ECAs will not have an impact on the ozone attainment demonstration for 2023; however, with the delay of new vessel builds until new ECAs are established in the future, there is a potential that there will be a smaller number of Tier III vessels beginning in 2016. Relative to the recent actions and the overall development of the IMO regulations in 2008, the SCAQMD played an important role in influencing the adoption of the regulations and ensuring that the proposed delay in the Tier III NOx standard does not occur. If the delay was ratified, the SCAQMD staff indicated to U.S. EPA and Congressional members that the federal government would need to adopt new regulations to make up for the emission reductions foregone from marine vessels.

A question was asked on the percentage makeup of Tier I, II, and III vessels that call on the Ports. Staff indicated that the mix is mostly Tier I vessels since the requirements for Tier II vessels only began in 2011 and new Tier III vessels will be built beginning in 2016. The Ports do track the types of vessels that call on the Ports as part of their emissions inventory program and as part of their incentives program for cleaner vessel calls.

A question was asked regarding the European ECA that is currently in existence and its applicability to NOx. Staff indicated that the European ECA is only for sulfur oxides (SOx) and there are no ECAs for NOx at this time.

A question was asked relative to the implication of not having as many Tier III vessels calling on the Ports. Staff indicated that the Ports have established rebate programs for cleaner vessels to call at the Ports. The Port of Los Angeles uses an “environmental ship index” to score cleaner vessels and provide rebates based on the level of emissions associated with the cleaner vessels. In Sweden, national tariffs have been established that are considered “fee neutral” (i.e., the tariffs for all vessels calling at Swedish ports were increased and discounts are provided to vessels that have lower emissions).

A question was asked about the cost of Tier III control technologies. Staff indicated that the cost to retrofit with SCR technologies were on the order of \$1 to \$2 million per vehicle based on information from Baltic Sea operators that have applied the SCR technologies. The cost may be higher based on the size of the engine.

A question was asked whether there are incentives funding for Tier III retrofits. Staff indicated that there is currently no funding for Tier III retrofits. There have been questions whether local funding can be made available to retrofit vessels that are “internationally flagged” and these vessels may not be dedicated to call on local ports. However, the Ports are looking at possible funding opportunities.

A question was asked on the authority to regulate marine vessels. Ms. Baird indicated that the federal Clean Air Act limits local and state authority to regulate nonroad engines which includes marine engines. The U.S. EPA does have the authority to regulate marine engines and has done so for domestic or U.S. flagged vessels. However, the U.S. EPA has not decided whether the Clean Air Act allows the EPA to regulate foreign flagged vessels and has relied on the IMO to regulate foreign flagged vessels. A comment was made that CARB has regulated fuel for marine vessels. Ms. Baird indicated that this is allowed under the Clean Air Act since the regulations apply to in-use operations. Ms. Baird indicated that the Pacific Merchants Shipping Association (PMSA) had sued CARB on the ability to apply the low-sulfur marine fuel regulation to vessels that are outside the “3 mile territorial zone,” typically considered international waters. The U.S. District Court of Appeals had ruled in favor of CARB and the issue was not considered by the U.S. Supreme Court. Other litigation has occurred challenging the establishment of the ECA, but has been unsuccessful.

### **3) Overview of the Los Angeles 2020 Commission Recommendation Regarding the Ports of Los Angeles and Long Beach**

Staff provided an overview of the City of Los Angeles 2020 Commission recommendations to the mayor and city council of Los Angeles regarding the City’s financial situation and job growth. In early 2013, the Los Angeles City Council President requested that former U.S. Secretary of Commerce Mickey Kantor form a panel to study and report on fiscal stability and job growth in Los Angeles. The 2020 Commission, (consisting of 13 representatives from various sectors including labor, business, academia, government, and nonprofit organizations), held meetings with business leaders, governmental departments, and community leaders during 2013 and released two reports: “A Time for Truth” in January 2014 and “A Time for Action” in April 2014. The “A Time for Truth” report described 17 areas where the City is faced with fiscal and social challenges ranging from the income level of residents to public education, traffic congestion and other environmental issues, and issues related to City Hall administration and small businesses. This report provided a view of the state of the City that led to the second report, “A Time for Action”.

The second report provided three general recommendations for the City to take action. Two of the recommendations focus on the City’s administration and budget, and the third recommendation focuses on job growth.

As part of job growth, the 2020 Commission recommended three actions: collaboration as a region to bring more jobs and investments, and tax revenue; focus on economic clusters to generate jobs of the future; and update community plans to enhance neighborhood input and establish a thoughtful growth strategy. The economic cluster recommendation includes: creation of a “bioscience and technology” center; and an “environmental regulation and testing” center. The latter recommendation is to encourage the California Air Resources Board (CARB) to locate its new campus within the City of Los Angeles. According to the report, having CARB located in the City will bring new job opportunities to the City and increase the City’s tax revenue base.

Staff indicated that relative to job growth, the Commission recommended combining the ports of Los Angeles and Long Beach under a joint powers agreement. The report cited that over the last ten years, the two ports have lost market share on an order equal to that of the combined Ports of Seattle and Tacoma. According to the report, a combined port will create more cooperation to bring new business rather than a competitive environment between the two ports. The report indicated that this type of cooperation is occurring in other regions of the U.S. and those ports have developed successful partnerships. A joint powers agreement will allow the ports to manage future strategy and direction as well as capital planning and rate-setting. Staff indicated that there have been several news articles and editorials regarding the proposal.

The two reports were received by the Mayor of Los Angeles and the City Council, who may decide to act on the recommendations in some manner or not at all. There may be a formal presentation of the recommendations to City Council at some point in the future.

#### **4) Comments on Caltrans Freight Mobility Plan**

Mr. Peter Greenwald, Sr. Policy Advisor, provided a status report regarding the draft California Freight Mobility Plan. Caltrans states that the plan will define the overall State Freight Vision and identify goals, objectives, strategies, performance measures, and a select set of high-priority projects to achieve that vision. The Plan is scheduled to be finalized by December 31, 2014. Currently, Caltrans is providing chapters for stakeholder input. Key chapters on the Freight Improvement Strategy and Implementation Plan have not yet been released. SCAQMD staff submitted a preliminary comment letter on April 8, 2014. The comments recommend matters to be addressed in upcoming chapters, and focus on technology, efficiency, and distance to receptors. Recommendations address demonstration and deployment of advanced clean technologies; infrastructure that enables or incentivizes use of advanced technologies (e.g. charging and fueling); design of new emissions and fuel-efficiency standards to incentivize zero and near-zero emission vehicles; collaborative programs

with shippers and carriers; clean technology policies for government fleets; efficiency strategies that reduce congestion, vehicle miles traveled, fuel use, and emissions (e.g. intelligent transportation systems, on-dock rail); and locating new freight facilities and truck routes to avoid significant health risks. Dr. Lyou requested that staff follow up with Caltrans staff, and Mayor Mitchell requested that staff emphasize the importance of the proposed zero-emission freight corridor on the I-710.

**DISCUSSION ITEM:**

**5) Date of Next Mobile Source Committee Meeting**

The Committee discussed rescheduling the May 16, 2014 meeting, as it conflicts with the Board Retreat. The Committee asked staff if there are any agenda items scheduled for review in May. Staff stated that the proposed amendments to Rule 2202 would be agendaized in May if there are additional comments and/or recommendations for the Committee's review. Therefore, the Committee agreed to meet on May 16<sup>th</sup> in Palm Desert prior to the start of the Board Retreat, if necessary.

**WRITTEN REPORTS:**

**6) Rule 2202 Activity Report**

The report was received as submitted.

**7) Monthly Report on Environmental Justice Initiatives – CEQA Document Commenting Update**

The report was received as submitted.

**OTHER BUSINESS:**

None

**PUBLIC COMMENT:**

None

The meeting was adjourned at 10:27 a.m.

**Attachment**

Attendance Roster

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
MOBILE SOURCE COMMITTEE MEETING  
Attendance Roster- April 18, 2014**

NAME	AFFILIATION
Chair Dr. Clark E. Parker, Sr.	SCAQMD Governing Board ( <i>via videoconference</i> )
Vice Chair Dr. Joseph Lyou	SCAQMD Governing Board
Committee Member Judith Mitchell	SCAQMD Governing Board
Committee Member Ben Benoit	SCAQMD Governing Board
Board Asst/Consultant Ruthanne Taylor Berger	SCAQMD Governing Board ( <i>B. Benoit</i> )
Board Asst/Consultant Frank Cardenas	SCAQMD Governing Board ( <i>Cacciotti</i> )
Curtis Coleman	Southern California Air Quality Alliance
Richard Friedman	Earthguard Environmental Services
Susan Stark	Tesoro
Lee Wallace	So Cal Gas Company/San Diego Gas & Electric
Bill Pearce	Boeing
Elaine Chang	SCAQMD Staff
Philip Fine	SCAQMD Staff
Barbara Baird	SCAQMD Staff
Matt Miyasato	SCAQMD Staff
Henry Hogo	SCAQMD Staff
Peter Greenwald	SCAQMD Staff
Laki Tisopulos	SCAQMD Staff
Marc Carrel	SCAQMD Staff
Joe Cassmassi	SCAQMD Staff
Carol Gomez	SCAQMD Staff
Ernest Lopez	SCAQMD Staff
Antonio Thomas	SCAQMD Staff
Patti Whiting	SCAQMD Staff
Kim White	SCAQMD Staff
Kathryn Higgins	SCAQMD Staff
Lane Garcia	SCAQMD Staff



BOARD MEETING DATE: May 2, 2014

AGENDA NO. 22

REPORT: Stationary Source Committee

SYNOPSIS: The Stationary Source Committee met Friday, April 18, 2014. Following is a summary of that meeting.

RECOMMENDED ACTION:  
Receive and file.

Dennis Yates, Chair  
Stationary Source Committee

JW:am

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### **Attendance**

The meeting began at 10:35 a.m. Present were Mayor Dennis Yates, Dr. Joseph Lyou, Mayor Pro Tem Ben Benoit and Mayor Judith Mitchell. Absent was Supervisor Shawn Nelson.

### **ACTION ITEM**

#### **1. Execute Contract and Reissue RFP for Third-Party Investigations of Unplanned Shutdowns of Emission Control Devices at Large Lead-Acid Battery Recycling Facilities**

Dr. Philip Fine presented this item. Pursuant to Rule 1420.1 (n)(2)(B), the SCAQMD is developing a list of independent contractors to investigate any unplanned shutdowns of emission control devices at the affected facilities where the operators cannot determine the reason for the shutdown. In February 2014, the Board approved an RFP to solicit bids from qualified bidders in order to establish a list of prequalified contractors. One proposal by Amerex Environmental Services was received and evaluated, and the proposal met the RFP requirements. This action is to execute a contract with Amerex Environmental Services. In addition, this action is to reissue the RFP to solicit proposals from additional contractors, since only one proposal was received and that consultant is based in Illinois.

There were no questions from Board Members or members of the public on this item.

*Moved (Mitchell), seconded (Lyou), and unanimously recommended for approval.*

## **INFORMATIONAL ITEMS**

### **2. Rule 1168 – Adhesive and Sealant Applications**

Naveen Berry, Planning & Rules Manager, presented a summary on Proposed Amended Rule 1168 – Adhesive and Sealant Applications. The proposal would reduce VOC emissions through more restrictive limits, clarify applicability to consumer product and other stationary source regulations, provide Technology Assessment provisions for some rule categories, and includes a limited exemption for dimethyl carbonate (DMC) for roofing products.

Doug Raymond (National Aerosol Association and Clayton Industries) and Mr. Roger Vanderlaan (Shield Packaging) requested that the District not regulate consumer products because the authority should lie with the California Air Resources Board (CARB). Mr. Raymond and Ms. Madelyn Harding (consultant to Sherwin-Williams) requested that the Public Hearing be delayed until September; Ms. Harding mentioned outstanding issues associated with use of SCAQMD Method 313 (M313) as a reason for delay. Curt Coleman (representing Lyondell), objected to the removal of the exemption for tertiary butyl acetate (TBAC) from the previous staff proposal. Recently provided worker exposure data should be included in the CEQA analysis. John Lenore (Epmar) and Bill Pearce (Boeing) spoke in support of the rule. Mr. Pearce also requested that labeling requirements use actual dates rather than date codes. Rita Loof (RadTech) also supported the proposal but noted that the District is still collecting data from more than 40 manufacturers. Dr. Katy Wolf (Institute for Research and Technical Assistance) expressed support for the removal of the prior TBAC limited exemption but opposed the continued inclusion of DMC, asserting that acceptable DMC concentrations could not be met when spraying applicable products. Mr. Jeff Blank (SR Products) disagreed with Dr. Wolf and the scientific study she is relying on, stating that DMC is already exempted in all 50 states (excepting SCAQMD jurisdiction) and that the proposed exemption would reduce VOC emissions and result in improved roofing products. Mr. Berry explained the process District staff has followed on the GC test methods (M313). Mayor Mitchell asked when the Technology Assessment would be done. Mr. Berry said the proposal requires completion by January 2017 with a report to the Committee at a subsequent meeting. Mayor Yates inquired about whether OEHHA's scheduled review of TBAC would leave industry in limbo until completed. Staff responded that the proposal maintains the status quo with respect to treatment of TBAC so that

there would be no interim period and that staff would reevaluate following completion of the review. The Committee directed staff to return to the June Stationary Source Committee meeting to provide a status update on M313, follow-up information on the health concerns related to TBAC and DMC, and written concurrence from CARB on the regulatory authority on consumer products.

### **3. Rule 1130 – Graphic Arts**

Naveen Berry, Planning and Rules Manager, provided a status report on energy curable material considerations, specifically supporting the staff proposed exemption VOC limit of 10 g/L. The report also included discussion of the current practice of considering the uncertainty of testing methods prior to any compliance action, and working with the industry on alternative methods to demonstrate equivalency.

Rita Loof (Radtech) and John Lenore (Quaker Chemical) expressed reservations on staff's representation of energy-curable inks VOC emissions and staff agreed to continue discussions with industry. Ms. Loof also discussed the uncertainty of the existing and alternative test methods. Bill La Marr (representing Printing Industries of America) expressed support for the proposed rule amendment. Mayor Yates inquired whether any Notices of Violation (NOVs) have been issued to users of energy curable products. Mr. Berry replied that, based on preliminary information, the District has not issued any NOVs pertaining to the use of energy curable products in the past few years.

Due to time constraints, agenda items 4 and 5 were deferred.

### **DISCUSSION ITEM**

Mayor Yates indicated that the next Stationary Source Committee may be held on May 16, following the Governing Board retreat in Palm Desert, if determined to be necessary.

### **WRITTEN REPORTS**

All written reports were acknowledged by the Committee.

### **PUBLIC COMMENTS**

There were no public comments.

### **Attachments**

Attendance Roster

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
STATIONARY SOURCE COMMITTEE  
April 18, 2014  
ATTENDANCE ROSTER (Voluntary)**

NAME	AFFILIATION
Mayor Dennis Yates	SCAQMD Governing Board
Dr. Joseph Lyou	SCAQMD Governing Board
Mayor Pro Tem Benoit	SCAQMD Governing Board
Mayor Judith Mitchell	SCAQMD Governing Board
Ron Ketcham	SCAQMD Governing Board (Cacciotti)
Ruthanne Taylor Berger	SCAQMD Governing Board (B. Benoit)
Kurt Wiese	SCAQMD Staff
Barbara Baird	SCAQMD Staff
Jill Whynot	SCAQMD Staff
Elaine Chang	SCAQMD Staff
Naveen Berry	SCAQMD Staff
Philip Fine	SCAQMD Staff
Laki Tisopulos	SCAQMD Staff
Amir Dejbakhsh	SCAQMD Staff
Danny Luong	SCAQMD Staff
Bill LaMarr	California Small Business Alliance
Susan Stark	Tesoro
Bill Pearce	Boeing
Doug Raymond	3R/NAA
Katy Wolf	IRTA
John Lenore	Quaker Chemical Corp.
Rita Loof	RadTech
Stacey-Ann Taylor	Henry Company

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
STATIONARY SOURCE COMMITTEE  
April 18, 2014  
ATTENDANCE ROSTER (Voluntary)**

Richard Friedman	
Peter Whittingham	Curt, Pringle & Assoc.
Curtis Coleman	So Cal Air Quality Alliance
Jan Gypsyn	Gyant

[↑ Back to Agenda](#)

BOARD MEETING DATE: May 2, 2014

AGENDA NO. 23

REPORT: Technology Committee

SYNOPSIS: The Technology Committee met on April 18, 2014. Major topics included Technology Advancement items reflected in the regular Board Agenda for the May Board meeting. A summary of these topics with the Committee's comments is provided. The next Technology Committee meeting will be on June 20, 2014.

RECOMMENDED ACTION:

Receive and file.

John J. Benoit  
Technology Committee Chair

MMM:pmk

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**Attendance:** Mayor Judith Mitchell and Mayor Dennis Yates were in attendance at SCAQMD headquarters. Supervisor John J. Benoit participated by videoconference. Councilman Joe Buscaino listened by teleconference, but did not participate due to this location not being publicly noticed. Mayor Miguel Pulido was absent due to a conflict with his schedule. Chair John Benoit appointed Mayor Pro Tem Ben Benoit as a Committee Member for today's meeting.

## MAY BOARD AGENDA ITEMS

### 1. Issue RFP to Expand and Upgrade the Electric Vehicle Charging Infrastructure at SCAQMD Headquarters

Electric vehicle charging infrastructure at SCAQMD headquarters is not sized to meet the current high demand of plug-in electric vehicles (PEVs) and their charging needs. To address this challenge and prepare for future growth, existing electric vehicle supply equipment (EVSE) needs to be expanded and upgraded to align with workplace charging needs and provide SCAQMD with greater control of building energy demand. Desired features of EVSE will allow for cost recovery, integration with the building energy management system, demand response capabilities and

minimization of time-of-use charges for electricity. This action is to issue an RFP to expand and upgrade electric vehicle charging infrastructure at SCAQMD headquarters.

*Mayor Mitchell asked if anyone can currently use SCAQMD chargers and if the proposed upgrades will allow only for specific users. Staff replied that vehicle chargers are currently available for everyone to use 24/7. With the proposed upgrades, the vehicle chargers will still be open to the public, but users may be required to pay a fee and/or be allowed to charge vehicles for a specified amount of time.*

*Moved by Mitchell ; seconded by Ben Benoit; unanimously approved.*

## **2. Amend Contract to Develop and Demonstrate Battery Electric Drayage Trucks**



On October 5, 2012, as part of a DOE grant, the Board approved a \$1,142,070 contract with Transportation Power (TransPower) for four battery electric drayage trucks. This action is to amend the contract with TransPower to add \$375,000 from the Clean Fuels Fund (31) to cost-share the development and demonstration of three additional trucks and related engineering design upgrades. The revised contract award will be \$1,517,070, comprised of \$1,142,070 from the Advanced Technology Goods Movement Fund (61) and \$375,000 from the Clean Fuels Fund (31).

*Mayor Mitchell inquired about the operating range and charge time for the trucks. Staff responded that the trucks range between 70 to 100 miles per charge depending on the load, and it takes three to four hours to fully charge.*

*Moved by Yates; seconded by Ben Benoit; unanimously approved.*

## **3. Recognize Revenue, Execute Contracts and Purchase Equipment to Support Hydrogen Readiness in Early Market Communities**



In August 2013, under the AB 118 Program, the CEC issued a PON for projects to develop strategies for the deployment of alternative fuel infrastructure and encourage the adoption of alternative fuel vehicles. On March 12, 2014, the CEC issued a Revised Notice of Proposed Awards awarding \$299,360 to the SCAQMD for a proposal to support hydrogen readiness in early market communities. This action is to recognize revenue in the amount of \$299,360 from the CEC into the Hydrogen Fueling Station Special Revenue Fund (55) and to execute a contract in an amount not to exceed \$299,360 with Bevilacqua-Knight, Inc. to conduct education and outreach activities to support hydrogen readiness in early market communities. This action also includes executing a contract to develop sampling and testing protocols for analyzing impurities in hydrogen automotive fuel per SAE J2719 and for purchase of equipment for performing hydrogen fuel quality testing in an amount not to exceed \$212,100 from the Clean Fuels Fund (31).

*Mayor Mitchell asked if the measurement equipment would be portable for use in the field. Staff replied that the purchased unit will be installed in the SCAQMD laboratory and be used to analyze samples collected from stations.*

*Supervisor Benoit expressed concern regarding hydrogen fuel quality, and the need to ensure the fuel does not damage the vehicles. Staff is in complete agreement as are the OEMs, the CaFCP, and DMS, who all support SCAQMD taking the lead on this project.*

*Moved by Mitchell; seconded by Yates; unanimously approved.*

#### **ITEM FOR DISCUSSION ONLY**

#### **4. Date of Next Technology Committee Meeting**

Discuss Board direction on whether to move the meeting venue to Palm Desert (same date of May 16<sup>th</sup>) or change the date to May 23<sup>rd</sup> (day before Memorial Weekend).

*Following the discussion Chair Benoit cancelled the May Technology Committee Meeting unless a time-critical item creates the need to re-evaluate this decision.*

#### **5. Public Comment Period**

*There was no public comment.*

#### **6. Other Business**

*There was no other business.*

**Next Meeting: June 20, 2014**

**Attachment**

Attendance



## Attachment A – Attendance

Supervisor John J. Benoit.....	SCAQMD Governing Board (via VT)
Councilman Joe Buscaino	SCAQMD Governing Board *
Mayor Judith Mitchell.....	SCAQMD Governing Board (via VT)
Mayor Dennis Yates.....	SCAQMD Governing Board
Mark Abramowitz.....	Board Assistant (Lyou)
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
Laki Tisopulos, STA.....	SCAQMD
Fred Minassian, STA.....	SCAQMD
Dean Saito, STA.....	SCAQMD
Al Baez, STA.....	SCAQMD
Brian Choe, STA.....	SCAQMD
Drue Hargis, STA.....	SCAQMD
Patricia Kwon, STA.....	SCAQMD
Lisa Mirisola, STA.....	SCAQMD
Anita Shabandari.....	SCAQMD
Larry Watkins, STA.....	SCAQMD
Sam Atwood, Media.....	SCAQMD
Aaron Katzenstein, PRDAS.....	SCAQMD
Robert Paud, IM.....	SCAQMD
Isabel Aguilar, STA.....	SCAQMD
Pat Krayser, STA.....	SCAQMD
Danielle Robinson.....	ARB
Susan Stark.....	Tesoro

\* Listening only, via teleconference

BOARD MEETING DATE: May 2, 2014

AGENDA NO. 24

REPORT: Mobile Source Air Pollution Reduction Review Committee

SYNOPSIS: Below is a summary of key issues addressed at the MSRC's meeting on April 17, 2014. The MSRC's next meeting is scheduled for Thursday, May 15, 2014, at 2:00 p.m. in Conference Room CC8.

RECOMMENDED ACTION:  
Receive and file.

Veera Tyagi  
Senior Deputy District Counsel

MM:HH:DAH

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### **Meeting Minutes Approved**

The MSRC unanimously approved the minutes from its March 20, 2014 meeting. Those approved minutes are attached for your information (*Attachment 1*).

### **Additional/Final Awards for FYs 2012-14 Local Government Match Program**

As part of their FYs 2012-14 Work Program, the MSRC released a Program Announcement offering \$11 million for dollar-for-dollar co-funding on a first-come, first-served basis to implement its popular Local Government Match Program, which for FYs 2012-14 included the following funding categories: medium- and heavy-duty alternative fuel vehicles, alternative fuel infrastructure projects, electric vehicle charging infrastructure, bicycle projects and regional street sweeping in Coachella Valley. The \$11 million was subsequently augmented with an additional \$1,076,000 to fully fund first-day applications yet ensure sufficient funds would be available for the \$1.375 million per county geographic minimums. To date the MSRC has funded 32 eligible projects in the amount of \$11,408,978. Before the Program Announcement closed on February 28, 2014, however, several additional applications had been received. On April 17, 2014, the MSRC considered its Technical Advisory Committee recommendations on these remaining applications including a backup list of eligible

projects which exceeded the original funding allocation. The MSRC unanimously approved funding 12 additional applications, awarding a total of \$1,566,409, using \$667,022 of the funds previously allocated plus an additional \$899,387 to fully fund the remaining applications including the backup list. The SCAQMD Board will consider these awards at its May 2, 2014 meeting.

### **Received and Approved Final Report**

The MSRC received and unanimously approved one final report summary for City of Glendora Contract #MS10021, which provided \$9,489 towards the purchase of one bus equipped with an advanced natural gas engine. The two-page summary of this completed project can be viewed in the electronic library on the MSRC's website at [www.CleanTransportationFunding.org](http://www.CleanTransportationFunding.org).

### **Contract Modifications**

The MSRC considered two contract modifications and took the following unanimous actions:

1. For City of Riverside Contract #ML08040, which currently provides \$505,500 towards the purchase of 16 CNG vehicles, a CNG station expansion and maintenance facility modifications, approval to eliminate maintenance facility modifications (\$50,000 would revert back to the Discretionary Fund) because the City chose to build a new vehicle maintenance facility, substitute four miscellaneous CNG trucks for four heavy-duty CNG dump trucks, and extend the contract term an additional 30 months to ensure five years of reporting on the vehicles; and
2. For City of Baldwin Park Contract #ML12050, which currently provides \$463,650 for installation of 24 electric charging stations at the Baldwin Park Metrolink Transit Center, approval to reduce the number from 24 to 10 electric charging stations and reduce the contract accordingly (\$61,250 would revert back to the Discretionary Fund)..

### **Procure Promotional Outreach Materials**

As part of its outreach, the MSRC participates at various conferences, such as the upcoming ACT Expo in Long Beach on May 5-8, 2014, at which the MSRC will staff an exhibit booth. Since promotional giveaways enhance the popularity of a participant's display and increase name recognition, MSRC staff proposed to expend up to \$1,500 from the MSRC's Administrative Budget on promotional giveaways, such as a tire pressure gauge and measuring tape with level, which would be embedded with the MSRC's logo. At their April 17, 2014 meeting, the MSRC unanimously approved this expenditure, authorizing MSRC staff to choose which promotional items would be purchased along with the appropriate quantities.

**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 April 2014 is attached (*Attachment 2*) for your information.

**Attachments**

Attachment 1 – Approved March 20, 2014 Meeting Minutes

Attachment 2 – April 2014 Contracts Administrator's Report



**MOBILE SOURCE AIR POLLUTION REDUCTION REVIEW COMMITTEE  
THURSDAY, MARCH 20, 2014 MEETING MINUTES**

21865 Copley Drive, Diamond, Bar, CA 91765- Conference Room CC-8

**MEMBERS PRESENT:**

(Chair) Greg Pettis, rep. RCTC (via 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)  
Ron Roberts, representing SCAG  
Tim Shaw (Alt.), representing OCTA  
Greg Winterbottom, representing OCTA  
Earl Withycombe, representing CARB (via v/c)

**MSRC MEMBERS ABSENT:**

Larry McCallon, representing SANBAG

**MSRC-TAC MEMBERS PRESENT:**

Rongsheng Luo (Alt.), Southern California Association of Governments  
(Vice-Chair) Tanya Love, representing RCTC  
Kelly Lynn, representing SANBAG  
Dean Saito, representing SCAQMD

**OTHERS PRESENT:**

Jim Bernacchi, BusWest  
Todd Franssen, BusWest  
Thomas Koniszewski, BusWest  
Debra Mendelsohn, SCAQMD Board Asst (Antonovich)  
Ric Teano, OCTA

**SCAQMD STAFF & CONTRACTORS**

Ray Gorski, MSRC Technical Advisor-Contractor  
Drue Hargis, Acting Senior Public Information Specialist  
Henry Hogo, Asst. DEO/Science and Technology Advancement  
Ana Ponce, 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**

- Call to Order

ON MOTION BY MSRC MEMBER RON ROBERTS, AND SECONDED BY MSRC CHAIR GREG PETTIS, THE MSRC UNANIMOUSLY VOTED FOR MEMBER GREG WINTERBOTTOM TO ACT AS INTERIM CHAIR BECAUSE MSRC CHAIR GREG PETTIS WAS PARTICIPATING VIA VIDEOCONFERENCE FROM SACRAMENTO.

Mr. Winterbottom called the meeting to order at 2:10 p.m., as a Committee of the Whole.

**PUBLIC COMMENT PERIOD**

Public comments were allowed during the discussion of each agenda item. No comments were made on non-agenda items.

**STATUS REPORTS**

- Clean Transportation Policy Update  
Cynthia Ravenstein, MSRC Contracts Administrator, gave highlights from the Clean Transportation Policy Update on behalf of MSRC-TAC Chair Gretchen Hardison, who could not be present at today's meeting. Ms. Ravenstein referred to the handout that was distributed at the meeting. An email link was sent to the videoconference locations, and an electronic copy will be emailed to the MSRC members tomorrow.

[MSRC Member Michael Antonovich arrived at 2:13 p.m. and a quorum was achieved.]

- Report on Brown Act Voting Procedures  
Veera Tyagi, Senior Deputy District Counsel, explained that the SCAQMD General Counsel's office periodically reviews the SCAQMD's procedures for complying with the Brown Act and has decided to make some changes. There are a few items that pertain to the MSRC. Some members may have received a memorandum from John Olvera, Principal Deputy District Counsel. This memorandum is a new process for all SCAQMD and MSRC committees. The law is that if a Committee Member has interest in an agenda item, he/she must abstain from it. There are exceptions, however, for what they call a "non-interest." One of those exceptions is that if a Member sits on the Board of another governmental agency that is potentially being awarded a contract under that agenda item, it is not considered to be an interest that would require abstention. But under the new law, this non-interest is required to be disclosed. The new practice will be that a Member will be asked to identify for the record that he/she sits on the Board of whichever governmental agency is involved. The Member will be allowed to vote, but it needs to be noted for the record. If that will impact you, you will be getting a memorandum from John Olvera or Becky Garcia.

Secondly, MSRC Member Larry McCallon raised an issue at the last meeting with respect to roll call votes. The requirement is that if there is a teleconference or videoconference location, the government code states that the vote needs to be made through a roll call. There was an interpretation through the League of California Cities, which is what we were applying, where it said that if there was generally a consensus, that it would be possible to just identify the dissent, rather than do a member-by-member roll call. That is probably what most government agencies still do, but since the government code does identify that a roll call should be done if there is a teleconference, it has been decided to adopt a new practice which will be to require the actual roll call vote. A memorandum is currently being drafted.

Thirdly, if a Member is located outside of the jurisdiction of the SCAQMD, he/she can participate and vote; but cannot be counted towards the quorum.

Drue Hargis asked if Chair Pettis can chair a meeting from a videoconference location. Ms. Tyagi replied affirmatively. For convenience' sake, Mr. Winterbottom continued to chair today's meeting, with Chair Pettis' agreement.

MSRC Member Greg Winterbottom asked if he could make a blanket statement for OCTA. He said that it is obvious that everyone present represents some agency, and he asked whether a Member needed to identify his/her affiliation each time. Ms. Tyagi said that it shouldn't come up that often. It is only if OCTA is being awarded a contract. In today's case, it is only one agenda item.

MSRC Member Earl Withycombe asked that Ms. Tyagi verify his understanding that the government section code prohibits a remote participant of the MSRC from counting towards the quorum; but he can vote. Ms. Tyagi said that Mr. Withycombe's understanding is correct. Mr. Withycombe said he would seek authorization from his management to attend the meetings in person.

### **CONSENT CALENDAR (Items 1 through 7)**

#### **Receive and Approve Items**

#### **Agenda Item #1 – Minutes of the January 16, 2014 MSRC Meeting**

The minutes of the January 16, 2014 MSRC meeting were included in the agenda package.

ON MOTION BY MSRC MEMBER EARL WITHYCOMBE, AND  
SECONDED BY MSRC VICE CHAIR STEVE VERES, UNDER  
APPROVAL OF CONSENT CALENDAR ITEMS 1 THROUGH 7, THE  
MSRC VOTED UNANIMOUSLY TO APPROVE THE JANUARY 16,  
2014 MEETING MINUTES.

AYES: PETTIS, WITHYCOMBE, MCKAY, VERES, ANTONOVICH,  
ROBERTS, WINTERBOTTOM

NOES: NONE.

**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 six final report summaries for the following:

1) Orange County Transportation Authority, Contract #MS12059, which provided \$75,000 for modification of two maintenance facilities; 2) Los Angeles County Metropolitan Transportation Authority, Contract #MS12001, which provided \$300,000 to implement clean fuel transit service to Dodger Stadium; 3) Custom Alloy Light Metals, Inc., Contract #MS12063, which provided \$100,000 for a new CNG station in the City of Industry; 4) Orange County Transportation Authority, Contract #MS12065, which provided \$26,673 to implement special bus service to the Honda Center; 5) Fraser Communications, Contract #MS12062, which provided \$998,669 to develop and implement a "Rideshare Thursday" Public Awareness Campaign; and 6) Elham Shirazi, Contract #MS10025, which provided \$199,449 to implement a telework demonstration program.

ON MOTION BY MSRC MEMBER EARL WITHYCOMBE, AND  
SECONDED BY MSRC VICE CHAIR STEVE VERES, UNDER  
APPROVAL OF CONSENT CALENDAR ITEMS 1 THROUGH 7, THE  
MSRC VOTED UNANIMOUSLY TO APPROVE THE FINAL  
REPORTS ABOVE.

AYES: PETTIS, WITHYCOMBE, MCKAY, VERES, ANTONOVICH,  
ROBERTS, WINTERBOTTOM

NOES: NONE.

**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 March 2014 was included in the agenda package.

ON MOTION BY MSRC MEMBER EARL WITHYCOMBE, AND  
SECONDED BY MSRC VICE CHAIR STEVE VERES, UNDER  
APPROVAL OF CONSENT CALENDAR ITEMS 1 THROUGH 7, THE  
MSRC VOTED UNANIMOUSLY TO RECEIVE AND FILE THE  
MARCH 2014 CONTRACTS ADMINISTRATOR'S REPORT.

AYES: PETTIS, WITHYCOMBE, MCKAY, VERES, ANTONOVICH,  
ROBERTS, WINTERBOTTOM

NOES: NONE.

**ACTION:** SCAQMD staff will include the MSRC Contracts Administrator's Report in the MSRC Committee Report for the April 4, 2014 SCAQMD Board meeting.



**Agenda Item #4 – Financial Report on AB 2766 Discretionary Fund**

A financial report on the AB 2766 Discretionary Fund for the period ending February 28, 2014, was included in the agenda package.

ON MOTION BY MSRC MEMBER EARL WITHYCOMBE, AND SECONDED BY MSRC VICE CHAIR STEVE VERES, UNDER APPROVAL OF CONSENT CALENDAR ITEMS 1 THROUGH 7, THE MSRC VOTED UNANIMOUSLY TO RECEIVE AND FILE THE FINANCIAL REPORT FOR THE PERIOD ENDING FEBRUARY 28, 2014.

AYES: PETTIS, WITHYCOMBE, MCKAY, VERES, ANTONOVICH, ROBERTS, WINTERBOTTOM  
NOES: NONE.

**ACTION:** No further action is required.

**For Approval - As Recommended****Agenda Item #5 – Consider Increased Number of Electric Vehicle (EV) Charging Stations by City of Palm Springs, Contract #ML12019 (Install EV Charging Stations)**

The City of Palm Springs was able to secure additional outside funding, and requests to increase the number of EV charging stations to be installed, from 6 to a minimum of 20, with no change to the contract value. The MSRC-TAC unanimously recommends approval.

ON MOTION BY MSRC MEMBER EARL WITHYCOMBE, AND SECONDED BY MSRC VICE CHAIR STEVE VERES, UNDER APPROVAL OF CONSENT CALENDAR ITEMS 1 THROUGH 7, THE MSRC VOTED UNANIMOUSLY TO APPROVE THE CITY OF PALM SPRINGS TO INCREASE THE NUMBER OF EV CHARGING STATIONS TO BE INSTALLED FROM 6 TO A MINIMUM OF 20 WITH NO CHANGE IN CONTRACT VALUE.

AYES: PETTIS, WITHYCOMBE, MCKAY, VERES, ANTONOVICH, ROBERTS, WINTERBOTTOM  
NOES: NONE.

**ACTION:** MSRC Staff will amend the above contract accordingly.

**For Approval - As Recommended****Agenda Item #6 – Consider Modified Specifications, Contract Value Reduction and 27-Month Term Extension by City of Hemet, Contract #ML06035 (Purchase 7 Refuse Trucks and Install CNG Station)**

The City of Hemet was able to secure additional funding for the CNG station portion of the project, allowing them to change the number of fuel dispensing posts from 10 dual-hose posts to 20 single-hose posts and to reduce the amount of MSRC and City funds

needed for the project. The City also experienced delays in the shipment of compressors and the control panel, as well as equipment operation issues which delayed placing the station fully into service. The City requests to change the station specifications; reduce the contract value from \$414,000 to \$338,107; and to receive a 27-month contract term extension. The MSRC-TAC unanimously recommends approval.

ON MOTION BY MSRC MEMBER EARL WITHYCOMBE, AND SECONDED BY MSRC VICE CHAIR STEVE VERES, UNDER APPROVAL OF CONSENT CALENDAR ITEMS 1 THROUGH 7, THE MSRC VOTED UNANIMOUSLY TO APPROVE THE CITY OF HEMET TO CHANGE THE STATION SPECIFICATIONS; REDUCE THE CONTRACT VALUE FROM \$414,000 TO \$338,107; AND A 27-MONTH CONTRACT TERM EXTENSION.

AYES: PETTIS, WITHYCOMBE, MCKAY, VERES, ANTONOVICH, ROBERTS, WINTERBOTTOM

NOES: NONE.

**ACTION:** MSRC Staff will amend the above contract accordingly.

**For Approval - As Recommended**

**Agenda Item #7 – Consider Exclusion of Remanufactured Equipment, Decreased Award Amount and Throughput Requirement by Brea Olinda Unified School District (BOUSD), Contract #MS12083 (Proposed) (Install CNG Station)**

The MSRC-TAC has reviewed the request and recommends approval of excluding the remanufactured equipment from the project. With respect to the fuel throughput, rather than reducing the required throughput and the contract value, the MSRC-TAC recommends that the operational requirement be extended by a sufficient time period to achieve a total throughput equal to the original required annual amount times three.

ON MOTION BY MSRC MEMBER EARL WITHYCOMBE, AND SECONDED BY MSRC VICE CHAIR STEVE VERES UNDER APPROVAL OF CONSENT CALENDAR ITEMS 1 THROUGH 7, THE MSRC VOTED UNANIMOUSLY TO EXTEND THE OPERATIONAL REQUIREMENT BY A SUFFICIENT TIME PERIOD TO ACHIEVE A TOTAL THROUGHPUT EQUAL TO THE ORIGINAL REQUIRED ANNUAL AMOUNT TIMES THREE.

AYES: PETTIS, WITHYCOMBE, MCKAY, VERES, ANTONOVICH, ROBERTS, WINTERBOTTOM

NOES: NONE.

**ACTION:** MSRC Staff will amend the above contract accordingly.

**ACTION CALENDAR (Items 8 through 11)****Agenda Item #8 – Consider Incentive Funding Request by BusWest under the Alternative Fuel School Bus Incentives Program**

Cynthia Ravenstein, MSRC Contracts Administrator, explained that this request comes from BusWest. They are one of the MSRC's qualified vendors under the Alternative Fuel School Bus Incentive Program. In May 2013, BusWest received an order for 13 new type D CNG school buses from Tumbleweed Transportation, a private provider of student transportation. These buses were intended for operation by Tumbleweed for the Los Angeles Unified School District. In September, BusWest submitted a request to MSRC staff for reimbursement for 13 bus incentives. However, this purchase order date from May of 2013 was after BusWest's earlier MSRC contract had expired, but it was also before the MSRC had released their Request for Qualifications for the current school bus incentives program. The request meets all requirements of the program but the MSRC has a policy that states that only vehicles that are ordered subsequent to the release date of the solicitation are eligible to seek reimbursement. There was a misunderstanding on BusWest's part about the timing requirements.

There have been cases in the past where the MSRC has allowed a partial reimbursement for contractors who didn't fully comply with stipulated timeline requirements. With regard to school bus incentives, in particular, the MSRC has on two past occasions considered cases where vendors didn't fully comply with the timelines. In those cases, the MSRC allowed a partial reimbursement. In this case, it was a five percent reduction in the amount of the incentive, with that reduction to be borne by the vendor, not by the person who purchased the school buses. That was the staff recommendation to the MSRC-TAC. The MSRC-TAC considered the request and they are recommending a \$382,850 funding award that represents a five percent reduction from the normal \$31,000 per bus that those purchases would have been qualified for, but with that reduction to be borne by the school bus vendor BusWest, and not by Tumbleweed Transportation.

ON MOTION BY MSRC MEMBER RON ROBERTS, AND  
SECONDED BY MSRC CHAIR GREG PETTIS, THE MSRC  
UNANIMOUSLY VOTED TO APPROVE A FUNDING AWARD IN  
THE AMOUNT OF \$382,850 TO BUSWEST FOR THE DELIVERY OF  
13 TYPE D CNG SCHOOL BUSES TO TUMBLEWEED  
TRANSPORTATION. THIS REFLECTS A FIVE PERCENT  
REDUCTION IN THE PER BUS INCENTIVE AMOUNT, TO BE  
BORNE BY BUSWEST.

AYES: PETTIS, WITHYCOMBE, MCKAY, VERES, ANTONOVICH,  
ROBERTS, WINTERBOTTOM

NOES: NONE.

**FYs 2012-14 WORK PROGRAM****Agenda Item #9 – Consider Funding for Applications Received under the Local Government Match Program**

Dean Saito, Chair/Local Government Match Program Subcommittee, reported that this item is the continuation of the MSRC Local Government Match Program for those counties that still have funds left in their geographic minimums. The Subcommittee

reviewed an application that had been previously submitted, but additional clarification and documentation was needed from the City of Highland to clarify that the project did not include Class 3 bicycle route signage. That documentation was received and the MSRC-TAC is recommending approval of \$500,000 for the City of Highland's bike program.

The second application is from the City of Redlands for Class 2 bike lanes for \$125,000 and there were sufficient funds in the San Bernardino geographic minimum to fund that project.

The other three applications come from entities within Los Angeles County and Orange County that have already met their geographic minimums. Action on these applications will be deferred until the close of this program.

The MSRC-TAC is recommending approval of a total of \$625,000 for the City of Highland and City of Redlands' bike projects.

MSRC Member Greg Winterbottom noted that almost \$700,000 is on the backup list. He asked Ray Gorski, MSRC Technical Advisor, how that is going to work. Mr. Gorski indicated that staff will bring, for MSRC consideration next month, the backup list for the Local Government Match Program and will also identify available funding sources, should the MSRC choose to apply more money towards this category.

ON MOTION BY MSRC MEMBER MICHAEL ANTONOVICH, AND  
SECONDED BY MSRC MEMBER GREG PETTIS, THE MSRC  
UNANIMOUSLY VOTED TO APPROVE FUNDING FOR CITY OF  
HIGHLAND AND CITY OF REDLANDS' APPLICATIONS FOR BIKE  
PROJECTS TOTALING \$625,000 UNDER THE LOCAL  
GOVERNMENT MATCH PROGRAM FOR FYS 2012-14 WORK  
PROGRAM.

AYES: PETTIS, WITHYCOMBE, MCKAY, VERES, ANTONOVICH,  
ROBERTS, WINTERBOTTOM.

NOES: NONE.

**ACTION:** SCAQMD staff will request approval of this award at the April 4, 2014 SCAQMD Board meeting.

#### **Agenda Item #10 – Consider Work Plans Received under the Signal Synchronization Program**

MSRC Member Greg Winterbottom did not recuse himself but noted for the record that he is on the Board of Directors of OCTA. MSRC Member April McKay did not recuse herself, but noted for the record that she is a staff member of L.A. County MTA. MSRC Member Michael Antonovich said that as a Director of MTA, he is not required to recuse himself, noted for the record that he is a member of the L.A. County MTA. MSRC Member Ron Roberts said as Director of RCTC, he is not required to recuse himself, but noted for the record that he is a member of RCTC; and MSRC Chair Greg Pettis said he is not required to recuse himself, but noted for the record that he is an RCTC Board Member.

Kelly Lynn, Chair/TCM Subcommittee, reported that this is one of the elements of the FYs 2012-14 Work Program - the Traffic Signal Coordination Program. It was decided that the four Commissions would submit responses to an Invitation to Negotiate, bringing forward what the Commissions felt would be the most critical areas that would benefit the most from having traffic synchronization in their Counties. To date, Los Angeles, OCTA, and Riverside have brought proposals forward. San Bernardino has not brought their proposal forward yet, as they needed to go out and do a Call for Projects, which is currently underway. The San Bernardino submittal should be received this month, so they should be able to be in contact with the MSRC by the end of this month or beginning of April. However, the Subcommittee did not want to hold up the other three Commissions in their award, so they want to move forward.

For the last few years, before the Work Program is set, the MSRC has been holding workshops with stakeholders and asking them what would help them or work for them, and this was one of the top items identified. The idea is that the infusion of MSRC funds would hopefully: move some projects along quicker than they would have been; supplement some projects that have been reduced because of shortage of resources; or expand some projects. Knowing the need for traffic synchronization, the MSRC funds certainly could not cover it all, but with matching and utilizing other funds, more would be accomplished.

L. A. Metro submitted three projects: a South Bay Traffic Signal Project; a Gateway Cities Project; and a San Gabriel Valley Project, for a total of \$1,250,000. OCTA also submitted a Work Plan; it involved six signal synchronization projects. The synchronization would impact 166 high-volume intersections and it would span five significant corridor areas in the Orange County region. The corridor regions are: Adams Avenue; Antonio Blvd.; Jeronimo Road; Newport Avenue/Boulevard; State College Blvd.; and Trabuco Road. That comes to a total of \$1,250,000.

RCTC also submitted a number of items totaling \$939,645. Ray Gorski, MSRC Technical Advisor, added that Riverside will also be submitting an additional project and it is anticipated that they will receive the full \$1,250,000 allocated for Riverside County.

ON MOTION BY MSRC ALTERNATE APRIL MCKAY, AND  
SECONDED BY MSRC VICE CHAIR STEVE VERES, THE MSRC  
UNANIMOUSLY VOTED TO APPROVE FUNDING AWARDS  
TOTALLING \$3,439,625 FOR TRAFFIC SIGNAL COORDINATION  
PROJECTS AT \$1,250,000 FOR METRO; \$1,250,000 FOR OCTA; AND  
\$939,625 FOR RCTC.

AYES: PETTIS, WITHYCOMBE, MCKAY, VERES, ANTONOVICH,  
ROBERTS, WINTERBOTTOM.

NOES: NONE.

**ACTION:** SCAQMD staff will request approval of these awards at the April 4, 2014 SCAQMD Board meeting.

**Agenda Item #11 – Consider Program Announcement for Ground Support Equipment Replacement Program at Major Airports**

Ray Gorski, MSRC Technical Advisor, reported on this item for MSRC-TAC Member Randall Pasek, who was not present at today's meeting. Mr. Gorski reported that the staff recommendation is to take no action on this item today. For the last several days staff has been in discussion with CARB and SCAQMD members. There is a concern that entities which would participate under this program might be enriched relative to their obligations under CARB's in-use off-road rule, meaning that there could be the perception that a participant who receives MSRC incentive funding could be having his compliance obligations under the rule partially funded with public monies. The off-road rule is very complex. In the initial iteration of crafting this program and the solicitation, all parties were under the belief that we had designed a program that would dovetail with the existing rule. Subsequent discussions with the CARB now lead us to believe that an entity that received funding would in fact be being paid to comply in part with existing obligations under a CARB rule. Therefore, at this time, the MSRC is not being asked to take action on this item. Staff would like to go back and continue discussions internally and with CARB to come up with a modified structure for how the MSRC can continue to accelerate the adoption of technology to reduce diesel air pollution. This needs to be done in a way that does not raise the specter that the MSRC is funding compliance with the law.

Mr. Winterbottom asked how long this will take. Mr. Gorski indicated that this has a broader impact. It is not only this program; it is also other programs that the MSRC would like to do including on-road and off-road. As Ms. Ravenstein mentioned during her staff report, CARB will be looking at modifying some of their truck and bus rules to allow incentives to flow to those vehicles. Hopefully a similar avenue will be found to allow for the MSRC to continue doing their work with the off-road vehicles. Given the level of coordination and the complexity of the rule, Mr. Gorski said staff will do their best to make sure to give MSRC options for continuing their mission no later than the Retreat, which is likely to occur in the next couple of months.

Henry Hogo added that it is complicated because the off-road regulations allow the SCAQMD to implement funding programs, it is not mandatory in terms of reporting, but the equipment that is under the program would have to be surplus to the state-wide regulation. In addition, the state-wide regulations have flexibility to recognize zero emission technologies towards compliance. There are several elements that have to be discussed in greater detail with Mr. Gorski and CARB to develop a solid Request for Proposals.

**ACTION:** SCAQMD staff will return to the MSRC at a future date.

**OTHER BUSINESS**

**Item #12 – Other Business**

Henry Hogo said that after watching the process with the Brown Act provisions he would like to have a discussion with legal staff to see if the process can be streamlined and maybe come up with other approaches that could meet the requirements so as not to cause confusion with the Committee members.

MSRC Member Earl Withycombe said the delay in meeting progress is compounded by the fact that there is a transmission delay in communication between the locations. One possible solution is to ask if there are any No votes and record them, and designating everybody as voting Aye. Veera Tyagi, Senior Deputy District Counsel, said that that is the way it was being done, and the way that it has been interpreted by many governmental agencies, but it's not the way that the plain language of the statute reads.

### **ADJOURNMENT**

THERE BEING NO FURTHER BUSINESS, THE MSRC MEETING  
ADJOURNED AT 2:43 P.M.

### **NEXT MEETING:**

Thursday, April 17, 2014, 2:00 p.m., Conference Room CC8

[Prepared by Ana Ponce]



### MSRC Agenda Item No. 3

**DATE:** April 17, 2014

**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 February 27 through March 26, 2014.

**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 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 executed.

On September 6, 2013, the SCAQMD Governing Board approved an award to Transit Systems Unlimited under the Event Center Transportation Program. This contract is with the prospective contractor for signature.

On November 1, 2013, the SCAQMD Governing Board approved two awards under the Event Center Transportation Program. These contracts are under development or with the prospective contractor for signature.

On December 6, 2013, the SCAQMD Governing Board approved 25 awards under the Local Government Match Program, 12 awards under the Alternative Fuel Infrastructure Program, one award under the Alternative Fuel School Bus Incentives Program, and one award under the Event Center Transportation Program. These contracts are under development, undergoing internal review, with the prospective contractor for signature, or with the SCAQMD Board Chair for signature.

On January 10, 2014, the SCAQMD Governing Board approved three awards under the Local Government Match Program and one award under the Alternative Fuel Infrastructure Program. These contracts are under development.

On February 7, 2014, the SCAQMD Governing Board approved two awards under the Local



Government Match Program and one award under the Alternative Fuel Infrastructure Program. These contracts are 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 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. Except as further discussed below, 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 executed.

On November 2, 2012, the SCAQMD Governing Board approved one award under the Local Government Match Program. This contract is executed.

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. Except as further discussed below, these contracts are either awaiting approval of modification requests 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 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***

5 contracts from this work program year are open; and 10 contracts are in “Open/Complete” status, having completed all obligations save ongoing operation. One contract closed during this period: City of Rancho Cucamonga, Contract #ML06032 – Install CNG Station and Purchase Two CNG Dump Trucks.

#### ***FY 2005-06 Work Program Invoices Paid***

No invoices were paid during this period.

#### ***FY 2006-07 Work Program Contracts***

7 contracts from this work program year are open; and 27 contracts are in “Open/Complete” status. 3 contracts closed during this period: City of Los Angeles, Contract #ML07028 – Install CNG Station (Hollywood); City of Los Angeles, Contract #ML07029 – Install CNG Station (Venice); and City of Los Angeles, Contract #ML07034 – Install CNG Station (Van Nuys).

#### ***FY 2006-07 Invoices Paid***

No invoices were paid during this period.

#### ***FY 2007-08 Work Program Contracts***

12 contracts from this work program year are open; and 41 contracts are in “Open/Complete” status.

#### ***FY 2007-08 Invoices Paid***

One invoice in the amount of \$1,000,000 was paid during this period.

#### ***FY 2008-09 Work Program Contracts***

9 contracts from this work program year are open; and 14 contracts are in “Open/Complete” status.

#### ***FY 2008-09 Invoices Paid***

No invoices were paid during this period.

#### ***FY 2009-10 Work Program Contracts***

8 regular contracts from this work program year are open; and 9 regular contracts are in “Open/Complete” status.

#### ***FY 2009-10 Invoices Paid***

2 invoices totaling \$32,866.10 were paid during this period.

### ***FY 2010-11 Work Program Contracts***

44 contracts from this work program year are open; and 10 contracts are in “Open/Complete” status. One contract passed into “Open/Complete” status during this period: EDCO Disposal, Contract #MS11012 – Install CNG Station. One proposed contract with the County of Los Angeles Department of Public Works is still with them for signature; the County estimates it will be considered for approval by their Board in May or June 2014. One proposed contract with the Los Angeles Unified School District is with them for signature following MSRC approval of modifications. Lastly, one proposed contract with Ivanhoe Energy Services and Development is still with the prospective contractor for signature. MSRC staff are following up with Ivanhoe to ascertain the reason for the delay.

### ***FY 2010-11 Invoices Paid***

3 invoices totaling \$49,800.00 were paid during this period.

### ***FY 2011-12 Work Program Contracts***

64 contracts from this work program year are open, and 6 contracts are in “Open/Complete” status. The scope of work for the proposed contract with the City of Rialto was recently modified administratively, as noted in “Administrative Scope Changes” below, and is now undergoing internal review. Lastly, in September 2013 the MSRC approved a schedule change for the proposed contract with Valley Music Travel. Valley Music Travel did not secure buses meeting the criteria specified by the MSRC’s award. Rather than entertain another schedule change, MSRC staff will terminate negotiations and direct Valley Music Travel to submit a new proposal under the current opportunity.

### ***FY 2011-12 Invoices Paid***

One invoice in the amount of \$7,393.40 was paid during this period.

### ***FYs 2012-14 Work Program Contracts***

5 contracts from this work program year are open.

### ***FYs 2012-14 Invoices Paid***

One invoice in the amount of \$36,000.00 was paid during this period.

### ***Administrative Scope Changes***

Three administrative scope changes were initiated during the period of February 27 to March 26, 2014:

- ML14031 (proposed) – County of Riverside Waste Management Department (Purchase Five Heavy-Duty Natural Gas Vehicles) – Reduce number of vehicles from five to three, and reduce funding from \$150,000 to \$90,000
- ML12049 (proposed) – City of Rialto (Install EV Charging Infrastructure) – Reduce number of stations from four to two, and reduce funding from \$57,958 to \$30,432
- ML12050 – City of Baldwin Park (Install EV Charging Infrastructure) – Six-month no-cost term extension

### ***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 tentative agreement has been negotiated with one contractor, and preparation of a corresponding contract modification is underway.

**Attachments**

- FY 2004-05 through FYs 2012-14 Contract Status Reports



## AB2766 Discretionary Fund Program Invoices

February 27, 2014 to March 26, 2014

Contract Admin.	MSRC Chair	MSRC Liaison	Finance	Contract #	Contractor	Invoice #	Amount
<i>2007-2008 Work Program</i>							
3/26/2014	4/2/2014	4/3/2014	4/4/2014	MS08001	Los Angeles County MTA	800058129	\$1,000,000.00
<b>Total: \$1,000,000.00</b>							
<i>2009-2010 Work Program</i>							
3/25/2014	4/2/2014	4/3/2014	4/4/2014	MS10025	Elham Shirazi	24 - FINAL	\$4,420.00
2/27/2014	2/28/2014	3/4/2014	3/4/2014	MS10006	Nationwide Environmental Services	2	\$28,466.10
<b>Total: \$32,886.10</b>							
<i>2010-2011 Work Program</i>							
3/26/2014	4/2/2014	4/3/2014	4/4/2014	MS11055	KEC Engineering	1-528	\$45,000.00
3/25/2014	3/25/2014	3/26/2014	3/27/2014	MS11001	Mineral LLC	100550	\$300.00
3/11/2014	3/25/2014	3/26/2014	3/27/2014	MS11001	Mineral LLC	100535	\$4,500.00
<b>Total: \$49,800.00</b>							
<i>2011-2012 Work Program</i>							
2/28/2014	2/28/2014	3/4/2014	3/4/2014	MS12062	Fraser Communications	014608-00	\$7,393.50
<b>Total: \$7,393.50</b>							
<i>2012-2014 Work Program</i>							
3/12/2014	3/25/2014	3/26/2014	3/27/2014	MS14009	A-Z Bus Sales, Inc.	B2101	\$36,000.00
<b>Total: \$36,000.00</b>							

**Total This Period: \$1,126,079.60**

## FYs 2004-05 Through 2012-14 AB2766 Contract Status Report

4/10/2014

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<b>FY 2004-2005 Contracts</b>									
<b>Open Contracts</b>									
ML05014	Los Angeles County Department of	5/21/2007	11/20/2008	3/20/2016	\$204,221.00	\$0.00	Traffic Signal Synchronization	\$204,221.00	No
<b>Total: 1</b>									
<b>Declined/Cancelled Contracts</b>									
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
<b>Total: 3</b>									
<b>Closed Contracts</b>									
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
<b>Total: 19</b>									
<b>Closed/Incomplete Contracts</b>									

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?
<b>FY 2005-2006 Contracts</b>									
<b>Open Contracts</b>									
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
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
<b>Total: 4</b>									
<b>Pending Execution Contracts</b>									
ML06071	City of Santa Monica				\$149,925.00	\$0.00	3 H.D. CNG Trucks & CNG Fueling Station	\$149,925.00	No
<b>Total: 1</b>									
<b>Declined/Cancelled Contracts</b>									
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
<b>Total: 14</b>									
<b>Closed Contracts</b>									
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
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
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
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



Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
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
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
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
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
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
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
MS06001	Riverside County Transportation Co	8/3/2007	9/2/2011		\$825,037.00	\$825,037.00	New Freeway Service Patrol	\$0.00	Yes
MS06002	Orange County Transportation Autho	11/7/2007	11/6/2013		\$928,740.00	\$925,091.00	New Freeway Service Patrol	\$3,649.00	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
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
MS06050	Rossmoor Pastries	1/24/2007	10/23/2012		\$18,750.00	\$14,910.50	CNG Fueling Station	\$3,839.50	Yes

**Total: 36**

**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
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
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
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

<b>Cont.#</b>	<b>Contractor</b>	<b>Start Date</b>	<b>Original End Date</b>	<b>Amended End Date</b>	<b>Contract Value</b>	<b>Remitted</b>	<b>Project Description</b>	<b>Award Balance</b>	<b>Billing Complete?</b>
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: 10**

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**

ML07044	City of Santa Monica	9/8/2008	3/7/2015	3/7/2017	\$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: 7**

#### **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
MS07088	Nett Technologies, Inc.				\$118,760.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$118,760.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
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
ML07033	City of La Habra	5/21/2008	6/20/2014	11/30/2013	\$25,000.00	\$25,000.00	One H.D. Nat Gas Vehicle	\$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
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	L A Service Authority for Freeway E	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: 28**

**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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<b>Total: 3</b>									
<b>Open/Complete Contracts</b>									
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
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
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
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	9/24/2014	\$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
<b>Total: 27</b>									

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**

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	\$1,416,666.66	Big Rig Freeway Service Patrol	\$83,333.34	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
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
MS08068	Regents of the University of Californi	11/5/2010	11/4/2017	11/4/2019	\$400,000.00	\$0.00	Hydrogen Station	\$400,000.00	No

**Total: 12**

#### **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
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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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**

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
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
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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
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	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
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	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
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	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
MS08070	Clean Energy Fuels Corp.	11/26/2009	2/25/2015		\$400,000.00	\$400,000.00	New CNG Station - Paramount	\$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
MS08072	Clean Energy Fuels Corp.	12/4/2009	3/3/2015		\$400,000.00	\$354,243.38	New CNG Station - Burbank	\$45,756.62	Yes
MS08073	Clean Energy Fuels Corp.	11/26/2009	2/25/2015		\$400,000.00	\$400,000.00	New CNG Station - Norwalk	\$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	1/31/2017	\$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: 41**



Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<b>FY 2008-2009 Contracts</b>									
<b>Open Contracts</b>									
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
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
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	\$22,310.00	Remote Vehicle Diagnostics/107 Vehicles	\$0.00	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
ML09036	City of Long Beach Fleet Services B	5/7/2010	5/6/2017	5/6/2020	\$875,000.00	\$525,000.00	Purchase 35 LNG Refuse Trucks	\$350,000.00	No
<b>Total: 8</b>									
<b>Pending Execution Contracts</b>									
ML09047	Los Angeles County Department of				\$400,000.00	\$0.00	Maintenance Facility Modifications	\$400,000.00	No
<b>Total: 1</b>									
<b>Declined/Cancelled Contracts</b>									
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
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
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
<b>Total: 11</b>									
<b>Closed Contracts</b>									
ML09007	City of Rancho Cucamonga	2/26/2010	4/25/2012		\$117,500.00	\$62,452.57	Maintenance Facility Modification	\$55,047.43	Yes
ML09013	City of Riverside Public Works	9/10/2010	12/9/2011	7/31/2013	\$144,470.00	\$128,116.75	Traffic Signal Synchr./Moreno Valley	\$16,353.25	Yes
ML09014	City of Riverside Public Works	9/10/2010	12/9/2011	7/31/2013	\$113,030.00	\$108,495.94	Traffic Signal Synchr./Corona	\$4,534.06	Yes
ML09015	City of Riverside Public Works	9/10/2010	12/9/2011	7/31/2013	\$80,060.00	\$79,778.52	Traffic Signal Synchr./Co. of Riverside	\$281.48	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
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
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?
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	Yes
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: 10**

**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
ML09035	City of Fullerton	6/17/2010	6/16/2017	12/16/2018	\$450,000.00	\$450,000.00	2 Heavy-Duty CNG Vehicles & Install CNG	\$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
ML09043	City of Covina	10/8/2010	4/7/2017	10/7/2018	\$179,591.00	\$179,591.00	Upgrade Existing CNG Station	\$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: 14**

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	\$85,398.30	Purchase Three Street Sweepers	\$9,488.70	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
MS10015	County of Los Angeles Department o	3/14/2014	5/13/2016		\$37,955.00	\$0.00	Purchase 2 H.D. CNG Vehicles	\$37,955.00	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	\$188,413.05	Telework Demonstration Program	\$11,035.95	No

**Total: 9**

#### ***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***

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
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
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
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: 9**

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<b>FY 2010-2011 Contracts</b>									
<b>Open Contracts</b>									
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	\$120,000.00	Purchase 7 Nat. Gas H.D. Vehicles	\$90,000.00	No
ML11022	City of Anaheim	3/16/2012	7/15/2018		\$150,000.00	\$150,000.00	Purchase of 5 H.D. Vehicles	\$0.00	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
ML11025	County of Los Angeles Department o	3/14/2014	9/13/2021		\$150,000.00	\$0.00	Purchase 5 Nat. Gas H.D. Vehicles	\$150,000.00	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
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
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
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	\$95,336.83	Design, Develop, Host and Maintain MSRC	\$16,490.17	No
MS11008	USA Waste of California, Inc.	10/24/2013	4/23/2020		\$125,000.00	\$0.00	Expansion of Existing LCNG Station	\$125,000.00	No
MS11009	USA Waste of California, Inc.	10/24/2013	4/23/2020		\$125,000.00	\$0.00	Expansion of Existing LCNG Station	\$125,000.00	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
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	\$135,000.00	Repower 5 H.D. Off-Road Vehicles	\$115,000.00	No
MS11056	The Better World Group	12/30/2011	12/29/2013	12/29/2015	\$196,836.00	\$98,273.25	Programmatic Outreach Services	\$98,562.75	No
MS11058	L A Service Authority for Freeway E	5/31/2013	4/30/2014		\$123,395.00	\$0.00	Implement 511 "Smart Phone" Application	\$123,395.00	No
MS11060	Rowland Unified School District	8/17/2012	1/16/2019	1/16/2020	\$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	\$45,433.00	Retrofit Six Off-Road Vehicles under Showc	\$148,886.00	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
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	11/23/2019	\$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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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	\$157,500.00	New Limited Access CNG Station	\$17,500.00	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	\$448,760.80	Retrofit 13 H.D. Off-Road Vehicles Under Sh	\$5.20	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: 45**

#### 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
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: 3**

#### 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
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	Cattrac 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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
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	Yes
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	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: 11**

**Open/Complete Contracts**

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	Yes
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
ML11033	City of Los Angeles, Bureau of Sanit	3/16/2012	1/15/2019		\$1,080,000.00	\$1,080,000.00	Purchase 36 LNG H.D. Vehicles	\$0.00	Yes
ML11037	City of Anaheim	12/22/2012	12/21/2019		\$300,000.00	\$300,000.00	Purchase 12 Nat. Gas H.D. 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
ML11044	City of Ontario	1/27/2012	6/26/2019		\$400,000.00	\$400,000.00	Expand Existing CNG Station	\$0.00	Yes
MS11012	EDCO Disposal Corporation	12/30/2011	4/29/2019		\$100,000.00	\$100,000.00	New CNG Station - Buena Park	\$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: 10**

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<b>FY 2011-2012 Contracts</b>									
<b>Open Contracts</b>									
ML12013	City of Pasadena	10/19/2012	3/18/2015		\$200,000.00	\$0.00	Electric Vehicle Charging Infrastructure	\$200,000.00	No
ML12014	City of Santa Ana	11/8/2013	8/7/2020		\$384,000.00	\$4,709.00	9 H.D. Nat. Gas & LPG Trucks, EV Charging	\$379,291.00	No
ML12015	City of Fullerton	4/25/2013	11/24/2020		\$40,000.00	\$0.00	HD CNG Vehicle, Expand CNG Station	\$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
ML12018	City of West Covina	10/18/2013	10/17/2020		\$300,000.00	\$0.00	Expansion of Existing CNG Station	\$300,000.00	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	\$20,000.00	Four Medium-Duty Nat. Gas Vehicles	\$20,000.00	No
ML12022	City of La Puente	12/6/2013	6/5/2020		\$110,000.00	\$0.00	2 Medium-Duty and Three Heavy-Duty CNG	\$110,000.00	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
ML12045	City of Baldwin Park DPW	2/14/2014	12/13/2020		\$400,000.00	\$0.00	Install New CNG Station	\$400,000.00	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	10/24/2014	\$463,650.00	\$0.00	EV Charging Infrastructure	\$463,650.00	No
ML12051	City of Bellflower	2/7/2014	2/6/2016		\$270,000.00	\$0.00	EV Charging Infrastructure	\$270,000.00	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
ML12054	City of Palm Desert	9/30/2013	2/28/2015		\$77,385.00	\$0.00	EV Charging Infrastructure	\$77,385.00	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
ML12066	City of Manhattan Beach	1/7/2014	4/6/2015		\$5,900.00	\$0.00	Electric Vehicle Charging Infrastructure	\$5,900.00	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
MS12004	USA Waste of California, Inc.	10/24/2013	11/23/2019		\$175,000.00	\$0.00	Construct New Limited-Access CNG Station	\$175,000.00	No
MS12008	Bonita Unified School District	7/12/2013	12/11/2019		\$175,000.00	\$0.00	Construct New Limited-Acess CNG Station	\$175,000.00	No
MS12009	Sysco Food Services of Los Angeles	1/7/2014	4/6/2020		\$150,000.00	\$0.00	Construct New Public-Access CNG Station	\$150,000.00	No
MS12010	Murrieta Valley Unified School Distric	4/5/2013	9/4/2019		\$242,786.00	\$218,507.40	Construct New Limited-Access CNG Station	\$24,278.60	No
MS12011	Southern California Gas Company	6/14/2013	6/13/2019	6/13/2020	\$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	\$317,743.43	Purchase 23 Medium-Heavy Duty Vehicles	\$182,256.57	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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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		\$133,070.00	\$74,763.00	Purchase 8 Medium-Heavy Duty Vehicles	\$58,307.00	No
MS12059	Orange County Transportation Autho	2/28/2013	12/27/2014		\$75,000.00	\$75,000.00	Maintenance Facilities Modifications	\$0.00	No
MS12061	Orange County Transportation Autho	3/14/2014	3/13/2017		\$224,000.00	\$0.00	Transit-Oriented Bicycle Sharing Program	\$224,000.00	No
MS12062	Fraser Communications	12/7/2012	5/31/2014		\$998,669.00	\$964,687.47	Develop & Implement "Rideshare Thursday"	\$33,981.53	No
MS12063	Custom Alloy Light Metals, Inc.	8/16/2013	2/15/2020		\$100,000.00	\$0.00	Install New Limited Access CNG Station	\$100,000.00	No
MS12064	Anaheim Transportation Network	3/26/2013	12/31/2014		\$127,296.00	\$26,148.72	Implement Anaheim Circulator Service	\$101,147.28	No
MS12065	Orange County Transportation Autho	7/27/2013	11/30/2013		\$43,933.00	\$14,832.93	Ducks Express Service to Honda Center	\$29,100.07	No
MS12067	Leatherwood Construction, Inc.	11/8/2013	3/7/2017		\$122,719.00	\$0.00	Retrofit Six Vehicles w/DECS - Showcase III	\$122,719.00	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
MS12078	Penske Truck Leasing Co., L.P.	1/7/2014	1/6/2016		\$75,000.00	\$0.00	Maintenance Facility Modifications - Vernon	\$75,000.00	No
MS12079	Penske Truck Leasing Co., L.P.	1/7/2014	1/6/2016		\$75,000.00	\$0.00	Maintenance Facility Modifications - Boyle H	\$75,000.00	No
MS12080	City of Pasadena	11/8/2013	8/7/2020		\$225,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$225,000.00	No
MS12081	Penske Truck Leasing Co., L.P.	1/7/2014	1/6/2016		\$75,000.00	\$0.00	Maintenance Facility Modifications - Santa A	\$75,000.00	No
MS12082	City of Los Angeles, Bureau of Sanit	11/20/2013	2/19/2021		\$175,000.00	\$0.00	Install New CNG Infrastructure	\$175,000.00	No
MS12084	Airport Mobil Inc.	12/6/2013	5/5/2020		\$150,000.00	\$0.00	Install New CNG Infrastructure	\$150,000.00	No
MS12085	Bear Valley Unified School District	4/25/2013	6/24/2014		\$75,000.00	\$67,500.00	Maintenance Facility Modifications	\$7,500.00	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	\$120,650.00	Implement Rideshare Incentives Program	\$4,350.00	No
MS12088	Orange County Transportation Autho	12/6/2013	3/5/2016		\$125,000.00	\$0.00	Implement Rideshare Incentives Program	\$125,000.00	No
MS12089	Riverside County Transportation Co	10/18/2013	9/17/2015		\$250,000.00	\$0.00	Implement Rideshare Incentives Program	\$250,000.00	No
MS12Hom	Mansfield Gas Equipment Systems				\$296,000.00	\$0.00	Home Refueling Apparatus Incentive Progra	\$296,000.00	No

**Total: 65**

**Pending Execution Contracts**

ML12041	City of Anaheim Public Utilities Depa				\$68,977.00	\$0.00	EV Charging Infrastructure	\$68,977.00	No
ML12049	City of Rialto Public Works				\$30,432.00	\$0.00	EV Charging Infrastructure	\$30,432.00	No
MS12060	City of Santa Monica				\$500,000.00	\$0.00	Transit-Oriented Bicycle Sharing Program	\$500,000.00	No
MS12070	Valley Music Travel/CID Entertainme				\$99,000.00	\$0.00	Implement Shuttle Service to Coachella Mus	\$99,000.00	No



Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS12083	Brea Olinda Unified School District				\$59,454.00	\$0.00	Install New CNG Infrastructure	\$59,454.00	No

**Total: 5**

**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
ML12053	City of Mission Viejo				\$60,000.00	\$0.00	EV Charging Infrastructure	\$60,000.00	No
MS12007	WestAir Gases & Equipment				\$100,000.00	\$0.00	Construct New Limited-Access 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: 6**

**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
ML12056	City of Cathedral City	3/26/2013	5/25/2014		\$25,000.00	\$25,000.00	Regional Street Sweeping Program	\$0.00	Yes
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	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
MS12069	City of Irvine	8/11/2013	2/28/2014		\$45,000.00	\$26,649.41	Implement Special Transit Service to Solar	\$18,350.59	Yes

**Total: 8**

**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
MS12028	Dy-Dee Service of Pasadena, Inc.	12/22/2012	1/21/2019		\$45,000.00	\$40,000.00	Purchase 2 Medium-Duty and 1 Medium-He	\$5,000.00	Yes
MS12035	Disneyland Resort	1/4/2013	7/3/2019		\$25,000.00	\$18,900.00	Purchase 1 Medium-Heavy Duty Vehicle	\$6,100.00	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: 6**

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	\$576,833.00	Clean Fuel Transit Service to Orange Count	\$0.00	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
MS14004	Orange County Transportation Autho	9/24/2013	4/30/2014		\$36,800.00	\$35,485.23	Implement Express Bus Service to Solar De	\$1,314.77	No
MS14009	A-Z Bus Sales, Inc.	1/17/2014	12/31/2014		\$160,000.00	\$36,000.00	Alternative Fuel School Bus Incentive Progr	\$124,000.00	No
MS14047	Southern California Regional Rail Au	3/7/2014	9/30/2014		\$49,203.00	\$0.00	Special Metrolink Service to Autoclub Speed	\$49,203.00	No
MS14048	BusWest	3/14/2014	12/31/2014		\$62,000.00	\$62,000.00	Alternative Fuel School Bus Incentive Progr	\$0.00	No

**Total: 6**

### Pending Execution Contracts

ML14010	City of Cathedral City				\$140,000.00	\$0.00	Medium & H.D. Vehicles, EV Charging, Bike	\$140,000.00	No
ML14011	City of Palm Springs				\$40,000.00	\$0.00	Install Bicycle Racks	\$40,000.00	No
ML14012	City of Santa Ana				\$244,000.00	\$0.00	EV Charging and 7 H.D. LPG Vehicles	\$244,000.00	No
ML14013	City of Los Angeles, Bureau of Sanit				\$3,840,000.00	\$0.00	Purchase 128 H.D. Nat. Gas Vehicles	\$3,840,000.00	No
ML14014	City of Torrance				\$56,000.00	\$0.00	EV Charging Infrastructure	\$56,000.00	No
ML14015	Coachella Valley Association of Gov				\$250,000.00	\$0.00	Street Sweeping Operations	\$250,000.00	No
ML14016	City of Anaheim				\$380,000.00	\$0.00	Purchase 2 H.D. Vehicles, Expansion of Exi	\$380,000.00	No
ML14017	City of Palm Springs				\$25,000.00	\$0.00	Bicycle Outreach & Education	\$25,000.00	No
ML14018	City of Los Angeles, Department of				\$810,000.00	\$0.00	Purchase 27 H.D. Nat. Gas Vehicles	\$810,000.00	No
ML14019	City of Corona Public Works				\$178,263.00	\$0.00	EV Charging, Bicycle Racks, Bicycle Locker	\$178,263.00	No
ML14020	County of Los Angeles Dept of Publi				\$150,000.00	\$0.00	Bicycle Trail Improvements	\$150,000.00	No
ML14021	Riverside County Regional Park and				\$250,000.00	\$0.00	Bicycle Trail Improvements	\$250,000.00	No
ML14022	County of Los Angeles Department o				\$300,000.00	\$0.00	Purchase 10 H.D. Nat. Gas Vehicles	\$300,000.00	No
ML14023	County of Los Angeles Department o				\$230,000.00	\$0.00	Maintenance Fac. Modifications-Westcheste	\$230,000.00	No
ML14024	County of Los Angeles Department o				\$230,000.00	\$0.00	Maintenance Fac. Modifications-Baldwin Par	\$230,000.00	No
ML14025	County of Los Angeles Dept of Publi				\$500,000.00	\$0.00	Construct New CNG Station in Malibu	\$500,000.00	No
ML14026	County of Los Angeles Dept of Publi				\$500,000.00	\$0.00	Construct New CNG Station in Castaic	\$500,000.00	No
ML14027	County of Los Angeles Dept of Publi				\$500,000.00	\$0.00	Construct New CNG Station in Downey	\$500,000.00	No
ML14028	City of Fullerton				\$126,950.00	\$0.00	Expansion of Existing CNG Infrastructure	\$126,950.00	No
ML14029	City of Irvine				\$90,500.00	\$0.00	Bicycle Trail Improvements	\$90,500.00	No
ML14030	County of Los Angeles Internal Servi				\$425,000.00	\$0.00	Bicycle Racks, Outreach & Education	\$425,000.00	No
ML14031	Riverside County Waste Manageme				\$90,000.00	\$0.00	Purchase 3 H.D. CNG Vehicles	\$90,000.00	No
ML14032	City of Rancho Cucamonga				\$226,770.00	\$0.00	Expansion of Existing CNG Infras., Bicycle L	\$226,770.00	No
ML14033	City of Irvine				\$60,000.00	\$0.00	Purchase 2 H.D. CNG Vehicles	\$60,000.00	No
ML14034	City of Lake Elsinore				\$56,700.00	\$0.00	EV Charging Stations	\$56,700.00	No
ML14049	City of Moreno Valley				\$105,000.00	\$0.00	One HD Nat Gas Vehicle, EV Charging, Bicy	\$105,000.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML14050	City of Yucaipa				\$84,795.00	\$0.00	Installation of Bicycle Lanes	\$84,795.00	No
ML14051	City of Brea				\$450,000.00	\$0.00	Installation of Bicycle Trail	\$450,000.00	No
ML14054	City of Torrance				\$350,000.00	\$0.00	Upgrade Maintenance Facility	\$350,000.00	No
ML14055	City of Highland				\$500,000.00	\$0.00	Bicycle Lanes and Outreach	\$500,000.00	No
ML14056	City of Redlands				\$125,000.00	\$0.00	Bicycle Lanes	\$125,000.00	No
MS14001	Los Angeles County MTA				\$1,227,450.00	\$0.00	Clean Fuel Transit Service to Dodger Stadium	\$1,227,450.00	No
MS14005	Transit Systems Unlimited, Inc.				\$515,200.00	\$0.00	Provide Expanded Shuttle Service to Hollywood	\$515,200.00	No
MS14007	Orange County Transportation Authority				\$208,520.00	\$0.00	Implement Special Metrolink Service to Ang	\$208,520.00	No
MS14008	Orange County Transportation Authority				\$601,187.00	\$0.00	Implement Clean Fuel Bus Service to Orange	\$601,187.00	No
MS14035	Penske Truck Leasing Co., L.P.				\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - Sun Valley	\$75,000.00	No
MS14036	Penske Truck Leasing Co., L.P.				\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - La Mirada	\$75,000.00	No
MS14037	Penske Truck Leasing Co., L.P.				\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - Carson	\$75,000.00	No
MS14038	Penske Truck Leasing Co., L.P.				\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - Fontana	\$75,000.00	No
MS14039	Waste Management Collection and				\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - Irvine	\$75,000.00	No
MS14040	Waste Management Collection and				\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - Santa Ana	\$75,000.00	No
MS14041	USA Waste of California, Inc.				\$175,000.00	\$0.00	Limited-Access CNG Station, Vehicle Maint.	\$175,000.00	No
MS14042	Grand Central Recycling & Transfer				\$150,000.00	\$0.00	Expansion of Existing CNG Station	\$150,000.00	No
MS14044	TIMCO CNG Fund I, LLC				\$150,000.00	\$0.00	New Public-Access CNG Station in Santa Ana	\$150,000.00	No
MS14045	TIMCO CNG Fund I, LLC				\$150,000.00	\$0.00	New Public-Access CNG Station in Inglewood	\$150,000.00	No
MS14046	Ontario CNG Station Inc.				\$150,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$150,000.00	No
MS14052	Arcadia Unified School District				\$78,000.00	\$0.00	Expansion of an Existing CNG Fueling Station	\$78,000.00	No
MS14053	Upland Unified School District				\$175,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$175,000.00	No
MS14057	Los Angeles County MTA				\$1,250,000.00	\$0.00	Implement Various Signal Synchronization Programs	\$1,250,000.00	No
MS14058	Orange County Transportation Authority				\$1,250,000.00	\$0.00	Implement Various Signal Synchronization Programs	\$1,250,000.00	No
MS14059	Riverside County Transportation Co				\$939,625.00	\$0.00	Implement Various Signal Synchronization Programs	\$939,625.00	No

**Total: 51**

**Declined/Cancelled Contracts**

MS14043	City of Anaheim				\$175,000.00	\$0.00	Expansion of Existing CNG Station	\$175,000.00	No
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**Total: 1**

[↑ Back to Agenda](#)

BOARD MEETING DATE: May 2, 2014

AGENDA NO. 25

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board met on April 24-25, 2014 in Sacramento. The following is a summary of this meeting.

RECOMMENDED ACTION:  
Receive and File.

Judith Mitchell, Member  
SCAQMD Governing Board

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The Air Resources Board's (ARB or Board) April meeting was held on April 24-25 in Sacramento, at the California Environmental Protection Agency Headquarters Building. Key items presented are summarized below.

### **1. Update the Board on Health Effects of Air Pollution Exposure**

Staff presented a summary of the adverse health effects associated with exposure to PM2.5, ozone and toxic air contaminants, the most at-risk populations and the nature of the national ambient air quality standards. The item was informational; no action by the Board was taken.

### **2. Amendments to ARB's Truck and Bus Regulation**

The Board approved amendments to the truck and bus rule that provide additional compliance flexibility for small fleets while continuing to meet State Implementation Plan attainment needs and reducing the health risk from diesel particulate matter. The additional time for small fleets will provide more opportunity for use of incentive funds and the ability to upgrade to lower cost used trucks. The Board also directed staff to increase outreach and to make compliance a high priority as the rule is implemented.

**AQMD Staff Comments/Testimony:** Staff provided comments regarding the need to ensure that emission reductions associated with the existing regulation are achieved by 2020 under the proposed amendments. Staff indicated that the reductions must be achieved to meet ozone air quality standards in the 2020 timeframe. Staff thanked the CARB staff for their extensive work and outreach to all stakeholders including the air districts. Lastly, staff indicated its commitment to work with CARB in implementing the Truck and Bus Regulation as amended.

### **3. Clean Vehicle Rebate Project**

The Board took action to prevent the suspension of the Clean Vehicle Rebate Program (CVRP) in anticipation of availability of additional funding. This program provides rebates of up to \$2,500 to purchasers of new zero-emission and plug-in hybrid electric vehicles and has provided nearly \$60 million in rebates this fiscal year. The Board action will cover sales for the remaining two months of the 2013-2014 fiscal year.

### **4. Amendments to the California Cap on Greenhouse Gas Emissions and the Offset Protocol for Mine Methane Capture Projects**

The Board approved amendments to the Cap-and-Trade Regulation related to allocation, cost-containment mechanisms and product benchmarks. Additionally, the Board approved a new offset protocol for mine methane capture projects. These refinements to the Cap and Trade Regulation will take effect prior to the next rule compliance period.

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Consent Item

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### **1. Appointment of a New Member to the Research Screening Committee**

The Board approved the appointment of Dr. Rashid Shaikh, of the Health Effects Institute to the Research Screening Committee to fill the vacancy left by the resignation of Dr. Irva Hertz-Picciotto from the University of California, Davis.

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Awards

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**1. 2013 Annual Haagen-Smit Clean Air Awards**

The Board awarded the 2013 Haagen-Smit Clean Air Awards to Dr. Barbara Finlayson-Pitts, Distinguished Professor of Chemistry at the University of California, Irvine; Dr. James Lents, President of the International Sustainable Systems Research Center and past Executive Director for the South Coast Air Quality Management District; and Mr. Teruyuki Ohno of the Japan Renewable Energy Foundation.

**Attachment**

CARB April 24-25, 2014 Meeting Agenda

**LOCATION:**

Air Resources Board  
Byron Sher Auditorium, Second Floor  
1001 I Street  
Sacramento, California 95814  
<http://www.calepa.ca.gov/EPAbldg/location.htm>

**PUBLIC MEETING AGENDA**

**Thursday, April 24, 2014  
and  
Friday, April 25, 2014**

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>**

[Webcast](#)  
[Board Book](#)

**Thursday  
April 24, 2014  
9:00 a.m.**

**CONSENT CALENDAR:**

The following item on the consent calendar will be presented to the Board immediately after the start of the public meeting, unless removed from the consent calendar either upon a Board member's request or if someone in the audience wishes to speak on it.

**Consent Item #**

**14-3-5: Public Meeting to Consider Appointment of a New Member to the Research Screening Committee**

*Staff recommend the appointment of Dr. Rashid Shaikh, of the Health Effects Institute to the Research Screening Committee to fill the vacancy left by the resignation of Dr. Irva Hertz-Picciotto from the University of California, Davis. The Board's Research Screening Committee consists of scientists, engineers, and others who are knowledgeable, technically qualified, and experienced in air pollution and climate change research.*

[More Information](#)

**DISCUSSION ITEMS:**

**Note:** The following agenda items may be heard in a different order at the Board meeting.

**Agenda Item #**

**14-3-1: Public Meeting to Update the Board on Health Effects of Air Pollution Exposure**

*Staff will provide a brief update to the Board on the adverse health effects associated with exposure to air pollutants.*

[More Information](#)

[Staff Presentation](#)

**14-3-2: Public Hearing to Consider Proposed Amendments to the Regulation to Reduce Emissions of Diesel Particulate Matter, Oxides of Nitrogen and Other Criteria Pollutants From In-Use Heavy Duty Diesel-Fueled Vehicles**

(Spanish translation services will be provided for this Board item.)

*Staff will present to the Board amendments to the regulation that would better ensure the air quality goals of the Truck and Bus Regulation are achieved by providing additional flexibility to fleets to enable compliance. In developing these amendments, staff focused on three objectives: protecting emission reductions by providing lower cost compliance options to small fleets, low mileage fleets, and fleets that operate in rural areas with cleaner air; creating new opportunities for fleets to access public incentive funds; and recognizing fleets that made early investments to comply. The proposed amendments would continue to meet California's air quality obligations under the federal Clean Air Act and the goals of the Diesel Risk Reduction plan. As part of this presentation, staff will also present an update on the diesel particulate filter evaluation and field study.*

[More Information](#)

[Staff Presentation](#)

**Friday  
April 25, 2014  
8:30 a.m.**

**14-3-3: Public Hearing to Consider Amendments to the California Cap on Greenhouse Gas Emissions and Market-Based Compliance Mechanisms, including the Compliance Offset Protocol for Mine Methane Capture Projects**

*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. Additionally, the proposed amendments will include a new offset protocol for mine methane capture projects. The amendments were first presented to the Board at the October 2013 public meeting, at which the Board directed staff to make a number of modifications to the proposed regulation. As part of this action, staff is also recommending, pursuant to the California Environmental Quality Act, that the Board approve staff's written responses to public comments received on the environmental analysis for the proposed amendments.*

[More Information](#)

[Staff Presentation](#)

**14-3-4: Public Meeting to Update the Board on Assembly Bill 118 Air Quality Improvement Program Clean Vehicle Rebate Project Waiting List Expansion**

*Staff will update the Board on the current status of the Assembly Bill 118 Air Quality Improvement Program, Clean Vehicle Rebate Project (CVRP) and the Fiscal Year (FY) 2013-14 CVRP rebate waiting list which is currently capped at \$5 million. Due to a FY 2013-14 funding shortfall, FY 2013-14 CVRP rebate applicants are placed on a waiting list and, based on the availability of funds, will receive a rebate under current FY 2013-14 rebate amounts and eligibility criteria. Staff is proposing to expand the FY 2013-14 CVRP rebate waiting list by \$25 million for a total of \$30 million.*

[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. Corey, et al., Superior Court of California (Fresno County), Case No. 09CECG04850; plaintiffs' appeal, California Court of Appeal, Fifth District, Case No. F064045; California Supreme Court, Case No. S213394.*

*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 Appeals, Ninth Circuit, Case 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 Appeals, 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.*

*Engine Manufacturers Association v. California Air Resources Board, Sacramento Superior Court, Case No. 34-2010-00082774; defendant's appeal, California Court of Appeal, Third District, Case No. C071891.*

*Truck and Engine Manufacturers Association v. California Air Resources Board, Sacramento Superior Court, Case No. 34-2013-00150733.*

*Alliance of Automobile Manufacturers v. California Air Resources Board; Sacramento Superior Court, Case No. 34-2013-00152974.*

*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, Case No. A138830.*

*California Chamber of Commerce et al. v. California Air Resources Board, Sacramento Superior Court, Case No. 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 (transferred to Sacramento Superior Court, Case No. 34-2013-80001451-CU-WM-GDS).*

*Alliance for California Business v. Nichols et al., Glenn County Superior Court, Case No. 13CV01232.*

*Dalton Trucking, Inc. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 13-1283.*

*Owner-Operator Independent Drivers Association Inc. et al. v. Richard W. Corey et al., U.S. District Court, Case No. 1:13-CV-01998-LJO-SAB (Dec. 6, 2013).*

### **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.)

### **IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CLERK OF THE BOARD:**

**1001 I Street, 23<sup>rd</sup> Floor, Sacramento, California 95814**

**(916) 322-5594**

**ARB Homepage: [www.arb.ca.gov](http://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.

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BOARD MEETING DATE: May 2, 2014

AGENDA NO. 26

*(Continued from April 4, 2014 Board Meeting)*

PROPOSAL: Amend Rule 1130 – Graphic Arts

SYNOPSIS: The proposed amendment incorporates certain U.S. EPA Control Techniques Guidelines recommendations applicable to printing operations not included in the current rule that pertain to the overall add-on control device efficiency and VOC content requirements for fountain solutions. The proposed amendment further adds prohibition of storage of non-compliant VOC-containing materials at a worksite, removes obsolete rule language, updates definitions for consistency with other SCAQMD rules, adds a rule exemption for graphic arts materials that have a VOC content of no more than 10 g/L, as applied, and makes minor corrections and clarifications.

COMMITTEE: Stationary Source, February 21, 2014 and April 18, 2014, Reviewed

**RECOMMENDED ACTIONS:**

Adopt the attached resolution:

1. Certifying the Final Environmental Assessment for Proposed Amended Rule 1130 - Graphic Arts; and
2. Amending Rule 1130 - Graphic Arts.

Barry R. Wallerstein, D.Env.  
Executive Officer

## **Background**

Rule 1130 – Graphic Arts - is a source specific rule that was adopted to limit Volatile Organic Compound (VOC) emissions associated with graphic arts operations. The rule applies to any person performing graphic arts or who supplies, sells, markets, offers for sale, markets, manufactures, blends, repackages, stores at a worksite, distributes, applies or solicits the application of graphic art materials for use in the SCAQMD. Rule 1130 was adopted on October 3, 1980 and has been subsequently amended fourteen times; the most recent amendment was October 8, 1999.

Staff conducted an internal review of Rule 1130 to determine if the existing rule met all the recommendations specified by the U.S. Environmental Protection Agency's (U.S. EPA) Control Techniques Guidelines (CTG) for Offset Lithographic Printing and Letterpress Printing (EPA 453/R-06-002) and Flexible Package Printing (EPA 453/R-06-003). As a part of the 2012 AQMP development, staff found inconsistencies between the CTG and Rule 1130 and recommends amending Rule 1130 to ensure the level of stringency in the applicable CTGs, and further evaluating the applicability of existing level of Best Available Control Technology (BACT) and Best Available Retrofit Control Technology (BARCT).

## **Proposal**

Proposed Amended Rule 1130 (PAR 1130) would make changes to improve consistency with the CTGs applicable to printing operations regulations by amending the overall add-on control device efficiency requirements and VOC content limits for fountain solutions. The proposed amendment further adds prohibition of storage of non-compliant VOC-containing materials at a worksite, removes obsolete rule language, updates definitions for consistency with other SCAQMD rules, adds an exemption for graphic arts materials that have a VOC content of no more than 10 grams per liter (g/L), as applied, and makes minor corrections and clarifications. No emissions reductions are anticipated since local facilities are already in compliance with the proposed amendments and are deemed to have achieved BARCT and in many categories currently as BACT.

## **Key Issues**

Staff is proposing to include an exemption from Rule 1130 provisions for graphic arts materials with a VOC content of 10 g/L or less. Comments were made that there are greater uncertainties in the methods for determining VOC content at these low levels for energy curable materials. In response, staff added a definition to include the test method industry requested for determining VOC content for energy curable materials. In addition, staff proposes to allow for alternative equivalent metrics to determine the VOC content. For instance, for energy curable or other reactive materials, an alternative calculation includes a determination of 99% solids content or greater by weight. It is noted that formulation data may be obtained by staff to estimate the VOC content of these near-zero VOC products.

## **Public Process**

Over the past four months, staff worked with the Printing Industries of America and other interested parties. A public workshop was held on February 6, 2014 with industry representatives and other interested stakeholders. Staff has incorporated overall feedback into the proposed amendment.

## **California Environmental Quality Act (CEQA)**

In accordance with the California Environmental Quality Act (CEQA), the SCAQMD is the Lead Agency and prepared a Draft Environmental Assessment (EA) to analyze environmental impacts from the proposed project pursuant to its certified regulatory program (SCAQMD Rule 110). The Draft EA included a project description and analysis of potential adverse environmental impacts that could be generated from the proposed project. The Draft EA was released for a 30-day public review and comment period beginning February 25, 2014, and ending 5 p.m. on March 26, 2014. The environmental analysis in the Draft EA concluded that PAR 1130 would not generate any significant adverse impacts.

Since the release of the Draft EA, minor modifications have been made to the document. However, none of the modifications alter any conclusions reached in the Draft EA, nor provide new information of significance relative to the Draft document. As a result, these minor revisions do not require recirculation of the Draft EA pursuant to CEQA Guidelines § 15073.5. Therefore, the Draft EA is now a Final EA and is included as Attachment G in the Governing Board Package.

## **Socioeconomic Analysis**

The proposed amendments codify existing practices at graphic arts operations that are subject to Rule 1130. As such, there will be no additional costs or other socioeconomic impacts anticipated. Therefore, no socioeconomic analysis is required under Health and Safety Code Section 40728.5.

## **AQMP and Legal Matters**

Pursuant to Health and Safety Code Section 40460 (a), the SCAQMD is required to adopt an Air Quality Management Plan (AQMP) demonstrating compliance with all federal regulations and standards. The SCAQMD is required to adopt rules and regulations that carry out the objectives of the AQMP. The 2012 AQMP, specifically Control Measure CM #2012 CTS-02 - Further Emission Reductions from Miscellaneous Coatings, Adhesives, Solvents and Lubricants and the Reasonably Available Control Measures (RACT) demonstration of Appendix VI, identified source category considerations for VOC emission reductions through reduction in certain product VOC content limits. PAR 1130 will partially implement CM#2012 CTS-02. SCAQMD is also required by the Clean Air Act to implement reasonably available control technology (RACT) and under the CAA RACT is normally at least as stringent as EPA's Control Technologies Guidelines.

### **Implementation and Resource Impact**

Existing SCAQMD resources will be sufficient to implement the proposed amendment with minimal impact on the budget.

### **Attachments**

- A. Summary of Proposal
- B. Rule Development Process
- C. Key Contacts List
- D. Resolution
- E. Proposed Amended Rule 1130 Language
- F. Final Staff Report
- G. Final Environmental Assessment

**ATTACHMENT A  
SUMMARY OF PROPOSAL**

**Proposed Amended Rule 1130 – Graphic Arts**

**Incorporate U.S. EPA Control Techniques Guidelines Recommendations; PAR 1130 (c)**

- Revise control device efficiency standard by replacing overall control efficiency of 75% with requirements for 90% capture and 95% control; PAR 1130 (c)(5)
  
- Revise VOC content standards for fountain solution; PAR 1130 (c)(2)

**Prohibition of Storage; PAR 1130 (c)(4)**

Prohibit the storage of VOC-containing graphic arts materials at a worksite that exceed the VOC content requirements.

**Update certain definitions; PAR 1130 (b)**

The proposed amendment updates definitions for clarity and for consistency with other SCAQMD rules.

**Incentivize graphic arts materials that have 10 g/L or less VOC content; PAR 1130 (i)(1)(J)**

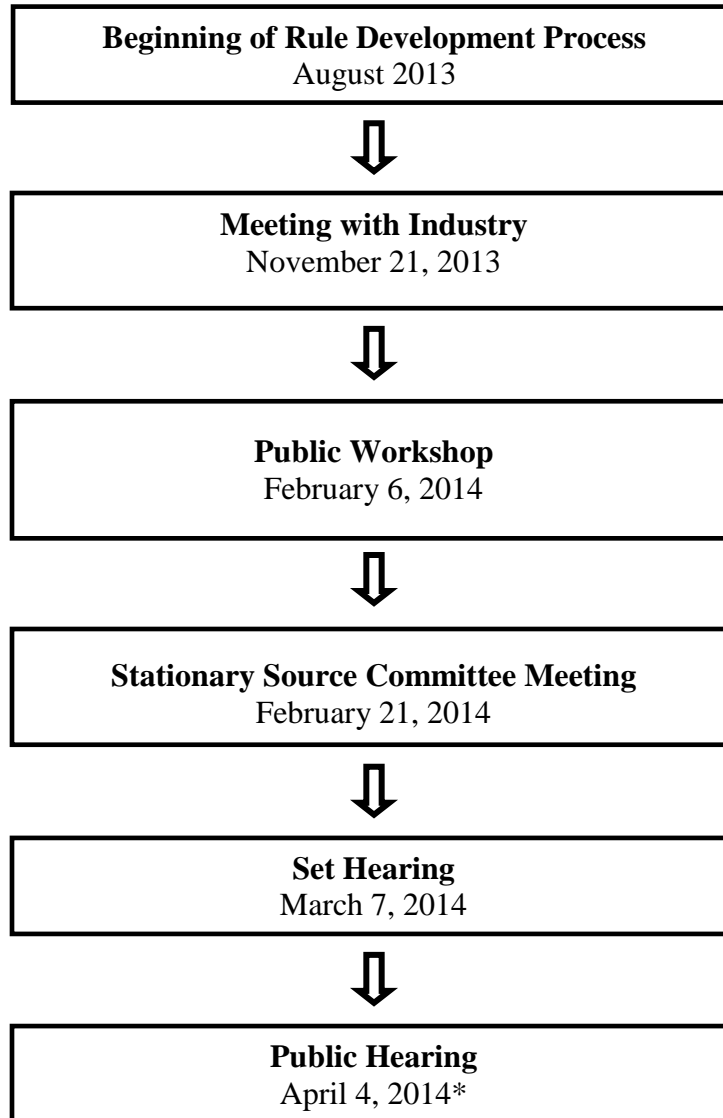
The proposed amendment adds a rule exemption for graphic arts materials that have a VOC content of no more than 10 g/L, as applied.

**Minor corrections and clarifications**

The proposed amendment makes minor corrections and clarifications.



**ATTACHMENT B**  
**RULE DEVELOPMENT PROCESS**  
**Proposed Amended Rule 1130 –Graphic Arts**



\*Hearing continued to May 2, 2014

**Eight (8) months spent in rule development**

**ATTACHMENT C  
KEY CONTACTS LIST**

**Proposed Amended Rule 1130 – Graphic Arts**

**Printers**

- ✓ Quad Graphics
- ✓ International Paper

**Ink & Fountain Solution Manufacturers**

- ✓ Gans Ink & Supply

**Other Interested Parties**

- ✓ Printers Institute of America (PIA/PIASC)
- ✓ California Small Business Alliance
- ✓ Radtech International, North America
- ✓ Paul K. Engel, Environmental Consultant

**ATTACHMENT D**  
**RESOLUTION NO. 2014-**  
**Proposed Amended Rule 1130 – Graphic Arts**

**A Resolution of the South Coast Air Quality Management District (SCAQMD) Governing Board certifying the Final Environmental Assessment for Proposed Amended Rule 1130 – Graphic Arts.**

**A Resolution of the SCAQMD Governing Board amending Rule 1130 – Graphic Arts.**

**WHEREAS**, the SCAQMD Governing Board has determined with certainty that Proposed Amended Rule 1130 – Graphic Arts, is a “project” pursuant to the terms of the California Environmental Quality Act (CEQA); and

**WHEREAS**, the SCAQMD has had its regulatory program certified pursuant to Public Resources Code section 21080.5 and has conducted CEQA review pursuant to such program (SCAQMD Rule 110); and

**WHEREAS**, SCAQMD staff has prepared a Draft Environmental Assessment (EA) pursuant to its certified regulatory program and CEQA Guidelines section 15252 setting forth the potential environmental consequences of Proposed Amended Rule 1130 – Graphic Arts; and

**WHEREAS**, the SCAQMD staff has determined in the Draft EA that potential adverse environmental impacts were not significant; and

**WHEREAS**, the Draft EA was circulated for a 30-day public review and comment period, no comment letters were received and the Draft EA has been revised such that it is now a Final EA; and

**WHEREAS**, it is necessary that the adequacy of the Final EA including responses to comments must be determined by the SCAQMD Governing Board prior to its certification; and

**WHEREAS**, the SCAQMD is not required to prepare a Statement of Findings, a Statement of Overriding Considerations, or a Mitigation Monitoring Plan because the proposed project is not expected to generate significant adverse environmental impacts; and

**WHEREAS**, the SCAQMD Governing Board has determined that Proposed Amended Rule 1130 – Graphic Arts codifies existing practices at graphic arts operations that are subject to Rule 1130 and as such, there are no additional costs or other socioeconomic impacts anticipated and no socioeconomic analysis is required under Health and Safety Code Section 40728.5; and

**WHEREAS**, the SCAQMD Governing Board has directed staff, consistent with current practices, to consider uncertainties associated with an approved test method prior to taking any compliance action; and

**WHEREAS**, the SCAQMD Governing Board has directed staff to work with stakeholders to continue the development and use of appropriate alternative method(s) to determine an equivalent VOC content, and

**WHEREAS**, the SCAQMD Governing Board has determined that Proposed Amended Rule 1130 – Graphic Arts, will not result in increased costs to industry as described in the Socioeconomic Impact Assessment section of the Final Staff Report; and

**WHEREAS**, the SCAQMD Governing Board has determined that a need exists to adopt the Proposed Amended Rule 1130 – Graphic Arts, to make Rule 1130 consistent with the suggested control device efficiencies and the recommended VOC limits for fountain solutions with United States Environmental Protection Agency (U.S. EPA) Control Techniques Guidelines (CTG) for Offset Lithographic Printing and Letterpress Printing and Flexible Package Printing; and

**WHEREAS**, the SCAQMD Governing Board has determined that Proposed Amended Rule 1130 – Graphic Arts, does not impose a new emission limit or standard more stringent, or impose new or more stringent monitoring, reporting, or recordkeeping requirements and therefore a comparative analysis pursuant to Health and Safety Code Section 40727.2 is not required; and

**WHEREAS**, the SCAQMD Governing Board has determined that Proposed Amended Rule 1130 – Graphic Arts, ~~does not implement a more restrictive Best Available Retrofit Control Technology (BARCT) because the amendment reflects existing practices and technology will not result in emission reductions~~ and therefore no incremental cost analysis is required under Health and Safety Code Section 40920.6, and

**WHEREAS**, the SCAQMD Governing Board obtains its authority to adopt this Proposed Amended Rule pursuant to sections 40000, 40001 and 40440, of the California Health and Safety Code; and

**WHEREAS**, the SCAQMD Governing Board has determined that Proposed Amended Rule 1130 – Graphic Arts, as proposed to be adopted, is written or displayed so that its meaning can be easily understood by the persons directly affected by it; and

**WHEREAS**, the SCAQMD Governing Board has determined that Proposed Amended Rule 1130 – Graphic Arts, as proposed to be adopted, is in harmony with, and not in conflict with or contradictory to, existing federal and state statutes, court decisions, or regulations; and

**WHEREAS**, the SCAQMD Governing Board has determined that Proposed Amended Rule 1130 – Graphic Arts, as proposed to be adopted, does not impose the same requirements as any existing state or federal regulation and the proposed amended rule is necessary and proper to execute the powers and duties granted to, and imposed upon, the District; and

**WHEREAS**, the SCAQMD Governing Board has determined that Proposed Amended Rule 1130 – Graphic Arts, as proposed to be adopted, references the following statutes which the SCAQMD hereby implements, interprets or makes specific: Health and Safety Code section 40001 and 40440; and

**WHEREAS**, a public hearing has been properly noticed in accordance with the provisions of Health and Safety Code Section 40725; and

**WHEREAS**, the SCAQMD Governing Board has held a public hearing in accordance with all provisions of law; and

**WHEREAS**, the SCAQMD Governing Board specifies the manager of Proposed Amended Rule 1130 – Graphic Arts, as the custodian of the documents or other materials which constitute the record of proceedings upon which the adoption of this Proposed Amended Rule is based, which are located at the South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, California 91765; and

**WHEREAS**, the SCAQMD Governing Board finds and determines, taking into consideration the factors in section (d)(4)(D) of the Governing Board Procedures, that the modifications adopted which have been made to Proposed Amended Rule 1130 – Graphic Arts, since notice of public hearing was published do not significantly change the meaning of the Proposed Amended Rule within the meaning of Health and Safety Code section 40726 and would not constitute significant new information requiring recirculation of the Draft EA pursuant to CEQA Guidelines section 15073.5; and

**WHEREAS,** the SCAQMD Governing Board has determined that Proposed Amended Rule 1130 – Graphic Arts, should be adopted for the reasons contained in the Final Staff Report, and

**NOW, THEREFORE, BE IT RESOLVED,** that the SCAQMD Governing Board has received and considered the EA and hereby determines that the EA, including the responses to comments, is adequate and certifies, pursuant to the authority granted by law, the Final EA for Proposed Amended Rule 1130 – Graphic Arts, and

**BE IT FURTHER RESOLVED,** that because no significant adverse environmental impacts were identified as a result of implementing Proposed Amended Rule 1130 – Graphic Arts, findings, a Statement of Overriding Considerations, and a Mitigation Monitoring Plan are not required; and

**BE IT FURTHER RESOLVED,** that the South Coast Air Quality Management District Board requests that Proposed Amended Rule 1130 be submitted into the State Implementation Plan.

**BE IT FURTHER RESOLVED,** that the Executive Officer is hereby directed to forward a copy of this Resolution and Proposed Amended Rule 1130 to the California Air Resources Board for approval and subsequent submittal to the U.S. Environmental Protection Agency for inclusion into the State Implementation Plan.

**BE IT FURTHER RESOLVED,** that the SCAQMD Governing Board does hereby adopt, pursuant to the authority granted by law, Proposed Amended Rule 1130 – Graphic Arts, as set forth in the attached and incorporated herein by reference.

DATE: \_\_\_\_\_

\_\_\_\_\_  
CLERK OF THE BOARDS

## ATTACHMENT E

(Adopted October 3, 1980)(Amended February 1, 1985)(Amended May 5, 1989)  
(Amended February 2, 1990)(Amended March 2, 1990)(Amended April 6, 1990)  
(Amended June 1, 1990)(Amended November 2, 1990)(Amended December 7, 1990)  
(Amended August 2, 1991)(Amended March 6, 1992)(Amended July 9, 1993)  
(Amended September 8, 1995)(Amended March 8, 1996)(Amended October 8, 1999)  
(Proposed Amended Rule 1130 May 2014)

### **PROPOSED AMENDED RULE 1130.      **GRAPHIC ARTS****

(a) Purpose and Applicability

The purpose of this rule is to reduce ~~emissions of~~ Volatile eOrganic eCompounds (VOC) emissions from graphic arts operations. ~~The~~ This rule applies to any persons performing graphic arts operations or who solicit, specify, offer for sale, sell, or distribute supplies, sells, offers for sale, markets, manufactures, blends, repackages, stores at a worksite, distributes, applies or solicits the application of graphic arts materials for use in the District.

(b) Definitions

For the purpose of this rule, the following definitions shall apply:

- (1) AEROSOL COATING PRODUCT is a pressurized coating product containing pigments or resins that dispenses product ingredients by means of a propellant, and is packaged in a disposable can for hand-held application, or for use in specialized equipment for ground marking and traffic/mark applications.
- (2) ALCOHOL is an organic compound that contains a hydroxyl (OH) group and is used in the fountain solution to reduce the surface tension and increase the viscosity of water to prevent piling (ink build-up). For purposes of this rule, alcohol includes, but is not limited to, isopropyl alcohol (isopropanol), n-propanol and ethanol.
- (3) ALCOHOL SUBSTITUTE is an additive that contains VOCs but no alcohol and is used in the fountain solution to reduce the surface tension and increase the viscosity of water to prevent piling (ink build-up).
- (24) COATING is a ~~layer of material which is applied to a substrate surface in order to beautify, protect or provide a barrier to such surface in a relatively unbroken film.~~
- (35) CAPTURE EFFICIENCY, in percent, is the ratio of the weight of the VOC in the effluent stream entering the control device to the weight of

VOC emitted from graphic arts operations, both measured simultaneously, and can be calculated by the following equation:

$$\text{Capture Efficiency} = \frac{[W_c/W_e]}{1} \times 100$$

Where:  $W_c$  = weight of VOC entering control device

$W_e$  = weight of VOC emitted

$$\text{Capture Efficiency} = \frac{[W_c/W_e]}{1} \times 100$$

Where:  $W_c$  = weight of VOC entering control device

$W_e$  = weight of VOC emitted

- (46) CONTROL DEVICE EFFICIENCY, in percent, is the ratio of the weight of the VOC removed by the control device from the effluent stream entering the control device to the weight of the VOC in the effluent stream entering the control device, both measured simultaneously, and can be calculated by the following equation:

$$\text{Control Device Efficiency} = \frac{[(W_c - W_a)]}{W_c} \times 100$$

Where:  $W_c$  = Weight of VOC entering control device

$W_a$  = Weight of VOC discharged from the control device

$$\text{Control Device Efficiency} = \frac{[(W_c - W_a)]}{W_c} \times 100$$

Where:  $W_c$  = Weight of VOC entering control device

$W_a$  = Weight of VOC discharged from the control device

- (57) END-USER is a person who performs graphic arts operations.
- (8) ENERGY CURABLE COATINGS, INKS AND ADHESIVES are single-component reactive products that cure upon exposure to visible-light, ultra-violet light or to an electron beam. The VOC content of thin film Energy Curable Coatings, Inks And Adhesives may be determined by manufacturers using ASTM Test Method 7767-11 "Standard Test Method to Measure Volatiles from Radiation Curable Acrylate Monomers, Oligomers, and Blends and Thin Coatings Made from Them."
- (69) EXEMPT COMPOUNDS (See Rule 102-Definition of Terms).
- (710) FACILITY is any permit unit or grouping of permit units or other air-contaminant-emitting activities which are located on one or more contiguous properties within the District, in actual physical contact or



separated solely by a public roadway or other public right-of-way, and are owned or operated by the same person (or by persons under common control). Such above-described groupings, if non-contiguous, but connected only by land carrying a pipeline, shall not be considered one facility.

- (~~8~~11) FLEXOGRAPHIC PRINTING is a printing method utilizing a flexible rubber or other elastomeric plate in which the image area is raised relative to the ~~nonimage~~non-image area.
- (~~9~~12) FLUORESCENT INK is a printing ink that emits electromagnetic radiation as a result of the absorption of energy from radiation.
- (~~10~~13) FOUNTAIN SOLUTION is the solution used in offset lithographic printing which is applied to the image plate to maintain the hydrophilic properties of the non-image ~~nonimage~~ areas. It is primarily water and contains at least one of the following materials: etchants such as mineral salts; hydrophilic gums; or VOC additives to reduce the surface tension of the solution.
- (~~14~~14) GRAMS OF VOC PER LITER OF COATING (OR INK OR ADHESIVE), LESS WATER AND LESS EXEMPT COMPOUNDS, is the weight of VOC per combined volume of VOC and coating (or ink or adhesive) solids and can be calculated by the following equation:

Grams of VOC per Liter of Coating (or Ink or Adhesive), Less Water

$$\text{and Less Exempt Compounds} = \frac{W_s - W_w - W_{es}}{V_m - V_w - V_{es}}$$

- Where:  $W_s$  = weight of volatile compounds in grams  
 $W_w$  = weight of water in grams  
 $W_{es}$  = -weight of exempt compounds in grams  
 $V_m$  = volume of material in liters  
 $V_w$  = volume of water in liters  
 $V_{es}$  = volume of exempt compounds in liters

For coatings that contain reactive diluents, the grams of VOC per Liter of Coating (or ink or adhesive), Less Water and Less Exempt Compounds, shall be calculated by the following equation:

Grams of VOC per Liter of Coating (or Ink or Adhesive), Less Water

$$\text{and Less Exempt Compounds} = \frac{W_s - W_w - W_{es}}{V_m - V_w - V_{es}}$$

Where:  $W_s$  = weight of volatile compounds evolved during curing and analysis in grams

$W_w$  = weight of water evolved during curing and analysis in grams

$W_{es}$  = weight of exempt compounds evolved during curing and analysis in grams

$V_m$  = volume of material prior to reaction in liters

$V_w$  = volume of water evolved during curing and analysis in liters

$V_{es}$  = volume of exempt compounds evolved during curing and analysis in liters

(~~12~~15) GRAMS OF VOC PER LITER OF MATERIAL is the weight of VOC per volume of material and can be calculated by the following equation:

$$\text{Grams of VOC per Liter of Material} = \frac{W_s - W_w - W_{es}}{V_m}$$

Where:  $W_s$  = weight of volatile compounds in grams

$W_w$  = weight of water in grams

$W_{es}$  = weight of exempt compounds in grams

$V_m$  = volume of material in liters

(~~13~~16) GRAPHIC ARTS ~~OPERTIONS~~OPERATIONS are gravure, letterpress, flexographic, and offset lithographic printing processes or related coating or laminating processes.

(~~14~~17) GRAPHIC ARTS MATERIALS are any inks, coatings, or adhesives, including added thinners or retarders, used in printing or related coating or laminating processes.

(~~15~~18) GRAVURE PRINTING is an intaglio printing process in which the ink is carried in minute etched or engraved wells on a roll or cylinder, excess ink being removed from the surface by a doctor blade.

(~~16~~19) HEATSET INK is an offset lithographic printing ink used on continuous web-~~feed~~fed printing presses that are equipped with hot air high velocity

dryers ~~or ovens~~. The ink dries or sets by heat induced evaporation of the ink oils and subsequent chilling of the ink by chill rolls.

- (1720) LAMINATION is a process of composing two or more layers of material to form a single, multiple-layer sheet by using an adhesive.
- (1821) LETTERPRESS PRINTING is a printing process in which the image area is raised relative to the ~~non-image~~ non-image area and the ink is transferred to the substrate directly from the image surface.
- ~~(19) LITHOGRAPHIC PRINTING is a planographic printing process in which the image and nonimage areas are on the same plane and are chemically differentiated. This printing process differs from other printing processes where the image is typically printed from a raised or recessed surface.~~
- (2022) MATTE FINISH INK is a flexographic printing ink which is applied-used on non-porous substrates in flexographic printing operations and contains at least five (5) percent by weight silicon dioxide flattening agent.
- (2123) METALLIC INK is a flexographic printing ink which is applied-used on non-porous substrates in flexographic printing operations and contains at least 28 percent by weight elemental metal particles.
- (2224) NON-HEATSET INK is an offset lithographic printing ink that sets and dries by absorption into the substrate, and hardens by ambient air oxidation that may be accelerated by the use of infrared light sources. For the purposes of this definition ~~ultraviolet and electron beam energy~~ curable inks are examples of non-heatset inks.
- (2325) NON-POROUS SUBSTRATE is a substrate whose surface prevents penetration by water, including but not limited to foil, polyethylene, polypropylene, cellophane, paper or paperboard coated with a non-porous material, metalized polyester, nylon, and mylar.
- (26) OFFSET LITHOGRAPHIC PRINTING is a planographic printing process in which the image and non-image areas are on the same plane of a thin lithographic plate and are chemically differentiated. The ink film is transferred from the lithographic plate to an intermediary surface, a rubber covered cylinder called a blanket, which, in turn, transfers the ink to the substrate. This printing process differs from other printing processes where the image is typically printed from a raised or recessed surface.
- (2427) OVERALL CONTROL EFFICIENCY (C.E.), in percent, is the ratio of the weight of the VOC removed by the emission control system from the effluent stream entering the control device to the total VOC emitted from

graphic arts operations, both measured simultaneously, and can be calculated by the following equations:

$$\text{C.E.} = [(W_c - W_a) / W_e] \times 100$$

$$\text{C.E.} = [(\text{Capture Efficiency}) \times (\text{Control Device Efficiency}) / 100]$$

Where:  $W_c$  = Weight of VOC entering control device

$W_a$  = Weight of VOC discharged from the control device

$W_e$  = Weight of VOC emitted

- ~~(2528)~~ PACKAGING GRAVURE is gravure printing on paper, paperboard, foil, film or other substrates used to produce containers or packages.
- ~~(2629)~~ POROUS SUBSTRATE is a substrate whose surface does not prevent the penetration by water, including but not limited to paper, paperboard, and any paper product that is coated with a porous material.
- ~~(2730)~~ POTENTIAL TO EMIT is the maximum capacity of a stationary source to emit a regulated air pollutant based on its physical or operational design. Any physical or operational limitation on the capacity of the stationary source to emit a pollutant, including air pollution control equipment and restrictions on hours of operations or on the type of material combusted, stored, or processed, shall be treated as part of the design only if the limitation is federally enforceable.
- ~~(2831)~~ PRINTING in the graphic arts is any operation that imparts color, design, alphabet, or numerals on a substrate.
- ~~(2932)~~ PRINTING INK is a pigmented fluid or viscous material used in printing.
- ~~(3033)~~ PROOF PRESS is a press used only to check the quality of print, color reproduction, and editorial content.
- ~~(3434)~~ PUBLICATION GRAVURE is gravure printing on paper subsequently formed into books, magazines, catalogues, brochures, directories, newspaper supplements or other types of printed materials not classified as packaging gravure.
- ~~(3235)~~ REACTIVE DILUENT is a liquid which is a VOC during application and one in which, through chemical reaction or physical actions, such as adsorption or retention in the substrate, 20 percent or more of the VOC becomes an integral part of a finished product.
- ~~(3336)~~ REFRIGERATED CHILLER is a device that continuously maintains and supplies fountain solution to a holding tray at a temperature of 55 degrees

Fahrenheit or less measured at the supply tank, thereby reducing evaporative emissions of VOCs in fountain solutions.

(3437) ~~SOLVENT CLEANING is the removal of loosely held uncured adhesives, uncured inks, uncured coatings, and contaminants including, but not limited to, dirt, soil, and grease from parts, products, tools, machinery, equipment and general work areas~~ is as defined in Rule 1171 – Solvent Cleaning Operations.

(3538) STERILIZATION INDICATING INKS are inks that change color to indicate that sterilization has occurred. Such inks are used to monitor the sterilization of medical instruments, autoclave efficiency, and the thermal processing of foods for prevention of spoilage.

(3639) VOLATILE ORGANIC COMPOUND (VOC) is as defined in Rule 102 – Definition of Terms.

(3740) ~~WEB FEED~~WEB-FED is an automatic system which supplies substrate from a continuous roll, or from an extrusion process.

(c) Requirements

(1) VOC Content of Graphic Arts Materials

No person shall supply, sell, offer for sale, market, manufacture, blend, package, repackage, distribute, apply or solicit the application of any graphic arts material, including any VOC-containing materials added to the original graphic arts materials, for use in the District, which contains a total VOC in excess of the VOC content limits specified set forth in the Table of Standards I below:

<u>GRAPHIC ARTS MATERIAL</u>	<b>VOC LIMIT</b> Grams per Liter of Coating (or Ink or Adhesive), Less Water and Less Exempt Compounds	
	<u>(October 8, 1999)</u>	<u>Effective January 1, 2000</u>
Lithographic Ink	300	300
Letterpress Ink	300	300
Gravure Ink	300	300
Flexographic Ink Non-Porous Substrate	300	300

Flexographic Ink Porous Substrate	300	225
Flexographic Fluorescent Ink	300	300
Coating	300	300
Adhesive	300	150

**TABLE OF STANDARDS I**

<b><u>VOC CONTENT LIMITS</u></b> <u>Grams of VOC Per Liter of Coating, Ink, and Adhesive, Less Water And Less Exempt Compounds</u>	
<u>GRAPHIC ART MATERIAL</u>	<u>Current Limit</u> <u>(g/L)</u>
<u>Adhesive</u>	<u>150</u>
<u>Coating</u>	<u>300</u>
<u>Flexographic Fluorescent Ink</u>	<u>300</u>
<u>Flexographic Ink: Non-Porous Substrate</u>	<u>300</u>
<u>Flexographic Ink: Porous Substrate</u>	<u>225</u>
<u>Gravure Ink</u>	<u>300</u>
<u>Letterpress Ink</u>	<u>300</u>
<u>Offset Lithographic Ink</u>	<u>300</u>

(2) VOC Content of Fountain Solution

~~(A) Through December 31, 1999, no~~ No person shall apply any in any graphic arts operation any fountain solution, including any VOC-containing materials added to the original fountain solution, which contains a total VOC in excess of 100 grams per liter of material. Effective January 1, 2000, the VOC content of fountain solution, including any VOC containing material added to the original fountain solution as applied, shall be: for use in a graphic arts operation within the District unless the VOC content in the fountain solution, as applied, complies with the applicable VOC limits set-forth in the Table of Standards II below.

~~(A) no greater than 80 grams per liter of material, or~~

**TABLE OF STANDARDS II**

<b><u>VOC CONTENT LIMITS</u></b> <u>Grams of VOC Per Liter of Material</u>		
<b><u>FOUNTAIN SOLUTION</u></b>	<u>1/1/2000</u>	<u>7/1/2014</u>
	<u>g/L</u>	<u>g/L</u>
<b><u>Heatset Web-Fed</u></b>		
<u>Using Alcohol without Refrigerated Chiller</u>	<u>80</u>	<u>16</u>
<u>Using Alcohol with Refrigerated Chiller</u>	<u>100</u>	<u>30</u>
<u>Using Alcohol Substitute</u>	<u>80</u>	<u>50</u>
<b><u>Sheet-Fed</u></b>		
<u>Using Alcohol without Refrigerated Chiller</u>	<u>80</u>	<u>50</u>
<u>Using Alcohol with Refrigerated Chiller</u>	<u>100</u>	<u>85</u>
<u>Using Alcohol Substitute</u>	<u>80</u>	<u>50</u>
<b><u>Non-Heatset Web-Fed</u></b>		
<u>Using Alcohol Substitute without Refrigerated Chiller</u>	<u>80</u>	<u>50</u>
<u>Using Alcohol Substitute with Refrigerated Chiller</u>		

(A) ~~no greater than 80 grams per liter of material, or~~

(B) ~~no greater than 100 grams per liter of material, if a refrigerated chiller is used. The use of alcohol containing fountain solutions is prohibited for use in non-heatset web-fed operations.~~

- (3) Solvent Cleaning Operations; Storage and Disposal of VOC-containing Materials-

~~Solvent cleaning of application equipment, parts, products, tools, machinery, equipment, general work areas, and the storage and disposal of VOC containing materials used in cleaning operations and the storage and disposal of VOC-containing materials used in cleaning operations are subject to the provisions of shall be carried out pursuant to Rule 1171 - Solvent Cleaning Operations.~~

- (4) Prohibition of Storage

Effective July 1, 2014, a person shall not store any graphic arts material at a worksite for use in the District which contains VOC in the excess of the VOC-content limits specified in paragraph (c)(1).

(45) Approved Emission Control System

A person may comply with the provisions of paragraphs (c)(1) or (c)(2) by using an emission control system, consisting of a collection and a control device, which is approved, in writing, by the Executive Officer for reducing emissions of volatile organic compounds.

(A) ~~Graphic Arts Materials~~

~~The Executive Officer shall approve an emission control system to be used in conjunction with graphic arts materials only if its overall control efficiency will reduce the VOC emissions from the use of non-compliant graphic arts materials to a level equal to or lower than that which would have been achieved through compliance with the terms of paragraphs (c)(1) or meets the applicable limits listed below, whichever results in lower emissions.~~

<u>Type of Printing</u>	<u>Overall Efficiency</u>	
	<u>(October 8, 1999)</u>	<u>Effective January 1, 2000</u>
Flexography	67%	75%
Publication gravure	75%	85%
Packaging gravure	67%	75%
Lithography	67%	75%
Letterpress	67%	75%

~~The required overall efficiency of an emission control system at which an equivalent VOC emission will be achieved, compared to the emissions achieved through compliance with paragraphs (c)(1), shall be calculated by the following equation:~~

$$C.E. = \left[ 1 - \frac{\left[ \frac{VOC_{LWc}}{VOC_{LWn,Max}} \times \frac{1 - (VOC_{LWn,Max} / D_{n,Max})}{1 - (VOC_{LWc} / D_c)} \right] \right] \times 100$$

~~Where: C.E. = Overall Control Efficiency, percent~~

~~VOC<sub>LWc</sub> = VOC Limit of Rule 1130, less water and less exempt compounds, pursuant to paragraphs (c)(1).~~

~~VOC<sub>LWn,Max</sub> = Maximum VOC content of non-compliant~~



~~\_\_\_\_\_ graphic arts materials used in conjunction with a control device, less water and exempt compounds, g/L.~~

~~$D_{n,Max}$  = Density of VOC solvent, reducer, or thinner contained in the non-compliant graphic arts materials containing the maximum VOC, g/L.~~

~~$D_e$  = Density of corresponding VOC solvent, reducer, or thinner used in the compliant graphic arts materials = 880 g/L.~~

~~(B) Fountain Solution~~

~~\_\_\_\_\_ Through December 31, 1999, the Executive Officer shall approve an emission control system to be used in conjunction with fountain solutions only if its overall control efficiency is at least 67%. Effective January 1, 2000, the overall control efficiency shall be at least 75%.~~

A person may comply with the provisions of paragraph (c)(1) or (c)(2) by using an emission control system to reduce VOC emissions provided such system is first approved in writing by the Executive Officer and meets the following requirements:

- (A) The control device reduces VOC emissions from an emissions collection system by at least 95 percent, by weight, or the output of the air pollution control device is no more than 50 PPM by volume calculated as carbon with no dilution; and
- (B) The owner/operator demonstrates that the emission collection system collects at least 90 percent, by weight, of the VOC emissions generated by the sources of emissions.

~~(56)~~ Alternative Emission Control Plan

A person may comply with the provisions of paragraphs (c)(1) or (c)(2) by means of an approved Alternative Emission Control Plan (AECP) pursuant to Rule 108 - Alternative Emission Control Plans.

## (d) Prohibition of Specification and Sale

- (1) No person shall solicit from, or require any other person to use in the District any graphic arts material which, when applied as supplied or thinned or reduced according to the manufacturer's recommendation for application, does not meet the applicable VOC limits in paragraph (c)(1) or subparagraph ~~(i)(1)(C)~~ (i)(4)(C) for the specific application.

- (2) No person shall supply, offer for sale, sell, market, blend, package, repackage, manufacture or distribute, or distribute directly to an end-user ~~for use in the District~~ any graphic arts material for use in the District which, when applied as supplied or thinned or reduced according to the manufacturer's recommendation for application, does not meet the applicable VOC limits in paragraph (c)(1) or subparagraph ~~(i)(4)(C)~~ (i)(4)(C) for the specific application.
- (3) The prohibition of sales and use as specified in paragraphs (d)(1) and (d)(2) shall not apply to any manufacturer of graphic arts materials, provided that the manufacturer has complied with the labeling requirements of Rule 443.1 – Labeling of Materials Containing Organic Solvents, and the product is not sold directly to a user located in the District, or the product was sold to an independent distributor or a sales outlet located in the District that is not a subsidiary of, or under the control of the manufacturer, and was informed in writing by the manufacturer about the compliance status of the product with Rule 1130.
- (e) Recordkeeping and Reporting Requirements  
Records shall be maintained pursuant to Rule 109. For emissions reporting purposes, the following substrate retention factors shall be applied to the lithographic oil content of the inks: 20 percent retention for heatset inks and 95 percent retention for non-heatset inks.
- (f) Rule 442 Applicability  
Any graphic arts operations ~~subject to this rule which is exempt~~ exempted from all or a portion of the VOC limits of this rule shall comply with the provisions of Rule 442 – Usage of Solvents.
- (g) Emission Reduction Credits  
~~The calculations for emission reduction credits issued pursuant to District Rule 1309 for matte finish and metallic inks shall be based on a maximum VOC limit of 300 grams per liter (less water and less exempt compounds) irrespective of the VOC limits specified in subparagraph (i)(4)(C).~~ Facilities that use matte finish and metallic inks shall not receive emission reduction credit(s) pursuant to SCAQMD Rule 1309 above those emission reduction credit(s) that the facility would have received if it was operated with coatings having a VOC content of no

more than 300 grams per liter, less water and less exempt compounds irrespective of the VOC limits specified in paragraph (i)(4)(C).

(h) Test Methods

(1) VOC Content of Graphic Arts Materials

The VOC content of graphic arts materials except publication rotogravure inks shall be determined by:

- (A) United States Environmental Protection Agency (U.S. EPA) Reference Test Method 24, (Determination of Volatile Matter Content, Water Content, Density, Volume Solids, and Weight Solids of Surface Coatings, Code of Federal Regulations, Title 40, Code of Federal Regulations, Part 60, Appendix A). The exempt compounds' content shall be determined by ~~District-South Coast~~ Air Quality Management's (SCAQMD) Laboratory Test Method 302 (Distillation of Solvents from Paints, Coatings and Inks) and 303 (Determination of Exempt Compounds) contained in the District-SCAQMD's "Laboratory Methods of Analysis for Enforcement Samples" manual; or
- (B) SCAQMD District-Test Method 304 [Determination of Volatile Organic Compounds (VOCs) in Various Materials] contained in the District-SCAQMD's "Laboratory Methods of Analysis for Enforcement Samples" manual.

(2) VOC Content and Density of Publication Rotogravure Ink:

The VOC content and density of publication rotogravure inks shall be determined by:

- (A) ~~United States Environmental Protection Agency (U.S. EPA) Reference Test Method 24A, (Title 40 Code of Federal Regulations, Part 60, Appendix A)~~Determination of Volatile Matter Content and Density of Publication Rotogravure Inks and Related Publication Rotogravure Coatings, Code of Federal Regulations Title 40, Part 60, Appendix A). The exempt compounds' content shall be determined by ~~District-SCAQMD's~~ SCAQMD's Laboratory Test Method 303 (Determination of Exempt Compounds) contained in the District-SCAQMD's "Laboratory Methods of Analysis for Enforcement Samples" manual; or

(B) ~~SCAQMD District Test Method~~ 304 [Determination of Volatile Organic Compounds (VOCs) in Various Materials] contained in ~~the District SCAQMD's "Laboratory Methods of Analysis for Enforcement Samples" manual.~~

(3) Exempt Perfluorocarbon Compounds

~~The following classes of compounds: cyclic, branched, or linear, completely fluorinated alkanes; cyclic, branched, or linear, completely fluorinated ethers with no unsaturations; cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.~~ The following classes of compounds:

Cyclic, branched, or linear, completely fluorinated alkanes;

Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;

Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and

Sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

will be analyzed as exempt compounds for compliance with subdivision (c) and subparagraph ~~(i)(11)(C)~~ (i)(4)(C), ~~only at such time as when~~ manufacturers specify which individual compounds are used in the ink and coating formulations. ~~and identify the test methods, which, prior to such analysis, have been approved by~~ In addition, the manufacturers must identify the U.S. EPA, CARB, and the District, that SCAQMD approved test methods, which can be used to quantify the amounts of each exempt compound.

(4) Determination of Efficiency of Emission Control Systems

(A) The capture efficiency of an emission control system as defined specified in paragraph (b)~~(25)~~ shall be determined ~~by a minimum of three sampling runs subject to the data quality objective (DQO) presented in the~~ by the procedures presented in U.S. EPA technical guideline document, "Guidelines for Determining Capture Efficiency, January 9, 1995". ~~Individual capture efficiency test runs subject to the USEPA technical guidelines shall be determined by:~~ Notwithstanding the test methods specified by the

Guidelines, any other method approved by the U.S. EPA, CARB and the SCAQMD Executive Officer may be substituted.

~~(i) — Applicable USEPA Methods 204, 204A, 204B, 204C, 204E, and/or 204F; or~~

~~(ii) — The District "Protocol for Determination of Volatile Organic Compounds (VOC) Capture Efficiency"; or~~

~~(iii) — any other method approved by the USEPA, the California Air Resources Board, and the District Executive Officer.~~

(B) The efficiency of the control device ~~efficiency of an~~ the emission control system as ~~defined~~ specified in paragraph (b)(~~36~~) and the VOC content in the control device exhaust gases, measured and calculated as carbon, shall be determined by U.S. EPA Test Methods 25, 25A, ~~or District SCAQMD Method 25.1~~ (Determination of Total Gaseous Non-Methane Organic Emissions as Carbon) or SCAQMD Method 25.3 (Determination of Low Concentration Non-Methane Non-Ethane Organic Compound Emissions from Clean Fueled Combustion Sources) as applicable. U.S. EPA Test Method 18, or CARB Method 422 shall be used to determine emissions of exempt compounds.

(5) Equivalent Test Methods

Other test methods determined by the staffs of the District to be equivalent by the Executive Officer, CARB, and the U.S. EPA, to be equivalent to the test methods specified in this rule, and approved in writing by the District Executive Officer may also be used.

(6) Multiple Test Methods

When more than one test method or set of test methods are specified for any testing, a violation of any requirement of this rule established by any one of the specified test methods or set of test methods shall constitute a violation of the rule.

(7) Test Methods Dates

All test methods referenced in this section-subdivision shall be the most recently approved versions. The Executive Officer may update test methods as necessary to reflect the most accurate method available, provided the method does not affect the stringency of the rule by the appropriate governmental entities.

## (i) Exemptions

(1) The provisions of this rule shall not apply to:

- ~~(1A)~~ Fountain solutions used on proof presses.
- ~~(2B)~~ Coating operations subject to other rules of Regulation XI.
- ~~(3C)~~ Solar-control window film.
- ~~(4D)~~ Heat-applied transfer decals.
- ~~(5E)~~ Graphic arts on ceramic materials.
- ~~(6F)~~ Circuitry printing.
- ~~(7G)~~ Blanket repair material used in containers of four ounces or less.
- ~~(8H)~~ Sterilization indicating inks.
- (I) Aerosol coating products.
- (J) Graphic arts materials that have a VOC content of no more than 10 g/L or its equivalent, less water and less exempt compounds, as applied.

~~(92)~~ The prohibition specified in paragraphs (d)(1) or (d)(2) shall not apply to persons offering graphic arts materials for sale to, selling graphic arts materials to, distributing graphic arts materials to, or requiring the use of graphic arts materials from, persons who are operating an approved emission control system under paragraph (c)(45), or complying under paragraph (c)(56)-, or operating pursuant to paragraphs (i)(1), ~~(i)(2), (i)(3), (i)(4), (i)(5), or (i)(6), (i)(7), (i)(8), (i)(11)(C), (i)(12), or (i)(13).~~

~~(103)~~ The prohibition specified in subdivision (d) shall not apply to graphic arts materials which will be used solely outside of the District.

~~(114)~~ The provisions of paragraph (c)(1) shall not apply to metallic and matte finish inks provided that:

- (A) The usage of matte finish or metallic inks each as supplied shall not exceed two (2) gallons on any one day and 125 gallons per calendar year at a facility; and
- (B) The potential to emit and the actual VOC emissions from a facility which applies matte finish or metallic inks does not exceed ten (10) tons per calendar year from all VOC emission sources; and
- (C) The VOC content of matte finish and metallic inks do not exceed 535 and 460 grams per liter (less water and less exempt compounds) respectively, including any VOC containing materials added to the original ink, as applied; and

- (D) The owner or operator of the facility certifies in writing to the Executive Officer that they shall not emit VOCs in excess of ten (10) tons per calendar year. Such a certification shall be considered an agreement by the facility to limit the facility's potential to emit; and.
- ~~(E) Facilities operating under the provisions of paragraph (i)(11) whose actual emissions exceed ten (10) tons in any calendar year shall henceforth be subject to the requirements of paragraph (c)(1); and~~
- ~~(F) In addition to the requirements of subdivision (e), facilities shall retain records of purchase orders and invoices of VOC containing materials for a minimum of two (2) years.~~
- (5) Facilities operating under the provisions of paragraph (i)(4) whose actual emissions exceed ten (10) tons in any calendar year shall:
- (A) henceforth be subject to the requirements of paragraph (c)(1).
- (B) In addition to the requirements of subdivision (e), facilities shall retain records of purchase orders and invoices of VOC-containing materials for a minimum of five (5) years.
- (6) The provision of paragraph (c)(4) shall not apply to a worksite that stores graphic arts materials provided such graphic arts materials are vented exclusively to printing systems equipped with an approved emission control system pursuant ~~with~~to the requirements of paragraph (c)(5).
- ~~(12) The provisions of this rule shall not apply to aerosol coating products.~~
- ~~(13) The provisions of paragraph (c)(1) shall not apply to postal cancellation inks provided the VOC emissions from these inks, at a facility, do not exceed 60 pounds per calendar month.~~
- (8) The provisions of paragraph (c)(2) shall not apply to sheet-fed offset presses that have a sheet size no larger than 11 inches by 17 inches, or any offset press if the total solution reservoir capacity is one gallon or less, provided the VOC content of the fountain solution used contains no more than 80 grams per liter of material, as applied, or if using a refrigerated chiller, no more than 100 grams per liter of material, as applied.

# ATTACHMENT F

## SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

### FINAL STAFF REPORT

#### Proposed Amended Rule 1130 - Graphic Arts

**MAY 2014**

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Speaker of the Assembly Appointee

VICE CHAIRMAN: DENNIS YATES  
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## **EXECUTIVE SUMMARY**

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## EXECUTIVE SUMMARY

Rule 1130 – Graphic Arts - is a source specific rule that was adopted to limit Volatile Organic Compound (VOC) emissions associated with graphic arts operations. The rule applies to any person who supplies, sells, markets, offers for sale, distributes, applies or solicits the application of graphic art materials for use in any graphic arts operation in the District. Rule 1130 was adopted on October 3, 1980 and has been subsequently amended fourteen times; the most recent amendment was October 8, 1999.

Staff conducted an internal review of Rule 1130 to determine if the existing rule met all the recommendations specified by the United States Environmental Protection Agency's (U.S. EPA) Control Techniques Guidelines (CTG) for Offset Lithographic Printing and Letterpress Printing (EPA 453/R-06-002) and Flexible Package Printing (EPA 453/R-06-003). As a part of the 2012 AQMP development, staff found inconsistencies between the CTG and Rule 1130 and recommends amending Rule 1130 to ensure the level of stringency in the applicable CTGs.

The proposed amendment partially implements the 2012 AQMP, Control Measure CTS-02- Further Emission Reductions from Miscellaneous Coatings, Adhesives, Solvents and Lubricants and the Reasonably Available Control Measures (RACM) Demonstration of Appendix VI. Since local affected operations already comply with the requirements, the proposed amendments are not expected to achieve additional VOC reductions.

### *PROPOSAL*

The amendment to Rule 1130 proposes making changes to improve consistency with the CTGs applicable to printing operations regulations by amending the overall add-on control device efficiency requirements and VOC content limits for fountain solutions. The proposed amendment further adds prohibition of storage of non-compliant VOC-containing materials at a worksite, removes obsolete rule language, updates definitions for consistency with other District rules, adds an exemption for graphic arts materials that have a VOC content of no more than 10 g/L, as applied, and makes minor corrections and clarifications.

### *CEQA*

In accordance with the California Environmental Quality Act (CEQA), the SCAQMD is the Lead Agency and has prepared a Draft Environmental Assessment (EA) to analyze environmental impacts from the proposed project pursuant to its certified regulatory program (SCAQMD Rule 110). The Draft EA includes a project description and analysis of potential adverse environmental impacts that could be generated from the proposed project. Comments focusing on issues relative to the environmental analysis for the proposed project ~~will be~~ will be accepted during a 30-day public review and comment period beginning February 25, 2014, and ending 5 p.m. on March 26, 2014.

### *SOCIO-ECONOMIC*

The proposed amendments codify existing practices at graphic arts operations that are subject to Rule 1130. As such, there will no additional costs or other socioeconomic impacts.

## **RULE 1130 – GRAPHIC ARTS**

### **CHAPTER 1: BACKGROUND ON PROPOSED AMENDED RULE 1130**

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- o Introduction
- o Regulatory History
- o Affected Facilities
- o Offset Lithography Process Description

## INTRODUCTION

Rule 1130 – Graphic Arts is a source specific rule that was adopted to limit Volatile Organic Compound (VOC) emissions associated with graphic arts operations. The rule applies to any person who solicits, specifies, offers for sale, sells, or distributes graphic arts materials for use in the District. This rule amendment is driven by inconsistencies identified between Rule 1130 with the United States Environmental Protection Agency’s (U.S. EPA) Control Techniques Guidelines (CTG) for Offset Lithographic Printing and Letterpress Printing (EPA 453/R-06-002) and Flexible Package Printing (EPA 453/R-06-003).

## REGULATORY HISTORY

Rule 1130 was adopted on October 3, 1980 and has been subsequently amended fourteen times. The most recent amendment was on October 8, 1999, which further reduced VOC emissions, required higher efficiencies for add-on controls, eliminated the small user exemption, and specified retention factors for lithographic inks.

## AFFECTED INDUSTRIES

Rule 1130 is applicable to any person who solicits, specifies, offers for sale, sells, or distributes graphic arts materials for use in the District. Using the Standard Industrial Classification (SIC) codes, staff conducted a search in the Automated Equipment Inventory Systems (AEIS) database to find industries that conduct graphic arts operations. Table 1 shows the following SIC codes that apply to this proposed rule amendment.

**TABLE 1 – SIC CODES USED FOR PAR1130**

<b>PAR1130 - SIC CODES USED</b>				
2399	5112	2731	7336	2711
2672	2732	3993	2396	2761
3089	2753	7384	2754	9999
7011	2771	3569	2741	2759
2260	3199	2750	2329	2752
2893	2721	2782	2751	

Using the SIC codes in Table 1, staff surveyed the active facilities with active permits in AEIS for all graphic arts printing operations and categorized the active permits per county as shown in Table 2.

**TABLE 2 – PERMITTED EQUIPMENT AND PERCENTAGE DISTRIBUTION**

<b>COUNTY</b>	<b>NUMBER OF PERMITS</b>	<b>PERCENTAGE</b>
Los Angeles county	403	69%
Orange county	146	25%
Riverside county	31	4%
San Bernardino county	15	2%
<b>SCAQMD Jurisdiction</b>	<b>587</b>	<b>100%</b>

However, there are some printing operations with low emissions potential that are exempt from permitting based on District Rule 219 – Equipment Not Requiring a Written Permit Pursuant To Regulation II but would continue to be subject to Rule 1130.

### **OFFSET LITHOGRAPHY PROCESS DESCRIPTION**

Offset lithography is a common printing process that is used to produce large volumes of brochures, books, magazines, posters and newspapers and is the primary focus of the proposed amendment. Offset lithography is a planographic method of printing which means that the printing and non-printing areas are in the same plane on the surface of a thin lithographic plate. The inked image is transferred, or offset, from the plate to a rubber blanket cylinder and from that, to the substrate. The ink that is transferred to the lithographic plate contains the image area, which receives the oil based ink, and the non-image area, which is wetted with a water based solution, called the fountain solution, that provides a film that repels the ink. Since oil and water don't mix, the image area is transferred to the printing surface of the substrate whereas the non-image areas do not receive ink and thus no ink transfer occurs. There are two subsets of offset lithography printing and they are characterized by the way they are fed into the press, sheet-fed and web-fed printing. Both sheet-fed and web-fed printing inks dry by a combination of absorption and oxidation.

#### *Sheet-Fed Offset Lithographic Printing Process*

Sheet-fed printing refers to feeding individual sheets of paper or other substrate to the press. Sheet-fed operations consist of a lithographic plate in which oil-based ink and water based fountain solutions are used for the printing operation. Sheet-fed printing generally consists of short-run operations for products such as magazines, brochures, letter heading and other similar type printing.

#### *Web-Fed Offset Lithographic Printing Process*

Web-fed printing refers to feeding rolls of paper or other substrate to the press. Web-fed printing consists of a lithographic plate in which oil-based ink and water based fountain solutions are used for the printing process. Web-fed printing generally consist of large volume run operations that can be run at high speeds for products such as magazines, brochures, letter heading and other similar type printing. There are two subsets for web-fed offset lithographic printing presses, heatset and coldset.

#### *Heatset Offset Web Presses*

Heatset offset web presses are used for both coated and non-coated substrates such as magazines, catalogs, inserts and other medium-to-high volume production runs where the inks dry by evaporation due to the application of heat. The typical process uses a coated web that is fed into the press, ink is applied to the substrate and the ink dries by the heat applied by a dryer. The heated substrate is then cooled down by chilled rollers which are used to set the ink.

### *Coldset (non-heatset) Offset Web Presses*

Coldset offset web presses, also known as non-heatset web presses, are typically used for uncoated substrates such as newspaper where the ink dries by absorption into the paper and by evaporation. However, some coldset presses may use ultraviolet or electron beam inks that cure by ultraviolet or electron beam polymerization for generally higher quality printing products. In some cases, a coldset press may be fitted with heat dryers that have the capability to print color pages heatset and also print white pages coldset. For the purposes of Rule 1130, ultraviolet and electron beam curable inks are examples of non-heatset inks and can be used on heatset web, ~~and~~ non-heatset web, and sheet-fed presses.

### *Flexographic Printing*

Flexographic printing is direct rotary printing using a rubber or polymer printing plate with raised images. The ink is applied to the plate by an anilox roller consisting of minute etched cells, which hold ink and transfer ink to the flexible printing plate. A doctor blade that swipes excess ink from the roller, controls ink deposition. Most flexographic presses are web-fed and capable of printing four-color work on a continuous stream of substrate.

### *Letterpress Printing*

Letterpress is high-speed quality printing and ~~the a method of printing is the same as flexographic printing. That is, where~~ the image areas are raised above the ~~printing plate although the raised images are metal, rather than elastomeric~~ non-image areas.

### *Gravure Printing*

Gravure or rotogravure printing is a method of printing that uses ~~A~~ an engraved negative cylinder accomplishes gravure printing. The roller has tiny cells and dots of various sizes and depths. Ink is applied by another roller or bath and a flexible metal doctor blade ~~seeds~~ scrapes excess ink leaving only the cells or dots with coverage. Paper is fed between the inked printing cylinder and an impression roller coated with a resilient blanket. This method of printing produces high quality. Both sheet-fed and web-fed configurations are used.

### *Offset Lithographic Inks*

Offset Lithographic printing inks are paste inks and contain pigments, vehicles, binders and other additives. The pigments contain the desired color, the vehicle is the solvent that carries the pigment and binder, the binders fix the pigment to the substrate and the additives contain waxes, lubricants and driers. ~~The inks are generally composed of~~ also contain petroleum and vegetable oils. Some printing operations may use varnishes, essentially an ink without pigmentation. Heatset inks may contain up to 45% VOCs. In heatset web lithographic printing, 20% of the petroleum ink oils and essentially all of the vegetable ink oils are retained in the substrate and dry ink film. The remaining 80% of the petroleum ink oil is volatilized in and then exhausted from the dryer. Since the vegetable ink oil does not volatilize in the dryer, the amount of vegetable ink oil that can be used in heatset web offset lithographic inks is very limited. If there is too much vegetable oil in a heatset web offset lithographic ink, the ink will not dry properly. Coldset inks typically contain below 35% VOC and sheet-fed inks contain below 25% VOC. In sheet-fed and



coldset web offset printing, 95% of the petroleum ink oils and essentially all of the vegetable oils are absorbed into the substrate and dried ink film. The remaining 5% of the petroleum ink oil is volatilized and emitted to atmosphere. Ultraviolet and electron beam energy cured inks are normally lower VOC-containing inks. In the South Coast AQMD jurisdiction, the coatings are predominately water based or energy cured materials having low VOC emissions.

SCAQMD guideline for calculating emissions for annual reporting pursuant to Rule 304 – Fees “*VOC Emission Calculation Methodology for Lithographic Printing Operations – December 2011*” (see Appendix A) outlines the use of the aforementioned parameters, as well as additional considerations for annual emission reporting purposes.

#### *Fountain Solution*

Fountain solutions are used in the offset lithographic printing process and are primarily composed of water with certain additives to moisten the non-image area of the lithographic plate in order to keep ink from depositing (and thus printing) in areas where the ink is not wanted. Since offset lithographic inks are oil based and the fountain solution water based, the fountain solution renders the non-image areas unreceptive to ink and thus the ink is not transferred. The fountain solution contains a small amount of gum Arabic or synthetic resins, acids, and buffer salts to maintain the pH of the solution. Alcohols, including isopropanol, n-propanol and ethanol, are typically added to the water to lower the surface tension and increase the viscosity of the fountain solution. The alcohol substitute based fountain solutions are formulated using no alcohol and are typically glycol ethers or ethylene glycol ethers for lower VOC emissions but still provide the same ~~purpose~~ function as the alcohol containing fountain solutions. Fountain solutions are packaged as either a “one-step” or “two-step” product. Fountain solutions consist of a concentrate of chemicals that are mixed with a large volume of water, typically 2 to 6 ounces of concentrate to one gallon of water, and alcohol or alcohol substitute, generally requiring two steps to make a press-ready solution. Historically, the alcohol was added in amounts of up to 25% of the solution to provide wetting to the dampening rollers and the non-image areas of the printing plates and, due to the amount of alcohol used, could not be packaged with the concentrate. With lower alcohol or alcohol substitute requirements, combining the concentrate with the wetting agent as a single or one-step formulation became available.

On larger presses, the “press-ready” fountain solution is stored in a reservoir which is a collection tank that serves to hold the fountain solution while it is continuously recirculated from the reservoir to the fountain trays used at the printing working area. Smaller presses do not use a recirculation system, but dispense the fountain solution from small containers that are affixed to the press. The fountain tray simply holds a small amount of fountain solution and by constant recirculation; the fountain solution not only provides a film for non ink retention but also serves to cool the ~~lithographic plate printing unit~~. The fountain solution reservoir typically is equipped with cooling coils for refrigeration of the fountain solution. The reservoir volume does not include the volume of the trays or any other additional containers such as mixing units.

*Clean-up materials*

Printing operations use clean-up materials to remove printing inks, oils and residual paper filaments from the press equipment during and after operations. Clean-up materials are generally organic, however due to the VOC requirements of Rule 1171 – Solvent Cleaning Operations, many new cleaning materials are now manufactured from low-VOC materials such as aqueous and soy based materials.

*Emissions Control Systems*

Emission control systems are used in some graphic arts operations to reduce VOC emissions. The emission control system is another major strategy in the reduction of VOCs from offset lithographic printing operations. The capture system consists of equipment capable of collecting the emissions generated from the printing process and transferring the emissions to a control device. The control device is generally a thermal oxidizer or catalytic oxidizer and is used to destroy the emissions.

The CTG recommended 90% control efficiency in the 1993 draft CTG and 95% control efficiency for a control device for equipment that was installed after the date of the current CTG, September 2006. The current version of Rule 1130 requires overall efficiency for flexography, packaging gravure, lithography and letterpress printing to be 75% or greater overall control efficiency (publication gravure requires 85% control device efficiency).

Staff identified 29 active permitted air pollution control devices in the AEIS records, all of which meet the recommended CTG levels.

The CTG does not recommend capture and control of VOC emissions from sheet-fed or coldset web inks because the VOC emissions from these operations are already low, are not amenable to add-on control and inks can meet the lower VOC content limits. Fountain solutions containing VOCs ~~alcohol~~ can be controlled by refrigerated cooling coils in the fountain reservoir where the temperature of the fountain solution is maintained at 55 degrees Fahrenheit or less to control volatilization.

In lieu of requiring a source test to determine the collection efficiency, the SCAQMD allows companies to use a collection (capture) efficiency default value of 99.5 percent for heat-set lithographic printing, provided the operator can demonstrate that there is always sufficient air flow into the dryer through all the dryer's openings (excluding the exhaust stack) to prevent emissions from escaping the dryer during normal operations. This approach reflects the CTG determination that heatset lithographic printing inks, which are paste-like in nature with an initial high boiling point, volatilize only in the dryer. Lacking any physical evidence to the contrary (such as visible emissions emanating from the dryer), an operator can make this demonstration by showing that the pressure inside the dryer is always negative (lower) relative to the static pressure of the press room by either of the methods specified in the SCAQMD's "*Compliance Advisory – Determining Collection Efficiencies for Air Pollution Control Systems Serving Heat-Set Lithographic Printing Presses, 1997.*" Appendix B includes a copy of this advisory.

## **RULE 1130 – GRAPHIC ARTS**

### **CHAPTER 2: SUMMARY OF PROPOSED AMENDED RULE 1130**

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- o Overview: Proposed Amendment to Rule 1130
- o Subdivision (a) Purpose and Applicability
- o Subdivision (b) Definitions
- o Subdivision (c) Requirements
- o Subdivision (d) Prohibition of Specification and Sale
- o Subdivision (g) Emission Reduction Credits
- o Subdivision (h) Test Methods
- o Subdivision (i) Exemptions

**OVERVIEW: PROPOSED AMENDMENT TO RULE 1130**

The proposed amendment incorporates certain CTG recommendations applicable to printing operations not included in the current rule that pertain to the overall add-on control device efficiency and VOC content requirements for fountain solutions. The proposed amendment further adds prohibition of storage of non-compliant VOC-containing materials at a worksite, removes obsolete rule language, updates definitions for consistency with other District rules, adds a rule exemption for graphic arts materials that have a VOC content of no more than 10 g/L, as applied, and makes minor corrections and clarifications, including associated section renumbering.

**Subdivision (a) Purpose and Applicability**

Staff proposes the following revisions to subdivision (a) to further clarify the purpose and applicability:

*“The purpose of this rule is to reduce ~~emissions of~~ Volatile ~~Organic~~ ~~Compounds~~ (VOC) ~~emissions~~ from graphic arts operations. ~~The~~ This rule applies to any persons performing graphic arts operations or who solicit, specify, offer for sale, sell, or distribute supplies, sells, offers for sale, markets, manufactures, blends, repackages, stores at a worksite, distributes, applies or solicits the application of graphic arts materials for use in the District.”*

**Subdivision (b) Definitions**

Staff proposes the following revision to the definition “Aerosol Coating Product” to make it consistent with the “Aerosol Coating Product” definition in other Regulation XI rules.

*“(1) AEROSOL COATING PRODUCT is a pressurized coating product containing pigments or resins that dispenses product ingredients by means of a propellant, and is packaged in a disposable can for hand-held application, or for use in specialized equipment for ground marking-and traffic- marking applications.”*

Staff proposes to add new definitions to the rule to define “Alcohol” and “Alcohol Substitute”:

*“(2) ALCOHOL is an organic compound that contains a hydroxyl (OH) group and is used in the fountain solution to reduce the surface tension and increase the viscosity of water to prevent piling (ink build-up). For purposes of this rule, alcohol includes, but is not limited to, isopropyl alcohol (isopropanol), n-propanol and ethanol.”*

*“(3) ALCOHOL SUBSTITUTE is an additive that contains VOCs but no alcohol and is used in the fountain solution to reduce the surface tension and increase the viscosity of water to prevent piling (ink build-up).”*

Staff proposes the following revision to the definition “Coating” to make it consistent with the “Coating” definition in other Regulation XI rules.

“(24) *COATING is a ~~layer of~~ material which is applied to a ~~substrate~~ surface in order to beautify, protect, or provide a barrier to such surface in a relatively unbroken film.*“

Staff proposes to add a new definition to the rule to define “Energy Curable Coatings, Inks and Adhesives” to provide clarity to energy curable graphic arts materials, and replace references to UV and EB materials with the definition throughout the rule.

“(8) *ENERGY CURABLE COATINGS, INKS and ADHESIVES are single-component reactive products that cure upon exposure to visible-light, ultra-violet light or to an electron beam. The VOC content of thin film Energy Curable COATINGS, INKS and ADHESIVES may be determined by manufacturers using ASTM Test Method 7767-11 “Standard Test Method to Measure Volatiles from Radiation Curable Acrylate Monomers, Oligomers, and Blends and Thin Coatings Made from Them.”*”

Staff proposes the following correction to the definition “Flexographic Printing”, “Fountain Solution” and “Letterpress Printing” by hyphenating the word “nonimage” to “non-image.”

“(11) *FLEXOGRAPHIC PRINTING is a printing method utilizing a flexible rubber or other elastomeric plate in which the image area is raised relative to the ~~nonimage~~ non-image area.*”

“(1013) *FOUNTAIN SOLUTION is the solution used in offset lithographic printing which is applied to the image plate to maintain the hydrophilic properties of the ~~nonimage~~ non-image areas. It is primarily water and contains at least one of the following materials: etchants such as mineral salts; hydrophilic gums; or VOC additives to reduce the surface tension of the solution.*”

“(1821) *LETTERPRESS PRINTING is a printing process in which the image area is raised relative to the ~~nonimage~~ non-image area and the ink is transferred to the substrate directly from the image surface.*”

Staff proposes to correct a spelling error in the definition “Graphic Arts Operations.” The misspelled word is shown as “Opertions” and will be changed to “Operations”, then the word “offset” will be added to lithographic printing processes.

“(1316) *GRAPHIC ARTS ~~OPERTIONS~~—OPERATIONS are gravure, letterpress, flexographic, and offset lithographic printing processes or related coating or laminating processes.*”

Staff proposes the following revisions to the definition “Heatset Ink” to clarify the type of ink and to properly refer to the equipment as web-fed, not web-feed and revise the description of dryers as hot air high velocity dryers.

~~“(1619)~~ *HEATSET INK is an offset lithographic printing ink used on continuous web-fed printing presses that are equipped with hot air high velocity dryers. The ink dries or sets by heat induced evaporation of the ink oils and subsequent chilling of the ink by chill rolls.”*

Staff proposes to revise the “Lithographic Printing” definition by adding “Offset” to be consistent with the CTG, hyphenate non-image, remove metal lithographic plate since the plates can be made of many non-metal materials and incorporate additional rule language to enhance the current definition, and update all similar references to lithographic printing throughout the rule.

~~“(2526)~~ *OFFSET LITHOGRAPHIC PRINTING is a planographic printing process in which the image and areas are on the same plane of a thin lithographic plate and are chemically differentiated. The ink film is transferred from the lithographic plate to an intermediary surface, a rubber covered cylinder called a blanket, which, in turn, transfers the ink to the substrate. This printing process differs from other printing processes where the image is typically printed from a raised or recessed surface.”*

~~“(2224)~~ *NON-HEATSET INK is an offset lithographic printing ink that sets and dries by absorption into the substrate, and hardens by ambient air oxidation that may be accelerated by the use of infrared light sources. For the purposes of this definition ~~ultraviolet and electron beam~~ energy curable inks are examples of non-heatset inks.”*

Staff proposes the following revisions to the definition “Matte Finish Ink” and “Metallic Ink” to clarify the type of printing ink and then change the word “applied” to the word “used”, to be consistent with the applicability purposes of this rule.

~~“(2022)~~ *MATTE FINISH INK is a flexographic printing ink which is ~~applied~~ used on non-porous substrates in flexographic printing operations and contains at least five (5) percent by weight silicon dioxide flattening agent.”*

~~“(2123)~~ *METALLIC INK is a flexographic printing ink which is ~~applied~~ used on non-porous substrates in flexographic printing operations and contains at least 28 percent by weight elemental metal particles.”*

Staff proposes the following revision to the definition “Solvent Cleaning” to make it consistent with the “Solvent Cleaning” definition in other Regulation XI rules.

~~“(3437)~~ *SOLVENT CLEANING is the removal of loosely held uncured adhesives, uncured inks, uncured coatings, and contaminants including, but not limited to, dirt, soil, and*

grease from parts, products, tools, machinery, equipment and general work areas is as defined in Rule 1171 – Solvent Cleaning Operations.”

Staff proposes to add the title of the referenced rule (Rule 102) to the current definition.

“(3639) *VOLATILE ORGANIC COMPOUND (VOC) is as defined in Rule 102 - Definition of Terms.*”

Staff proposes to correct the term “*Web-Feed*” to “*Web-Fed*.” The current version of Rule 1130 specifies “*WEB-FEED*” but the term is actually “*WEB-FED*.”

“(3740) ~~*WEB-FEED*~~ *WEB-FED is an automatic system which supplies substrate from a continuous roll, or from an extrusion process.*”

### **Subdivision (c) Requirements**

#### Paragraph (c)(1) – VOC Content of Graphic Arts Materials

Staff is proposing to enhance the clarity of the current rule language by detailing the actions prohibited under this provision. In addition, the required VOC content limits are displayed in a table, to be consistent with the formatting used in other SCAQMD rules. The revision is shown below.

*“No person shall supply, sell, offer for sale, market, manufacture, blend, package, repackage, distribute, apply or solicit the application of any graphic arts material, including any VOC-containing materials added to the original graphic arts materials, for use in the District, which contains a total VOC in excess of the VOC content limits specified set-forth in the Table of Standards I below:”*

**TABLE 3 – PROPOSED TABLE OF STANDARDS I**

#### **TABLE OF STANDARDS I**

<b><u>VOC CONTENT LIMITS</u></b>	
<b><u>Grams of VOC Per Liter of Coating, Ink or Adhesive, Less Water And Less Exempt Compounds</u></b>	
<b><u>GRAPHIC ART MATERIAL</u></b>	<b><u>Current Limit</u></b>
	<b><u>(g/L)</u></b>
<b><u>Adhesive</u></b>	<b><u>150</u></b>
<b><u>Coating</u></b>	<b><u>300</u></b>
<b><u>Flexographic Fluorescent Ink</u></b>	<b><u>300</u></b>
<b><u>Flexographic Ink: Non-Porous Substrate</u></b>	<b><u>300</u></b>
<b><u>Flexographic Ink: Porous Substrate</u></b>	<b><u>225</u></b>
<b><u>Gravure Ink</u></b>	<b><u>300</u></b>
<b><u>Letterpress Ink</u></b>	<b><u>300</u></b>
<b><u>Offset Lithographic Ink</u></b>	<b><u>300</u></b>

Paragraph (c)(2) – VOC Content of Fountain Solutions

Staff proposes to delete obsolete rule language from Paragraph (c)(2), make revisions to the existing rule language to enhance clarity and introduce a new Table of Standards II, to combine the VOC limits of the fountain solutions that are used for the various types of printing methods in offset lithographic printing operations.

The current version of Rule 1130 limits fountain solution to 100 grams per liter of VOC provided the fountain solution is refrigerated and maintained at 55 degrees Fahrenheit or less, or if used at room temperature(ambient), to 80 grams per liter of VOC.

The CTG recommends a percentage of alcohol or alcohol substitute when calculating the VOCs for either room temperature or refrigerated fountain solutions and type of printing method. Staff converted the CTG recommended mass percentage limits to a gram per liter limit, consistent with SCAQMD VOC content terminology.

Table-4 shows the recommended weight percent values and equivalent VOC content in grams per liter, based on standard unit conversion and product material densities.

**TABLE 4 - CONVERSION OF PERCENTAGE OF VOC VALUES TO MASS/VOLUME VOC VALUES – BASED ON CTG RECOMMENDATIONS**

FOUNTAIN SOLUTION	CTG RECOMMENDATION (weight percent)	EQUIVALENT (g/L)
Heatset Web Offset Lithographic At Room Temperature	1.6%	16
Heatset Web Offset Lithographic Using Refrigerated Chiller	3.0%	30
Heatset Web Offset Lithographic Using Alcohol Substitute	5.0%	50
Sheet-fed Offset Lithographic At Room Temperature	5.0%	50
Sheet-fed Offset Lithographic Using Refrigerated Chiller	8.5%	85
Sheet-fed Offset Lithographic Using Alcohol Substitute	5.0%	50
Non-Heatset Web Offset Lithographic Using Alcohol Substitute	5.0%	50

Table-5 shows the updated VOC content requirements in the proposed amendment. Staff reviewed commercially available fountain solutions and found 90% of the fountain solution



concentrate products already meet the most restrictive 16 g/L limit when mixed with water per the products technical data sheet recommendations. The VOC content of the fountain solution concentrate can substantially be affected by the amount of dilution water added; the typical dosage identified was 4 to 6 fluid ounces of fountain solution concentrate per gallon of water. With the exception of just three products, the fountain solutions that calculated in the excess of 16 g/L VOC could be used at lower concentration. In fact, staff determined that when using the lowest concentrate limit proposed by the product manufacturer, 98% of the products were calculated to be under 16 g/L of VOC. Two of the three fountain solutions that could not meet the 16 g/L VOC limit for a heatset press using fountain solution at room temperature could meet the limit for a heatset press using refrigerated fountain solutions. The one product which calculated at 41 g/L VOC could still be used for the other categories shown in Table 5. Some printing operations may also require additives, defoamers, bactericides and other components that may also contain VOC. Since the rule for VOC content is “as applied” the operator may have to adjust the mixture to keep the fountain solution within the rules specified VOC content limits. Staff believes that the CTG recommended fountain solution limits reflect existing operational practices.

Staff proposes to eliminate the current language in subparagraph (c)(2)(A), in lieu of the Table of Standards II, and add new language to subparagraph (c)(2)(B) to provide clarification that alcohol containing fountain solutions would be prohibited for use in non-heatset web-fed operations. Table 5 shows the VOC limits for the fountain solutions, and the new VOC limits that will become effective on July 1, 2014. The VOC limits are “as applied” on-press:

“(A) ~~Through December 31, 1999, no~~ No person shall apply any in any graphic arts operation any fountain solution, including any VOC-containing materials added to the original fountain solution, which contains a total VOC in excess of 100 grams per liter of material fountain solution, including any VOC-containing materials added to the original fountain solution as applied, shall be: for use in a graphic arts operation within the District unless the VOC content in the fountain solution, as applied, complies with the applicable VOC limits set-forth in the Table of Standards II below.”

**TABLE 5 – PROPOSED TABLE OF STANDARDS II****TABLE OF STANDARDS II**

<b><u>VOC CONTENT LIMITS</u></b> <b><u>Grams of VOC Per Liter of Material</u></b>		
<b><u>FOUNTAIN SOLUTION</u></b>	<u>1/1/2000</u>	<u>7/1/2014</u>
	<u>(g/L)</u>	<u>(g/L)</u>
<b><u>Heatset Web-Fed</u></b>		
<u>Using Alcohol without Refrigerated Chiller</u>	<u>80</u>	<u>16</u>
<u>Using Alcohol with Refrigerated Chiller</u>	<u>100</u>	<u>30</u>
<u>Using Alcohol Substitute</u>	<u>80</u>	<u>50</u>
<b><u>Sheet-Fed</u></b>		
<u>Using Alcohol without Refrigerated Chiller</u>	<u>80</u>	<u>50</u>
<u>Using Alcohol with Refrigerated Chiller</u>	<u>100</u>	<u>85</u>
<u>Using Alcohol Substitute</u>	<u>80</u>	<u>50</u>
<b><u>Non-Heatset Web-Fed</u></b>		
<u>Using Alcohol Substitute without Refrigerated Chiller</u>	<u>80</u>	<u>50</u>
<u>Using Alcohol Substitute with Refrigerated Chiller</u>		

- ~~(A) no greater than 80 grams per liter of material, or~~
- (B) no greater than 100 grams per liter of material, if a refrigerated chiller is used. The use of alcohol containing fountain solutions is prohibited for use in non-heatset web-fed operations.

**“Paragraph(c)(3) – Solvent Cleaning Operations; Storage and Disposal of VOC containing Materials**

Staff is proposing the following revision to enhance the clarity of paragraph (c)(3) to make it consistent with other Regulation XI rules.

- “(3) Solvent Cleaning Operations; Storage and Disposal of VOC-containing Materials: Solvent cleaning of application equipment, parts, products, tools, machinery, equipment, general work areas, and the storage and disposal of VOC-containing materials used in cleaning operations and the storage and disposal of VOC-containing materials used in cleaning operations are subject to the provisions of shall be carried out pursuant to Rule 1171 - Solvent Cleaning Operations.”

**Paragraph(c)(4) – Prohibition of Storage**

Staff proposes to add additional rule language to address the storage of graphic arts material that have VOC content limits in excess of the specified VOC content limits pursuant to paragraph

(c)(1). Although staff believes facilities currently meet the VOC content requirements of paragraph (c)(1) an effective date of July 1, 2014 is proposed to allow time for internal worksite review of existing storage and inventory areas for compliance assurance purposes.

“(4) Effective July 1, 2014, a person shall not store any graphic arts material at a worksite for use in the District which contains VOC in the excess of the VOC-content limits specified in paragraph (c)(1).”

#### Paragraph(c)(5) – Approved Emission Control System

Staff proposes to update the Approved Emission Control System requirements to align the CTG to reflect the same control efficiency requirement as in other Regulation XI rules. The proposed revised rule language is as follows:

#### Approved Emission Control System

“(5) A person may comply with the provisions of paragraph (c)(1) and (c)(2) by using an emission control system to reduce VOC emissions provided such system is first approved in writing by the Executive Officer and meet the following requirements:

- (A) The control device reduces VOC emissions from an emissions collection system by at least 95 percent, by weight, or the output of the air pollution control device is no more than 50 PPM by volume calculated as carbon with no dilution; and
- (B) The owner/operator demonstrates that the emission collection system collects at least 90 percent, by weight, of the VOC emissions generated by the sources emissions.”

#### Paragraph (c)(5) – Alternative Emission Control Plan

Staff proposes to revise paragraph (c)(5) to clarify rule language as follows:

“(5) Alternative Emission Control Plan”  
A person may comply with the provisions of paragraphs (c)(1) or (c)(2) by means of an approved Alternative Emission Control Plan (AEC~~P~~) pursuant to Rule 108 - Alternative Emission Control Plans.”

### **Subdivision (d) Prohibition of Specification and Sale**

#### Paragraph (d)(2)

Staff is proposing the following revisions to paragraph (d)(2) to clarify the actions a person may not partake in during a graphic arts operation and correct the reference of the applicable subparagraph.

“(2) No person shall supply, offer for sale, sell, market, blend, package, repackage, manufacture or distribute, ~~or distribute directly~~ to an end-user ~~for use in the District~~ any graphic arts material for use in the District which, when applied as supplied or

*thinned or reduced according to the manufacturer's recommendation for application, does not meet the applicable VOC limits in paragraph (c)(1) or subparagraph ~~(i)(1)(C)~~ (i)(4)(C) for the specific application.”*

#### Paragraph (d)(3)

Staff is proposing to add a new paragraph to clarify a manufacturer’s responsibility to the labeling requirements with Rule 443.1 and to clarify the “prohibition of sales” provision in the District.

“(3) *The prohibition of sales and use as specified in paragraphs (d)(1) and (d)(2) shall not apply to any manufacturer of graphic arts materials, provided that the manufacturer has complied with the labeling requirements of Rule 443.1 – Labeling of Materials Containing Organic Solvents, and the product is not sold directly to a user located in the District, or the product was sold to an independent distributor or a sales outlet located in the District that is not a subsidiary of, or under the control of the manufacturer, and was informed in writing by the manufacturer about the compliance status of the product with Rule 1130.*”

#### **Subdivision (f) – Rule 442 Applicability**

Staff is proposing the following revision to enhance the clarity of this subdivision.

*“Any graphic arts operations ~~subject to this rule which is exempt~~ exempted from all or a portion of the VOC limits of this rule shall comply with the provisions of Rule 442.”*

#### **Subdivision (g) – Emission Reduction Credits**

The rule language for Emission Reduction Credits should be updated to be consistent with other Regulation XI rules. Staff is proposing to delete the current rule language and replace it with the following revised rule language.

“(g) *Emission Reduction Credits*  
*Facilities that use matte finish and metallic inks shall not receive emission reduction credit(s) pursuant to SCAQMD Rule 1309 above those emission reduction credit(s) that the facility would have received if it was operated with coatings having a VOC content of no more than 300 grams per liter, less water and less exempt compounds irrespective of the VOC limits specified in paragraph (i)(4)(C).*”

#### **Subdivision (h) - Test Methods**

##### Subparagraph (h)(1)(A)

Staff is proposing the following revisions to refine the rule language in subparagraphs (h)(1)(A) and (h)(1)(B) and subparagraphs (h)(2)(A) and (h)(2)(B), to make the rule language consistent with other Regulation XI rules.

“(A) *United States Environmental Protection Agency (U. S. EPA) Reference Test Method 24, (Determination of Volatile Matter Content, Water Content, Density, Volume Solids, and Weight Solids of Surface Coatings, Code of Federal Regulations, Title 40, ~~Code of Federal Regulations~~ Part 60, Appendix A). The exempt compounds' content shall be determined by ~~District~~ South Coast Air Quality Management's (SCAQMD) Laboratory Test Method 302 (Distillation of Solvents from Paints, Coatings and Inks) and 303 (Determination of Exempt Compounds) contained in ~~the District~~ SCAQMD's "Laboratory Methods of Analysis for Enforcement Samples" manual; or ”*

Subparagraph (h)(1)(B)

Staff proposes to refine the rule language by including the title name of the test method and make the rule language consistent with other Regulation XI rules, as follows.

“(B) *SCAQMD ~~District~~ Test Method 304 [Determination of Volatile Organic Compounds (VOCs) in Various Materials] contained in ~~the District~~ SCAQMD's "Laboratory Methods of Analysis for Enforcement Samples" manual.”*

Subparagraph (h)(2)(A)

Staff proposes to refine the rule language by including the title name of the test methods and make the rule language consistent with other Regulation XI rules, as follows.

“(A) *United States Environmental Protection Agency (U.S. EPA) Reference Test Method 24A, (~~Title 40, Code of Federal Regulations Part 60, Appendix A~~ Determination of Volatile Matter Content and Density of Publication Rotogravure Inks and Related Publication Rotogravure Coatings, Code of Federal Regulations Title 40, Part 60, Appendix A). The exempt compounds' content shall be determined by District SCAQMD's Laboratory Test Method 303 (Determination of Exempt Compounds) contained in ~~the District~~ SCAQMD's "Laboratory Methods of Analysis for Enforcement Samples" manual; or”*

Subparagraph (h)(1)(B)

Staff proposes to refine the rule language by making the rule language consistent with other Regulation XI rules, as follows.

“(B) *SCAQMD ~~District~~ Test Method 304 [Determination of Volatile Organic Compounds (VOCs) in Various Materials] contained in ~~the District~~ SCAQMD's "Laboratory Methods of Analysis for Enforcement Samples" manual.”*

Paragraph (h)(3) – Exempt Perfluorocarbon Compounds

Staff proposes to refine the rule language by making the rule language consistent with other Regulation XI rules. First, the list of classes of compounds has been formatted to a semi-bulleted list for easier reading. Then staff incorporated minor revisions to provide enhanced clarity of the rule language.

“The following classes of compounds:

Cyclic, branched, or linear, completely fluorinated alkanes;

Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;

Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and

Sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

*will be analyzed as exempt compounds for compliance with subdivision (c) and subparagraph (i)(11)(C)-(i)(4)(C), only ~~at such time as~~ when manufacturers specify which individual compounds are used in the ink and coating formulations, ~~and identify the test methods, which, prior to such analysis, have been approved by~~ In addition, the manufacturers must identify with the U.S. EPA, CARB, and the District that SCAQMD approved test methods, which can be used to quantify the amounts of each exempt compound.”*

#### Paragraph (h)(4) - Determination of Efficiency of Emission Control Systems

##### Subparagraph (h)(4)(A)

Staff proposes to refine the rule language in paragraph (h)(4) by making the rule language consistent with other Regulation XI rules. This will include the elimination of clauses (i), (ii), and (iii).

“(A) *The capture efficiency of an emission control system as ~~defined~~ specified in paragraph (b)(~~25~~) shall be determined by a minimum of three sampling runs subject to the data quality objective (DQO) presented in the ~~by the procedures presented in U.S. EPA technical guideline document, "Guidelines for Determining Capture Efficiency, January 9, 1995". Individual capture efficiency test runs subject to the USEPA technical guidelines shall be determined by:~~ Notwithstanding the test methods specified by the Guidelines, any other method approved by the U.S. EPA, CARB and the SCAQMD Executive Officer may be substituted.*

##### Subparagraph (h)(4)(B)

Staff proposes to refine the rule language in subparagraph (h)(4)(B) by making the rule language consistent with other Regulation XI rules.

“(B) *The efficiency of the control device ~~efficiency of an~~ the emission control system as ~~defined~~ specified in paragraph (b)(~~36~~) and the VOC content in the control device exhaust gases, measured and calculated as carbon, shall be determined by U.S. EPA Test Methods 25, 25A, ~~or District SCAQMD Method 25.1 (Determination of Total Gaseous Non-Methane Organic Emissions as Carbon) or SCAQMD Method 25.3 (Determination of Low Concentration Non-Methane Non-Ethane Organic Compound Emissions from Clean Fueled Combustion Sources)~~ as applicable. U.S. EPA Test Method 18, or CARB Method 422 shall be used to determine emissions of exempt compounds.”*

Paragraph (h)(5) – Equivalent Test Methods

Staff proposes to refine the rule language in paragraph (h)(5) by making the rule language consistent with other Regulation XI rules.

“(5) *Equivalent Test Methods*  
*Other test methods determined by the staffs of the District to be equivalent by the Executive Officer, CARB, and the U. S. EPA, to be equivalent to the test methods specified in this rule, and approved in writing by the District Executive Officer may also be used.*”

Paragraph (h)(7) – Test Methods Dates

Staff proposes to revise the rule language in paragraph (h)(7) to be consistent with other Regulation XI rules.

“(7) *Test Methods Dates*  
*All test methods referenced in this section subdivision shall be the most recently approved versions. The Executive Officer may update test methods as necessary to reflect the most accurate method available, provided the method does not affect the stringency of the rule by the appropriate governmental entities.*”

**Subdivision (i) Exemptions**

Staff proposes to reformat subdivision (i) to update section numbering and to move the exemption for Aerosol Coating Products and adding a new exemption for graphic arts materials that have 10 g/L of VOC or less. Graphic arts materials do not include materials used in cleaning operations.

“(i) Exemptions

(1) The provisions of this rule shall not apply to: [...]

(I) Aerosol coating products

(J) Graphic arts materials that have a VOC content of no more than 10 g/L or equivalent, less water and less exempt compounds, as applied.”

Staff is proposing to include an exemption from Rule 1130 provisions for graphic arts materials with a VOC content of 10 g/L or less. Given the uncertainties in the methods for determining VOC content at these low levels for some materials, staff proposes to allow for alternative equivalent metrics to determine the VOC content. For instance, for reactive coatings, an alternative calculation includes a determination of 99% solids content or greater by weight. It is noted that formulation data may be obtained by staff to estimate the VOC content of these near-zero VOC products.

Staff is then proposing to relocate the emissions threshold and associated record keeping for metallic and matte finish inks of paragraph (i)(11) to a new paragraph (i)(5) and change the

records retention requirement from two years to five years. The revised rule language is shown below.

- “(5) Facilities operating under the provisions of paragraph (i)(4) whose actual emissions exceed ten (10) tons in any calendar year shall:
- (A) henceforth be subject to the requirements of paragraph (c)(1).
- (B) In addition to the requirements of subdivision (e), facilities shall retain records of purchase orders and invoices of VOC-containing materials for a minimum of five (5) years.”

Staff is proposing to add new rule language to provide an exemption for storage of graphic arts materials that exceed the VOC limits in paragraph (c)(1) provided the VOCs from those graphic arts materials are collected and controlled by an emissions control system, consistent with SCAQMD VOC rules.

- “(6) The provision of paragraph (c)(1) shall not apply to a worksite that stores graphic arts materials provided such graphic arts materials are vented exclusively to printing systems equipped with an approved emission control system pursuant to the requirements of paragraph (c)(5).”

Finally, staff proposes to add new language to provide rule relief for sheet-fed presses that have a sheet size no larger than 11 inches by 17 inches, or if the total fountain solution reservoir capacity is one gallon or less as recommended by the CTG. However, this exemption can only be met if the sheet-fed presses, having a sheet size no larger than 11 inches by 17 inches, or if the total fountain solution reservoir capacity is one gallon or less, uses a fountain solution with a VOC content of no more than 80 grams per liter of material, as applied, or if using a refrigerated chiller, no more than 100 grams per liter of material, as applied. The new language will appear in paragraph (i)(8) as follows.

- “(8) The provisions of paragraph (c)(2) shall not apply to sheet-fed offset presses that have a sheet size no larger than 11 inches by 17 inches, or any offset press if the total solution reservoir capacity is one gallon or less, provided the VOC content of the fountain solution used contains no more than 80 grams per liter of material, as applied, or if using a refrigerated chiller, no more than 100 grams per liter of material, as applied.”



## **RULE 1130 – GRAPHIC ARTS**

### **CHAPTER 3: IMPACT ASSESSMENT OF PROPOSED AMENDED RULE 1130**

- o Emission Impact Assessment
- o Cost Analysis
- o Control Device Efficiency
- o Fountain Solutions
- o Storage Of Non-Compliant VOC-Containing Materials
- o Incremental Cost-Effectiveness
- o California Environmental Quality Act (CEQA)
- o Socioeconomic Impact Assessment
- o Draft Findings under California Health and Safety Code 40727
- o Comparative Analysis
- o Draft Conclusions and Recommendations
- o Public Comments and Responses

**EMISSION IMPACT ASSESSMENT**

The proposed amendment is not expected to result in emission reductions.

**COST ANALYSIS**

The proposed amendments to Rule 1130 is not expected to have a net cost impact since industry will be able to continue business as usual and operate their equipment subject to Proposed Amended Rule 1130 in a similar manner to the current rule.

**CONTROL DEVICE EFFICIENCY**

The proposed amendment seeks to change the add-on control device efficiency requirement from 75% overall to the CTG recommended 95% control and 90% capture efficiency. Staff has analyzed the data for the 29 control units in the South Coast AQMD jurisdiction and found that all of them will meet the new revised limit. The typical overall control device efficiency for the control units operating in the District is 96.2%. Therefore, staff believes there will be no cost impact on industry for this revision.

**FOUNTAIN SOLUTIONS**

The proposed amendment seeks to align the VOC requirements in Rule 1130 with the recommended VOC requirements in the U.S. EPA Control Techniques Guidelines for fountain solutions. Staff believes there would be a no cost impact to industry for the EPA recommended VOC limit changes. Staff conducted a survey of fountain solutions on the internet and found that out of 169 fountain solutions, 152 met the most restrictive VOC limit, the heatset web-fed without a refrigerated chiller (16 grams per liter). Typically, the technical data sheets for manufacturers of fountain solutions recommend anywhere from 2 to 4 ounces of the fountain solution to be mixed with one gallon of water. Staff used the highest dosages to calculate the VOC content of the fountain solutions and even at the maximum dosage for fountain solution staff still found 152 fountain solutions will meet the most restrictive VOC limit. This data shows that industry has been using products that already comply with the new adjusted VOC limits and should not pose a cost impact to industry.

**STORAGE OF CERTAIN NON-COMPLIANT VOC-CONTAINING MATERIALS**

The proposed amendment prohibits storage of VOC-containing materials at a worksite that do not meet the VOC limits specified in the Table of Standards I [Rule 1130 paragraph (c)(1)]. The rule proposal includes an exemption to this prohibition provided that the graphic arts materials are vented exclusively to an approved emissions control system. Staff believes there would be no cost impact to this change because a facility conducting graphic arts operations has no operational need for non-compliant VOC containing materials at their worksite and because the proposed amendment does not change the VOC content requirement for any currently stored graphic arts materials. This proposed rule language has been added to make the rule consistent with other VOC regulating rules.

The remaining changes in this proposed amendment are to remove obsolete rule language, update definitions for consistency with other District rules, add two new definitions and make minor corrections and clarifications will have no cost or emissions impact.

### INCREMENTAL COST-EFFECTIVENESS

Under Health and Safety Code § 40920.6, the SCAQMD is required to perform an incremental cost analysis when adopting a Best Available Retrofit Control Technology (BARCT) rule or feasible measure required by the California Clean Air Act. To perform this analysis, the SCAQMD must (1) identify one or more control options achieving the emission reduction objectives for the proposed rule, (2) determine the cost effectiveness for each option, and (3) calculate the incremental cost effectiveness for each option. To determine incremental costs, the SCAQMD must “calculate the difference in the dollar costs divided by the difference in the emission reduction potentials between each progressively more stringent potential control option as compared to the next less expensive control option.” ~~The Staff reviewed the 2006 CTG along with other current standards throughout the state and determined that PAR 1130 represents BARCT for graphic arts operations because there are no other more stringent limits available. PAR 1130 does not implement a more restrictive BARCT because the amendment reflects existing practices and technology and therefore does not achieve additional will not result in emission reductions. Because the proposed amendments to Rule 1130 ~~does not implement a more restrictive BARCT or feasible control measure,~~ and therefore and therefore no incremental cost analysis is required under Health and Safety Code § 40920.6 is inapplicable.~~

### CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

In accordance with the California Environmental Quality Act (CEQA), the SCAQMD is the Lead Agency and has prepared a Draft Environmental Assessment (EA) to analyze environmental impacts from the proposed project pursuant to its certified regulatory program (SCAQMD Rule 110). The Draft EA includes a project description and analysis of potential adverse environmental impacts that could be generated from the proposed project. ~~Comments focusing on issues relative to the environmental analysis for the proposed project will be accepted during~~ The Draft EA was circulated for a 30-day public review and comment period beginning February 25, 2014, and ending 5 p.m. on March 26, 2014. Responses to any comments on the Draft EA received during the public review and comment period will be prepared and incorporated into the Final EA.

### SOCIOECONOMIC IMPACT ASSESSMENT

The proposed amendments codify existing practices at graphic arts operations that are subject to Rule 1130. As such, there are no additional costs or other socioeconomic impacts anticipated and no socioeconomic analysis is required under Health and Safety Code Section 40728.5.

### DRAFT FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE 40727

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 SCAQMD Governing Board finds and determines that Proposed Amended Rule 1130, Graphic Arts, is necessary to make Rule 1130 consistent with the suggested control device efficiencies and the recommended VOC limits for fountain solutions with United States Environmental Protection Agency’s (U.S. EPA) Control Techniques Guidelines (CTG) for Offset Lithographic Printing and Letterpress Printing (EPA 453/R-06-002) and Flexible Package Printing (EPA 453/R-06-003).

Authority - The SCAQMD Governing Board obtains its authority to adopt, amend or repeal rules and regulations from Health and Safety Code §§ 40000, 40001, and 40440.

Clarity - The SCAQMD Governing Board finds and determines that Proposed Amended Rule 1130 is written and displayed so that the meaning can be easily understood by persons directly affected by it.

Consistency – The SCAQMD Governing Board finds and determines that Proposed Amended Rule 1130 is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or federal or state regulations.

Non-Duplication – The SCAQMD Governing Board has determined that Proposed Amended Rule 1130 does 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 SCAQMD.

Reference - In adopting this proposed amendment, the SCAQMD Governing Board references the following statutes which SCAQMD hereby implements, interprets or makes specific: Health and Safety Code Sections 40001 and 40440.

### **COMPARATIVE ANALYSIS**

California Health and Safety Code Section 40727.2 requires the comparative analysis with any federal or other SCAQMD rules that apply to the same equipment or source type as the proposed amendments. The proposed amendments codify existing practices at graphic arts operations that are subject to Rule 1130. As such, the proposed amended rule does not impose a new emission limit or standard, make an existing emission limit or standard more stringent, or impose new or more stringent monitoring, reporting, or recordkeeping requirements and therefore a comparative analysis pursuant to Health and Safety Code Section 40727.2 is not required

### **DRAFT CONCLUSIONS AND RECOMMENDATIONS**

Staff recommends that Certifying the Final Environmental Assessment (EA) for Proposed Amended Rule 1130 – Graphic Arts and Amending Rule 1130 - Graphic Arts to update Rule 1130 with the control measures recommended by the United States Environmental Protection Agency’s (U.S. EPA) Control Techniques Guidelines (CTG) for Offset Lithographic Printing and Letterpress Printing (EPA 453/R-06-002) and Flexible Package Printing (EPA 453/R-06-003).

### **PUBLIC COMMENTS AND RESPONSES**

Staff held the public workshop for Proposed Amended Rule 1130 on Thursday, February 6, 2014. The following comments were made at the public workshop and staff responses to those comments are shown below.

Stakeholder Comment #1:

Prohibition of Material – how does it apply to fountain solutions?

*Staff response:*

*The intent of the provision is to apply to graphic arts material as recommended for use. Fountain solutions are not part of the graphic arts materials definition. Additionally, the provision applies to the VOC content of the graphic arts materials as applied, or “press-ready”.*

## Stakeholder Comment #2:

Lithographic plates can be made of paper or polymer in addition to metal.

*Staff response:*

*Staff revised the staff report by removing the word “metal” to reflect the intent of your comment.*

## Stakeholder Comment #3:

Sheet fed and Web-fed are subsets of offset lithographic printing, not types of offset lithographic printing.

*Staff response:*

*Staff has revised the staff report to address the intent of your comment by replacing the word “types” with “subset.”*

## Stakeholder Comment #4:

Fountain solutions come in one step and two step formulations. The PDSR describes the one step formulation and should address the two step formulations. Some lithographic printing on plastic has faced challenges with lower VOC content fountain solutions, but the PIA believes the CTG limits are achievable.

*Staff response:*

*Staff agrees and has revised the staff report by adding additional language describing the one-step and two-step fountain solutions.*

## Stakeholder Comment #5:

The description of the alternative emission control system should differentiate between heat-set and non-heat-set inks. Also, heat-set letterpress printing may need to be specifically included as identified by the CTG.

*Staff response:*

*The Alternative Emission Control System is based on the collection system and the control device and reference to the SCAQMD compliance advisory and treatment for heatset lithographic printing has been included as an appendix to the report. Staff added additional language to describe flexographic, letterpress and gravure printing processes in the draft staff report. Letterpress printing is defined in the rule and Table of Standards I also specifies the VOC content limit for inks used in letterpress operations. The rule also accommodates a person using the Heatset letter printing process with inks that exceed the VOC content limits in the Table of Standards I provided all the graphic arts materials are vented exclusively to an approved emission control system or if operating under an approved Alternative Emission Control Plan.*

## Stakeholder Comment #6:

We need to have the SCAQMD 1997 Compliance Advisory related to heatset lithography and control device capture efficiency directly addressed as part of this rule amendment.

*Staff response:*

*Staff agrees and has included the 1997 Compliance Advisory in Appendix B of the ~~Draft~~ Staff Report.*

## Stakeholder Comment #7:

The control device control efficiencies noted in the PDSR seem low.

*Staff response:*

*Staff obtained the control device efficiencies from engineering applications for the initial permits a given facility applied for. The control device efficiencies are based on source test results. Some of the source tests are dated and the older equipment may not perform as efficiently as the newer equipment that is available today. Even at an average of 96.6% efficiency, the lowest being 92.1% efficient, all control efficiencies combined with a capture efficiency default of 99.5% are well with the required 86% overall control efficiency limit, based on SCAQMD records.*

## Stakeholder Comment #8:

The term “non-compliant” with respect to prohibited storage should either be defined or replaced with cross-referencing citations for clarification.

*Staff response:*

*The comment refers to the phrase “Storage of Certain Non-Compliant VOC-Containing Materials” shown in chapter 3, page 3-1 of the Preliminary Draft Staff Report. The PDSR stated that the proposed amendment would prohibit storage of certain non-compliant VOC-containing materials at a worksite. To provide clarity, staff revised the language to read that the prohibition of certain VOC-containing materials at a worksite that do not meet the VOC limits specified in the Table of Standards I [Rule 1130 paragraph (c)(1)]. Staff also added an additional sentence to indicate that graphic arts materials that are “not compliant” but used exclusively in conjunction with an approved emissions control system are not subject to the prohibition.*

## Stakeholder Comment #9:

Staff uses “radiation curable” in both the Proposed Amended Rule and the Preliminary Draft Staff Report. The industry term is actually “energy curable”. Please update the proposed amend rule and the draft staff report

*Staff Response:*

*Staff ~~has~~ made the requested change in the Preliminary Draft Staff Report by changing “radiation cured” to “energy cured” throughout the draft staff report. In addition, staff has added a new definition to Proposed Amended Rule 1130 for “ENERGY CURABLE COATINGS, INKS AND ADHESIVES.”*

## Stakeholder Comment #10:

Industry would like to raise the low-VOC content material exemption from 10 g/L to 20 g/L to account for errors and conservative reporting of VOC-content for energy curable graphic arts materials.

*Staff Response:*

*The 10 g/L VOC content limit is consistent with other VOC rules and programs pertaining to the near-zero VOC technology, and represents the current super-compliant VOC content level. In addition, the definition for energy curable includes reference to ASTM Test Method 7767-11 “Standard Test Method to Measure Volatiles*

*from Radiation Curable Acrylate Monomers, Oligomers, and Blends and Thin Coatings Made from Them” which staff believes should address the concerns raised by this comment. Staff is proposing to include an exemption from Rule 1130 provisions for graphic arts materials with a VOC content of 10 g/L or less. Given the uncertainties in the methods for determining VOC content at these low levels for some materials, staff proposes to allow for alternative equivalent metrics to determine the VOC content. For instance, for reactive coatings, an alternative calculation includes a determination of 99% solids content or greater by weight. It is noted that formulation data may be obtained by staff to estimate the VOC content of these near-zero VOC products.*

#### Stakeholder Comment #11:

We request a delay in the effective date for storage of non-compliant materials, possibly 3 months.

#### *Staff Response:*

*Staff agrees and has provided the requested three month delay in the rule for prohibited storage of “non-compliant” materials and for fountain solutions. The new VOC limits shown in the Table of Standards II will become effective on July 1, 2014, in order to provide a short transition period for the new standard.*

The following were received after the close of comment period.

#### Stakeholder Comment #12:

Section (c)(4) Acceptable formula for calculating overall efficiency is proposed to be removed. Concern that this will give individual permit engineers and inspectors the freedom to decide how efficiency is calculated and the ability to cite the facility arbitrary.

#### *Staff Response:*

*The proposed amended rule includes a reformatting of the language pertaining control efficiency. The formula remains the same.*

#### Stakeholder Comment #13:

Section (c)(4) VOC emissions reduction system must be approved in writing by the Executive Officer. Need clarification – does a permit constitute written approval or is does (sic) the Executive Officer need to provide an approval letter? See SCAQMD Rule 102, definitions: Executive Officer means the Executive Officer or designee of the South Coast Air Quality Management District.

#### *Staff Response:*

*Issuance of a permit for the emission reduction system is considered written approval by the Executive Officer.*

#### Stakeholder Comment #14:

Section (c)(4)(B) The owner/operator demonstrates that the emissions collection systems collects at least 90 percent, by weight, of the VOC emissions generated by the source emission. What methods of demonstration of the emission system are acceptable in order to achieve 90% by weight reduction of VOC emissions — will showing negative dryer pressure suffice? The reduction in emissions generated note “by the source emissions”. Does this pertain to only the select VOC reduction from either (c)(1) and (c)(2) or does the proposed standard

include all VOC emissions generated at the source including ink, fountain solution, and auxiliary operations such as cleaning and adhesive application?

*Staff Response:*

*The collection efficiency is determined in accordance with the test methods outlined in paragraph (h)(4) of the proposed amended rule for complying with paragraph (c)(1) or (c)(2) for those materials that exceed the VOC content limits as applicable. Paragraph (h)(5) allows use of equivalent methods provided they have been approved by SCAQMD, CARB and the U.S. EPA. Finally, for heatset lithographic inks, the approach described in Appendix B of this staff report can be used as an acceptable equivalent method for capture efficiency, which includes a demonstration of negative air pressure. Cleaning operations are subject to Rule 1171 – Solvent Cleaning Operations.*

**Stakeholder Comment #15:**

Section (c)(4) No mention is made allowing 70% capture and 30% fugitive per CTG. Recommend adoption of CTG Part VIII.C. Carryover of VOC from Automatic Blanket Wash and Fountain Solution to Offset Lithographic Heatset Dryers. We recommend using a 40 percent VOC carryover (capture) factor for automatic blanket washing when the VOC composite vapor pressure of the cleaning material is less than 10 mm Hg at 20° C. We recommend using a 70 percent VOC carryover (capture) factor for alcohol substitutes in fountain solution. No mention of manual blanket wash retention allowances in CTG. Recommended adoption of CTG Part VIII.B. Retention of Low VOC Composite Vapor Pressure Cleaning Materials in Shop Towels. We recommend using a 50 percent VOC retention factor for low VOC composite vapor pressure cleaning materials in shop towels where (1) VOC composite vapor pressure of the cleaning material is less than 10 mm Hg at 20° C, and (2) cleaning materials and used shop towels are kept in closed containers.

*Staff Response:*

*All clean-up operations are deferred to SCAQMD Rule 1171 – Solvent Cleaning Operations. Rule 1171 requires any cleaning solution for press clean-up to have no more than 25 g/L of VOC as applied. Rule 1171 also requires all solvent/VOC-containing cleaning solution hand towels to be kept in sealed containers when not being used. The emission calculations, including use of retention factors, have previously been incorporated into the annual emissions reporting guidelines, included as Appendix A – VOC Emission Calculation Methodology for Lithographic Printing Operations of this staff report, for emission reporting purposes.*



**REFERENCES**

SCAQMD Staff Report, Proposed Amended Rule 1130 – Graphic Arts, July 1999.

SCAQMD Staff Report, Comparison and Analysis of: Control Techniques Guidelines for Offset Lithographic Printing and Letterpress, EPA-433/R-06-002 2006/09, March 2011.

SCAQMD Staff Report, Comparison and Analysis of: Control Techniques Guidelines for Flexible Package Printing, EPA-433/R-06-003 2006/09, March 2011.

Control Techniques Guidelines for Offset Lithographic Printing and Letterpress Printing, EPA-433/R-06-002 2006/09, September 2006, U. S. Environmental Protection Agency RTP, NC

Control Techniques Guidelines for Flexible Package Printing, EPA-433/R-06-003 2006/09, September 2006, U. S. Environmental Protection Agency RTP, NC

**INTERNET MATERIAL:**

[http://en.wikipedia.org/wiki/Offset\\_printing](http://en.wikipedia.org/wiki/Offset_printing)

<http://www.aqmd.gov/aer/Updates/VOCEmissCalcuMethLithoPrint.pdf>

<http://www.aqmd.gov/bact/PartD-10-3-2008.pdf>

<http://www.aqmd.gov/aqmp/2012aqmp/Final-February2013/AppVI.pdf>

**APPENDIX A – VOC Emission Calculation Methodology for Lithographic Printing  
Operations – December 2011**

## VOC Emission Calculation Methodology for Lithographic Printing Operations – December 2011

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The following methodology should be used to calculate VOC emissions from lithographic printing operations. This methodology has been developed by the District in cooperation with the Printing Industries Association.

### Lithographic Inks

$$\text{Emissions} = Q * [ \text{VOC} * (1 - \text{RF}) ] * (1 - C_{\text{OVERALL}}) \quad \text{Eq. (1)}$$

where:

- Emissions = Emissions of volatile organic compounds (lbs)
- Q = Quantity of ink applied (lbs)
- VOC <sup>(1)</sup> = Volatile Organic content (weight fraction or lb/lb) of ink
- RF <sup>(2)</sup> = Retention factor for the lithographic oil content in inks (decimal)
- C<sub>OVERALL</sub> <sup>(3)</sup> = Control System Overall Efficiency (decimal)

- (1) User may refer to the product Material Safety Data Sheet (MSDS) to determine the volatile organic compounds (VOC) content of the ink. This may include, but not limit to, one or more of the following:

- Volatile organic compounds (VOC)
- Lithographic oil content (LOC) such as:
  - Petroleum-based oils
  - Vegetable-based oils
  - Oxidizing oils
  - Middle distillates
  - Linseed oil
  - White mineral oil
  - Other oils

If MSDS provides both VOC and LOC percentages or fractions, use the higher number for calculation purposes. **NOTE:** Unit of VOC must be consistent with that of ink applied (Q), i.e., VOC in weight fraction of lb/lb for Q in pounds.

*VOC Emission Calculation Methodology for Lithographic Printing Operations – Dec 2011*

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(2) Depending on type of inks, the following retention factors are applicable for equation (1):

**HEATSET INKS:                      RF = 0.20**

**NON-HEATSET INKS:              RF = 0.95**

(3) Overall efficiency ( $C_{OVERALL}$ ) of a control system is defined as:

$C_{OVERALL} = C_{CAP} \times C_{DES} \qquad \text{Eq. (2)}$
--

where:

$C_{CAP}$  = Capture Efficiency of Control System (fraction)

$C_{DES}$  = Destruction Efficiency of Control Equipment (fraction)

In general, control system performance is tested to determine these efficiencies. In the absence of specific source test results, a default capture efficiency of 99.5% ( $CP = 0.995$ ) is allowed for **heatset inks only**. Any deviation from this default value must be substantiated with supporting documentation.

### **HOW TO REPORT**

- From the drop lists, select or provide **Material and Device Description, Material Code, and Activity Code**.
- **Annual Material Usage:** Enter total quantity of lithographic inks used (Q in **pounds**) during the reporting period. If needed, convert Q from gallons to pounds by multiplying Q (in gallons) by the ink density (lb/gal).
- **Units:** From drop list – Select **pound**
- **Rule Number:** Enter **1130**
- **Application Numbers:** Enter applicable permit application number/s.
- **TAC / ODC:** Put check mark **ONLY IF** material contains TAC/ODC.
- **Overall Control Efficiency:** Use equation (2) above to determine the Overall Control Efficiency and enter **in decimal** number. Enter zero (0.00) if Form B3U is used.
- **Emission Factor:**
  - ❖ If using default emission factor, check the box marked “Use Default Emission Factors”. Default emission factors for lithographic inks are available in **HELP and SUPPORT** (under Forms and Factors)
  - ❖ The non-default emission factor can be determined as follows:
    - **VOC:** From ink MSDS, find organic content based on VOC or lithographic oil content (LOC) in weight fraction or lb/lb. If MSDS provides both VOC and LOC

*VOC Emission Calculation Methodology for Lithographic Printing Operations – Dec 2011*

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- percentages or fractions, use the higher number. If VOC is given in lb/gal, then convert VOC from lb/gal to lb/lb by dividing VOC (lb/gal) by the ink density (lb/gal).
- Determine the applicable retention factor, **RF** (RF = 0.95 for non-heatset inks or RF = 0.20 for heatset inks).
- Emission Factor = [VOC \* (1 – RF)]
- Enter the calculated emission factor and click “**ADD RECORDS**” to save your entries.

### **Assumptions for Other Lithographic Printing Ink Operations**

**Fountain solutions and blanket/roller washes** do not possess the same characteristics as lithographic inks; therefore, retention factors are not applicable to emissions from the use of these materials. However, in the absence of a specific source test, a carry-over factor is allowed as follows:

- ◆ 70% of emissions from **fountain solution** is allowed to carry-over into the **heat set dryer**, provided that the dryer is vented into the afterburner. The VOC emissions from the use of fountain solutions ( $E_{\text{FOUNTAIN}}$ ) is calculated using the following equation:

$$E_{\text{FOUNTAIN}} = Q * \text{VOC} * [1 - (0.70 * C_{\text{OVERALL}})] \quad \text{Eq. (3)}$$

- ◆ 40% of emissions from **blanket/roller washes** is allowed to carry-over into the **heat set dryers only** for **automatic wash operations** provided that the dryer is vented into the afterburner. The VOC emissions from the use of blanket/roller washes ( $E_{\text{WASH}}$ ) is calculated using the following equation:

$$E_{\text{WASH}} = Q * \text{VOC} * [1 - (0.40 * C_{\text{OVERALL}})] \quad \text{Eq. (4)}$$

where:

- $E_{\text{FOUNTAIN}}$  = Emissions of volatile organic compound (lbs)
- $E_{\text{WASH}}$  = Volatile organic compound emission of blanket/roller washes (lbs)
- Q = Quantity of material applied (lbs or gallons)
- VOC = Organic compound content (lb/lb or lb/gal)
- $C_{\text{OVERALL}}$  = Control System Overall Efficiency (decimal)

*VOC Emission Calculation Methodology for Lithographic Printing Operations – Dec 2011*

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**HOW TO REPORT**

- From the drop lists, select or provide **Material and Device Description, Material Code, and Activity Code.**
- **Annual Material Usage:** Enter total quantity of material used (Q) during the reporting period.
- **Units:** Select a unit from drop list – **pound or gallon**
- **Rule Number:** Enter **1171**
- **Application Numbers:** Enter applicable permit application number(s).
- **TAC / ODC:** Put check mark **ONLY IF** material contains TAC/ODC
- **Overall Control Efficiency:** Use equation (2) above to determine the Overall Control Efficiency and enter **in decimal** number. Enter zero (0.00) if Form B3U is used. Determine the applicable carry-over factor (0.70 for fountain solution and 0.40 for automatic blankets/rollers washes).
  - Final Overall Control Efficiency = Carry-Over factor \* C<sub>OVERALL</sub>
- **Emission Factor:** User can refer to the product Material Safety Data Sheet (MSDS) to determine the content of VOC. **NOTE:** Unit of VOC content must be consistent with that of material applied (Q), i.e., VOC in weight fraction or lb/lb for Q in pounds and VOC in lb/gal for Q in gallons.
- Enter the calculated overall control efficiency and emission factor and click “**ADD RECORDS**” to save your entries.

**APPENDIX B** – Compliance Advisory - Determining Collection Efficiencies for Air Pollution Control Systems Serving Heat-Set Lithographic Printing Presses



## South Coast Air Quality Management District

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(909) 396-2000 • <http://www.aqmd.gov>

July 31, 1997

### Compliance Advisory

#### **Determining Collection Efficiencies for Air Pollution Control Systems Serving Heat-Set Lithographic Printing Presses**

South Coast Air Quality Management District (SCAQMD) Rule 1130 - Graphic Arts requires lithographic printers to determine the collection efficiency of an air pollution control system serving the dryer of a heat-set lithographic printing press.

In lieu of requiring a source test to determine the collection efficiency, the SCAQMD will allow companies to use a collection (capture) efficiency default value of 99.5 percent for the VOC emissions associated with the high molecular weight, high initial boiling point, very low vapor pressure lithographic ink oils provided the operator can demonstrate that there is always sufficient air flow into the dryer through all of the dryer's openings (excluding the exhaust stack) to prevent emissions from escaping the dryer during normal operations.

Lacking any physical evidence to the contrary (such as visible emissions emanating from the dryer), an operator can make this demonstration by showing that the pressure inside the dryer is always negative (lower) relative to the static pressure of the press room by either of the following methods. The choice of the method of demonstration shall be at the discretion of the operator.

1. Install and maintain a differential pressure gauge so that one inlet of the differential pressure gauge is within the dryer and the other inlet is open to the ambient air in the press room. The differential pressure gauge may be a liquid column gauge or may be a mechanical type gauge. The differential pressure gauge shall be properly leveled and zeroed according to the manufacturer's instructions. If a mechanical type gauge is used, it shall be calibrated according to the manufacturer's instructions against a liquid column gauge. If a liquid column gauge is used, no calibration is necessary. The gauge shall measure a pressure differential of at least 0.05 inches of water column whenever the press is operating so that air enters the





dryer through all of the dryer's openings (excluding the exhaust stack) at a minimum average facial velocity of 200 feet per minute. Once installed, the location of the pressure tap within the dryer shall not be modified without first consulting with the dryer manufacturer/installer. In addition, the SCAQMD must be notified if the pressure tap within the dryer is relocated or re-oriented.

2. Use smoke tubes, plastic flow indicating strips, or other equivalent flow indicating devices approved by the SCAQMD to demonstrate that air flows into the dryer at all openings in the dryer (excluding the exhaust stack). Contrary to the differential pressure gauge, these flow indicating devices will typically not be permanently attached to the dryer. The flow indicating device shall be used at a minimum of three points at each opening in the dryer (excluding the exhaust stack). The points tested shall be distributed across the entire opening. All points must indicate air flow into the dryer.

If a company believes it has a greater capture efficiency than 99.5 percent for the ink emissions, it will have to prove its claim by conducting source tests following the test procedures specified in SCAQMD Rule 1130(h)(4)(A). The capture efficiency default value of 99.5 percent only applies to the VOC emissions from the lithographic ink oils. It does not apply to other materials used in the printing process such as fountain solution, roller wash, and blanket wash.

Questions regarding this Compliance Advisory should be addressed to Fred Lettice, Senior Manager, at (909) 396-2576 for small sources and to Stacey Ebner, Senior Air Quality Engineer at (909) 396-2504 for large and Title V sources.

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

**Final Environmental Assessment:**

**Proposed Amended Rule 1130 – Graphic Arts**

**March 2014**

**SCAQMD No. 140204JI**

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## **PREFACE**

This document constitutes the Final Environmental Assessment (EA) for Proposed Amended Rule 1130 – Graphic Arts. The Draft EA was released for a 30-day public review and comment period from February 25, 2014 to March 26, 2014. No comment letters were received from the public relative to the Draft EA. The environmental analysis in the Draft EA concluded that Proposed Amended Rule 1130 would not generate any significant adverse environmental impacts.

Minor modifications were made to the proposed amended rule subsequent to release of the Draft EA for public review. To facilitate identifying modifications to the document, added and/or modified text is underlined. Staff has reviewed these minor modifications and concluded that they do not make any impacts substantially worse or change any conclusions reached in the Draft EA. As a result, these minor revisions do not require recirculation of the document pursuant to CEQA Guidelines §15088.5. Therefore, this document now constitutes the Final EA for Proposed Amended Rule 1130.

## **CHAPTER 1 - PROJECT DESCRIPTION**

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**Introduction**

**Affected Facilities**

**California Environmental Quality Act**

**Project Location**

**Project Objective**

**Project Background / Technology Overview**

**Project Description**

## **INTRODUCTION**

The California Legislature created the South Coast Air Quality Management District (SCAQMD) in 1977<sup>1</sup> as the agency responsible for developing and enforcing air pollution control rules and regulations in the South Coast Air Basin (Basin) and portions of the Salton Sea Air Basin and Mojave Desert Air Basin referred to herein as the District. By statute, the SCAQMD is required to adopt an air quality management plan (AQMP) demonstrating compliance with all federal and state ambient air quality standards for the district.<sup>2</sup> Furthermore, the SCAQMD must adopt rules and regulations that carry out the AQMP.<sup>3</sup> The 2012 AQMP concluded that major reductions in emissions of particulate matter (PM), oxides of sulfur (SOx) and oxides of nitrogen (NOx) are necessary to attain the state and national ambient air quality standards for ozone, particulate matter with an aerodynamic diameter of 10 microns or less (PM10) and particulate matter with an aerodynamic diameter of 2.5 microns or less (PM2.5). More emphasis is placed on NOx and SOx emission reductions because they provide greater ozone and PM emission reduction benefits than volatile organic compound (VOC) emission reductions. VOC emission reductions, along with NOx emission reductions, continue to be necessary, because emission reductions of both of these ozone precursors are necessary to meet the ozone standards. VOC emission reductions also contribute to achieving the PM2.5 ambient air quality standards. Proposed Amended Rule (PAR) 1130 – Graphic Arts, would partially implement 2012 AQMP Control Measure CTS-02- Further Emission Reductions from Miscellaneous Coatings, Adhesives, Solvents and Lubricants and the Reasonably Available Control Measures (RACM) Demonstration (Appendix VI of 2012 AQMP) as explained in more detail below.

Ozone, a criteria pollutant that is formed when NOx and VOCs react in the atmosphere, has been shown to adversely affect human health. The federal one-hour<sup>4</sup> and eight-hour ozone standards were exceeded in the district in 2010. The Central San Bernardino Mountain area recorded the greatest number of exceedences of the one-hour state standard (52 days), eight-hour state standard (101 days), and eight-hour federal standard (74 days). However, none of the four counties had health advisory days in 2010. Altogether, in 2010, the South Coast Air Basin exceeded the federal eight-hour ozone standard on 102 days, the state one-hour ozone standard on 79 days, and the state eight-hour ozone standard on 131 days.<sup>5</sup>

Although health-based standards have not been established for VOCs, health effects can occur from exposures to high concentrations of VOCs because of interference with oxygen uptake. In general, ambient VOC concentrations in the atmosphere are suspected to cause coughing, sneezing, headaches, weakness, laryngitis, and bronchitis, even at low concentrations. Some hydrocarbon components classified as VOC emissions are thought or known to be toxic air contaminants (TACs). With stationary and mobile sources being the major producers of VOCs, which contribute to ozone formation, reducing the quantity of VOCs in the district has been an on-going effort by the SCAQMD.

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<sup>1</sup> The Lewis-Presley Air Quality Management Act, 1976 Cal. Stats., ch 324 (codified at Health and Safety Code, §§40400-40540).

<sup>2</sup> Health and Safety Code, §40460 (a).

<sup>3</sup> Health and Safety Code, §40440 (a).

<sup>4</sup> The federal one-hour ozone standard was replaced by the federal eight-hour ozone standard, effective June 15, 2005, but SCAQMD must still attain this standard, based on a 2011 court decision.

<sup>5</sup> 2010 Air Quality Historical Data, South Coast Air Quality Management District, <http://www.aqmd.gov/smog/historical/AQ10card.pdf>.

The California Clean Air Act (CCAA) requires districts to achieve and maintain state standards by the earliest practicable date and for extreme non-attainment areas, to include all feasible measures pursuant to Health and Safety Code §§40913, 40914, and 40920.5. The term “feasible” is defined in the Title 14 of the California Code of Regulations, §15364, as a measure “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.”

**AFFECTED FACILITIES**

PAR 1130 incorporates certain EPA Control Technology Guidelines (CTG) recommendations applicable to printing operations not included in the current rule that pertain to the overall add-on control device efficiency and VOC content requirements for fountain solutions. The proposed amendment further adds prohibition of storage of non-compliant VOC-containing materials at a worksite, removes obsolete rule language, revises definitions, adds a rule exemption for graphic arts materials that have a VOC content of no more than 10 g/L, as applied, and makes minor corrections and clarifications, including associated section renumbering.

Rule 1130 is currently applicable to persons performing graphic arts operations and to any person who solicits, specifies, offers for sale, sells, or distributes graphic arts materials for use in the District. Using the Standard Industrial Classification (SIC) codes, SCAQMD staff conducted a search in the Automated Equipment Inventory Systems (AEIS) database to find industries that conduct graphic arts operations. Table 1-1 shows the following SIC codes that apply to this proposed rule amendment.

**TABLE 1-1  
SIC CODES USED FOR PAR 1130**

<b>PAR1130 - SIC CODES USED</b>				
2399	5112	2731	7336	2711
2672	2732	3993	2396	2761
3089	2753	7384	2754	9999
7011	2771	3569	2741	2759
2260	3199	2750	2329	2752
2893	2721	2782	2751	

Using the SIC codes in Table 1-1, SCAQMD staff surveyed the active facilities with active permits in AEIS for all graphic arts printing operations and categorized the active permits per county as shown in Table 1-2.



**TABLE 1-2  
PERMITTED EQUIPMENT AND PERCENTAGE DISTRIBUTION**

<b>COUNTY</b>	<b>NUMBER OF PERMITS</b>	<b>PERCENTAGE</b>
Los Angeles County	403	69%
Orange County	146	25%
Riverside County	31	4%
San Bernardino County	15	2%
<b>SCAQMD Jurisdiction</b>	<b>587</b>	<b>100%</b>

However, there are some printing operations with low emissions potential that are exempt from permitting based on SCAQMD Rule 219 – Equipment Not Requiring a Written Permit Pursuant To Regulation II but would continue to be subject to Rule 1130.

The 2012 AQMP Control Measure CTS-02 seeks to reduce VOC emissions from miscellaneous coating, adhesive, solvent and lubricant categories by further limiting the allowable VOC content in formulations, including fountain solutions. Since local affected operations already comply with the proposed requirements, the proposed amendments are not expected to achieve additional VOC reductions.

#### **CALIFORNIA ENVIRONMENTAL QUALITY ACT**

Proposed Amended Rule (PAR) 1130 is a discretionary action by a public agency, which has potential for resulting in direct or indirect changes to the environment and, therefore, is considered a “project” as defined by the California Environmental Quality Act (CEQA). SCAQMD is the lead agency for the proposed project and has prepared this draft environmental assessment (EA) with no significant adverse impacts pursuant to its Certified Regulatory Program and SCAQMD Rule 110. California Public Resources Code §21080.5 allows public agencies with regulatory programs to prepare a plan or other written document in lieu of an environmental impact report or negative declaration once the Secretary of the Resources Agency has certified the regulatory program. SCAQMD’s regulatory program was certified by the Secretary of the Resources Agency on March 1, 1989, and is codified as SCAQMD Rule 110.

CEQA and Rule 110 require that potential adverse environmental impacts of proposed projects be evaluated and that feasible methods to reduce or avoid significant adverse environmental impacts of these projects be identified. To fulfill the purpose and intent of CEQA, the SCAQMD has prepared this draft EA to address the potential adverse environmental impacts associated with the proposed project. The draft EA is a public disclosure document intended to: (a) provide the lead agency, responsible agencies, decision makers and the general public with information on the environmental effects of the proposed project; and, (b) be used as a tool by decision makers to facilitate decision making on the proposed project.

SCAQMD’s review of the proposed project shows that the proposed project would not have a significant adverse effect on the environment. Therefore, pursuant to CEQA Guidelines §15252 and 15126.6(f), no alternatives are proposed to avoid or reduce any significant effects because

there are no significant adverse impacts, and pursuant to CEQA Guidelines §15126.4(a)(3), mitigation measures are not required for effects not found to be significant. The analysis in the form of the environmental checklist in Chapter 2 supports the conclusion of no significant adverse environmental impacts.

No comments were received on the Draft EA during the public comment period for the proposed project.

### **PROJECT LOCATION**

The known affected facilities are located throughout the SCAQMD jurisdiction. The SCAQMD has jurisdiction over an area of approximately 10,743 square miles, consisting of the four-county South Coast Air Basin (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 (SSAB) and Mojave Desert Air Basin (MDAB). The Basin, which is a subarea of the SCAQMD's jurisdiction, is bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto mountains to the north and east. It includes all of Orange County and the nondesert portions of Los Angeles, Riverside, and San Bernardino counties. The Riverside County portion of the SSAB is bounded by the San Jacinto Mountains in the west and spans eastward up to the Palo Verde Valley. The federal nonattainment area (known as the Coachella Valley Planning Area) is a subregion of Riverside County and the SSAB that is bounded by the San Jacinto Mountains to the west and the eastern boundary of the Coachella Valley to the east (Figure 1-1).



**Figure 1-1**  
**Boundaries of the South Coast Air Quality Management District**

## **PROJECT OBJECTIVE**

The objectives of PAR 1130 are to:

- Incorporate certain CTG recommendations applicable to printing operations regulations;
- Increase the overall add-on control device efficiency requirements;
- Lower VOC content requirements for fountain solutions;
- Add prohibition of storage of non-compliant VOC-containing materials at a worksite;
- Remove obsolete rule language;
- Update definitions for consistency with other SCAQMD rules;
- Add a rule exemption for graphic arts materials that have a low VOC content to encourage their use;
- Make minor corrections and clarifications, including associated section numbering.

## **PROJECT BACKGROUND / TECHNOLOGY OVERVIEW**

Rule 1130 was adopted on October 3, 1980 and has been subsequently amended fourteen times. The most recent amendment was on October 8, 1999, which further reduced VOC emissions, required higher efficiencies for add-on controls, eliminated the small user exemption, and specified retention factors for lithographic inks. As noted earlier, Rule 1130 is applicable to persons performing graphic arts operations and to any person who solicits, specifies, offers for sale, sells, or distributes graphic arts materials for use in SCAQMD's jurisdiction.

### *Offset Lithography*

Offset lithography is a common printing process that is used to produce large volumes of brochures, books, magazines, posters and newspapers and is the primary focus of the proposed amendment. Offset lithography is a planographic method of printing which means that the printing and non-printing areas are in the same plane on the surface of a thin lithographic plate. The inked image is transferred, or offset, from the plate to a rubber blanket cylinder and from that, to the substrate. The ink that is transferred to the lithographic plate contains the image area, which receives the oil based ink, and the non-image area, which is wetted with a water based solution, called the fountain solution, that provides a film that repels the ink. Since oil and water don't mix, the image area is transferred to the printing surface of the substrate whereas the non-image areas do not receive ink and thus no ink transfer occurs. There are two subsets of offset lithography printing and they are characterized by the way they are fed into the press: sheet-fed and web-fed printing. Both sheet-fed and web-fed printing inks dry by a combination of adsorption and oxidation.

### *Inks*

Offset lithographic printing inks are paste inks and contain pigments, vehicles, binders and other additives. The pigments contain the desired color, the vehicle is the solvent that carries the pigment and binder, the binders fix the pigment to the substrate and the additives contain waxes, lubricants and driers. The inks are generally composed of petroleum and vegetable oils. Some printing operations may use varnishes, essentially an ink without pigmentation. Heatset inks may contain up to 45 percent VOCs. In heatset web lithographic printing, 20 percent of the petroleum ink oils and essentially all of the vegetable ink oils are retained in the substrate and dry ink film. The remaining 80 percent of the petroleum ink oil is volatilized in and then exhausted from the dryer. Since the vegetable ink oil does not volatilize in the dryer, the amount

of vegetable ink oil that can be used in heatset web offset lithographic inks is very limited. If there is too much vegetable oil in a heatset web offset lithographic ink, the ink will not dry properly. Coldset inks typically contain below 35 percent VOC and sheet-fed inks contain below 25 percent VOC. In sheet-fed and coldset web offset printing, 95 percent of the petroleum ink oils and essentially all of the vegetable oils are absorbed into the substrate and dried ink film. The remaining 5 percent of the petroleum ink oil is volatilized and emitted to atmosphere. Ultraviolet (UV) and electron beam (EB) energy cured inks are normally lower VOC-containing inks. In the SCAQMD jurisdiction, the coatings are predominately water based or energy cured materials having low VOC emissions.

SCAQMD guideline for calculating emissions for annual reporting pursuant to Rule 304 – Fees “*VOC Emission Calculation Methodology for Lithographic Printing Operations – December 2011*” (see Appendix A of PAR 1130 Draft Staff Report) outlines the use of the aforementioned parameters, as well as additional considerations for annual emission reporting purposes. UV and EB inks are normally lower VOC-containing inks.

#### *Fountain Solution*

Fountain solutions are used in the offset lithographic printing process and are primarily composed of water with certain additives to moisten the non-image area of the lithographic plate in order to keep ink from depositing (and thus printing) in areas where the ink is not wanted. Since offset lithographic inks are oil based and the fountain solution water based, the fountain solution renders the non-image areas unreceptive to ink and thus the ink is not transferred. The fountain solution contains a small amount of gum Arabic or synthetic resins, acids, and buffer salts to maintain the pH of the solution. Alcohols, including isopropanol, n-propanol and ethanol, are typically added to the water to lower the surface tension and increase the viscosity of the fountain solution. The alcohol substitute fountain solutions are formulated using no alcohol and are typically glycol ethers or ethylene glycol for lower VOC emissions but still provide the same purpose as the alcohol containing fountain solutions. Fountain solutions are packaged as either a “one-step” or “two-step” product. Fountain solutions consist of a concentrate of chemicals that are mixed with a large volume of water, typically two to six ounces of concentrate to one gallon of water, and alcohol or alcohol substitute, generally requiring two steps to make a press-ready solution. Historically, the alcohol was added in amounts of up to 25 percent of the solution to provide wetting to the dampening rollers and the non-image areas of the printing plates and, due to the amount of alcohol used, could not be packaged with the concentrate. With lower alcohol or alcohol substitute requirements, combining the concentrate with the wetting agent as a single or one-step formulation became available.

The fountain solution is stored in a reservoir which is a collection tank that serves to hold the fountain solution while it is continuously recirculated from the reservoir to the fountain trays used at the printing working area. The fountain tray simply holds a small amount of fountain solution and by constant recirculation; the fountain solution not only provides a film for non-ink retention, but also serves to cool the lithographic plate. The fountain solution reservoir typically is equipped with cooling coils for refrigeration of the fountain solution. The reservoir volume does not include the volume of the trays or any other additional containers such as mixing units.

### *Emissions Control Systems*

Emission control systems are used in graphic arts operations to reduce VOC emissions. The emission control system is another major strategy in the reduction of VOCs from offset lithographic printing operations. The capture system consists of equipment capable of collecting the emissions generated from the printing process and transferring the emissions to a control device. The control device is generally a thermal oxidizer or catalytic oxidizer and is used to destroy the emissions.

The CTG recommended 90 percent control efficiency in the 1993 draft CTG and 95 percent control efficiency for a control device for equipment that was installed after the date of the current CTG, September 2006. The current version of Rule 1130 requires overall efficiency for flexography, packaging gravure, lithography and letterpress printing to be 75 percent or greater overall control efficiency (publication gravure requires 85 percent control device efficiency).

SCAQMD staff identified 29 active permitted air pollution control devices in the AEIS records, all of which currently meet the recommended CTG levels. The facilities that utilize these air pollution control devices typically have higher production rates than the rest of the facilities identified and utilize heatset inks which typically contain a higher VOC content. Therefore, it was necessary for these facilities to install air pollution control devices to lower their VOC emissions.

The CTG does not recommend capture and control of VOC emissions from sheet-fed or coldset web inks because the VOC emissions from these operations are already low, are not amenable to add-on control, and inks can meet the lower VOC content limits. Fountain solution VOCs can be controlled by refrigerated cooling coils in the fountain reservoir where the temperature of the fountain solution is maintained at 55 degrees Fahrenheit or less to control volatilization.

In lieu of requiring a source test to determine the collection efficiency, the SCAQMD allows companies to use a collection (capture) efficiency default value of 99.5 percent for heat-set lithographic printing, provided the operator can demonstrate that there is always sufficient air flow into the dryer through all the dryer's openings (excluding the exhaust stack) to prevent emissions from escaping the dryer during normal operations. Lacking any physical evidence to the contrary (such as visible emissions emanating from the dryer), an operator can make this demonstration by showing that the pressure inside the dryer is always negative (lower) relative to the static pressure of the press room by either of the methods specified in the SCAQMD's "*Compliance Advisory – Determining Collection Efficiencies for Air Pollution Control Systems Serving Heat-Set Lithographic Printing Presses, 1997.*" Appendix B of the Draft Staff Report for PAR 1130 includes a copy of this advisory.

Since all of the affected facilities/operations already comply with the proposed requirements, the proposed amendments are not expected to achieve additional VOC reductions.

### **PROJECT DESCRIPTION**

The following summarizes the proposed amendments to Rule 1130. A copy of PAR 1130 is included in Appendix A.

Subdivision (a) Purpose and Applicability

PAR 1130 would incorporate the following revisions to subdivision (a) to further clarify the purpose and applicability:

*“The purpose of this rule is to reduce Volatile Organic Compounds (VOC) emissions from graphic arts operations. This rule applies to any persons performing graphic arts operations or who supplies, sells, offers for sale, markets, manufactures, blends, repackages, stores at a worksite, distributes, applies or solicits the application of graphic arts materials for use in the District.”*

Subdivision (b) Definitions

PAR 1130 proposes the following revision to the definition “Aerosol Coating Product” to make it consistent with the “Aerosol Coating Product” definition in other Regulation XI rules.

*“(1) AEROSOL COATING PRODUCT is a pressurized coating product containing pigments or resins that dispenses product ingredients by means of a propellant, and is packaged in a disposable can for hand-held application, or for use in specialized equipment for ground marking-and traffic-marking applications.”*

PAR 1130 adds new definitions to the rule to define “Alcohol” and “Alcohol Substitute”:

*“(2) ALCOHOL is an organic compound that contains a hydroxyl (OH) group and is used in the fountain solution to reduce the surface tension and increase the viscosity of water to prevent piling (ink build-up). For purposes of this rule, alcohol includes, but is not limited to, isopropyl alcohol (isopropanol), n-propanol and ethanol.”*

*“(3) ALCOHOL SUBSTITUTE is an additive that contains VOCs but no alcohol and is used in the fountain solution to reduce the surface tension and increase the viscosity of water to prevent piling (ink build-up).”*

PAR 1130 proposes the following revision to the definition “Coating” to make it consistent with the “Coating” definition in other Regulation XI rules.

*“(4) COATING is a material which is applied to a surface in order to beautify, protect, or provide a barrier to such surface in a relatively unbroken film.”*

PAR 1130 proposes to add a new definition to the rule to define “Energy Curable Coatings, Inks and Adhesives” to provide clarity to energy curable graphic arts materials, and replace references to UV and EB materials with the definition throughout the rule.

*“(8) ENERGY CURABLE COATINGS, INKS and ADHESIVES are single-component reactive products that cure upon exposure to visible-light, ultra-violet light or to an electron beam. The VOC content of thin film Energy Curable COATINGS, INKS*

*and ADHESIVES may be determined by manufacturers using ASTM Test Method 7767-11 “Standard Test Method to Measure Volatiles from Radiation Curable Acrylate Monomers, Oligomers, and Blends and Thin Coatings Made from Them.”*

PAR 1130 proposes the following correction to the definition “*Flexographic Printing*”, “*Fountain Solution*” and “*Letterpress Printing*” by hyphenating the word “*nonimage*” to “*non-image*.”

“(11) *FLEXOGRAPHIC PRINTING is a printing method utilizing a flexible rubber or other elastomeric plate in which the image area is raised relative to the non-image area.*”

“(13) *FOUNTAIN SOLUTION is the solution used in offset lithographic printing which is applied to the image plate to maintain the hydrophilic properties of the non-image areas. It is primarily water and contains at least one of the following materials: etchants such as mineral salts; hydrophilic gums; or VOC additives to reduce the surface tension of the solution.*”

“(21) *LETTERPRESS PRINTING is a printing process in which the image area is raised relative to the non-image area and the ink is transferred to the substrate directly from the image surface.*”

PAR 1130 proposes to correct a spelling error in the definition “*Graphic Arts Operations*.” The misspelled word is shown as “*Opertions*” and will be changed to “*Operations*”, then the word “*offset*” will be added to lithographic printing processes.

“(16) *GRAPHIC ARTS OPERATIONS are gravure, letterpress, flexographic, and offset lithographic printing processes or related coating or laminating processes.*”

PAR 1130 proposes the following revisions to the definition “*Heatset Ink*” to clarify the type of ink and to properly refer to the equipment as web-fed, not web-feed and revise the description of dryers as hot air high velocity dryers.

“(19) *HEATSET INK is an offset lithographic printing ink used on continuous web-fed printing presses that are equipped with hot air high velocity dryers. The ink dries or sets by heat induced evaporation of the ink oils and subsequent chilling of the ink by chill rolls.*”

PAR 1130 proposes to revise the “*Lithographic Printing*” definition by adding “*Offset*” to be consistent with the CTG, hyphenate non-image, remove metal lithographic plate since the plates can be made of many non-metal materials and incorporate additional rule language to enhance the current definition, and update all similar references to lithographic printing throughout the rule.

“(26) *OFFSET LITHOGRAPHIC PRINTING is a planographic printing process in which the image and areas are on the same plane of a thin lithographic plate and are chemically differentiated. The ink film is transferred from the lithographic plate to an intermediary surface, a rubber covered cylinder called a blanket, which, in turn, transfers the ink to the substrate. This printing process differs from other printing processes where the image is typically printed from a raised or recessed surface.*”

“(24) *NON-HEATSET INK is an offset lithographic printing ink that sets and dries by absorption into the substrate, and hardens by ambient air oxidation that may be accelerated by the use of infrared light sources. For the purposes of this definition energy curable inks are examples of non-heatset inks.*”

PAR 1130 proposes the following revisions to the definition “*Matte Finish Ink*” and “*Metallic Ink*” to clarify the type of printing ink and then change the word “*applied*” to the word “*used*”, to be consistent with the applicability purposes of this rule.

“(22) *MATTE FINISH INK is a flexographic printing ink which is used on non-porous substrates in flexographic printing operations and contains at least five (5) percent by weight silicon dioxide flattening agent.*”

“(23) *METALLIC INK is a flexographic printing ink which is used on non-porous substrates in flexographic printing operations and contains at least 28 percent by weight elemental metal particles.*”

PAR 1130 proposes the following revision to the definition “*Solvent Cleaning*” to make it consistent with the “*Solvent Cleaning*” definition in other Regulation XI rules.

“(37) *SOLVENT CLEANING is as defined in Rule 1171 – Solvent Cleaning Operations.*”

PAR 1130 proposes to add the title of the referenced rule (Rule 102) to the current definition.

“(39) *VOLATILE ORGANIC COMPOUND (VOC) is as defined in Rule 102 - Definition of Terms.*”

PAR 1130 proposes to correct the term “*Web-Feed*” to “*Web-Fed*.” The current version of Rule 1130 specifies “*WEB-FEED*” but the term is actually “*WEB-FED*.”

“(40) *WEB-FED is an automatic system which supplies substrate from a continuous roll, or from an extrusion process.*”



Subdivision (c) Requirements

*Paragraph (c)(1) – VOC Content of Graphic Arts Materials*

PAR 1130 would update the current rule language to enhance clarity by detailing the actions subject to this provision. In addition, the VOC content limits are updated in the proposed amendment, consistent with the formatting used in other SCAQMD rules, as shown below.

*“No person shall supply, sell, offer for sale, market, manufacture, blend, package, repackage, store at a worksite, distribute, apply or solicit the application of any graphic arts material, including any VOC-containing materials added to the original graphic arts materials, for use in the District, which contains VOC in excess of the VOC content limits set-forth in the Table of Standards I below:”*

**TABLE 1-3  
PROPOSED TABLE OF STANDARDS I  
TABLE OF STANDARDS I**

<b>VOC CONTENT LIMITS</b> Grams Of VOC Per Liter Of Coating Or Ink Or Adhesive, Less Water And Less Exempt Compounds	
GRAPHIC ART MATERIAL	Current Limit
	(g/L)
Adhesive	150
Coating	300
Flexographic Fluorescent Ink	300
Flexographic Ink: Non-Porous Substrate	300
Flexographic Ink: Porous Substrate	225
Gravure Ink	300
Letterpress Ink	300
Offset Lithographic Ink	300

*Paragraph (c)(2) – VOC Content of Fountain Solutions*

PAR 1130 would delete obsolete rule language from Paragraph (c)(2), make revisions to the existing rule language to enhance clarity and introduce a new Table of Standards II, to combine the VOC limits for the fountain solutions that are used for the various types of printing methods in offset lithographic printing operations.

The current version of Rule 1130 limits fountain solution to 100 grams per liter of VOC provided the fountain solution is refrigerated and maintained at 55 degrees Fahrenheit or less, or to 80 grams per liter of VOC at room temperature.

The CTG recommends a percentage of alcohol or alcohol substitute when calculating the VOCs for either room temperature (ambient) or refrigerated fountain solutions and type of printing method. SCAQMD staff converted the CTG recommended mass percentage limits to a gram per liter limit, consistent with SCAQMD VOC content terminology.

Table 1-4 shows the recommended weight percent values and equivalent VOC content in grams per liter, based on standard unit conversion and product material densities.

**TABLE 1-4  
CONVERSION OF PERCENTAGE OF VOC VALUES TO MASS/VOLUME VOC  
VALUES – BASED ON CTG RECOMMENDATIONS**

FOUNTAIN SOLUTION	CTG RECOMMENDATION (weight percent)	EQUIVALENT (g/L)
Heatset Web Offset Lithographic At Room Temperature	1.6%	16
Heatset Web Offset Lithographic Using Refrigerated Chiller	3.0%	30
Heatset Web Offset Lithographic Using Alcohol Substitute	5.0%	50
Sheet-fed Offset Lithographic At Room Temperature	5.0%	50
Sheet-fed Offset Lithographic Using Refrigerated Chiller	8.5%	85
Sheet-fed Offset Lithographic Using Alcohol Substitute	5.0%	50
Non-Heatset Web Offset Lithographic Using Alcohol Substitute	5.0%	50

Table 1-5 shows the updated VOC content requirements in the proposed amendment. SCAQMD staff reviewed commercially available fountain solutions and found 90 percent of the fountain solution products meet the most restrictive 16 g/L limit. The VOC content of the fountain solution can substantially be affected by the amount of dilution water added; the typical dosage identified was 4 to 6 fluid ounces of fountain solution concentrate per gallon of water. With the exception of just three products, the fountain solutions that calculated in the excess of 16 g/L VOC could be used at lower concentration. In fact, SCAQMD staff determined that when using the lowest concentrate limit proposed by the product manufacturer, 98 percent of the products were calculated to be under 16 g/L of VOC. Two of the three fountain solutions that could not meet the 16 g/L VOC limit for a heatset press using fountain solution at room temperature could meet the limit for a heatset press using refrigerated fountain solutions. The one product which

calculated at 41 g/L VOC could still be used for the other categories shown in Table 1-5. Therefore, SCAQMD staff believes that the CTG recommended fountain solution limits reflect existing operational practices.

PAR 1130 would eliminate the current language in subparagraph (c)(2)(A), in lieu of the Table of Standards II, and add new language to subparagraph (c)(2)(B), to provide clarification that alcohol containing fountain solutions would be prohibited for use in non-heatset web-fed operations. Table 1-5 shows the VOC limits for the fountain solutions, as applied on-press:

“(A) *No person shall apply any fountain solution, including any VOC-containing materials added to the original fountain solution for use in a graphic arts operation within the District unless the VOC content in the fountain solution, as applied, complies with the applicable VOC limits set-forth in the Table of Standards II below.*”

**TABLE 1-5  
PROPOSED TABLE OF STANDARDS II  
TABLE OF STANDARDS II**

<b>VOC CONTENT LIMITS</b> Grams of VOC Per Liter of Material		
<b>FOUNTAIN SOLUTION</b>	1/1/2000	(Date of Adoption)
	(g/L)	(g/L)
<b>Heatset Web-Fed</b>		
Using Alcohol without Refrigerated Chiller	80	16
Using Alcohol with Refrigerated Chiller	100	30
Using Alcohol Substitute	80	50
<b>Sheet-Fed</b>		
Using Alcohol without Refrigerated Chiller	80	50
Using Alcohol with Refrigerated Chiller	100	85
Using Alcohol Substitute	80	50
<b>Non-Heatset Web-Fed</b>		
Using Alcohol Substitute without Refrigerated Chiller	80	50
Using Alcohol Substitute with Refrigerated Chiller		

(B) *The use of alcohol containing fountain solutions is prohibited for use in non-heatset web-fed operations.*

*“Paragraph(c)(3) – Solvent Cleaning Operations; Storage and Disposal of VOC containing Materials*

PAR 1130 would incorporate the following revision to enhance the clarity of paragraph (c)(3) to make it consistent with other Regulation XI rules.

- “(3) *Solvent Cleaning Operations; Storage and Disposal of VOC-containing Materials-*  
*Solvent cleaning operations and the storage and disposal of VOC-containing materials used in cleaning operations are subject to the provisions of Rule 1171 - Solvent Cleaning Operations.”*

*Paragraph(c)(4) – Approved Emission Control System*

PAR 1130 would update the Approved Emission Control System requirements to align the CTG to reflect the same control efficiency requirement as in other Regulation XI rules. The proposed revised rule language is as follows:

*Approved Emission Control System*

- “(4) *A person may comply with the provisions of paragraph (c)(1) and (c)(2) by using an emission control system to reduce VOC emissions provided such system is first approved in writing by the Executive Officer and meet the following requirements:*
- (A) *The control device reduces VOC emissions from an emissions collection system by at least 95 percent, by weight, or the output of the air pollution control device is no more than 50 PPM by volume calculated as carbon with no dilution; and*
  - (B) *The owner/operator demonstrates that the emission collection system collects at least 90 percent, by weight, of the VOC emissions generated by the sources emissions.”*

*Paragraph (c)(5) – Alternative Emission Control Plan*

PAR 1130 would revise paragraph (c)(5) to clarify rule language as follows:

- “(5) *Alternative Emission Control Plan”*  
*A person may comply with the provisions of paragraphs (c)(1) or (c)(2) by means of an approved Alternative Emission Control Plan pursuant to Rule 108 - Alternative Emission Control Plans.”*

*Subdivision (d) Prohibition of Specification and Sale*

*Paragraph (d)(2)*

PAR 1130 would incorporate the following revisions to paragraph (d)(2) to clarify the actions a person may not partake in during a graphic arts operation and correct the reference of the applicable subparagraph.

“(2) *No person shall supply, offer for sale, sell, market, blend, package, repackage, manufacture or distribute, to an end-user any graphic arts material for use in the District which, when applied as supplied or thinned or reduced according to the manufacturer's recommendation for application, does not meet the applicable VOC limits in paragraph (c)(1) or subparagraph(i)(4)(C) for the specific application.*”

*Paragraph (d)(3)*

PAR 1130 would add a new paragraph to clarify a manufacturer’s responsibility to the labeling requirements with Rule 443.1 and to clarify the “prohibition of sales” provision in the District.

“(3) *The prohibition of sales and use as specified in paragraphs (d)(1) and (d)(2) shall not apply to any manufacturer of graphic arts materials, provided that the manufacturer has complied with the labeling requirements of Rule 443.1 – Labeling of Materials Containing Organic Solvents, and the product is not sold directly to a user located in the District, or the product was sold to an independent distributor or a sales outlet located in the District that is not a subsidiary of, or under the control of the manufacturer, and was informed in writing by the manufacturer about the compliance status of the product with Rule 1130.*”

Subdivision (f) – Rule 442 Applicability

PAR 1130 would incorporate the following revision to enhance the clarity of this subdivision.

*“Any graphic arts operations exempted from all or a portion of the VOC limits of this rule shall comply with the provisions of Rule 442.”*

Subdivision (g) – Emission Reduction Credits

PAR 1130 would update the rule language for Emission Reduction Credits to be consistent with other Regulation XI rules. PAR 1130 would delete the current rule language and replace it with the following revised rule language.

“(g) *Emission Reduction Credits*  
*Facilities that use matte finish and metallic inks shall not receive emission reduction credit(s) pursuant to SCAQMD Rule 1309 above those emission reduction credit(s) that the facility would have received if it was operated with coatings having a VOC content of no more than 300 grams per liter, less water and less exempt compounds irrespective of the VOC limits specified in paragraph (i)(4)(C).*”

Subdivision (h) - Test Methods

*Subparagraph (h)(1)(A)*

PAR 1130 would incorporate the following revisions to refine the rule language in subparagraphs (h)(1)(A) and (h)(1)(B) and subparagraphs (h)(2)(A) and (h)(2)(B), to make the rule language consistent with other Regulation XI rules.

- “(A) *United States Environmental Protection Agency (U. S. EPA) Reference Test Method 24, (Determination of Volatile Matter Content, Water Content, Density, Volume Solids, and Weight Solids of Surface Coatings, Code of Federal Regulations, Title 40, Part 60, Appendix A). The exempt compounds' content shall be determined by South Coast Air Quality Management's (SCAQMD) Laboratory Test Method 302 (Distillation of Solvents from Paints, Coatings and Inks) and 303 (Determination of Exempt Compounds) contained in SCAQMD's "Laboratory Methods of Analysis for Enforcement Samples" manual; or ”*

*Subparagraph (h)(1)(B)*

PAR 1130 would refine the rule language by including the title name of the test method and make the rule language consistent with other Regulation XI rules, as follows.

- “(B) *SCAQMD Test Method 304 [Determination of Volatile Organic Compounds (VOCs) in Various Materials] contained in SCAQMD's "Laboratory Methods of Analysis for Enforcement Samples" manual.”*

*Subparagraph (h)(2)(A)*

PAR 1130 would refine the rule language by including the title name of the test methods and make the rule language consistent with other Regulation XI rules, as follows.

- “(A) *United States Environmental Protection Agency (U.S. EPA) Reference Test Method 24A, Determination of Volatile Matter Content and Density of Publication Rotogravure Inks and Related Publication Rotogravure Coatings, Code of Federal Regulations Title 40, Part 60, Appendix A). The exempt compounds' content shall be determined by District SCAQMD's Laboratory Test Method 303 (Determination of Exempt Compounds) contained in SCAQMD's "Laboratory Methods of Analysis for Enforcement Samples" manual; or”*

*Subparagraph (h)(2)(B)*

PAR 1130 would refine the rule language by making the rule language consistent with other Regulation XI rules, as follows.

- “(B) *SCAQMD Test Method 304 [Determination of Volatile Organic Compounds (VOCs) in Various Materials] contained in SCAQMD's "Laboratory Methods of Analysis for Enforcement Samples" manual.”*

*Paragraph (h)(3) – Exempt Perfluorocarbon Compounds*

PAR 1130 would refine the rule language by making the rule language consistent with other Regulation XI rules. First, the list of classes of compounds has been formatted to a semi-bulleted list for easier reading. Then SCAQMD staff incorporated minor revisions to provide enhanced clarity of the rule language.

*“The following classes of compounds:*

- *Cyclic, branched, or linear, completely fluorinated alkanes;*
- *Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;*
- *Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and*
- *Sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine will be analyzed as exempt compounds for compliance with subdivision (c) and subparagraph (i)(4)(C), only when manufacturers specify which individual compounds are used in the ink and coating formulations. In addition, the manufacturers must identify U.S. EPA, CARB, and SCAQMD approved test methods, which can be used to quantify the amounts of each exempt compound.”*

*Paragraph (h)(4) - Determination of Efficiency of Emission Control Systems*

*Subparagraph (h)(4)(A)*

PAR 1130 would refine the rule language in paragraph (h)(4) by making the rule language consistent with other Regulation XI rules. This will include the elimination of clauses (i), (ii), and (iii).

*“(A) The capture efficiency of an emission control system as specified in paragraph (b)(5) shall be determined by the procedures presented in U.S. EPA technical guideline document, "Guidelines for Determining Capture Efficiency, January 9, 1995". Notwithstanding the test methods specified by the Guidelines, any other method approved by the U.S. EPA, CARB and the SCAQMD Executive Officer may be substituted.*

*Subparagraph (h)(4)(B)*

PAR 1130 would refine the rule language in subparagraph (h)(4)(B) by making the rule language consistent with other Regulation XI rules.

*“(B) The efficiency of the control device of the emission control system as specified in paragraph (b)(6) and the VOC content in the control device exhaust gases, measured and calculated as carbon, shall be determined by U.S. EPA Test Methods 25, 25A, SCAQMD Method 25.1 (Determination of Total Gaseous Non-Methane Organic Emissions as Carbon) or SCAQMD Method 25.3 (Determination of Low Concentration Non-Methane Non-Ethane Organic Compound Emissions from*

*Clean Fueled Combustion Sources) as applicable. U.S. EPA Test Method 18, or CARB Method 422 shall be used to determine emissions of exempt compounds.”*

*Paragraph (h)(5) – Equivalent Test Methods*

PAR 1130 would refine the rule language in paragraph (h)(5) by making the rule language consistent with other Regulation XI rules.

“(5) *Equivalent Test Methods*  
*Other test methods determined to be equivalent by the Executive Officer, CARB, and the U. S. EPA, and approved in writing by the District Executive Officer may also be used.”*

*Paragraph (h)(7) – Test Methods Dates*

PAR 1130 would revise the rule language in paragraph (h)(7) to be consistent with other Regulation XI rules.

“(7) *Test Methods Dates*  
*All test methods referenced in this subdivision shall be the most recently approved version by the appropriate governmental entities.”*

**Subdivision (i) Exemptions**

PAR 1130 would reformat subdivision (i) to update section numbering, move the exemption for Aerosol Coating Products and add a new exemption for graphic arts materials that have 10 g/L of VOC or less. Graphic arts materials do not include materials used in cleaning operations.

*“(i) Exemptions*

- (1) The provisions of this rule shall not apply to: [...]*
  - (I) Aerosol coating products*
  - (J) Graphic arts materials that have a VOC content of no more than 10 g/L, less water and less exempt compounds, as applied.”*

PAR 1130 would also relocate the emissions threshold and associated record keeping for metallic and matte finish inks of paragraph (i)(11) to a new paragraph (i)(5) and change the records retention requirement from two years to five years. The revised rule language is shown below.

“(5) *Facilities operating under the provisions of paragraph (i)(4) whose actual emissions exceed ten (10) tons in any calendar year shall:*

- (A) henceforth be subject to the requirements of paragraph (c)(1).*
- (B) In addition to the requirements of subdivision (e), facilities shall retain records of purchase orders and invoices of VOC-containing materials for a minimum of five (5) years.”*



PAR 1130 would add new rule language to provide an exemption for storage of graphic arts materials that exceed the VOC limits in paragraph (c)(1) provided the VOCs from those graphic arts materials are collected and controlled by an emissions control system, consistent with SCAQMD VOC rules.

“(6) *The provision of paragraph (c)(1) shall not apply to the storage at a worksite of graphic arts materials that are intended for use in an emission control system pursuant with the requirements of paragraph (c)(4).*”

Finally, PAR 1130 would add new language to provide rule relief for sheet-fed presses that have a sheet size no larger than 11 inches by 17 inches, or if the total fountain solution reservoir capacity is one gallon or less as recommended by the CTG. However, this exemption can only be met if the sheet-fed presses, having a sheet size no larger than 11 inches by 17 inches, or if the total fountain solution reservoir capacity is one gallon or less, uses a fountain solution with a VOC content of no more than 80 grams per liter of material, as applied, or if using a refrigerated chiller, no more than 100 grams per liter of material, as applied. The new language will appear in paragraph (i)(8) as follows.

“(8) *The provisions of paragraph (c)(2) shall not apply to sheet-fed presses that have a sheet size no larger than 11 inches by 17 inches, or if the total solution reservoir capacity is one gallon or less, provided the VOC content of the fountain solution used contains no more than 80 grams per liter of material, as applied, or if using a refrigerated chiller, no more than 100 grams per liter of material, as applied.*”

## **CHAPTER 2 - ENVIRONMENTAL CHECKLIST**

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**Introduction**

**General Information**

**Environmental Factors Potentially Affected**

**Determination**

**Environmental Checklist and Discussion**

## **INTRODUCTION**

The environmental checklist provides a standard evaluation tool to identify a project's potential adverse environmental impacts. This checklist identifies and evaluates potential adverse environmental impacts that may be created by the proposed project.

## **GENERAL INFORMATION**

Project Title:	Draft Environmental Assessment (EA) for Proposed Amended Rule (PAR) 1130 – Graphic Arts
Lead Agency Name:	South Coast Air Quality Management District
Lead Agency Address:	21865 Copley Drive Diamond Bar, CA 91765
CEQA Contact Person:	Mr. Jeff Inabinet (909) 396-2453
PAR 1130 Contact Person	Mr. Don Hopps (909) 396-2334
Project Sponsor's Name:	South Coast Air Quality Management District
Project Sponsor's Address:	21865 Copley Drive Diamond Bar, CA 91765
General Plan Designation:	Not applicable
Zoning:	Not applicable
Description of Project:	PAR 1130 would partially implement Control Measure CTS-02- Further Emission Reductions from Miscellaneous Coatings, Adhesives, Solvents and Lubricants and the Reasonably Available Control Measures (RACM) Demonstration of Appendix VI, of the 2012 Air Quality Management Plan (AQMP). PAR 1130 would improve consistency with the United States Environmental Protection Agency's (U.S. EPA) Control Techniques Guidelines (CTG) for Offset Lithographic Printing and Letterpress Printing (EPA 453/R-06-002) and Flexible Package Printing (EPA 453/R-06-003) applicable to printing operations regulations by amending the overall add-on control device efficiency requirements and VOC content limits for fountain solutions. The proposed amendment further adds prohibition of storage of non-compliant VOC-containing materials at a worksite, removes obsolete rule language, revises definitions, adds an exemption for graphic arts materials that have a VOC content of no more than 10 g/L, as applied, and makes minor corrections and clarifications.
Surrounding Land Uses and Setting:	Not applicable
Other Public Agencies Whose Approval is Required:	Not applicable

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The following environmental impact areas have been assessed to determine their potential to be affected by the proposed project. As indicated by the checklist on the following pages, environmental topics marked with a "✓" may be adversely affected by the proposed project. An explanation relative to the determination of impacts can be found following the checklist for each area.

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Aesthetics                               | <input type="checkbox"/> Geology and Soils               | <input type="checkbox"/> Population and Housing             |
| <input type="checkbox"/> Agriculture and Forestry Resources       | <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Air Quality and Greenhouse Gas Emissions | <input type="checkbox"/> Hydrology and Water Quality     | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Biological Resources                     | <input type="checkbox"/> Land Use and Planning           | <input type="checkbox"/> Solid/Hazardous Waste              |
| <input type="checkbox"/> Cultural Resources                       | <input type="checkbox"/> Mineral Resources               | <input type="checkbox"/> Transportation/Traffic             |
| <input type="checkbox"/> Energy                                   | <input type="checkbox"/> Noise                           | <input type="checkbox"/> Mandatory Findings of Significance |

**DETERMINATION**

On the basis of this initial evaluation:

- I find the proposed project, in accordance with those findings made pursuant to CEQA Guideline §15252, COULD NOT have a significant effect on the environment, and that an ENVIRONMENTAL ASSESSMENT with no significant impacts has been prepared.
- I find that although the proposed project could have a significant effect on the environment, there will NOT be significant effects in this case because revisions in the project have been made by or agreed to by the project proponent. An ENVIRONMENTAL ASSESSMENT with no significant impacts will be prepared.
- I find that the proposed project MAY have a significant effect(s) on the environment, and an ENVIRONMENTAL ASSESSMENT will be prepared.
- I find that the proposed project MAY have a "potentially significant impact" on the environment, but at least one effect 1)has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL ASSESSMENT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL ASSESSMENT pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL ASSESSMENT, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Date: February 21, 2014

Signature: \_\_\_\_\_

Michael Krause  
Program Supervisor

## **ENVIRONMENTAL CHECKLIST AND DISCUSSION**

As discussed in Chapter 1, the main focus of PAR 1130 is to reduce VOC emissions associated with graphic arts operations. The objectives of PAR 1130 are to:

- Improve consistency with the CTGs applicable to printing operations regulations;
- Increase the overall add-on control device efficiency requirements;
- Lower VOC content limits for fountain solutions;
- Add prohibition of storage of non-compliant VOC-containing materials at a worksite;
- Remove obsolete rule language;
- Update definitions for consistency with other SCAQMD rules;
- Add an exemption for graphic arts materials that have a low VOC content to incentivize their use;
- Make minor corrections and clarifications.

The analysis conducted in this draft environmental assessment identified three main components/objectives of the proposed project where potential environmental impacts may potentially occur. Therefore, in order to ensure that any potential significant adverse environmental impacts are identified and evaluated and that feasible methods to reduce or avoid any potential significant adverse environmental impacts associated with the proposed project are identified and evaluated, the environmental analysis for PAR 1130 focuses on the following three main components/objectives of the proposed project:

### *Increase Efficiency of Control Equipment*

The proposed project would revise the efficiency of control equipment by replacing the current requirement of 75 percent overall control efficiency with requirements for 95 percent control and 90 percent capture. SCAQMD staff identified 29 active permitted air pollution control devices located within the District in the AEIS records. All 29 air pollution control devices identified currently meet the recommended CTG levels of 95 percent control and 90 percent capture. The typical overall control device efficiency for the control units operating in the District is 96.3 percent (see Appendix B). Therefore, the proposed project is not expected to result in the replacement of any currently existing control devices or the addition of new control devices at any of the currently existing facilities. No significant adverse environmental impacts are expected as a result of this portion of the proposed project.

### *Lower VOC Content of Fountain Solutions*

The proposed project would align the VOC requirements in Rule 1130 with the recommended VOC requirements in the U.S. EPA CTGs for fountain solutions. SCAQMD staff conducted a survey of fountain solutions used by the graphic arts industry and found that out of 169 fountain solutions, 152 met the most restrictive proposed VOC limit of 16 grams per liter from the heatset web-fed without a refrigerated chiller. Typically, the technical data sheets for manufacturers of fountain solutions recommend two to four ounces of the fountain solution to be mixed with one gallon of water. SCAQMD staff used the highest dosages to calculate the maximum VOC content of the fountain solutions, and even at the maximum dosage for fountain solution, SCAQMD staff still found that 152 fountain solutions will meet the most restrictive VOC limit. The 17 remaining fountain solutions would still be available for use in the other printing categories that have a higher VOC limit or would be able to be used at a higher dilution rate. This data shows that the affected industry has been using products that already comply with the

new adjusted VOC limits. Therefore, the proposed project would not require the reformulation of any fountain solution products or any changes to the current usage of fountain solutions at the existing affected facilities. No significant adverse environmental impacts are expected as a result of this portion of the proposed project.

*Exemption for Materials with VOC Content less than 10g/L*

The proposed project adds an exemption for graphic arts materials that have a VOC content of no more than 10 g/L, as applied. This exemption is intended to promote the use of “supercompliant” products in order to achieve additional VOC emission reductions. Although the “supercompliant” products may be formulated with different technologies, products that meet this VOC content requirement are typically utilized in ultraviolet (UV) and electron beam (EB) curing applications, collectively referred to as “energy curable.” UV and EB curing refers to a process in which coatings, inks, adhesives, composites and other materials may be cured or dried, rather than using traditional methods (natural gas-fueled) which typically use more energy and generate greater emissions. The UV light spectrum in a UV lamp and the focused electrons in an EB interact with specially formulated chemistries to cure materials, typically more quickly, using less energy than traditional dryers (see Appendix D). UV & EB is considered environmentally responsible since most of the solvents in traditional processes may be eliminated due to the unique capabilities of the UV and EB curing process.<sup>6</sup> Additionally, facilities that choose to use materials with a VOC content of less than 16 g/L would likely be replacing currently used materials that have a higher VOC content, therefore, providing an air quality benefit. The UV/EB equipment is typically manufactured offsite and is installed on existing paved foundations. Therefore, no significant adverse environmental impacts are expected as a result of this portion of the proposed project.

The remaining components of the proposed project were considered to be administrative in nature and therefore were not considered to have the potential to create any potential significant adverse environmental impacts.

	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>I. AESTHETICS.</b> Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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<sup>6</sup> <http://www.radtech.org>

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

The proposed project impacts on aesthetics will be considered significant if:

- The project will block views from a scenic highway or corridor.
- The project will adversely affect the visual continuity of the surrounding area.
- The impacts on light and glare will be considered significant if the project adds lighting which would add glare to residential areas or sensitive receptors.

**Discussion**

**I. a), b), c) & d)** Adoption of PAR 1130 would improve consistency with the CTGs applicable to printing operations regulations by amending the overall add-on control device efficiency requirements and VOC content limits for fountain solutions. The proposed project further adds prohibition of the storage of non-compliant VOC-containing materials at a worksite and adds an exemption for graphic arts materials that have a VOC content of no more than 10 g/L, as applied. The proposed project is expected to affect facilities at existing locations. The proposed project does not require construction of new buildings or potential equipment replacement (e.g., UV/EB process is expected to be installed within the existing facility space, so no change in aesthetics). Therefore, adoption of PAR 1130 would not require the construction of new buildings or other structures that would obstruct scenic resources or degrade the existing visual character of a site, including but not limited to, trees, rock outcroppings, or historic buildings. Further, PAR 1130 would not involve the demolition of any existing buildings or facilities, require any subsurface activities, require the acquisition of any new land or the surrendering of existing land, or the modification of any existing land use designations or zoning ordinances. Thus, the proposed project is not expected to degrade the visual character of any site where a facility is located or its surroundings, affect any scenic vista or damage scenic resources. Since the proposed project does not require existing facilities to operate at night, it is not expected to create any new source of substantial light or glare.

Based upon these considerations, significant adverse aesthetics impacts are not anticipated and will not be further analyzed in this Draft EA. Since no significant adverse aesthetics impacts were identified, no mitigation measures are necessary or required.



	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>II. AGRICULTURE AND FORESTRY RESOURCES.</b> Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland mapping and Monitoring Program of the California Resources Agency, to non- agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §12220(g)), timberland (as defined by Public Resources Code §4526), or timberland zoned Timberland Production (as defined by Government Code §51104 (g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

Project-related impacts on agriculture and forestry resources will be considered significant if any of the following conditions are met:

- The proposed project conflicts with existing zoning or agricultural use or Williamson Act contracts.
- The proposed project will convert prime farmland, unique farmland or farmland of statewide importance as shown on the maps prepared pursuant to the farmland mapping and monitoring program of the California Resources Agency, to non-agricultural use.
- The proposed project conflicts with existing zoning for, or causes rezoning of, forest land (as defined in Public Resources Code §12220(g)), timberland (as defined in Public Resources Code §4526), or timberland zoned Timberland Production (as defined by Government Code § 51104 (g)).
- The proposed project would involve changes in the existing environment, which due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use.

**Discussion**

**II. a), b), c) & d)** The existing industrial or commercial businesses that may be affected by the adoption of PAR 1130 are primarily located within urbanized areas that are typically designated as industrial or commercial. The proposed project would not result in any new construction of buildings or other structures that would convert farmland to non-agricultural use or conflict with zoning for agricultural use or a Williamson Act contract. The proposed project would not require converting farmland to non-agricultural uses because the affected printing operations are expected to occur completely within the confines of existing affected commercial and industrial facilities. For the same reasons, PAR 1130 would not result in the loss of forest land or conversion of forest land to non-forest use.

Based upon these considerations, significant adverse agricultural and forestry resource impacts are not anticipated and will not be further analyzed in this Draft EA. Since no significant agriculture and forestry resource impacts were identified, no mitigation measures are necessary or required.

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	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>III. AIR QUALITY AND GREENHOUSE GAS EMISSIONS.</b>				
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Diminish an existing air quality rule or future compliance requirement resulting in a significant increase in air pollutant(s)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
g) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Air Quality Significance Criteria**

To determine whether or not air quality impacts from adopting and implementing PAR 1130 are significant, impacts will be evaluated and compared to the criteria in Table 2-1. The project will be considered to have significant adverse air quality impacts if any one of the thresholds in Table 2-1 are equaled or exceeded.

To determine whether or not greenhouse gas emissions from the proposed project may be significant, impacts will be evaluated and compared to the 10,000 MT CO<sub>2</sub>/year threshold for industrial sources.

**TABLE 2-1  
SCAQMD Air Quality Significance Thresholds**

Mass Daily Thresholds <sup>a</sup>		
Pollutant	Construction <sup>b</sup>	Operation <sup>c</sup>
NOx	100 lbs/day	55 lbs/day
VOC	75 lbs/day	55 lbs/day
PM10	150 lbs/day	150 lbs/day
PM2.5	55 lbs/day	55 lbs/day
SOx	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Lead	3 lbs/day	3 lbs/day
Toxic Air Contaminants (TACs), Odor, and GHG Thresholds		
TACs (including carcinogens and non-carcinogens)	Maximum Incremental Cancer Risk ≥ 10 in 1 million Cancer Burden > 0.5 excess cancer cases (in areas ≥ 1 in 1 million) Chronic & Acute Hazard Index ≥ 1.0 (project increment)	
Odor	Project creates an odor nuisance pursuant to SCAQMD Rule 402	
GHG	10,000 MT/yr CO <sub>2</sub> eq for industrial facilities	

**TABLE 2-1  
SCAQMD Air Quality Significance Thresholds (concluded)**

<b>Ambient Air Quality Standards for Criteria Pollutants<sup>d</sup></b>	
<b>NO<sub>2</sub></b> 1-hour average annual arithmetic mean	SCAQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards: 0.18 ppm (state) 0.03 ppm (state) and 0.0534 ppm (federal)
<b>PM<sub>10</sub></b> 24-hour average annual average	10.4 µg/m <sup>3</sup> (construction) <sup>e</sup> & 2.5 µg/m <sup>3</sup> (operation) 1.0 µg/m <sup>3</sup>
<b>PM<sub>2.5</sub></b> 24-hour average	10.4 µg/m <sup>3</sup> (construction) <sup>e</sup> & 2.5 µg/m <sup>3</sup> (operation)
<b>SO<sub>2</sub></b> 1-hour average 24-hour average	0.25 ppm (state) & 0.075 ppm (federal – 99 <sup>th</sup> percentile) 0.04 ppm (state)
<b>Sulfate</b> 24-hour average	25 µg/m <sup>3</sup> (state)
<b>CO</b> 1-hour average 8-hour average	SCAQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards: 20 ppm (state) and 35 ppm (federal) 9.0 ppm (state/federal)
<b>Lead</b> 30-day Average Rolling 3-month average Quarterly average	1.5 µg/m <sup>3</sup> (state) 0.15 µg/m <sup>3</sup> (federal) 1.5 µg/m <sup>3</sup> (federal)

<sup>a</sup> Source: SCAQMD CEQA Handbook (SCAQMD, 1993)

<sup>b</sup> Construction thresholds apply to both the South Coast Air Basin and Coachella Valley (Salton Sea and Mojave Desert Air Basins).

<sup>c</sup> For Coachella Valley, the mass daily thresholds for operation are the same as the construction thresholds.

<sup>d</sup> Ambient air quality thresholds for criteria pollutants based on SCAQMD Rule 1303, Table A-2 unless otherwise stated.

<sup>e</sup> Ambient air quality threshold based on SCAQMD Rule 403.

KEY: lbs/day = pounds per day      ppm = parts per million      µg/m<sup>3</sup> = microgram per cubic meter      ≥ = greater than or equal to  
 MT/yr CO<sub>2</sub>eq = metric tons per year of CO<sub>2</sub> equivalents      > = greater than

**III. a)** The 2012 AQMP Control Measure CTS-02 – Further Emission Reductions from Miscellaneous Coatings, Adhesives, Solvents and Lubricants and the Reasonably Available Control Measures (RACM) Demonstration (Appendix VI of 2012 AQMP), contains unspecified emission reduction goals for VOCs that apply to a variety of emission sources. This control measure seeks to reduce VOC emissions from miscellaneous coating, adhesive, solvent and lubricant categories by further limiting the allowable VOC content in formulations. Examples of the miscellaneous categories to be considered include, but are not limited to, coatings used in aerospace and marine applications; adhesives used in a variety of sealing applications; fountain solutions; solvents for graffiti abatement activities; and lubricants used as metalworking fluids to reduce heat and friction to prolong the life of the tool, improve product quality, and carry away debris. Based on the general emission reduction goals in the 2012 AQMP, PAR 1130 would partially implement Control Measure CTS-02. PAR 1130 would affect graphic printing operations. Since affected facilities/operations are anticipated to already comply with the proposed requirements, the proposed amendments are not expected to achieve additional VOC reductions to be credited toward CTS-02.

Implementing PAR 1130 is not expected to conflict with or obstruct implementation of the applicable air quality control plan because the 2012 AQMP demonstrates that the effects of all existing rules, in combination with implementing all AQMP control measures (including “black box” measures not specifically described in the 2012 AQMP) would bring the District into attainment with all applicable national and state ambient air quality standards. Further, PAR 1130 is not expected to significantly conflict or obstruct implementation of the applicable air quality plan, but instead, would contribute to attaining and maintaining the ozone and PM standards by achieving VOC reductions.

For these reasons, implementation of all other SCAQMD VOC rules along with AQMP control measures, when considered together, is expected to reduce VOC emissions throughout the region overall by 2023. Therefore, implementing the proposed project will not conflict or obstruct implementation of the 2012 AQMP. Accordingly, this impact issue will not be further analyzed.

**III. b)** For a discussion of these items, refer to the following analysis:

#### **Rule Objective and Facility Applicability**

The objectives of PAR 1130 are generally to improve consistency with the CTGs applicable to printing operations regulations by amending the overall add-on control device efficiency requirements and VOC content limits for fountain solutions. The proposed project further adds prohibition of storage of non-compliant VOC-containing materials at a worksite, removes obsolete rule language, revises definitions, and adds an exemption for graphic arts materials that have a low VOC content.

Approximately 587 existing graphic arts printing operations or facilities would be affected by the requirements of PAR 1130. Based on the determination that these affected facilities are already in compliance with the proposed amendments, no emission reduction is assumed. Additionally, 29 existing control units would be affected by the proposed change to the add-on control device efficiency requirement from 75 percent overall to the CTG recommended 95 percent control and 90 percent capture efficiency. However, SCAQMD staff has analyzed the data for the 29 control units in the SCAQMD jurisdiction and found that all of them currently meet the new revised control requirements based on existing permitting requirements (see Appendix B).

#### **Construction Impacts**

PAR 1130 amends the overall add-on control device efficiency requirements from 75 percent overall to the CTG recommended 95 percent control and 90 percent capture efficiency. SCAQMD staff has analyzed the data for the 29 control units in the SCAQMD jurisdiction and found that all of them meet the new revised control requirements based on existing permitting requirements (see Appendix B). Therefore, no existing facilities are expected to be required to install a new emission control device.

PAR 1130 also aligns the VOC content limits for fountain solutions with the recommended VOC requirements in the U.S. EPA CTGs for fountain solutions. SCAQMD staff conducted a survey of fountain solutions (see Appendix C) and found that the affected industry has been using products that already comply with the new adjusted VOC limits. Therefore, the proposed project would not require any construction activities associated with the reformulation of any fountain solution products or any changes to the current usage of fountain solutions at the existing affected facilities.

PAR 1130 also adds an exemption for graphic arts materials that have a VOC content of no more than 10 g/L, as applied, to encourage the usage of low VOC products. Although the “supercompliant” products may be formulated with different technologies, products that meet this VOC content requirement are typically utilized in UV and EB curing applications. UV and EB curing refers to a process in which coatings, inks, adhesives, composites and other materials may be cured or dried, rather than using traditional methods which typically use more energy and generate greater emissions (see Appendix D). The use of these “supercompliant” materials would not likely require any major physical changes or modifications to install a UV/EB system. Further, there would be no additional emissions from the UV/EB coating process or additional vehicle trips.

As a result, according to the above analysis of potential construction impacts, there would be no significant adverse construction air quality impacts resulting from the proposed project for criteria pollutants.

#### **Operational Impacts- Criteria Pollutants**

PAR 1130 is expected to have a direct and beneficial reduction of VOC emissions. No other criteria pollutants are expected to be directly affected by PAR 1130 because of the narrow regulatory focus of Rule 1130. Based on SCAQMD staff research, the affected printing facilities already use materials that are compliant with the proposed amendments. Therefore, there would be no change in operational emissions from the existing affected facilities. The increase in control efficiency and the usage of lower VOC content fountain solutions and “supercompliant” materials (less than 10g/L) is not expected to result in any significant adverse operational air quality impacts from the existing affected facilities.

#### **Operational Impacts- Toxic Air Contaminants**

In assessing potential impacts from the adoption of proposed rule and amendments, SCAQMD staff not only evaluates the potential air quality benefits, but also determines potential health risks associated with implementation of the proposed amendments.

As stated previously, the objectives of PAR 1130 are generally to improve consistency with the CTGs applicable to printing operations regulations by amending the overall add-on control device efficiency requirements and lowering the VOC content limits for fountain solutions. The proposed project further adds prohibition of storage of non-compliant VOC-containing materials at a worksite, removes obsolete rule language, revises definitions, and adds an exemption for graphic arts materials that have a VOC content of no more than 10 g/L, as applied.

The increase of control efficiency and the use of UV/EB systems do not generate toxic emissions. Based on SCAQMD staff research, no changes are necessary in the current fountain solution formulations. Therefore, no changes in toxicity are expected. As a result, there will be no increase in toxic air contaminant emissions from the affected facilities due to the proposed rule amendments.

**III. c)** The preceding analysis concluded that there would be no significant adverse construction or operational emissions impacts, thus, no incremental effect to other projects causing related impacts. Since PAR 1130 is not expected to be significant for any air quality adverse impact, it

is not expected to be cumulatively considerable and, therefore, is not expected to create significant adverse cumulative air quality impacts (CEQA Guidelines §15130(a)).

**III. d)** Affected facilities are also not expected to increase exposure by sensitive receptors to substantial pollutant concentrations from the implementation of PAR 1130 for the following reasons: 1) the affected facilities are existing facilities located primarily in commercial/industrial areas; 2) no construction and operational emission increases are associated with the proposed project. Therefore, no significant adverse air quality impacts to sensitive receptors are expected from implementing PR 1130.

**III. e)** Odor problems depend on individual circumstances, materials involved, and individual odor sensitivities. For example, individuals can differ quite markedly from the population average in their sensitivity to odor due to any variety of innate, chronic or acute physiological conditions. This includes olfactory adaptation or smell fatigue (i.e., continuing exposure to an odor usually results in a gradual diminution or even disappearance of the smell sensation).

As already noted, the proposed project does not result in the use of construction equipment. As a result, no odor impacts associated with diesel exhaust from either on-road or off-road mobile sources are expected to occur. No change in fountain solutions currently utilized at the affected facilities is expected to occur and the use of UV/EB is not known to generate adverse odor impacts. Therefore, the proposed project is not expected to create new significant adverse objectionable odors.

**III. f)** The affected facilities would continue to be required to comply with all applicable SCAQMD, CARB, and USEPA rules and regulations. The proposed project is not in conflict or expected to diminish an existing air quality rule or future compliance requirements. Further, adopting and implementing the proposed project enhances existing air pollution control rules that are expected to assist the SCAQMD in its efforts to attain and maintain with a margin of safety the state and federal ambient air quality standards for ozone and PM<sub>2.5</sub> because VOCs are considered to be precursor pollutants that contribute to the formation of ozone and PM<sub>2.5</sub>. Accordingly the proposed project would not diminish any air quality rules or regulations.

**III. g) & h)** Changes in global climate patterns have been associated with global warming, an average increase in the temperature of the atmosphere near the Earth's surface, recently attributed to accumulation of GHG emissions in the atmosphere. GHGs trap heat in the atmosphere, which in turn heats the surface of the Earth. Some GHGs occur naturally and are emitted to the atmosphere through natural processes, while others are created and emitted solely through human activities. The emission of GHGs through the combustion of fossil fuels (i.e., fuels containing carbon) in conjunction with other human activities, appears to be closely associated with global warming.<sup>7</sup> State law defines GHG to include the following: carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>) (HSC §38505(g)). The most common GHG that results from human activity is CO<sub>2</sub>, followed by CH<sub>4</sub> and N<sub>2</sub>O.

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<sup>7</sup> Solomon, S., D. Qin, M. Manning, Z. Chen, M. Marquis, K.B. Averyt, M. Tignor and H.L. Miller (eds.). 2007. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change, 2007. Cambridge University Press.  
[http://www.ipcc.ch/publications\\_and\\_data/ar4/wg1/en/contents.html](http://www.ipcc.ch/publications_and_data/ar4/wg1/en/contents.html)

GHGs and other global warming pollutants are perceived as solely global in their impacts and that increasing emissions anywhere in the world contributes to climate change anywhere in the world. A study conducted on the health impacts of CO<sub>2</sub> “domes” that form over urban areas cause increases in local temperatures and local criteria pollutants, which have adverse health effects.<sup>8</sup>

The analysis of GHGs is a much different analysis than the analysis of criteria pollutants for the following reasons. For criteria pollutants, the significance thresholds are based on daily emissions because attainment or non-attainment is primarily based on daily exceedances of applicable ambient air quality standards. Further, several ambient air quality standards are based on relatively short-term exposure effects on human health (e.g., one-hour and eight-hour standards). Since the half-life of CO<sub>2</sub> is approximately 100 years, for example, the effects of GHGs occur over a longer term which means they affect the global climate over a relatively long time frame. As a result, the SCAQMD’s current position is to evaluate the effects of GHGs over a longer timeframe than a single day (e.g., annual emissions). GHG emissions are typically considered to be cumulative impacts because they contribute to global climate effects.

On December 5, 2008, the SCAQMD adopted an interim CEQA GHG Significance Threshold for projects where SCAQMD is the lead agency (SCAQMD, 2008). This interim threshold is set at 10,000 metric tons of CO<sub>2</sub> equivalent emissions (MTCO<sub>2</sub>eq) per year. Projects with incremental increases below this threshold will not be cumulatively considerable.

The Program EIR for the 2012 AQMP concluded that implementing the control measures in the 2012 AQMP would provide a comprehensive ongoing regulatory program that would reduce overall GHGs emissions in the District. Specifically, PAR 1130 increases efficiency of control devices and lowers VOC content limits of certain products, albeit no new reformulation is anticipated to be necessary. Thus, the proposed project does not introduce the need to emit GHG emissions. Therefore, PAR 1130 is not expected to create significant cumulative adverse GHG emission impacts or conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs.

### **Conclusion**

Based on the preceding evaluation of potential air quality impacts from PAR 1130, SCAQMD staff has concluded that PAR 1130 does not have the potential to generate significant adverse air quality impacts. Since no significant adverse air quality and greenhouse gases impacts were identified, no mitigation measures are necessary or required.

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<sup>8</sup> Jacobsen, Mark Z. “Enhancement of Local Air Pollution by Urban CO<sub>2</sub> Domes,” Environmental Science and Technology, as describe in Stanford University press release on March 16, 2010 available at: <http://news.stanford.edu/news/2010/march/urban-carbon-domes-031610.html>.



	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>IV. BIOLOGICAL RESOURCES.</b>				
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by §404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflicting with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

Impacts on biological resources will be considered significant if any of the following criteria apply:

- The project results in a loss of plant communities or animal habitat considered to be rare, threatened or endangered by federal, state or local agencies.
- The project interferes substantially with the movement of any resident or migratory wildlife species.
- The project adversely affects aquatic communities through construction or operation of the project.

**Discussion**

**IV. a), b), c), & d)** PAR 1130 would not require any new development or require major modifications to buildings or other structures to comply with the new requirements for printing operations. The installation of UV/EB systems is expected to be located at existing facilities that are already paved. As a result, PAR 1130 would not directly or indirectly affect any species identified as a candidate, sensitive or special status species, riparian habitat, federally protected wetlands, or migratory corridors. For this same reason, PAR 1130 is not expected to adversely affect special status plants, animals, or natural communities.

**IV. e) & f)** PAR 1130 would not conflict with local policies or ordinances protecting biological resources or local, regional, or state conservation plans because it would not cause new development. Additionally, PAR 1130 would not conflict with any Habitat Conservation Plan, Natural Community Conservation Plan, or any other relevant habitat conservation plan for the same reason identified in Item IV. a), b), c), and d) above. Likewise, the proposed project would not in any way impact wildlife or wildlife habitat.

Based upon these considerations, significant adverse biological resources impacts are not anticipated and will not be further analyzed in this Draft EA. Since no significant adverse biological resources impacts were identified, no mitigation measures are necessary or required.



	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>V. CULTURAL RESOURCES.</b> Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
c) Directly or indirectly destroy a unique paleontological resource, site, or feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

Impacts to cultural resources will be considered significant if:

- The project results in the disturbance of a significant prehistoric or historic archaeological site or a property of historic or cultural significance to a community or ethnic or social group.
- Unique paleontological resources are present that could be disturbed by construction of the proposed project.
- The project would disturb human remains.

**Discussion**

**V. a), b), c), & d)** PAR 1130 does not require construction of new facilities, increasing the floor space of existing facilities, or any other construction activities that would require disturbing soil that may contain cultural resources. The installation of UV/EB systems is expected to be located at existing facilities that are already paved. Since no construction-related activities requiring soil disturbance would be associated with the implementation of PAR 1130, no impacts to historical or cultural resources are anticipated to occur. Further, PAR 1130 is not expected to require any physical changes to the environment, which may disturb paleontological or archaeological resources or disturb human remains interred outside of formal cemeteries.

Based upon these considerations, significant adverse cultural resources impacts are not expected from implementing PAR 1130 and will not be further assessed in this Draft EA. Since no significant cultural resources impacts were identified, no mitigation measures are necessary or required.

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>VI. ENERGY.</b> Would the project:				
a) Conflict with adopted energy conservation plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the need for new or substantially altered power or natural gas utility systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Create any significant effects on local or regional energy supplies and on requirements for additional energy?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create any significant effects on peak and base period demands for electricity and other forms of energy?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with existing energy standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

Impacts to energy and mineral resources will be considered significant if any of the following criteria are met:

- The project conflicts with adopted energy conservation plans or standards.
- The project results in substantial depletion of existing energy resource supplies.
- An increase in demand for utilities impacts the current capacities of the electric and natural gas utilities.
- The project uses non-renewable resources in a wasteful and/or inefficient manner.

**Discussion**

**VI. a) & e)** Adoption of PAR 1130 would improve consistency with the CTGs applicable to printing operations regulations by amending the overall add-on control device efficiency requirements and VOC content limits for fountain solutions. The proposed project further adds prohibition of the storage of non-compliant VOC-containing materials at a worksite and adds an exemption for graphic arts materials that have a VOC content of no more than 10 g/L, as applied. UV/EB applications typically cure materials more quickly, using less energy than traditional dryers. The proposed rule amendments are not expected to create any additional demand for energy at any of the affected facilities. Since it is unlikely that the affected facilities would require new equipment or modifications, it is unlikely that energy demand requirements would change. As a result, PAR 1130 would not conflict with energy conservation plans, use non-renewable resources in a wasteful manner, or result in the need for new or substantially altered power or natural gas systems. Since PAR 1130 would affect primarily existing facilities, it will not conflict with adopted energy conservation plans because existing facilities would be expected to continue implementing any existing energy conservation plans. Additionally, operators of affected facilities are expected to implement existing energy conservation plans or comply with energy standards to minimize operating costs. Accordingly these impact issues will not be further analyzed in the draft EA.

**VI. b), c) & d)** The proposed amendments are not expected to increase any electricity or natural gas demand in any way and would not create any significant effects on peak and base period demands for electricity and other forms of energy. PAR 1130 provides an exemption for graphic arts materials that have a VOC content of no more than 10 g/L, as applied. Supercompliant materials (eg., UV and EB cured materials) typically dry/cure more quickly, using less energy than conventional drying methods which typically use natural gas as a fuel source (see Appendix D).

PAR 1130 is not expected to generate significant adverse energy resources impacts and will not be discussed further in this Draft EA. Since no significant energy impacts were identified, no mitigation measures are necessary or required.

	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>VII. GEOLOGY AND SOILS.</b> Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

Impacts on the geological environment will be considered significant if any of the following criteria apply:

- Topographic alterations would result in significant changes, disruptions, displacement, excavation, compaction or over covering of large amounts of soil.
- Unique geological resources (paleontological resources or unique outcrops) are present that could be disturbed by the construction of the proposed project.
- Exposure of people or structures to major geologic hazards such as earthquake surface rupture, ground shaking, liquefaction or landslides.
- Secondary seismic effects could occur which could damage facility structures, e.g., liquefaction.
- Other geological hazards exist which could adversely affect the facility, e.g., landslides, mudslides.

**Discussion**

**VII. a)** Southern California is an area of known seismic activity. Structures must be designed to comply with the Uniform Building Code Zone 4 requirements if they are located in a seismically active area. The local city or county is responsible for assuring that a proposed project complies with the Uniform Building Code as part of the issuance of the building permits and can conduct inspections to ensure compliance. The Uniform Building Code is considered to be a standard safeguard against major structural failures and loss of life. The goal of the code is to provide structures that will: 1) resist minor earthquakes without damage; 2) resist moderate earthquakes without structural damage but with some non-structural damage; and 3) resist major earthquakes without collapse but with some structural and non-structural damage.

The Uniform Building Code bases seismic design on minimum lateral seismic forces (“ground shaking”). The Uniform Building Code requirements operate on the principle that providing appropriate foundations, among other aspects, helps to protect buildings from failure during earthquakes. The basic formulas used for the Uniform Building Code seismic design require determination of the seismic zone and site coefficient, which represent the foundation conditions at the site. Accordingly, buildings and equipment at existing affected facilities are likely to

conform with the Uniform Building Code and all other applicable state codes in effect at the time they were constructed.

No new buildings or structures are expected to be constructed in response to the proposed project, so no change in geological existing setting is expected. Additionally, no modification to existing equipment would be necessary. Therefore, PAR 1130 is not expected to affect a facility’s ability to continue to comply with any applicable Uniform Building Code requirements. Consequently, PAR 1130 is not expected to expose persons or property to geological hazards such as earthquakes, landslides, mudslides, ground failure, or other natural hazards. As a result, substantial exposure of people or structure to the risk of loss, injury, or death involving seismic-related activities is not anticipated and will not be further analyzed in this draft EA.

**VII. b), c), d) & e)** Since PAR 1130 would affect primarily existing facilities, it is expected that the soil types present at the affected facilities that are susceptible to expansion or liquefaction would be considered part of the existing setting. New subsidence impacts are not anticipated since no excavation, grading, or fill activities will occur at affected facilities. Further, the proposed project does not involve drilling or removal of underground products (e.g., water, crude oil, et cetera) that could produce new, or make worse existing subsidence effects. Additionally, the affected areas are not envisioned to be prone to new risks from landslides or have unique geologic features, since the affected facilities are located in industrial or commercial areas where such features have already been altered or removed. Finally, since adoption of PAR 1130 would be expected to affect operations at primarily existing facilities, the proposed project is not expected to alter or make worse any existing potential for subsidence, liquefaction, etc.

Based on the above discussion, the proposed project is not expected to have an adverse impact on geology or soils. Since no significant adverse impacts are anticipated, this environmental topic will not be further analyzed in the draft EA. No mitigation measures are necessary or required.



	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>VIII. HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, and disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
c) Emit hazardous emissions, or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public use airport or a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Significantly increased fire hazard in areas with flammable materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

Impacts associated with hazards will be considered significant if any of the following occur:

- Non-compliance with any applicable design code or regulation.
- Non-conformance to National Fire Protection Association standards.
- Non-conformance to regulations or generally accepted industry practices related to operating policy and procedures concerning the design, construction, security, leak detection, spill containment or fire protection.
- Exposure to hazardous chemicals in concentrations equal to or greater than the Emergency Response Planning Guideline (ERPG) 2 levels.



## **Discussion**

**VIII. a, b) & c)** The proposed project will not create a significant hazard to the public or the environment through the routine transport, use, and disposal of hazardous materials, due to the fact that the proposed amendments do not require the transport, use, and disposal of hazardous materials. Based on the fact that the proposed rules do not require the transport, use and disposal of hazardous materials, PAR 1130 will not create a significant hazard to the public or environment through a reasonably foreseeable release of these materials into the environment.

Based on the facts, there is no additional formulation required, thus little likelihood that affected facilities will emit new hazardous emissions or handle hazardous materials, substances or waste within one-quarter mile of an existing or proposed school as a result of implementing the proposed project. The affected facilities are typically located in light industrial or commercial areas, but the proposed project does not introduce any hazardous materials, so the existing setting does not change. Further, PAR 1130 is intended to ensure the reduction of overall VOC emissions in the District. It is expected that the proposed amendments would improve air quality, visibility and reduce odors surrounding existing facilities and, would do likewise for any existing or proposed schools within one-quarter mile of affected facilities.

**VIII. d)** Government Code §65962.5 typically refers to a list of facilities that may be subject to Resource Conservation and Recovery Act (RCRA) permits. For any facilities affected by the proposed project that are on the Government Code §65962.5 list, it is anticipated that they would continue to manage any and all hazardous materials and hazardous waste, in accordance with federal, state and local regulations.

**VIII. e)** Since PAR 1130 would incorporate new requirements for printing operations, implementation of PAR 1130 is not expected to increase or create any new hazardous emissions in general, which could adversely affect public/private airports located in close proximity to the affected sites. Implementation of PAR 1130 is not expected to create any additional safety hazards for people residing or working in the project area.

**VIII. f)** The proposed project will not impair implementation of, or physically interfere with any adopted emergency response plan or emergency evacuation plan. Any existing commercial or light industrial facilities affected by the proposed project will typically have their own emergency response plans. Any new facilities will be required to prepare emergency response and evacuation plans as part of the land use permit review and approval process conducted by local jurisdictions for new development. Emergency response plans are typically prepared in coordination with the local city or county emergency plans to ensure the safety of not only the public (surrounding local communities), but the facility employees as well. Since the proposed project does not involve the change in current uses of any hazardous materials, or generate any new hazardous waste, no changes to emergency response plans are anticipated.

Health and Safety Code §25506 specifically requires all businesses handling hazardous materials to submit a business emergency response plan to assist local administering agencies in the emergency release or threatened release of a hazardous material. Business emergency response plans generally require the following:

1. Identification of individuals who are responsible for various actions, including reporting, assisting emergency response personnel and establishing an emergency response team;

2. Procedures to notify the administering agency, the appropriate local emergency rescue personnel, and the California Office of Emergency Services;
3. Procedures to mitigate a release or threatened release to minimize any potential harm or damage to persons, property or the environment;
4. Procedures to notify the necessary persons who can respond to an emergency within the facility;
5. Details of evacuation plans and procedures;
6. Descriptions of the emergency equipment available in the facility;
7. Identification of local emergency medical assistance; and
8. Training (initial and refresher) programs for employees in:
  - a. The safe handling of hazardous materials used by the business;
  - b. Methods of working with the local public emergency response agencies;
  - c. The use of emergency response resources under control of the handler; and
  - d. Other procedures and resources that will increase public safety and prevent or mitigate a release of hazardous materials.

In general, every county or city and all facilities using a minimum amount of hazardous materials are required to formulate detailed contingency plans to eliminate, or at least minimize, the possibility and effect of fires, explosion, or spills. In conjunction with the California Office of Emergency Services, local jurisdictions have enacted ordinances that set standards for area and business emergency response plans. These requirements include immediate notification, mitigation of an actual or threatened release of a hazardous material, and evacuation of the emergency area. Adopting PAR 1130 is not expected to hinder in any way with the above business emergency response plan requirements.

**VIII. g)** Since the affected facilities are primarily located in industrial or commercial areas where wildlands are typically not prevalent, risk of loss or injury associated with wildland fires is not expected as a result of implementing PAR 1130.

**VIII. h)** Affected printing facilities must comply with all local and county requirements for fire prevention and safety. The proposed project does not require any activities which would be in conflict with fire prevention and safety requirements, and thus would not create or increase fire hazards at these existing facilities.

PAR 1130 is intended to ensure the reduction of VOC emissions at printing facilities. Typically, these facilities use and store flammable materials. Pursuant to local and county fire prevention and safety requirements, facilities are required to maintain appropriate site management practices to prevent fire hazards. PAR 1130 will not interfere with fire prevention practices.

In conclusion, potentially significant adverse hazard or hazardous material impacts resulting from adopting and implementing PAR 1130 are not expected and will not be considered further. No mitigation measures are necessary or required.

	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>IX. HYDROLOGY AND WATER QUALITY.</b> Would the project:				
a) Violate any water quality standards, waste discharge requirements, exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board, or otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in substantial erosion or siltation on- or off-site or flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
d) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Place housing or other structures within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, or inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Require or result in the construction of new water or wastewater treatment facilities or new storm water drainage facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### **Significance Criteria**

Potential impacts on water resources will be considered significant if any of the following criteria apply:

#### Water Demand:

- The existing water supply does not have the capacity to meet the increased demands of the project, or the project would use more than 262,820 gallons per day of potable water.
- The project increases demand for total water by more than five million gallons per day.

#### Water Quality:

- The project will cause degradation or depletion of ground water resources substantially affecting current or future uses.
- The project will cause the degradation of surface water substantially affecting current or future uses.
- The project will result in a violation of National Pollutant Discharge Elimination System (NPDES) permit requirements.
- The capacities of existing or proposed wastewater treatment facilities and the sanitary sewer system are not sufficient to meet the needs of the project.
- The project results in substantial increases in the area of impervious surfaces, such that interference with groundwater recharge efforts occurs.
- The project results in alterations to the course or flow of floodwaters.

### **Discussion**

**IX. a), b), c), d) & g)** Adoption of PAR 1130 would improve consistency with the CTGs applicable to printing operations regulations by increasing the overall add-on control device efficiency requirements and lower VOC content limits for fountain solutions. The proposed project further adds prohibition of the storage of non-compliant VOC-containing materials at a worksite and adds an exemption for graphic arts materials that have a VOC content of no more than 10 g/L, as applied. Increasing efficiency and potential operation of UV/EB systems would not result in increased water usage because no new reformulations are anticipated to comply with the lower VOC content limit for fountain solutions. Additional water usage will not result from the proposed project.

No additional wastewater generation is expected to result from the proposed project. Further, PAR 1130 has no provision that would require the construction of additional water resource facilities, increase the need for new or expanded water entitlements, or alter existing drainage patterns. The proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. PAR 1130 would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Further, the adoption of PAR 1130 would not create a change in the current volume of existing wastewater streams from the affected facilities. In addition, the proposed amended rule is not expected to require additional wastewater disposal capacity, violate any water quality standard or wastewater discharge requirements, or otherwise substantially degrade water quality.

Adoption of PAR 1130 could affect future operations at existing facilities that are typically located in industrial or commercial areas that are already paved and have drainage infrastructures

in place. No new major construction is anticipated. Based on the current printing facility inventory in the District, implementation of PAR 1130 is not expected to involve major construction activities including site preparation, grading, etc., so no changes to storm water runoff, drainage patterns, groundwater characteristics, or flow are expected. Therefore, these impact areas are not expected to be affected by PAR 1130.

PAR 1130 is not expected to have significant adverse water demand or water quality impacts for the following reasons:

- The proposed project does not increase demand for water by more than 5,000,000 gallons per day.
- The proposed project does not require construction of new water conveyance infrastructure.
- The proposed project does not create a substantial increase in mass inflow of effluents to public wastewater treatment facilities.
- The proposed project does not result in a substantial degradation of surface water or groundwater quality.
- The proposed project does not result in substantial increases in the area of impervious surfaces, such that interference with groundwater recharge efforts occurs.
- The proposed project does not result in alterations to the course or flow of floodwaters.

**IX. i)** The proposed project is not expected to change existing operations at affected facilities, nor would it result in the generation of increased volumes of wastewater, because no increased water usage is expected due to the proposed project. As a result, there are no potential changes in wastewater volume expected from facilities as a result of the adoption of PAR 1130. It is expected that facilities and operations will continue to handle wastewater generated in a similar manner and with the same equipment as the wastewater that is currently generated. Further, PAR 1130 is not expected to cause affected facilities to violate any water quality standard or wastewater discharge requirements since there would be no additional wastewater volumes generated as a result of adopting PAR 1130.

**IX. e), f) & h)** The proposed project would incorporate new requirements for printing facilities. As a result, PAR 1130 would not require construction of new housing, contribute to the construction of new building structures, or require major modifications or changes to existing structures. Further, PAR 1130 is not expected to require additional workers at affected facilities because the proposed project does not affect how equipment is operated. Therefore, PAR 1130 is not expected to generate construction of any new structures in 100-year flood areas as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood delineation map. As a result, PAR 1130 is not expected to expose people or structures to significant new flooding risks, or make worse any existing flooding risks. Because PAR 1130 would not require construction of new structures or the addition of new employees, the proposed project will not affect in any way any potential flood hazards inundation by seiche, tsunami, or mud flow that may already exist relative to existing facilities or create new hazards at existing facilities.

Additionally, since PAR 1130 does not require additional water usage or demand, sufficient water supplies are expected to be available to serve the project from existing entitlements and resources, and no new or expanded entitlements would be needed.

Based upon these considerations, significant hydrology and water quality impacts are not expected from the adoption of PAR 1130 and will not be further analyzed in this draft EA. Since no significant hydrology and water quality impacts were identified, no mitigation measures are necessary or required.



	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>X. LAND USE AND PLANNING.</b>				
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

Land use and planning impacts will be considered significant if the project conflicts with the land use and zoning designations established by local jurisdictions.

**Discussion**

**X. a)** PAR 1130 would not require any new development or require major modifications to buildings or other structures to comply with the new requirements for printing operations at any of the currently existing facilities. Therefore, PAR 1130 does not include any components that would require physically dividing an established community.

**X. b)** There are no provisions in PAR 1130 that would affect land use plans, policies, or regulations. Land use and other planning considerations are determined by local governments and no land use or planning requirements would be altered by the new requirements for printing operations. Therefore, as already noted in the discussion under “Biological Resources,” PAR 1130 would not affect in any habitat conservation or natural community conservation plans, agricultural resources or operations, and would not create divisions in any existing communities. Present or planned land uses in the region would not be significantly adversely affected as a result of implementing the proposed amended rule.

Based upon these considerations, significant adverse land use and planning impacts are not expected from the implementation of PAR 1130 and will not be further analyzed in this Draft EA. Since no significant land use and planning impacts were identified, no mitigation measures are necessary or required.

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	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>XI. MINERAL RESOURCES.</b> Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

Project-related impacts on mineral resources will be considered significant if any of the following conditions are met:

- The project would result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.
- The proposed project results in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

**Discussion**

**XI. a) & b)** There are no provisions in PAR 1130 that would result in the loss of availability of a known mineral resource of value to the region and the residents of the state, or of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. Some examples of mineral resources are gravel, asphalt, bauxite, and gypsum, which are commonly used for construction activities or industrial processes. Since the proposed project is likely only to affect currently existing printing operations, PAR 1130 does not require and would not have any effects on the use of important minerals, such as those described above. Therefore, no new demand for mineral resources is expected to occur and significant adverse mineral resources impacts from implementing PAR 1130 are not anticipated.

Based upon these aforementioned considerations, significant mineral resources impacts are not expected from the implementation of PAR 1130. Since no significant mineral resources impacts were identified, no mitigation measures are necessary or required.

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	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>XII. NOISE.</b> Would the project result in:				
a) Exposure of persons to or generation of permanent noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public use airport or private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

Noise impact will be considered significant if:

- Construction noise levels exceed the local noise ordinances or, if the noise threshold is currently exceeded, project noise sources increase ambient noise levels by more than three decibels (dBA) at the site boundary. Construction noise levels will be considered significant if they exceed federal Occupational Safety and Health Administration (OSHA) noise standards for workers.
- The proposed project operational noise levels exceed any of the local noise ordinances at the site boundary or, if the noise threshold is currently exceeded, project noise sources increase ambient noise levels by more than three dBA at the site boundary.

**Discussion**

**XII. a)** PAR 1130 would incorporate new efficiency and VOC content requirements for printing operations that do not generate noise. PAR 1130 would not require any new development or require major modifications to buildings or other structures to comply with the proposed amended rule at any of the currently existing facilities. Any new UV/EB equipment installed would not be expected to generate noise above the existing setting. All of the affected activities occur within existing facilities. Compliance with the new requirements for printing operations are not expected to adversely affect operations at affected facilities because the existing facilities meet the currently proposed requirements. Thus, the proposed project is not expected to expose

persons to the generation of excessive noise levels above current facility levels because no change in current operations is expected to occur as a result of the proposed project. It is expected that any facility affected by PAR 1130 would continue complying with all existing local noise control laws or ordinances.

In commercial environments, Occupational Safety and Health Administration (OSHA) and California-OSHA have established noise standards to protect worker health. It is expected that operators at affected facilities will continue complying with applicable OSHA or Cal/OSHA noise standards, which would limit noise impacts to workers, patrons and neighbors.

**XII. b)** PAR 1130 is not anticipated to expose people to, or generate excessive groundborne vibration or groundborne noise levels since complying with PAR 1130 is not expected to alter operations at affected facilities. Therefore, any existing noise or vibration levels at affected facilities are not expected to change as a result of implementing PAR 1130. Since existing operations are not expected to generate excessive groundborne vibration or noise levels, and PAR 1130 is not expected to alter physical operations, no groundborne vibrations or noise levels are expected from the proposed amended rule.

**XII. c)** No increase in periodic or temporary ambient noise levels in the vicinity of affected facilities above levels existing prior to implementing PAR 1130 is anticipated because the proposed project would not require heavy-duty diesel-fueled construction-related activities nor would it change the existing activities currently performed by printing operations. See also the response to items XII.a) and XII.b).

**XII. d)** Even if an affected facility is located near a public/private airport, there are no new noise impacts expected from any of the existing facilities as a result of complying with the proposed project. Similarly, any existing noise levels at affected facilities are not expected to increase appreciably. Thus, PAR 1130 is not expected to expose people residing or working in the vicinities of public airports to excessive noise levels.

Based upon these considerations, significant adverse noise impacts are not expected from the implementation of PAR 1130 and are not further evaluated in this Draft EA. Since no significant noise impacts were identified, no mitigation measures are necessary or required.

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>XIII. POPULATION AND HOUSING.</b>				
Would the project:				
a) Induce substantial growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (e.g. through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

Impacts of the proposed project on population and housing will be considered significant if the following criteria are exceeded:

- The demand for temporary or permanent housing exceeds the existing supply.
- The proposed project produces additional population, housing or employment inconsistent with adopted plans either in terms of overall amount or location.

**Discussion**

**XIII. a)** The proposed project is not anticipated to generate any significant adverse effects, either direct or indirect, on the district's population or population distribution as no additional workers are anticipated to be required for affected facilities to comply with the proposed amendments. Human population within the jurisdiction of the SCAQMD is anticipated to grow regardless of implementing PAR 1130. As such, PAR 1130 would not result in changes in population densities or induce significant growth in population.

**XIII. b)** Because the proposed project affects printing facilities but does not require additional employees, PAR 1130 is not expected to result in the creation of any new industry that would affect population growth, directly or indirectly, induce the construction of single- or multiple-family units, or require the displacement of people elsewhere. Installation and operation of any new UV/EB systems is anticipated to be operated by the existing labor pool in southern California and would not warrant any new housing.

Based upon these considerations, significant adverse population and housing impacts are not expected from the implementation of PAR 1130 and are not further evaluated in this Draft EA. Since no significant population and housing impacts were identified, no mitigation measures are necessary or required.

Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
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**XIV. PUBLIC SERVICES.** Would the proposal result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

- |                             |                          |                          |                          |                                     |
|-----------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Fire protection?         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Police protection?       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Schools?                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Parks?                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Significance Criteria**

Impacts on public services will be considered significant if the project results in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response time or other performance objectives.

**Discussion**

**XIV. a) & b)** PAR 1130 would implement new efficiency and VOC content requirements for printing operations that would have no effect on public services. UV/EB systems are not flammable, so any additional systems will not require additional public services to the existing services. The proposed project does not require any action which would alter and, thereby, adversely affect existing public services, or require an increase in governmental facilities or services to support the affected existing facilities. Current fire, police and emergency services are adequate to serve existing facilities, and the proposed project will not result in the need for new or physically altered government facilities in order to maintain acceptable service ratios, response times, or other performance objectives because no change in operations is expected to occur at affected facilities.

Because the proposed project does not require or involve the use of new hazardous materials or generate new hazardous waste, it will not generate an emergency situation that would require additional fire or police protection, or impact acceptable service ratios or response times.

**XIV. c) & d)** As indicated in discussion under item XIII. Population and Housing, implementing PAR 1130 would not induce population growth or dispersion because no additional workers are expected to be needed at the existing affected facilities. Therefore, with no increase in local population anticipated as a result of adopting and implementing PAR 1130, additional demand for new or expanded schools or parks is also not anticipated. As a result, no significant adverse impacts are expected to local schools or parks.

Based upon these considerations, significant adverse public services impacts are not expected from the implementation of PAR 1130 and are not further evaluated in this Draft EA. Since no significant public services impacts were identified, no mitigation measures are necessary or required.

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	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>XV. RECREATION.</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment or recreational services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

Impacts to recreation will be considered significant if:

- The project results in an increased demand for neighborhood or regional parks or other recreational facilities.
- The project adversely affects existing recreational opportunities.

**Discussion**

**XV. a) & b)** As discussed under “Land Use and Planning” above, there are no provisions in PAR 1130 that would affect land use plans, policies, or regulations. Land use and other planning considerations are determined by local governments. No land use or planning requirements would be altered by the adoption of PAR 1130, which only affect printing operations. Further, PAR 1130 would not affect in any way affect district population growth or distribution (see Section XIII), in ways that could increase the demand for or use of existing neighborhood and regional parks or other recreational facilities or require the construction of new or expansion of

existing recreational facilities that might have an adverse physical effect on the environment because it would not directly or indirectly increase or redistribute population.

Based upon these considerations, significant recreation impacts are not expected from the implementation of PAR 1130. Since no significant recreation impacts were identified, no mitigation measures are necessary or required.

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	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>XVI. SOLID/HAZARDOUS WASTE.</b>				
Would the project:				
a) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Comply with federal, state, and local statutes and regulations related to solid and hazardous waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

The proposed project impacts on solid/hazardous waste will be considered significant if the following occurs:

- The generation and disposal of hazardous and non-hazardous waste exceeds the capacity of designated landfills.

**Discussion**

**XVI. a) & b)** Adoption of PAR 1130 would improve consistency with the CTGs applicable to printing operations regulations by increasing the overall add-on control device efficiency requirements and lowering VOC content limits for fountain solutions. The proposed project further adds prohibition of the storage of non-compliant VOC-containing materials at a worksite and adds an exemption for graphic arts materials that have a VOC content of no more than 10 g/L, as applied.

PAR 1130 is not expected to require the replacement of manufacturing equipment at affected facilities and any new UV/EB systems do not generate substantial waste; therefore, no new solid or hazardous waste impacts specifically associated with PAR 1130 are expected. The affected facilities are currently in compliance with the proposed amendments, and as a result, no substantial change in the amount of solid or hazardous waste streams is expected to occur. The character of solid or hazardous waste streams are not expected to occur as a result of the adoption of PAR 1130. PAR 1130 is not expected to increase the volume of solid or hazardous wastes from affected facilities, require additional waste disposal capacity, or generate waste that does not meet applicable local, state, or federal regulations. With regard to potential wastewater impacts, please see the discussion under item IX., "Hydrology and Water Quality."

Based upon these considerations, PAR 1130 is not expected to increase the volume of solid or hazardous wastes that cannot be handled by existing municipal or hazardous waste disposal facilities, or require additional waste disposal capacity. Further, adopting PAR 1130 is not expected to interfere with any affected facility's ability to comply with applicable local, state, or federal waste disposal regulations. Since no solid/hazardous waste impacts were identified, no mitigation measures are necessary or required.

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	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>XVII. TRANSPORTATION/TRAFFIC.</b>				
Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Significance Criteria**

Impacts on transportation/traffic will be considered significant if any of the following criteria apply:

- Peak period levels on major arterials are disrupted to a point where level of service (LOS) is reduced to D, E or F for more than one month.
- An intersection’s volume to capacity ratio increase by 0.02 (two percent) or more when the LOS is already D, E or F.
- A major roadway is closed to all through traffic, and no alternate route is available.
- The project conflicts with applicable policies, plans or programs establishing measures of effectiveness, thereby decreasing the performance or safety of any mode of transportation.
- There is an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system.
- The demand for parking facilities is substantially increased.
- Water borne, rail car or air traffic is substantially altered.
- Traffic hazards to motor vehicles, bicyclists or pedestrians are substantially increased.
- The need for more than 350 employees
- An increase in heavy-duty transport truck traffic to and/or from the facility by more than 350 truck round trips per day
- Increase customer traffic by more than 700 visits per day.

**Discussion**

**XVII. a) & b)** Adopting PAR 1130 would improve consistency with the CTGs applicable to printing operations regulations by increasing the overall add-on control device efficiency requirements and lowering VOC content limits for fountain solutions. The proposed project further adds prohibition of the storage of non-compliant VOC-containing materials at a worksite and adds an exemption for graphic arts materials that have a VOC content of no more than 10 g/L, as applied. The adoption of PAR 1130 would not change or cause additional transportation demands or services because no change in operations at affected facilities is expected to occur. Therefore, the proposed project would not increase traffic or adversely impact the existing traffic load and capacity of the street system, as the amount of product to be delivered is not anticipated to change nor generate additional services to affect transportation demand. Because the current existing printing facilities are in compliance with the proposed amendments, no increase in material delivery trips is expected as a result of the proposed project.

Since no construction-related trips and no additional operational-related trips per facility are anticipated, the adoption of PAR 1130 is not expected to significantly adversely affect circulation patterns on local roadways or the level of service at intersections near affected



facilities. Since no construction is required, no significant construction traffic impacts are anticipated.

**XVII. c)** PAR 1130 will not require operators of existing facilities to construct buildings or other structures or change the height and appearance of the existing structures, such that they could interfere with flight patterns. Therefore, adoption of PAR 1130 is not expected to adversely affect air traffic patterns. Further, PAR 1130 will not affect in any way air traffic in the region because it will not require transport of any PAR 1130 materials by air.

**XVII. d)** No physical modifications are expected to occur by adopting PAR 1130 at the affected facilities. Additionally, no offsite modifications to roadways are anticipated for the proposed project that would result in an additional design hazard or incompatible uses.

**XVII. e)** Equipment replacements or retrofits associated with adopting PAR 1130 are not expected to occur at the potentially affected existing facilities. Therefore, no changes to emergency access at or in the vicinity of the affected facilities would be expected. As a result, PAR 1130 is not expected to adversely impact emergency access.

**XVII. f)** No changes to the parking capacity at or in the vicinity of the affected facilities are expected with adopting PAR 1130. Adoption of PAR 1130 does not change existing operations, so no new workers at affected facilities or area sources are expected. Since adoption of PAR 1130 is not expected to require additional workers, no traffic impacts are expected to occur and additional parking capacity will not be required. Therefore, PAR 1130 is not expected to adversely impact on- or off-site parking capacity. PAR 1130 has no provisions that would conflict with alternative transportation, such as bus turnouts, bicycle racks, et cetera.

Based upon these considerations, PAR 1130 is not expected to generate significant adverse project-specific or cumulative transportation/traffic impacts and, therefore, this topic will not be considered further. Since no significant transportation/traffic impacts were identified, no mitigation measures are necessary or required.

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.</b>				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XVIII. a)** As discussed in the “Biological Resources” section, PAR 1130 is not expected to significantly adversely affect plant or animal species or the habitat on which they rely because PAR 1130 implements new requirements for printing operations, which will primarily be conducted at existing affected facilities. New UV/EB systems installed to qualify for the exemption are anticipated to be installed on existing paved foundations. All of the currently affected facilities are located at sites that have already been greatly disturbed and that currently do not support such habitats. PAR 1130 is not expected to induce construction of any new land use projects that could affect biological resources.

**XVIII. b)** Based on the foregoing analyses, cumulative impacts in conjunction with other projects that may occur concurrently with or subsequent to the proposed project are not expected

to adversely impact any environmental topic. Related projects to the currently proposed project include existing and proposed amended rules and regulations, as well as AQMP control measures, which produce emission reductions from most industrial and commercial sectors. Furthermore, because PAR 1130 does not generate project-specific impacts, cumulative impacts are not considered to be "cumulatively considerable" as defined by CEQA guidelines §15065(a)(3). For example, the environmental topics checked 'No Impact' (e.g., aesthetics, agriculture resources, air quality, biological resources, cultural resources energy, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, solid/hazardous waste and transportation and traffic) would not be expected to make any contribution to potential cumulative impacts whatsoever. Also, in the case of air quality impacts, the net effect of implementing the proposed project with other proposed amended rules and regulations, and AQMP control measures is an overall reduction in District-wide emissions, thus, contributing to the attainment of state and national ambient air quality standards. Therefore, it is concluded that PAR 1130 has no potential for significant cumulative or cumulatively considerable impacts in any environmental areas.

**XVIII. c)** Based on the foregoing analyses, PAR 1130 is not expected to cause significant adverse effects to human beings. Significant adverse air quality impacts are not expected from the implementation of PAR 1130. Based on the preceding analyses, no significant adverse impacts to aesthetics, agriculture resources, biological resources, cultural resources, energy, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, solid/hazardous waste and transportation and traffic are expected as a result of the implementation of PAR 1130.

As discussed in items I through XVIII above, the proposed project would have no potential to cause significant adverse environmental effects.

**APPENDIX A**

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**PROPOSED AMENDED RULE 1130**

(Adopted October 3, 1980)(Amended February 1, 1985)(Amended May 5, 1989)  
(Amended February 2, 1990)(Amended March 2, 1990)(Amended April 6, 1990)  
(Amended June 1, 1990)(Amended November 2, 1990)(Amended December 7, 1990)  
(Amended August 2, 1991)(Amended March 6, 1992)(Amended July 9, 1993)  
(Amended September 8, 1995)(Amended March 8, 1996)(Amended October 8, 1999)  
(Proposed Amended Rule 1130 April 2014)

(PostPublicWorkshop-1)

## PROPOSED AMENDED RULE 1130.      **GRAPHIC ARTS**

### (a) Purpose and Applicability

The purpose of this rule is to reduce ~~emissions of~~ Volatile ~~e~~Organic ~~e~~Compounds (VOC) emissions from graphic arts operations. ~~The~~ This rule applies to any persons performing graphic arts operations or who ~~solicit, specify, offer for sale, sell, or distribute~~ supplies, sells, offers for sale, markets, manufactures, blends, repackages, stores at a worksite, distributes, applies or solicits the application of graphic arts materials for use in the District.

### (b) Definitions

For the purpose of this rule, the following definitions shall apply:

- (1) AEROSOL COATING PRODUCT is a pressurized coating product containing pigments or resins that dispenses product ingredients by means of a propellant, and is packaged in a disposable can for hand-held application, or for use in specialized equipment for ground marking and traffic marking applications.
- (2) ALCOHOL is an organic compound that contains a hydroxyl (OH) group and is used in the fountain solution to reduce the surface tension and increase the viscosity of water to prevent piling (ink build-up). For purposes of this rule, alcohol includes, but is not limited to, isopropyl alcohol (isopropanol), n-propanol and ethanol.
- (3) ALCOHOL SUBSTITUTE is an additive that contains VOCs but no alcohol and is used in the fountain solution to reduce the surface tension and increase the viscosity of water to prevent piling (ink build-up).
- (24) COATING is a ~~layer of~~ material which is applied to a substrate surface in order to beautify, protect or provide a barrier to such surface in a relatively unbroken film.
- (35) CAPTURE EFFICIENCY, in percent, is the ratio of the weight of the VOC in the effluent stream entering the control device to the weight of

VOC emitted from graphic arts operations, both measured simultaneously, and can be calculated by the following equation:

$$\text{Capture Efficiency} = [W_c/W_e] \times 100$$

Where:  $W_c$  = weight of VOC entering control device

$W_e$  = weight of VOC emitted

$$\text{Capture Efficiency} = [W_c/W_e] \times 100$$

Where:  $W_c$  = weight of VOC entering control device

$W_e$  = weight of VOC emitted

- (46) CONTROL DEVICE EFFICIENCY, in percent, is the ratio of the weight of the VOC removed by the control device from the effluent stream entering the control device to the weight of the VOC in the effluent stream entering the control device, both measured simultaneously, and can be calculated by the following equation:

$$\text{Control Device Efficiency} = [(W_c - W_a)/W_c] \times 100$$

Where:  $W_c$  = Weight of VOC entering control device

$W_a$  = Weight of VOC discharged from the control device

$$\text{Control Device Efficiency} = [(W_c - W_a)/W_c] \times 100$$

Where:  $W_c$  = Weight of VOC entering control device

$W_a$  = Weight of VOC discharged from the control device

- (57) END-USER is a person who performs graphic arts operations.
- (8) ENERGY CURABLE COATINGS, INKS AND ADHESIVES are single-component reactive products that cure upon exposure to visible-light, ultra-violet light or to an electron beam. The VOC content of thin film Energy Curable Coatings, Inks And Adhesives may be determined by manufacturers using ASTM Test Method 7767-11 "Standard Test Method to Measure Volatiles from Radiation Curable Acrylate Monomers, Oligomers, and Blends and Thin Coatings Made from Them."
- (69) EXEMPT COMPOUNDS (See Rule 102-Definition of Terms).
- (710) FACILITY is any permit unit or grouping of permit units or other air-contaminant-emitting activities which are located on one or more contiguous properties within the District, in actual physical contact or

separated solely by a public roadway or other public right-of-way, and are owned or operated by the same person (or by persons under common control). Such above-described groupings, if non-contiguous, but connected only by land carrying a pipeline, shall not be considered one facility.

- (811) FLEXOGRAPHIC PRINTING is a printing method utilizing a flexible rubber or other elastomeric plate in which the image area is raised relative to the ~~nonimage-non-image~~ area.
- (912) FLUORESCENT INK is a printing ink that emits electromagnetic radiation as a result of the absorption of energy from radiation.
- (1013) FOUNTAIN SOLUTION is the solution used in offset lithographic printing which is applied to the image plate to maintain the hydrophilic properties of the non-image ~~nonimage~~ areas. It is primarily water and contains at least one of the following materials: etchants such as mineral salts; hydrophilic gums; or VOC additives to reduce the surface tension of the solution.
- (1114) GRAMS OF VOC PER LITER OF COATING (OR INK OR ADHESIVE), LESS WATER AND LESS EXEMPT COMPOUNDS, is the weight of VOC per combined volume of VOC and coating (or ink or adhesive) solids and can be calculated by the following equation:

Grams of VOC per Liter of Coating (or Ink or Adhesive), Less Water

$$\text{and Less Exempt Compounds} = \frac{W_s - W_w - W_{es}}{V_m - V_w - V_{es}}$$

- Where:  $W_s$  = weight of volatile compounds in grams  
 $W_w$  = weight of water in grams  
 $W_{es}$  = -weight of exempt compounds in grams  
 $V_m$  = volume of material in liters  
 $V_w$  = volume of water in liters  
 $V_{es}$  = volume of exempt compounds in liters

For coatings that contain reactive diluents, the grams of VOC per Liter of Coating (or ink or adhesive), Less Water and Less Exempt Compounds, shall be calculated by the following equation:

Grams of VOC per Liter of Coating (or Ink or Adhesive), Less Water

$$\text{and Less Exempt Compounds} = \frac{W_s - W_w - W_{es}}{V_m - V_w - V_{es}}$$

Where:  $W_s$  = weight of volatile compounds evolved during curing and analysis in grams

$W_w$  = weight of water evolved during curing and analysis in grams

$W_{es}$  = weight of exempt compounds evolved during curing and analysis in grams

$V_m$  = volume of material prior to reaction in liters

$V_w$  = volume of water evolved during curing and analysis in liters

$V_{es}$  = volume of exempt compounds evolved during curing and analysis in liters

(~~42~~15) GRAMS OF VOC PER LITER OF MATERIAL is the weight of VOC per volume of material and can be calculated by the following equation:

$$\text{Grams of VOC per Liter of Material} = \frac{W_s - W_w - W_{es}}{V_m}$$

Where:  $W_s$  = weight of volatile compounds in grams

$W_w$  = weight of water in grams

$W_{es}$  = weight of exempt compounds in grams

$V_m$  = volume of material in liters

(~~43~~16) GRAPHIC ARTS ~~OPERATIONS~~OPERATIONS are gravure, letterpress, flexographic, and offset lithographic printing processes or related coating or laminating processes.

(~~44~~17) GRAPHIC ARTS MATERIALS are any inks, coatings, or adhesives, including added thinners or retarders, used in printing or related coating or laminating processes.

(~~45~~18) GRAVURE PRINTING is an intaglio printing process in which the ink is carried in minute etched or engraved wells on a roll or cylinder, excess ink being removed from the surface by a doctor blade.

(~~46~~19) HEATSET INK is an offset lithographic printing ink used on continuous web-~~feed~~fed printing presses that are equipped with hot air high velocity



dryers ~~or ovens~~. The ink dries or sets by heat induced evaporation of the ink oils and subsequent chilling of the ink by chill rolls.

- (1720) LAMINATION is a process of composing two or more layers of material to form a single, multiple-layer sheet by using an adhesive.
- (1821) LETTERPRESS PRINTING is a printing process in which the image area is raised relative to the ~~nonimage~~ non-image area and the ink is transferred to the substrate directly from the image surface.
- ~~(19) LITHOGRAPHIC PRINTING is a planographic printing process in which the image and nonimage areas are on the same plane and are chemically differentiated. This printing process differs from other printing processes where the image is typically printed from a raised or recessed surface.~~
- (2022) MATTE FINISH INK is a flexographic printing ink which is applied-used on non-porous substrates in flexographic printing operations and contains at least five (5) percent by weight silicon dioxide flattening agent.
- (2123) METALLIC INK is a flexographic printing ink which is applied-used on non-porous substrates in flexographic printing operations and contains at least 28 percent by weight elemental metal particles.
- (2224) NON-HEATSET INK is an offset lithographic printing ink that sets and dries by absorption into the substrate, and hardens by ambient air oxidation that may be accelerated by the use of infrared light sources. For the purposes of this definition ~~ultraviolet and electron beam energy~~ curable inks are examples of non-heatset inks.
- (2325) NON-POROUS SUBSTRATE is a substrate whose surface prevents penetration by water, including but not limited to foil, polyethylene, polypropylene, cellophane, paper or paperboard coated with a non-porous material, metalized polyester, nylon, and mylar.
- (26) OFFSET LITHOGRAPHIC PRINTING is a planographic printing process in which the image and non-image areas are on the same plane of a thin lithographic plate and are chemically differentiated. The ink film is transferred from the lithographic plate to an intermediary surface, a rubber covered cylinder called a blanket, which, in turn, transfers the ink to the substrate. This printing process differs from other printing processes where the image is typically printed from a raised or recessed surface.
- (2427) OVERALL CONTROL EFFICIENCY (C.E.), in percent, is the ratio of the weight of the VOC removed by the emission control system from the effluent stream entering the control device to the total VOC emitted from

graphic arts operations, both measured simultaneously, and can be calculated by the following equations:

$$C.E. = [(W_c - W_a) / W_e] \times 100$$

$$C.E. = [(Capture Efficiency) \times (Control Device Efficiency) / 100]$$

Where:  $W_c$  = Weight of VOC entering control device

$W_a$  = Weight of VOC discharged from the control device

$W_e$  = Weight of VOC emitted

- ~~(2528)~~ PACKAGING GRAVURE is gravure printing on paper, paperboard, foil, film or other substrates used to produce containers or packages.
- ~~(2629)~~ POROUS SUBSTRATE is a substrate whose surface does not prevent the penetration by water, including but not limited to paper, paperboard, and any paper product that is coated with a porous material.
- ~~(2730)~~ POTENTIAL TO EMIT is the maximum capacity of a stationary source to emit a regulated air pollutant based on its physical or operational design. Any physical or operational limitation on the capacity of the stationary source to emit a pollutant, including air pollution control equipment and restrictions on hours of operations or on the type of material combusted, stored, or processed, shall be treated as part of the design only if the limitation is federally enforceable.
- ~~(2831)~~ PRINTING in the graphic arts is any operation that imparts color, design, alphabet, or numerals on a substrate.
- ~~(2932)~~ PRINTING INK is a pigmented fluid or viscous material used in printing.
- ~~(3033)~~ PROOF PRESS is a press used only to check the quality of print, color reproduction, and editorial content.
- ~~(3434)~~ PUBLICATION GRAVURE is gravure printing on paper subsequently formed into books, magazines, catalogues, brochures, directories, newspaper supplements or other types of printed materials not classified as packaging gravure.
- ~~(3235)~~ REACTIVE DILUENT is a liquid which is a VOC during application and one in which, through chemical reaction or physical actions, such as adsorption or retention in the substrate, 20 percent or more of the VOC becomes an integral part of a finished product.
- ~~(3336)~~ REFRIGERATED CHILLER is a device that continuously maintains and supplies fountain solution to a holding tray at a temperature of 55 degrees

Fahrenheit or less measured at the supply tank, thereby reducing evaporative emissions of VOCs in fountain solutions.

- (3437) SOLVENT CLEANING ~~is the removal of loosely held uncured adhesives, uncured inks, uncured coatings, and contaminants including, but not limited to, dirt, soil, and grease from parts, products, tools, machinery, equipment and general work areas~~ as defined in Rule 1171 – Solvent Cleaning Operations.
- (3538) STERILIZATION INDICATING INKS are inks that change color to indicate that sterilization has occurred. Such inks are used to monitor the sterilization of medical instruments, autoclave efficiency, and the thermal processing of foods for prevention of spoilage.
- (3639) VOLATILE ORGANIC COMPOUND (VOC) is as defined in Rule 102 – Definition of Terms.
- (3740) ~~WEB FEED~~WEB-FED is an automatic system which supplies substrate from a continuous roll, or from an extrusion process.

(c) Requirements

(1) VOC Content of Graphic Arts Materials

No person shall supply, sell, offer for sale, market, manufacture, blend, package, repackage, distribute, apply or solicit the application of any graphic arts material, including any VOC-containing materials added to the original graphic arts materials, for use in the District, which contains a ~~total~~ VOC in excess of the VOC content limits ~~specified set forth in the Table of Standards I~~ below:

<u>GRAPHIC ARTS MATERIAL</u>	<u>VOC LIMIT</u> Grams per Liter of Coating (or Ink or Adhesive), Less Water and Less Exempt Compounds	
	<u>(October 8, 1999)</u>	<u>Effective January 1, 2000</u>
Lithographic Ink	300	300
Letterpress Ink	300	300
Gravure Ink	300	300
Flexographic Ink Non-Porous Substrate	300	300

Flexographic Ink Porous Substrate	300	225
Flexographic Fluorescent Ink	300	300
Coating	300	300
Adhesive	300	150

**TABLE OF STANDARDS I**

<b><u>VOC CONTENT LIMITS</u></b> <b><u>Grams of VOC Per Liter of Coating, Ink, and Adhesive, Less Water And Less Exempt Compounds</u></b>	
<b><u>GRAPHIC ART MATERIAL</u></b>	<b><u>Current Limit</u></b> <b><u>(g/L)</u></b>
<u>Adhesive</u>	<u>150</u>
<u>Coating</u>	<u>300</u>
<u>Flexographic Fluorescent Ink</u>	<u>300</u>
<u>Flexographic Ink: Non-Porous Substrate</u>	<u>300</u>
<u>Flexographic Ink: Porous Substrate</u>	<u>225</u>
<u>Gravure Ink</u>	<u>300</u>
<u>Letterpress Ink</u>	<u>300</u>
<u>Offset Lithographic Ink</u>	<u>300</u>

(2) VOC Content of Fountain Solution

~~(A) Through December 31, 1999, no~~ No person shall apply ~~any in any graphic arts operation any~~ fountain solution, including any VOC-containing materials added to the original fountain solution, ~~which contains a total VOC in excess of 100 grams per liter of material. Effective January 1, 2000, the VOC content of fountain solution, including any VOC containing material added to the original fountain solution as applied, shall be:~~ for use in a graphic arts operation within the District unless the VOC content in the fountain solution, as applied, complies with the applicable VOC limits set-forth in the Table of Standards II below.

~~(A) no greater than 80 grams per liter of material, or~~

**TABLE OF STANDARDS II**

<u>VOC CONTENT LIMITS</u> Grams of VOC Per Liter of Material		
<u>FOUNTAIN SOLUTION</u>	<u>1/1/2000</u>	<u>7/1/2014</u>
	<u>g/L</u>	<u>g/L</u>
<u>Heatset Web-Fed</u>		
<u>Using Alcohol without Refrigerated Chiller</u>	<u>80</u>	<u>16</u>
<u>Using Alcohol with Refrigerated Chiller</u>	<u>100</u>	<u>30</u>
<u>Using Alcohol Substitute</u>	<u>80</u>	<u>50</u>
<u>Sheet-Fed</u>		
<u>Using Alcohol without Refrigerated Chiller</u>	<u>80</u>	<u>50</u>
<u>Using Alcohol with Refrigerated Chiller</u>	<u>100</u>	<u>85</u>
<u>Using Alcohol Substitute</u>	<u>80</u>	<u>50</u>
<u>Non-Heatset Web-Fed</u>		
<u>Using Alcohol Substitute without Refrigerated Chiller</u>	<u>80</u>	<u>50</u>
<u>Using Alcohol Substitute with Refrigerated Chiller</u>		

(A) ~~no greater than 80 grams per liter of material, or~~

(B) ~~no greater than 100 grams per liter of material, if a refrigerated chiller is used.~~ The use of alcohol containing fountain solutions is prohibited for use in non-heatset web-fed operations.

- (3) Solvent Cleaning Operations; Storage and Disposal of VOC-containing Materials-

~~Solvent cleaning of application equipment, parts, products, tools, machinery, equipment, general work areas, and the storage and disposal of VOC containing materials used in cleaning operations and the storage and disposal of VOC-containing materials used in cleaning operations are subject to the provisions of~~ shall be carried out pursuant to Rule 1171 - Solvent Cleaning Operations.

- (4) Prohibition of Storage

Effective July 1, 2014, a person shall not store any graphic arts material at a worksite for use in the District which contains VOC in the excess of the VOC-content limits specified in paragraph (c)(1).

(45) Approved Emission Control System

~~A person may comply with the provisions of paragraphs (c)(1) or (c)(2) by using an emission control system, consisting of a collection and a control device, which is approved, in writing, by the Executive Officer for reducing emissions of volatile organic compounds.~~

~~(A) — Graphic Arts Materials~~

~~The Executive Officer shall approve an emission control system to be used in conjunction with graphic arts materials only if its overall control efficiency will reduce the VOC emissions from the use of non-compliant graphic arts materials to a level equal to or lower than that which would have been achieved through compliance with the terms of paragraphs (c)(1) or meets the applicable limits listed below, whichever results in lower emissions.~~

<u>Type of Printing</u>	<u>Overall Efficiency</u>	
	<u>(October 8, 1999)</u>	<u>Effective January 1, 2000</u>
Flexography	67%	75%
Publication gravure	75%	85%
Packaging gravure	67%	75%
Lithography	67%	75%
Letterpress	67%	75%

~~The required overall efficiency of an emission control system at which an equivalent VOC emission will be achieved, compared to the emissions achieved through compliance with paragraphs (c)(1), shall be calculated by the following equation:~~

$$C.E. = \left[ 1 - \frac{\left[ \frac{VOC_{LWc}}{VOC_{LWn,Max}} \times \frac{1 - (VOC_{LWn,Max} / D_{n,Max})}{1 - (VOC_{LWc} / D_c)} \right] \right] \times 100$$

~~Where: C.E. = Overall Control Efficiency, percent~~

~~VOC<sub>LWc</sub> = VOC Limit of Rule 1130, less water and less exempt compounds, pursuant to paragraphs (c)(1).~~

~~VOC<sub>LWn,Max</sub> = Maximum VOC content of non-compliant~~

~~\_\_\_\_\_ graphic arts materials used in conjunction with a control device, less water and exempt compounds, g/L.~~

~~$D_{n,Max}$  = Density of VOC solvent, reducer, or thinner contained in the non-compliant graphic arts materials containing the maximum VOC, g/L.~~

~~$D_e$  = Density of corresponding VOC solvent, reducer, or thinner used in the compliant graphic arts materials = 880 g/L.~~

~~(B) Fountain Solution~~

~~\_\_\_\_\_ Through December 31, 1999, the Executive Officer shall approve an emission control system to be used in conjunction with fountain solutions only if its overall control efficiency is at least 67%. Effective January 1, 2000, the overall control efficiency shall be at least 75%.~~

A person may comply with the provisions of paragraph (c)(1) or (c)(2) by using an emission control system to reduce VOC emissions provided such system is first approved in writing by the Executive Officer and meets the following requirements:

(A) The control device reduces VOC emissions from an emissions collection system by at least 95 percent, by weight, or the output of the air pollution control device is no more than 50 PPM by volume calculated as carbon with no dilution; and

(B) The owner/operator demonstrates that the emission collection system collects at least 90 percent, by weight, of the VOC emissions generated by the sources emissions.

~~(56)~~ Alternative Emission Control Plan

A person may comply with the provisions of paragraphs (c)(1) or (c)(2) by means of an approved Alternative Emission Control Plan ~~(AECPP)~~ pursuant to Rule 108 - Alternative Emission Control Plans.

## (d) Prohibition of Specification and Sale

(1) No person shall solicit from, or require any other person to use in the District any graphic arts material which, when applied as supplied or thinned or reduced according to the manufacturer's recommendation for application, does not meet the applicable VOC limits in paragraph (c)(1) or subparagraph ~~(i)(1)(C)~~ (i)(4)(C) for the specific application.

(2) No person shall supply, offer for sale, sell, market, blend, package, repackage, manufacture or distribute, or distribute directly to an end-user ~~for use in the District~~ any graphic arts material for use in the District which, when applied as supplied or thinned or reduced according to the manufacturer's recommendation for application, does not meet the applicable VOC limits in paragraph (c)(1) or subparagraph ~~(i)(4)(C)~~ (i)(4)(C) for the specific application.

(3) The prohibition of sales and use as specified in paragraphs (d)(1) and (d)(2) shall not apply to any manufacturer of graphic arts materials, provided that the manufacturer has complied with the labeling requirements of Rule 443.1 – Labeling of Materials Containing Organic Solvents, and the product is not sold directly to a user located in the District, or the product was sold to an independent distributor or a sales outlet located in the District that is not a subsidiary of, or under the control of the manufacturer, and was informed in writing by the manufacturer about the compliance status of the product with Rule 1130.

(e) Recordkeeping and Reporting Requirements

Records shall be maintained pursuant to Rule 109. For emissions reporting purposes, the following substrate retention factors shall be applied to the lithographic oil content of the inks: 20 percent retention for heatset inks and 95 percent retention for non-heatset inks.

(f) Rule 442 Applicability

Any graphic arts operations ~~subject to this rule which is exempt~~exempted from all or a portion of the VOC limits of this rule shall comply with the provisions of Rule 442 – Usage of Solvents.

(g) Emission Reduction Credits

~~The calculations for emission reduction credits issued pursuant to District Rule 1309 for matte finish and metallic inks shall be based on a maximum VOC limit of 300 grams per liter (less water and less exempt compounds) irrespective of the VOC limits specified in subparagraph (i)(4)(C).~~Facilities that use matte finish and metallic inks shall not receive emission reduction credit(s) pursuant to SCAQMD Rule 1309 above those emission reduction credit(s) that the facility would have received if it was operated with coatings having a VOC content of no



more than 300 grams per liter, less water and less exempt compounds irrespective of the VOC limits specified in paragraph (i)(4)(C).

(h) Test Methods

(1) VOC Content of Graphic Arts Materials

The VOC content of graphic arts materials except publication rotogravure inks shall be determined by:

- (A) United States Environmental Protection Agency (U.S. EPA) Reference Test Method 24, (Determination of Volatile Matter Content, Water Content, Density, Volume Solids, and Weight Solids of Surface Coatings, Code of Federal Regulations, Title 40, Code of Federal Regulations, Part 60, Appendix A). The exempt compounds' content shall be determined by District-South Coast Air Quality Management's (SCAQMD) Laboratory Test Method 302 (Distillation of Solvents from Paints, Coatings and Inks) and 303 (Determination of Exempt Compounds) contained in the District-SCAQMD's "Laboratory Methods of Analysis for Enforcement Samples" manual; or
- (B) SCAQMD District-Test Method 304 [Determination of Volatile Organic Compounds (VOCs) in Various Materials] contained in the District-SCAQMD's "Laboratory Methods of Analysis for Enforcement Samples" manual.

(2) VOC Content and Density of Publication Rotogravure Ink:

The VOC content and density of publication rotogravure inks shall be determined by:

- (A) ~~United States Environmental Protection Agency (U.S. EPA)~~ Reference Test Method 24A, (Title 40 Code of Federal Regulations, Part 60, Appendix A) Determination of Volatile Matter Content and Density of Publication Rotogravure Inks and Related Publication Rotogravure Coatings, Code of Federal Regulations Title 40, Part 60, Appendix A). The exempt compounds' content shall be determined by District-SCAQMD's Laboratory Test Method 303 (Determination of Exempt Compounds) contained in the District-SCAQMD's "Laboratory Methods of Analysis for Enforcement Samples" manual; or

(B) ~~SCAQMD District Test~~ Method 304 [Determination of Volatile Organic Compounds (VOCs) in Various Materials] contained in ~~the District SCAQMD's~~ "Laboratory Methods of Analysis for Enforcement Samples" manual.

(3) Exempt Perfluorocarbon Compounds

~~The following classes of compounds: cyclic, branched, or linear, completely fluorinated alkanes; cyclic, branched, or linear, completely fluorinated ethers with no unsaturations; cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.~~ The following classes of compounds:

Cyclic, branched, or linear, completely fluorinated alkanes;

Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;

Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and

Sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

will be analyzed as exempt compounds for compliance with subdivision

(c) and subparagraph ~~(i)(11)(C)~~ (i)(4)(C), only ~~at such time as when~~ manufacturers specify which individual compounds are used in the ink and coating formulations. ~~and identify the test methods, which, prior to such analysis, have been approved by~~ In addition, the manufacturers must identify the U.S. EPA, CARB, and the District, that SCAQMD approved test methods, which can be used to quantify the amounts of each exempt compound.

(4) Determination of Efficiency of Emission Control Systems

(A) The capture efficiency of an emission control system as defined specified in paragraph (b)(~~25~~) shall be determined ~~by a minimum of three sampling runs subject to the data quality objective (DQO) presented in the~~ by the procedures presented in U.S. EPA technical guideline document, "Guidelines for Determining Capture Efficiency, January 9, 1995". ~~Individual capture efficiency test runs subject to the USEPA technical guidelines shall be determined by:~~ Notwithstanding the test methods specified by the

Guidelines, any other method approved by the U.S. EPA, CARB and the SCAQMD Executive Officer may be substituted.

~~(i) — Applicable USEPA Methods 204, 204A, 204B, 204C, 204E, and/or 204F; or~~

~~(ii) — The District "Protocol for Determination of Volatile Organic Compounds (VOC) Capture Efficiency"; or~~

~~(iii) — any other method approved by the USEPA, the California Air Resources Board, and the District Executive Officer.~~

(B) The efficiency of the control device ~~efficiency of an the~~ emission control system as ~~defined specified~~ in paragraph (b)(~~36~~) and the VOC content in the control device exhaust gases, measured and calculated as carbon, shall be determined by U.S. EPA Test Methods 25, 25A, ~~or District SCAQMD~~ Method 25.1 (Determination of Total Gaseous Non-Methane Organic Emissions as Carbon) or SCAQMD Method 25.3 (Determination of Low Concentration Non-Methane Non-Ethane Organic Compound Emissions from Clean Fueled Combustion Sources) as applicable. U.S. EPA Test Method 18, or CARB Method 422 shall be used to determine emissions of exempt compounds.

(5) Equivalent Test Methods

Other test methods determined by the staffs of the District to be equivalent by the Executive Officer, CARB, and the U.S. EPA, to be equivalent to the test methods specified in this rule, and approved in writing by the District Executive Officer may also be used.

(6) Multiple Test Methods

When more than one test method or set of test methods are specified for any testing, a violation of any requirement of this rule established by any one of the specified test methods or set of test methods shall constitute a violation of the rule.

(7) Test Methods Dates

All test methods referenced in this section subdivision shall be the most recently approved versions. ~~The Executive Officer may update test methods as necessary to reflect the most accurate method available, provided the method does not affect the stringency of the rule by the~~ appropriate governmental entities.

## (i) Exemptions

(1) The provisions of this rule shall not apply to:

- ~~(4A)~~ Fountain solutions used on proof presses.
- ~~(2B)~~ Coating operations subject to other rules of Regulation XI.
- ~~(3C)~~ Solar-control window film.
- ~~(4D)~~ Heat-applied transfer decals.
- ~~(5E)~~ Graphic arts on ceramic materials.
- ~~(6F)~~ Circuitry printing.
- ~~(7G)~~ Blanket repair material used in containers of four ounces or less.
- ~~(8H)~~ Sterilization indicating inks.

(I) Aerosol coating products.(J) Graphic arts materials that have a VOC content of no more than 10 g/L, less water and less exempt compounds, as applied.

~~(92)~~ The prohibition specified in paragraphs (d)(1) or (d)(2) shall not apply to persons offering graphic arts materials for sale to, selling graphic arts materials to, distributing graphic arts materials to, or requiring the use of graphic arts materials from, persons who are operating an approved emission control system under paragraph (c)~~(45)~~, or complying under paragraph (c)~~(56)~~-, or operating pursuant to paragraphs (i)(1), ~~(i)(2), (i)(3),~~ (i)(4), (i)(5), or (i)(6), ~~(i)(7), (i)(8), (i)(11)(C), (i)(12), or (i)(13).~~

~~(103)~~ The prohibition specified in subdivision (d) shall not apply to graphic arts materials which will be used solely outside of the District.

~~(114)~~ The provisions of paragraph (c)(1) shall not apply to metallic and matte finish inks provided that:

- (A) The usage of matte finish or metallic inks each as supplied shall not exceed two (2) gallons on any one day and 125 gallons per calendar year at a facility; and
- (B) The potential to emit and the actual VOC emissions from a facility which applies matte finish or metallic inks does not exceed ten (10) tons per calendar year from all VOC emission sources; and
- (C) The VOC content of matte finish and metallic inks do not exceed 535 and 460 grams per liter (less water and less exempt compounds) respectively, including any VOC containing materials added to the original ink, as applied; and

- (D) The owner or operator of the facility certifies in writing to the Executive Officer that they shall not emit VOCs in excess of ten (10) tons per calendar year. Such a certification shall be considered an agreement by the facility to limit the facility's potential to emit; ~~and.~~
- ~~(E) Facilities operating under the provisions of paragraph (i)(11) whose actual emissions exceed ten (10) tons in any calendar year shall henceforth be subject to the requirements of paragraph (c)(1); and~~
- ~~(F) In addition to the requirements of subdivision (e), facilities shall retain records of purchase orders and invoices of VOC containing materials for a minimum of two (2) years.~~
- (5) Facilities operating under the provisions of paragraph (i)(4) whose actual emissions exceed ten (10) tons in any calendar year shall:
- (A) henceforth be subject to the requirements of paragraph (c)(1).
- (B) In addition to the requirements of subdivision (e), facilities shall retain records of purchase orders and invoices of VOC-containing materials for a minimum of five (5) years.
- (6) The provision of paragraph (c)(4) shall not apply to a worksite that stores graphic arts materials provided such graphic arts materials are vented exclusively to printing systems equipped with an approved emission control system pursuant ~~with~~to the requirements of paragraph (c)(5).
- ~~(12) The provisions of this rule shall not apply to aerosol coating products.~~
- ~~(13) The provisions of paragraph (c)(1) shall not apply to postal cancellation inks provided the VOC emissions from these inks, at a facility, do not exceed 60 pounds per calendar month.~~
- (8) The provisions of paragraph (c)(2) shall not apply to sheet-fed offset presses that have a sheet size no larger than 11 inches by 17 inches, or any offset press if the total solution reservoir capacity is one gallon or less, provided the VOC content of the fountain solution used contains no more than 80 grams per liter of material, as applied, or if using a refrigerated chiller, no more than 100 grams per liter of material, as applied.

**APPENDIX B**

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**AFFECTED PAR 1130 FACILITIES WITH EXISTING ADD-  
ON CONTROLS AND OVERALL CAPTURE EFFICIENCY**

Affected PAR 1.130 Facilities with Existing Add-On Controls and Overall Capture Efficiency

Facility No.	County Location	Collection Efficiency	Destruction Efficiency	Capture Efficiency	Control Description
1	LAC	99.5%	99.9%	99.4%	Regenerative/Recuperative Oxidizer - Ceramic Hot Rock
2	LAC	99.5%	99.8%	99.3%	Regenerative/Recuperative Oxidizer - Ceramic Hot Rock
3	LAC	99.5%	99.8%	99.3%	Afterburner, Direct Flame
4	LAC	99.5%	99.7%	99.2%	Regenerative/Recuperative Oxidizer - Ceramic Hot Rock
5	LAC	99.5%	99.7%	99.2%	Regenerative/Recuperative Oxidizer - Ceramic Hot Rock
6	LAC	99.5%	99.6%	99.1%	Regenerative/Recuperative Oxidizer - Ceramic Hot Rock
7	LAC	100.0%	99.0%	99.0%	Afterburner, Direct Flame
8	LAC	99.5%	99.0%	98.5%	Regenerative/Recuperative Oxidizer - Ceramic Hot Rock
9	OC	99.5%	98.3%	97.8%	Regenerative/Recuperative Oxidizer - Ceramic Hot Rock
10	OC	99.5%	98.1%	97.6%	Afterburner, Direct Flame
11	OC	99.5%	98.0%	97.5%	Afterburner, Direct Flame
12	OC	99.5%	97.5%	97.0%	Regenerative/Recuperative Oxidizer - Ceramic Hot Rock
13	RC	99.5%	97.4%	96.9%	Afterburner, Direct Flame
14	SBC	100.0%	96.7%	96.7%	Afterburner, Direct Flame
15	OC	99.5%	96.8%	96.3%	Afterburner/Oxidizer, Catalytic
16	LAC	99.5%	95.5%	95.0%	Afterburner/Oxidizer, Catalytic
17	LAC	99.5%	95.0%	94.5%	Afterburner, Direct Flame
18	RC	99.5%	95.0%	94.5%	Regenerative/Recuperative Oxidizer - Ceramic Hot Rock
19	LAC	99.5%	95.0%	94.5%	Afterburner/Oxidizer, Catalytic
20	SBC	99.5%	95.0%	94.5%	Afterburner/Oxidizer, Catalytic
21	LAC	99.5%	95.0%	94.5%	Afterburner, Direct Flame
22	LAC	99.5%	95.0%	94.5%	Regenerative/Recuperative Oxidizer - Ceramic Hot Rock
23	LAC	99.5%	95.0%	94.5%	Regenerative/Recuperative Oxidizer - Ceramic Hot Rock
24	OC	99.5%	95.0%	94.5%	Afterburner (< 1 mmBTU/hr, venting to MS)
25	LAC	99.5%	95.0%	94.5%	Afterburner, Direct Flame
26	OC	99.5%	95.0%	94.5%	Afterburner, Direct Flame

Affected PAR 1.130 Facilities with Existing Add-On Controls and Overall Capture Efficiency

27	OC	99.5%	95.0%	94.5%	Regenerative/Recuperative Oxidizer - Ceramic Hot Rock
28	SBC	99.5%	95.0%	94.5%	Afterburner, Direct Flame
29	RC	99.5%	92.1%	91.6%	Afterburner/Oxidizer, Catalytic

Average      **99.5%**      **97.0%**      **96.3%**



**APPENDIX C**

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**FOUNTAIN SOLUTION SURVEY DATA AND PROPOSED  
VOC COMPLIANCE LIMITS**

Fountain Solution Survey Data and Proposed VOC Compliance Limits

Product	Packaged VOC (g/L)	Recommended Mixture (in ounces)	Highest Mixture (in ounces)	Mixture plus 120 ounces (in ounces)	RT.U. VOC (g/lb)	Exceeds 10g/L (min dose)	Exceeds 10g/L (max dose)	Exceeds 30g/L ?	Exceeds 30g/L ?	25?
Laser Plate Fountain Solution and Etch	0.0	9.0 to 12.0	12.0	137.0	0.0	OK	OK	OK	OK	No
Neutral pH Fountain Solution	0.0	1.0 to 1.25	1.3	129.0	0.0	OK	OK	OK	OK	No
SHEETFED FOUNTAIN SOLUTION Alcohol Free Fountain Solution	402.0	3.0 to 5.0	5.0	131.0	15.1	OK	OK	OK	OK	No
SHEETFED FOUNTAIN SOLUTION Alcohol Free Fountain Solution	402.0	3.0 to 6.0	6.0	131.0	18.0	OK	EXCEEDS	OK	OK	No
SILVER FOUNTAIN SOLUTION	402.0	2.0 to 5.0	5.0	130.0	15.1	OK	OK	OK	OK	No
WIDE FORMAT /WEB FOUNTAIN SOLUTION	402.0	3.0 to 6.0	6.0	131.0	18.0	OK	EXCEEDS	OK	OK	No
UNIVERSAL FOUNTAIN SOLUTION	250.6	8.0	8.0	136.0	14.7	OK	OK	OK	OK	No
UNIVERSAL FOUNTAIN SOLUTION	249.7	8.0	8.0	136.0	14.7	OK	OK	OK	OK	No
Universal Fountain Solution, Laser Plates	236.7	4.0	4.0	132.0	7.2	OK	OK	OK	OK	No
FOUNTAIN SOLUTION for Metal, Silver, or Laser Polyester Plates	93.5	4.0	4.0	132.0	2.8	OK	OK	OK	OK	No
WEB Fed	219.3	4.0 to 6.0	6.0	132.0	9.8	OK	OK	OK	OK	No
FOUNTAIN SOLUTION	35.9	4.0 to 6.0	6.0	132.0	1.6	OK	OK	OK	OK	No
FOUNTAIN	0.0	2.5 to 4.0	4.0	130.5	0.0	OK	OK	OK	OK	No
Fountain Solution	249.2	4.0 to 6.0	6.0	132.0	11.2	OK	OK	OK	OK	No
Fountain Solution	278.0	5.0 to 8.0	8.0	133.0	16.4	OK	EXCEEDS	OK	OK	No
Fountain Solution	0.0	2.5 to 4.0	4.0	130.5	0.0	OK	OK	OK	OK	No
Duplicator Fountain Solution	179.0	1.0 to 4.0	4.0	129.0	5.4	OK	OK	OK	OK	No
Sheetfed	179.0	5.0 to 8.0	8.0	133.0	10.5	OK	OK	OK	OK	No
Sheetfed Fountain Solution	232.0	4.0 to 9.0	9.0	132.0	15.2	OK	OK	OK	OK	No
Sheetfed Fountain Solution	230.0	2.5 to 4.0	4.0	130.5	7.0	OK	OK	OK	OK	No
Sheetfed Fountain Solution	216.0	2.5 to 4.0	4.0	130.5	6.5	OK	OK	OK	OK	No
Sheetfed Fountain Solution	230.0	4.0 to 8.0	8.0	132.0	13.5	OK	OK	OK	OK	No
Small Sheetfed Presses	290.0	4.0 to 6.0	6.0	132.0	13.0	OK	OK	OK	OK	No
Duplicator Fountain Solution	203.0	1.0 to 4.0	4.0	129.0	6.2	OK	OK	OK	OK	No
Small Sheetfed Presses	64.0	1.0 to 3.0	3.0	129.0	1.5	OK	OK	OK	OK	No
Sheetfed Fountain Solution	80.0	2.0 to 3.0	3.0	130.0	1.8	OK	OK	OK	OK	No
FOUNTAIN SOLUTION	62.3	2.5 to 5.0	5.0	130.5	2.3	OK	OK	OK	OK	No
FOUNTAIN SOLUTION	62.3	2.5 to 5.0	5.0	130.5	2.3	OK	OK	OK	OK	No
FOUNTAIN SOLUTION	40.7	1.0 to 2.0	2.0	129.0	0.6	OK	OK	OK	OK	No
FOUNTAIN SOLUTION	64.7	1.0 to 2.0	2.0	129.0	1.0	OK	OK	OK	OK	No
FOUNTAIN SOLUTION	53.9	1.5	1.5	129.5	0.6	OK	OK	OK	OK	No
FOUNTAIN SOLUTION	24.0	1.5	1.5	129.5	0.3	OK	OK	OK	OK	No
FOUNTAIN SOLUTION	22.8	2.0 to 4.0	4.0	130.0	0.7	OK	OK	OK	OK	No
FOUNTAIN SOLUTION	37.1	1.5	1.5	129.5	0.4	OK	OK	OK	OK	No
FOUNTAIN SOLUTION	22.8	2.0 to 4.0	4.0	130.0	0.7	OK	OK	OK	OK	No
FOUNTAIN SOLUTION	179.7	5.0 to 7.0	7.0	133.0	9.3	OK	OK	OK	OK	No

Fountain Solution Survey Data and Proposed VOC Compliance Limits

Product	Packaged VOC (g/L)	Recommended Mixture (in ounces)	Highest Mixture (in ounces)	Mixture plus 120 ounces (in ounces)	R.T.U. VOC (g/L)	Exceeds 10 g/L (min. dose)	Exceeds 10 g/L (max. dose)	Exceeds 30 g/L ?	Exceeds 30 g/L ?	25?
FOUNTAIN CONCENTRATE	227.7	2.0 to 3.0	3.0	130.0	5.2	OK	OK	OK	OK	No
FOUNTAIN CONCENTRATE	234.9	5.0	5.0	133.0	8.8	OK	OK	OK	OK	No
FOUNTAIN CONCENTRATE	263.6	4.5 to 5.5	5.5	132.5	10.9	OK	OK	OK	OK	No
FOUNTAIN CONCENTRATE	335.5	4.0 to 5.0	5.0	132.0	12.6	OK	OK	OK	OK	No
FOUNTAIN CONCENTRATE	79.1	4.0	4.0	132.0	2.4	OK	OK	OK	OK	No
FOUNTAIN CONCENTRATE	0.0	2.5 to 3.5	3.5	130.5	0.0	OK	OK	OK	OK	No
FOUNTAIN CONCENTRATE	0.0	3.0	3.0	131.0	0.0	OK	OK	OK	OK	No
FOUNTAIN CONCENTRATE	349.9	3.5 to 5.5	5.5	131.5	14.4	OK	OK	OK	OK	No
Acid Fountain Solution	227.7	2.0 to 3.0	3.0	130.0	5.2	OK	OK	OK	OK	No
Fountain Solution for Sheetfed Applications	365.5	4.0 to 5.0	5.0	132.0	13.7	OK	OK	OK	OK	No
Alcohol Replacement Fountain Solution	263.6	4.5 to 5.5	5.5	132.5	10.9	OK	OK	OK	OK	No
Acid Fountain Solution with Calcium Control	0.0	3.0	3.0	131.0	0.0	OK	OK	OK	OK	No
Fountain Solution Concentrate	9.6	2.0	2.0	130.0	0.1	OK	OK	OK	OK	No
Alcohol Replacement Fountain Solution	297.2	5.0 to 6.0	6.0	133.0	13.3	OK	OK	OK	OK	No
Acid Fountain Solution for Ink Dryer & Calcium Control	203.7	3.0	3.0	131.0	4.7	OK	OK	OK	OK	No
Alcohol Replacement Fountain Solution	95.9	4.5 to 5.5	5.5	132.5	3.9	OK	OK	OK	OK	No
Neutral Fountain Solution Concentrate	25.2	1.5 to 2.0	2.0	129.5	0.4	OK	OK	OK	OK	No
Alcohol Replacement Fount for Heat-Set Webs	83.9	4.5 to 5.0	5.0	128.0	3.2	OK	OK	OK	OK	No
Fountain Solution Concentrate	0.0	1.5 to 2.0	2.0	128.0	0.0	OK	OK	OK	OK	No
Acid Fount for Sheetfed and Brush Dampening	0.0	2.5 to 3.5	3.0	128.0	0.0	OK	OK	OK	OK	No
All Purpose, Pure Gum Arabic Solution	0.0	4.0 to 19.0	19.0	128.0	0.0	OK	OK	OK	OK	No
Alcohol Replacement Fountain Solution	92.3	4.0 to 5.0	5.0	128.0	3.5	OK	OK	OK	OK	No
Newspaper Fountain Solution	6.0	1.5 to 2.0	2.0	128.0	0.1	OK	OK	OK	OK	No
Heat-Set Web Fount	73.1	4.0 to 5.0	5.0	128.0	2.7	OK	OK	OK	OK	No
2-Part Acid Fountain Solution for Sheetfed Application	204.9	2.0	2.0	128.0	3.2	OK	OK	OK	OK	No
2-Part Acid Fountain Solution for Sheetfed Application	222.9	2.0	2.0	128.0	3.4	OK	OK	OK	OK	No
2-Part Acid Fountain Solution for Sheetfed Application	204.9	2.0	2.0	128.0	3.2	OK	OK	OK	OK	No
Neutral Fountain Solution Concentrate	26.4	2.0	2.0	128.0	0.4	OK	OK	OK	OK	No
Alkaline Fountain Solution for Newspapers	22.8	1.5 to 2.0	2.0	129.5	0.4	OK	OK	OK	OK	No
Acid Fountain Solution	232.5	4.0 to 5.0	5.0	132.0	8.7	OK	OK	OK	OK	No
Alcohol Replacement Fountain Solution	234.9	4.5 to 5.0	5.0	132.5	8.8	OK	OK	OK	OK	No
Alcohol Replacement Fountain Solution	227.7	4.5 to 5.5	5.5	128.0	9.4	OK	OK	OK	OK	No
Acid Fountain Solution	228.9	4.0 to 5.0	5.0	132.0	8.6	OK	OK	OK	OK	No
Alcohol Replacement Fountain Solution	251.6	4.5 to 5.5	5.5	128.0	10.4	OK	OK	OK	OK	No
Single-Package Alcohol Replacement Acid Fountain Solution	365.5	5.0	5.0	133.0	13.7	OK	OK	OK	OK	No
Acid Fountain Solution for Web Presses	378.7	3.0	3.0	131.0	8.7	OK	OK	OK	OK	No

Fountain Solution Survey Data and Proposed VOC Compliance Limits

Product	Packaged VOC (g/L)	Recommended Mixture (in ounces)	Highest Mixture (in ounces)	Mixture plus 120 ounces (in ounces)	R.T.U. VOC (g/L)	Exceeds 10 g/L (min. dose)	Exceeds 10 g/L (max. dose)	Exceeds 30 g/L ?	Exceeds 30 g/L ?	25?
Acid Fountain Solution	225.3	2.0 to 3.0	3.0	130.0	5.2	OK	OK	OK	OK	No
Alcohol Replacement Fountain Solution for Polyester Plates	335.5	5.0	5.0	133.0	12.6	OK	OK	OK	OK	No
Neutral Fountain Solution Concentrate	0.0	1.7 to 2.0	2.0	129.7	0.0	OK	OK	OK	OK	No
Mild Acid Fountain Solution	12.0	1.75 to 2.25	2.3	129.8	0.2	OK	OK	OK	OK	No
Premium Newspaper Fountain Solution	81.5	2.0 to 3.0	3.0	130.0	1.9	OK	OK	OK	OK	No
Newspaper Fountain Solution	0.0	1.25 to 1.5	1.5	129.3	0.0	OK	OK	OK	OK	No
Super Concentrate for Newspapers & Cold webs	0.0	2.0 to 3.2	3.2	130.0	0.0	OK	OK	OK	OK	No
2-Part Acid Fountain Solution for Sheetfed Application	249.2	2.0 to 3.0	3.0	130.0	5.7	OK	OK	OK	OK	No
Mild Acid Fountain Solution for Newspapers	80.3	2.0 to 2.5	2.5	130.0	1.5	OK	OK	OK	OK	No
Acid Fountain Solution for Brush Dampening	79.1	3.0 to 4.0	4.0	131.0	2.4	OK	OK	OK	OK	No
Fountain Solution for Heatset Web	87.5	4.0 to 6.0	6.0	132.0	3.9	OK	OK	OK	OK	No
Non-HAPS Alcohol Substitute	811.3	1.0 to 4.0	4.0	129.0	24.6	OK	EXCEEDS	OK	OK	No
Single Step Fountain Solution for Sheetfed Applications	299.6	4.0 to 6.0	6.0	132.0	13.4	OK	OK	OK	OK	No
2-Part Acid Fountain Solution for Sheetfed Application	219.3	4.0 to 6.0	6.0	132.0	9.8	OK	OK	OK	OK	No
Single Step Fountain Solution for Sheetfed Applications	291.2	3.5 to 5.5	5.5	131.5	12.0	OK	OK	OK	OK	No
Single Step Fountain Solution for Sheetfed Applications	348.7	3.5 to 5.5	5.5	128.0	14.4	OK	OK	OK	OK	No
2-Part Acid Fountain Solution for Sheetfed Application	225.3	4.0 to 6.0	6.0	128.0	10.1	OK	OK	OK	OK	No
2-Step, Acid Fountain Solution w/ Calcium Control	235.0	2.0 to 4.0	4.0	128.0	7.1	OK	OK	OK	OK	No
Neutral Fountain Solution	0.0	1.7 to 2.0	2.0	128.0	0.0	OK	OK	OK	OK	No
Mild Acid Fountain Solution for Newspapers	83.9	2.0 to 2.5	2.5	130.0	1.6	OK	OK	OK	OK	No
Single-Part Fountain Solution for use with Polyester or Metal Plates	335.5	4.0 to 5.0	5.0	132.0	12.6	OK	OK	OK	OK	No
For Heat-Set or Sheetfed Presses with Continuous Dampening	335.5	4.0 to 5.0	5.0	132.0	12.6	OK	OK	OK	OK	No
Acid Fountain Concentrate used with HAD Fountain Solutions	32.4	2.0 to 3.0	3.0	130.0	0.7	OK	OK	OK	OK	No
Acid Fountain Concentrate used with HAD Fountain Solutions	56.3	2.0 to 3.0	3.0	130.0	1.3	OK	OK	OK	OK	No
Chromate Free Buffered Formula	224.0	8.5	8.5	136.5	13.9	OK	OK	OK	OK	No
FOUNTAIN SOLUTION	103.0	4.3	4.3	132.3	3.3	OK	OK	OK	OK	No
FOUNTAIN SOLUTION	0.0	2.0 to 4.0	4.0	130.0	0.0	OK	OK	OK	OK	No
ALCOHOL REPLACEMENT	587.0	1.0 to 3.0	3.0	129.0	13.4	OK	OK	OK	OK	No
FOUNTAIN SOLUTION	100.0	4.0 to 6.0	6.0	132.0	4.5	OK	OK	OK	OK	No
FOUNTAIN SOLUTION	302.0	2.0 to 4.0	4.0	130.0	9.2	OK	OK	OK	OK	No
FOUNTAIN SOLUTION	302.0	2.0 to 4.0	4.0	130.0	9.2	OK	OK	OK	OK	No
FOUNTAIN SOLUTION	302.0	4.0 to 6.0	6.0	132.0	13.5	OK	OK	OK	OK	No
FOUNTAIN SOLUTION	16.0	3.0 to 6.0	6.0	131.0	0.7	OK	OK	OK	OK	No
Alcohol Substitute	719.0	2.5 to 4.0	4.0	130.5	21.8	OK	EXCEEDS	OK	OK	No
Alcohol Substitute	719.0	2.5 to 4.0	4.0	130.5	21.8	OK	EXCEEDS	OK	OK	No
Alcohol Substitute	689.0	1.0 to 3.0	3.0	129.0	15.8	OK	OK	OK	OK	No

Fountain Solution Survey Data and Proposed VOC Compliance Limits

Product	Packaged VOC (g/L)	Recommended Mixture (in ounces)	Highest Mixture (in ounces)	Mixture plus 120 ounces (in ounces)	R.T.U. VOC (g/L)	Exceeds 10 g/L (min. dose)	Exceeds 10 g/L (max. dose)	Exceeds 30 g/L ?	Exceeds 30 g/L ?	25?
Alcohol Substitute	761.0	2.0 to 4.0	4.0	130.0	23.1	OK	EXCEEDS	OK	OK	No
Alcohol Substitute	942.0	3.0	3.0	131.0	21.6	EXCEEDS	EXCEEDS	OK	OK	No
Sheetfed Fountain Solution	228.0	2.5 to 4.0	4.0	130.5	6.9	OK	OK	OK	OK	No
Sheetfed Fountain Solution	0.0	1.5 to 2.5	2.5	129.5	0.0	OK	OK	OK	OK	No
One-Step Fountain Solution for Sheetfed Presses	210.0	4.0 to 6.0	6.0	132.0	9.4	OK	OK	OK	OK	No
One-Step Fountain Solution for Sheetfed Presses	210.0	4.0 to 6.0	6.0	132.0	9.4	OK	OK	OK	OK	No
Acid Fountain Solution	202.0	4.0 to 6.0	6.0	132.0	9.0	OK	OK	OK	OK	No
Newspaper Fountain Solution	1.0	1.5 to 4.0	4.0	129.5	0.0	OK	OK	OK	OK	No
Mild Acid Fountain Solution	60.0	2.0	2.0	130.0	0.9	OK	OK	OK	OK	No
Mild Acid Fountain Solution	60.0	2.0 to 3.0	3.0	130.0	1.4	OK	OK	OK	OK	No
Acid Fountain Solution for Web Offset Lithography	0.0	2.0 to 3.0	3.0	130.0	0.0	OK	OK	OK	OK	No
Newspaper Fountain Solution	0.0	1.5 to 4.0	4.0	129.5	0.0	OK	OK	OK	OK	No
Newspaper Fountain Solution	0.0	1.5 to 4.0	4.0	129.5	0.0	OK	OK	OK	OK	No
Neutral Fountain Solution	0.0	1.0 to 2.0	2.0	129.0	0.0	OK	OK	OK	OK	No
Newspaper Fountain Solution	0.0	1.5 to 4.0	4.0	129.5	0.0	OK	OK	OK	OK	No
Newspaper Fountain Solution	0.0	2.0 to 3.0	3.0	130.0	0.0	OK	OK	OK	OK	No
Newspaper Fountain Solution	30.0	1.0 to 2.5	2.5	129.0	0.6	OK	OK	OK	OK	No
Acid Fountain Solution for Web Offset	78.0	4.0 to 6.0	6.0	132.0	3.5	OK	OK	OK	OK	No
Acid Fountain Solution for Web Offset	223.0	4.0 to 6.0	6.0	132.0	10.0	OK	OK	OK	OK	No
Acid Fountain Solution for Continuous Dampening	234.0	4.0 to 6.0	6.0	132.0	10.5	OK	OK	OK	OK	No
Acid Fountain Solution for High Speed Web	198.0	4.0 to 6.0	6.0	132.0	8.9	OK	OK	OK	OK	No
Acid Fountain Solution	300.0	5.0 to 7.0	7.0	133.0	15.6	OK	OK	OK	OK	No
One-Step Acid Fountain Solution	77.0	4.0 to 6.0	6.0	132.0	3.4	OK	OK	OK	OK	No
Acid Fountain Solution for Continuous Dampening	276.0	5.0 to 7.0	7.0	133.0	14.3	OK	OK	OK	OK	No
Acid Fountain Solution for Sheetfed Offset	259.0	4.0 to 6.0	6.0	132.0	11.6	OK	OK	OK	OK	No
Acid Fountain Solution	224.0	4.0 to 6.0	6.0	132.0	10.0	OK	OK	OK	OK	No
Acid Fountain Solution for Offset	242.0	3.0 to 6.0	6.0	131.0	10.8	OK	OK	OK	OK	No
Acid Fountain Solution for Offset	242.0	3.0 to 6.0	6.0	131.0	10.8	OK	OK	OK	OK	No
Acid Fountain Solution	242.0	3.0 to 6.0	6.0	131.0	10.8	OK	OK	OK	OK	No
One-Step Alcohol Replacement Fountain Solution	312.0	7.0 to 9.0	9.0	135.0	20.5	OK	EXCEEDS	OK	OK	No
FOUNTAIN SOLUTION	84.0	4.0	4.0	132.0	2.5	OK	OK	OK	OK	No
FOUNTAIN SOLUTION	60.0	4.0	4.0	132.0	1.8	OK	OK	OK	OK	No
FOUNTAIN SOLUTION	12.0	8.0	8.0	136.0	0.7	OK	OK	OK	OK	No
FOUNTAIN SOLUTION	1.0	18.2	18.2	146.2	0.1	OK	OK	OK	OK	No
FOUNTAIN SOLUTION	1.0	18.2	18.2	146.2	0.1	OK	OK	OK	OK	No
FOUNTAIN SOLUTION	1.0	18.2	18.2	146.2	0.1	OK	OK	OK	OK	No

Fountain Solution Survey Data and Proposed VOC Compliance Limits

Product	Packaged VOC (g/L)	Recommended Mixture (in ounces)	Highest Mixture (in ounces)	Mixture plus 120 ounces (in ounces)	R.T.U. VOC (g/L)	Exceeds 10 g/L (min. dose)	Exceeds 10 g/L (max. dose)	Exceeds 30 g/L ?	Exceeds 30 g/L ?	25?
Non-gelating Acidic Fountain Concentrate	107.8	3.0	3.0	131.0	2.5	OK	OK	OK	OK	No
One Step Fountain Concentrate	227.7	6.0	6.0	134.0	10.2	OK	OK	OK	OK	No
One Step Sheetfed Fountain Concentrate	251.6	5.0	5.0	133.0	9.5	OK	OK	OK	OK	No
Metal & Plastic Plate Fountain Concentrate	155.8	8.0	8.0	136.0	9.2	OK	OK	OK	OK	No
Acid Fountain Concentrate	95.9	2.0 to 4.0	4.0	130.0	2.9	OK	OK	OK	OK	No
High Performance Alcohol Replacement	731.0	1.0 to 4.0	4.0	129.0	22.2	OK	EXCEEDS	OK	OK	No
Mild Acid Fountain Concentrate	72.0	2.0	2.0	130.0	1.1	OK	OK	OK	OK	No
Premium High Speed Alcohol Replacer	719.0	1.0 to 4.0	4.0	129.0	21.8	OK	EXCEEDS	OK	OK	YES
High Technology Alcohol Replacement	913.0	3.0 to 6.0	6.0	131.0	40.9	EXCEEDS	EXCEEDS	EXCEEDS	EXCEEDS	No
High Technology Alcohol Replacement	773.0	1.5 to 3.0	3.0	129.5	17.7	OK	EXCEEDS	OK	OK	No
Alcohol Substitute for Sheetfed & Web Presses	744.0	2.0 to 4.0	4.0	130.0	22.5	OK	EXCEEDS	OK	OK	No
One Step Fountain Solution	575.0	3.0 to 4.0	4.0	131.0	17.4	OK	EXCEEDS	OK	OK	YES
One Step Fountain Solution	657.0	4.0 to 6.0	6.0	132.0	29.4	EXCEEDS	EXCEEDS	OK	OK	No
Sheetfed Fountain Solution with Calcium Control	0.0	3.0	3.0	131.0	0.0	OK	OK	OK	OK	No
One Step CTP Fountain Solution	77.0	3.0 to 5.0	5.0	131.0	2.9	OK	OK	OK	OK	No
One Step Fountain Solution with Built-in Alcohol Replacement	359.5	5.0 to 6.0	6.0	133.0	16.1	OK	EXCEEDS	OK	OK	No
Fountain Solution for Sheetfed Presses	128.2	3.0 to 6.0	6.0	131.0	5.7	OK	OK	OK	OK	No
High Speed, Heat Set Web Fountain Solution	65.4	4.0 to 6.0	6.0	132.0	2.9	OK	OK	OK	OK	No
Heatset Web Fountain Solution with Non-pulling Additive	67.1	4.0 to 6.0	6.0	132.0	3.0	OK	OK	OK	OK	No
Advanced Fountain Solution for Sheetfed Presses	203.7	6.0	6.0	134.0	9.1	OK	OK	OK	OK	No
One Step Fountain Solution for Polyester Plates	131.8	8.0	8.0	136.0	7.8	OK	OK	OK	OK	No
Universal Fountain Solution	35.9	4.0 to 6.0	6.0	132.0	1.6	OK	OK	OK	OK	No
Neutral Fountain Solution	0.0	2.0	2.0	130.0	0.0	OK	OK	OK	OK	No
Neutral Fountain Solution	0.0	2.0	2.0	130.0	0.0	OK	OK	OK	OK	No
High Technology, Mild Acid Fountain Solution	0.0	2.0 to 3.0	3.0	130.0	0.0	OK	OK	OK	OK	No

COUNTER 169

COMPLY	166	152	168	169	2
EXCEED	3	17	1	0	167
Miss Data	5	5	5	5	
% Comply	98%	90%	99%	100%	
% Exceed	2%	10%	1%	0%	

## **APPENDIX D**

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### **SUSTAINABILITY ADVANTAGES OF ULTRAVIOLET AND ELECTRON BEAM CURING**

# Sustainability Advantages of Ultraviolet and Electron Beam Curing

By Ronald Golden

Consumers and suppliers of consumer products are taking an increasingly active interest in environmental issues and “sustainable development.” A number of RadTech members have been approached by their customers with requests to provide information on the contributions that their products can make to the sustainability initiative. In some cases, sustainability may be considered as a criterion in purchasing decisions.

## Sustainability Advantages of Ultraviolet and Electron Beam Curing

Ultraviolet (UV) and electron beam (EB) curing offer several significant “sustainability” features

compared to conventional thermal curing processes:

- Reduced use of solvents, lower VOC and HAPS.
  - Reduced energy usage.
  - Reduced fossil fuel usage.
  - Lower greenhouse gas emissions.
  - Reduced or eliminated “end-of-pipe” pollution controls.
  - Reduced transportation requirements.
  - UV and EB inks, coatings and adhesives do not dry out by evaporation...
    - That makes it easier to recover and recycle printing and coating materials.
    - That means they require less solvent to clean up.
  - UV and EB printed/coated packaging materials are recyclable and repulpable.
  - UV/EB curing materials have very low vapor pressures (reduced worker exposure).
- These features have been confirmed by studies that consistently demonstrated that UV and EB curing enable reduced energy usage and greenhouse gas emissions, primarily because of their very high applied solids, and because UV or EB energy is used instead of heat for curing. Thermal curing must heat large volumes of air and/or generate radiant infrared energy to:
- Maintain the thermal curing oven at temperature;
  - Evaporate and remove water and/or solvent;

TABLE 1

### Pressure-sensitive adhesive application parameters

	Technology			
	Units	UV-Cured acResin	Solvent	WB Dispersion
Coating Weight	g/m <sup>2</sup>	20	20	20
Coating Solids	%	99	47	55
Line Speed	m/min	200	167	100
Web Width	m/min	0.8	0.8	0.8
Production Rate	m <sup>2</sup> /hr	9,600	8,016	4,800
Annual Production Time	hr/yr	8,000	8,000	8,000
Annual Production	m <sup>2</sup> /yr	76,800,000	64,128,000	38,400,000



TABLE 2

### Electrical energy consumption for web coating pressure-sensitive adhesive

	Technology			
	Units	UV-Cured acResin	Solvent	W/B Dispersion
Electricity Consumption				
Adhesive Preparation	kWh/m <sup>2</sup>	0.008	0.008	
Coating Application	kWh/m <sup>2</sup>	0.009	0.011	
Curing	kWh/m <sup>2</sup>	0.028	0.013	
Finishing	kWh/m <sup>2</sup>	0.006	0.001	
Solvent Incineration	kWh/m <sup>2</sup>	0	0.01	
Electricity Subtotal	kWh/m <sup>2</sup>	0.051	0.04	0.14
Annual Electricity Consumption	kWh	3,916,800	2,757,504	5,376,000
Average Cost of Electricity to Industrial Users <sup>5</sup>	\$/kWh	0.062	0.062	0.062
Annual Electricity Cost		242,842	170,965	333,312
Normalized Electricity Cost	\$/million m <sup>2</sup>	3,162	2,666	8,680

- Stay below the lower explosive limit when solvents are present;
- Heat the substrate to the curing temperature; and
- Cure the ink and/or coating.

Moreover, any volatile organic solvent emissions from thermal curing ovens require “end-of-pipe” controls (incineration or solvent capture). Both processes require additional energy input and generate corresponding greenhouse gases.

In contrast, with UV or EB curing processes, reactive monomers replace all or most of the diluting medium and become part of the cured polymer so little if any added volatile solvent or water is needed in the formulation, and effective applied solids can approach 100 percent. Curing is initiated by UV or EB

radiation and is almost instantaneous, the substrate remains cool, and air circulation is mainly for equipment and substrate cooling, and evacuation of any volatiles.

Previous analyses comparing UV/EB processes to competitive solvent and waterborne technologies have also shown substantial reductions in pollution and hazardous waste associated with spent solvent-borne materials and cleanup, as well as significant improvements in product performance and productivity, often at an overall lower net cost.<sup>1</sup>

#### RadTech Sustainability Task Force

RadTech International North America has formed a Sustainability Task Force—comprising a group of raw

material suppliers; ink, coatings and adhesives formulators; equipment manufacturers; end-use converters; and packaging manufacturers—to study and quantify these sustainability characteristics. Specifically, the RadTech Sustainability Task Force has established the following goals:

- Develop comprehensive life cycle analyses for all applicable technology options.
- Develop quantitative comparisons of energy, emissions and resource use of UV/EB processes versus conventional thermal curing alternatives.
- Develop a model to help decision-makers to quantify sustainability factors when evaluating technology options.

#### Pressure-Sensitive Adhesive Case Study

The most complete published quantitative analysis comparing ultraviolet and waterborne technologies was a 1997 study of the conversion to UV curing from thermal curing of waterborne inks and coatings for exterior aluminum can decoration and coating at Coors Brewing Company.<sup>2</sup> A previous *RadTech Report* article<sup>3</sup> reported how the conversion resulted in a reduction of up to 80 percent in total energy usage in Btu, including electrical power and natural gas. Greenhouse gas emissions showed a corresponding reduction of up to 67 percent. Moreover, these benefits were achieved at a lower net cost for the finished product.

The RadTech Sustainability Task Force was seeking a more recent study to develop a similar comparison using current energy and emissions factors. BASF Corporation generously provided RadTech with the raw data from their ecoefficiency evaluation of waterborne, solvent and UV web-applied pressure sensitive adhesives<sup>4</sup> as the

**TABLE 3**

**Natural gas consumption for web coating pressure-sensitive adhesive**

	Technology			
	Units	UV-Cured acResin	Solvent	W/B Dispersion
Natural Gas Subtotal	1000 ft <sup>3</sup> /m <sup>2</sup>	0	0.0033	0.003
Curing	1000 ft <sup>3</sup> /yr	0	147,494	115,200
Solvent Incineration	1000 ft <sup>3</sup> /yr	0	64,128	0
Annual Natural Gas Demand	1000 ft <sup>3</sup>	0	211,622	115,200
Normalized Natural Gas Consumption	1000 ft <sup>3</sup> /million m <sup>2</sup>	0	3,300	3,000
Natural Gas Price to Industrial Users <sup>6</sup>	\$/1000 ft <sup>3</sup>	N/A	8.00	8.00
Annual Natural Gas Cost		0	1,693,000	922,000

basis for the following quantitative analysis. Table 1 shows the application parameters. Tables 2, 3 and 4 show a comparison of the energy demand components for each coating technology.

The higher solids of the UV coating also means reduced energy required to transport the coating from the formulator to the application site. Table 4 shows the transportation energy required to deliver enough of each type of coating to cover 76,800,000 square meters at an applied coat weight of 20 g/m<sup>2</sup>.

Table 5 shows a comparison of the total energy requirements of each of the three technologies, normalized to Btu/square meter of coated surface. Conversion of electrical energy MWh to Btu is based on an average heat rate of 9.713 million Btu/MWh; conversion of natural gas usage to Btu is based on 1,031 Btu per cubic foot.

On a normalized basis (Btu per square meter of coated substrate) the

UV-cured resin requires up to 89 percent less energy, compared to solvent and waterborne systems.

**Greenhouse Gas Emissions**

Both generation of electrical energy and combustion of natural gas generate corresponding greenhouse gas emissions (Table 6).

Factors for conversion of electrical MWh and combustion of various fuels to greenhouse gas emissions are based on data published by the U.S. Energy Information Administration and the U.S. Environmental Protection Agency (EPA).<sup>9</sup> On a normalized basis (MT CO<sub>2</sub> per million square meters of coated substrate), the UV-cured resin generates up to 87 percent less carbon dioxide, compared to thermal curing solvent and waterborne systems.

**UV-Cured Products Are Recyclable**

Trials at Beloit Corporation confirmed that UV/EB inks and coatings repulp easily.<sup>10</sup> Mill scale trials show that UV/EB-coated waste can be incorporated into standard furnish with no detrimental effects on product quality. The study concluded that UV- and EB-printed and coated

**TABLE 4**

**Transportation energy requirements on an equal coverage basis**

	Technology			
	Units	UV-Cured acResin	Solvent	W/B Dispersion
Normalized Annual Coating Solids	MT	1,538	1,538	1,538
Liquid Annual Coating Volume	MT	1,553	3,272	2,796
Net Truckload	MT	20	20	20
Truckloads/Year		76	160	137
Diesel Fuel Usage*	gal/yr	6,781	14,365	12,275
Energy Consumption**	Million Btu/yr	943	1,997	1,706

\*Based on an average 500-mile delivery trip and fuel mileage of 5.7 mpg<sup>7</sup>

\*\*Based on 139,000 Btu per gallon of diesel fuel<sup>8</sup>

TABLE 5

### Overall energy requirements on an equal coverage basis

	Technology			
	Units	UV-Cured acResin	Solvent	W/B Dispersion
Electricity Consumption	MWh/yr	3,917	2,758	5,376
Natural Gas-Curing	kft <sup>3</sup> /yr	0	147,494	115,200
Natural Gas-VOC Incineration	kft <sup>3</sup> /yr	0	64,128	
Transportation	Million Btu/yr	943	1,997	1,706
Total Energy Demand	Million Btu/yr	38,986	246,963	172,695
Normalized Total Annual Energy Demand	Btu/m <sup>2</sup> /yr	508	3,851	4,497

paper can be recycled into tissue and/or fine paper grades using commercially available equipment.

Moreover, the high gloss and abrasion resistance of UV- and EB-cured coatings in some cases, can enable replacement of laminated structures with printed inks and coatings. Laminated paper and plastics are difficult to recycle due to problems with separating two incompatible types of materials. UV/EB printed inks and coatings break down under recycling process conditions, permitting effective recycling of both paper and plastic structures that formerly were intractable in laminated form.

#### Summary

In summary, UV and EB curing have numerous “sustainability” characteristics:

- Substantial reductions in energy demand.

- Substantial reductions in fossil fuel usage.
- Substantial reductions in greenhouse gas emissions.

- Reduced transportation costs and emissions.
- Safer workplace.
- Recyclable inks, coatings and product wastes.
- Positive performance advantages and economic returns.

#### Where Do We Go From Here?

The RadTech Sustainability Task Force has already developed “cradle-to-grave-to-cradle” life cycle analyses for the various coating and printing technologies, including energy usage, carbon footprint, transportation, emissions controls, waste, recyclability and more at each stage of production of raw materials and finished products, as well as the end use of the products and their disposal and recycling. Current plans include working with industry, academic and government partners on demonstration projects to develop additional data and practical insights. The resulting data will be used to develop additional quantitative analyses, as well as a working model for technology comparison, including economic factors. ▀

TABLE 6

### Greenhouse gas (CO<sub>2</sub>) emissions

	Technology			
	Units	UV-Cured acResin	Solvent	W/B Dispersion
Transportation	MT/yr	70	146	125
Electricity Consumption	MT/yr	2,389	1,682	3,279
Natural Gas	MT/yr	-	11,600	6,315
Total	MT/yr	2,459	13,429	9,719
Normalized Greenhouse Emissions	MT CO <sub>2</sub> /million m <sup>2</sup>	32	209	253

## References

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—Ronald Golden, Ph.D., offers consulting services through FocalPoint Consulting, Marietta, Ga.

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**ERRATA SHEET FOR AGENDA ITEM 26**  
**Amend Rule 1130 – Graphic Arts**  
May 2, 2014

**RESOLUTION**

After the seventh **WHEREAS...**delete (in **BOLD STRIKEOUT**) and add (in **BOLD DOUBLE UNDERLINE**) the following language:

**WHEREAS**, the SCAQMD Governing Board has directed staff, consistent with current practices, to consider uncertainties associated with an approved test method prior to taking any compliance action. **For example, for Thin Film Energy Curable products, the uncertainty in ASTM Test Method 7767, for a product with VOC content of 10 g/l may yield up to 16 g/l as tested, and thus no compliance action will be taken;** and

**WHEREAS**, the SCAQMD Governing Board has directed staff to work with stakeholders to continue the development and use of appropriate alternative method(s) to determine an equivalent VOC content, **including the use of formulation data**, and

BOARD MEETING DATE: May 2, 2014

AGENDA NO. 27

PROPOSAL: Amend Rule 1155 – Particulate Matter (PM) Control Devices

SYNOPSIS: Rule 1155 was adopted in December 2009 and subsequently forwarded to CARB for inclusion in the SIP. CARB approved the submittal and forwarded to U.S. EPA in July 2010. U.S. EPA has raised concerns about certain exemptions during equipment start-up. In order to address U.S. EPA's concern regarding approval of this rule into the SIP, Rule 1155 is proposed for an administrative amendment clarifying that certain provisions of Rule 401 – Visible Emissions and the provisions of Rule 404 – Particulate Matter – Concentration are applicable to equipment subject to Rule 1155.

COMMITTEE: Stationary Source, March 21, 2014; Reviewed

**RECOMMENDED ACTION:**

Adopt the attached resolution:

1. Certifying the Notice of Exemption for Proposed Amended Rule 1155
2. Amending Rule 1155 – Particulate Matter (PM) Control Devices.

Barry R. Wallerstein, D.Env.  
Executive Officer

EC:PF:TG:JHL

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This Board letter and its attachments serve as the final staff report for the proposed amendments to Rule 1155. The draft staff report, (released on March 28, 2014), was incorporated herein without changes.

**Background**

Rule 1155 was adopted on December 4, 2009 to ensure proper operation and maintenance (O&M) of PM control devices. The key requirements of the rule include no visible emissions, a PM grain limit, and installation of a bag leak detection system

(BLDS) and verified filtration system on larger devices. Rule 1155 requires that there must not be any visible emissions observed from any PM air pollution control device requiring an SCAQMD permit. To implement this requirement, a once a week, five-minute visible emissions observation by a trained individual using U.S. EPA Method 22 is required for any baghouse or other PM air pollution control device. Rule 1155 also includes requirements for: baghouse upgrades to, at a minimum, an automated shaker unit; a controlled material transfer system; properly designed ventilation system for a new baghouse; proper O&M of any permitted PM air pollution control device or BLDS; and recordkeeping.

Rule 1155 allows an exemption from certain rule requirements during periods of equipment start-up. Specifically, the rule exempts equipment or processes venting to the PM air pollution control device from the no visible emissions, PM concentration, and related requirements during the initial one-half hour of start-up, including start-up after an equipment breakdown or scheduled maintenance activity.

Rule 1155 was submitted to CARB in February 2010, approved, and forwarded to U.S. EPA in July 2010 for approval into the State Implementation Plan (SIP).

On February 22, 2013, U.S. EPA published in the Federal Register (78 FR 12460) a response to a petition for rulemaking filed by the Sierra Club with the U.S. EPA Administrator on June 30, 2011. The Petition includes interrelated requests concerning the treatment of excess emissions in state rules by sources during periods of start-up, shutdown, or malfunction (SSM). As a part of the proposed action, the U.S. EPA raised concerns about uncontrolled excess emissions resulting from certain regulatory exemptions during the SSM event and whether that exemption is also from all other regulations. With this in mind, U.S. EPA has requested, (see attachment A), that an amendment be made to Rule 1155, prior to inclusion into the SIP, to ensure that sources subject to Rule 1155 are subject to other SCAQMD regulations and are not allowed unlimited emissions during periods of start-up, for which a limited exemption is provided in the rule (as noted above).

Rule 401 – Visible Emissions, as amended March 2, 1984, is currently in the SIP and establishes a maximum opacity for all sources, (given some exclusions), no greater than No. One (1) on the Ringelmann Chart, as published by the United States Bureau of Mines. A Ringelmann Chart No. 1 is equivalent to 20% opacity. Sources subject to Rule 1155, even under exempted conditions, remain subject to Rule 401. However, the Rule 1155 exemption does not specifically reference these provisions of Rule 401.

Rule 404 – Particulate Matter – Concentration, as amended February 7, 1986, is currently in the SIP and establishes a general outlet PM concentration level for all equipment, with or without control. The rule establishes varying baseline grain loading maximum concentrations based on flow rate. As with Rule 401, sources subject to Rule

1155, even under exempted conditions, remain subject to Rule 404. However, the Rule 1155 exemption does not specifically reference these provisions of Rule 404.

Therefore, in order to address the U.S. EPA's concerns regarding approval of Rule 1155 into the SIP, Rule 1155 is proposed for an administrative amendment clarifying that PM air pollution control devices under the rule during start-up conditions remain subject to the SIP-approved opacity requirement of Rule 401, paragraph (b)(1), and the PM concentration requirements of Rule 404. Rule 401 (b)(1) sets the maximum opacity at No. 1 on the Ringelmann Chart and is identical to Rule 401, subdivision (a), in the March 1984 version of the rule, which was SIP-approved on January 29, 1985 (Federal Register Citation No. 50 FR 3907).

### **Summary of Proposal**

This proposed amended rule would clarify that during the one-half hour starting period of the equipment, PM air pollution control devices under Rule 1155 remain subject to the PM concentration (grain loading) requirements of Rule 404 and the opacity requirement of no greater than No. 1 on the Ringelmann Chart as specified in Rule 401 (b)(1) [shown as Rule 401 (a) in the SIP-approved version, as amended March 2, 1984 and SIP-approved on January 29, 1985].

As the provisions referred to in the proposed amendment are already in effect, they represent no change to existing requirements on sources subject to the rule.

### **Public Process**

The rule development effort is based on discussions with U.S. EPA regarding approval of Rule 1155 into the SIP and concerns regarding the exemption provisions of the rule when equipment is under start-up condition and whether that exemption is from all other regulations. Discussions have taken place between U.S. EPA and SCAQMD staff on ways to rectify this SIP approval issue. An agreeable solution has been developed with U.S. EPA resulting in this proposed rule amendment.

As part of the rule development effort, SCAQMD held a Public Workshop on March 27, 2014. Only two comments were made at the workshop and did not directly relate to the proposed amendments. A comment was made that Table 1 – Summary of Requirements of the rule should also list the condition under which monthly visible emissions checks would be acceptable in lieu of weekly checks, as provided in subdivision (e)(2). Staff responded that the table is merely a summary of key rule elements, as stated in subdivision (b), and that the table is not intended to include all rule requirements. A comment was also made that, unlike the visible emissions requirement, no guidelines are provided in the rule relative to measuring PM concentration levels. Staff responded that such a measurement is not always required, but that if necessary, SCAQMD staff would review source test protocols and provide feedback and guidance as needed. Visible emission checks as required by the rule are a means of a check for self



compliance, whereas methods to test PM concentrations could vary by source and protocols for compliance would need to be approved by SCAQMD staff.

SCAQMD staff presented the proposed amendments to the Stationary Source Committee at its March 21, 2014 meeting.

**California Environmental Quality Act (CEQA) and Socioeconomic Impacts**

SCAQMD staff has reviewed Proposed Amended Rule 1155, and determined that it is exempt from CEQA pursuant to state CEQA Guidelines §15061 (b)(3) – Review for Exemption. Upon adoption of the proposed amended rule, a Notice of Exemption will be prepared pursuant to CEQA Guidelines §15062 and filed with the county clerks in each county within the SCAQMD’s jurisdiction.

No socioeconomic impact assessment was performed for the proposed amendments because they are administrative in nature and seek to clarify existing rule requirements pursuant to Rule 401 (b)(1) and Rule 404 already in effect.

**Draft Findings Under the California Health and Safety Code 40727**

Before adopting, amending or repealing a rule, the California Health and Safety Code requires SCAQMD to adopt written findings of necessity, authority, clarity, consistency, non-duplication, and reference, as defined in Health and Safety Code § 40727. The draft findings are as follows:

Necessity - The SCAQMD Governing Board has determined that a need exists to adopt Proposed Amended Rule 1155 – PM Control Devices, to ensure that the proposed amendment addresses U.S. EPA’s submitted letter expressing concerns relating to start-up emissions. The proposed amendment would clarify that Rule 404 requirements for PM concentration and Rule 401 (b)(1) requirements for opacity remain applicable, which is necessary for approval into the State Implementation Plan to assist in the attainment of State and federal PM standards for the South Coast Air Basin.

Authority - The SCAQMD Governing Board obtains its authority to adopt, amend, or repeal rules and regulations from Health and Safety Code §§ 40000, 40001, 40440, 40463, 40702, 40725 through 40728.

Clarity - the SCAQMD Governing Board has determined that Proposed Amended Rule 1155 – PM Control Devices, is written and displayed so that the meaning can be easily understood by persons directly affected by it.

Consistency - The SCAQMD Governing Board has determined that Proposed Amended Rule 1155 – PM Control Devices, is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, federal or state regulations.

Non-duplication - The SCAQMD Governing Board has determined that Proposed Amended Rule 1155 – PM Control Devices, does not impose the same requirements as any existing state or federal regulation, and the proposed rule is necessary and proper to execute the powers and duties granted to, and imposed upon, the SCAQMD.

Reference - In adopting this proposed amended rule, the SCAQMD Governing Board references the following statutes which the SCAQMD hereby implements, interprets or makes specific: Health and Safety Code Sections 40001 (rules to achieve ambient air quality standards); 40440(a) (rules to carry out the AQMP); 40440(a) (BARCT); 40440(c) (cost-effectiveness); and Federal Clean Air Act Section 172(c)(1) (RACT).

### **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 SCAQMD rules and air pollution control requirements and guidelines which are applicable to PM Control Devices.

As the proposed amendments are administrative in nature and clarify the applicability of other rule provisions that are already in effect and represent no change to existing requirements, a comparative analysis is not required.

### **AQMP and Legal Mandates**

Rule 1155 is a PM control device rule that implements control measure BCM-01 of the 2007 Air Quality Management Plan. The proposed amendments will address an approvability issue by U.S. EPA that should resolve concerns preventing inclusion into the SIP.

### **Resource Impacts**

Existing SCAQMD resources are sufficient for continued implementation and enforcement of the rule.

### **Attachments**

- A. Letter from U.S. EPA dated March 18, 2014
- B. Notice of Exemption
- C. Resolution for Proposed Amended Rule 1155
- D. Proposed Amended Rule 1155

## ATTACHMENT A



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

MAR 18 2014

Dr. Elaine Chang  
Deputy Executive Officer  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, CA 91765

Re: SCAQMD Rule 1155

Dear Dr. Chang:


I am writing to clarify EPA's concerns regarding paragraph (g)(7) of SCAQMD Rule 1155 (Particulate Matter Control Devices), recently discussed by EPA and District staff. While we fully support District efforts in adopting and implementing the innovative requirements for permitted control devices described in this rule, we believe that the exemption in paragraph (g)(7) precludes full SIP approval under the federal Clean Air Act (CAA).

Paragraph (g)(7) exempts affected control devices during ½ hour of startup from Rule 1155's zero visible emissions standard, outlet PM concentration of less than 0.01 grains per dry standard cubic foot (gr/dscf) and several other control and monitoring requirements. This conflicts with EPA's CAA interpretation with respect to the treatment in SIPs of excess emissions during startup. Central to EPA's interpretation are the definitions of "emission limitation" and "emission standard" contained in CAA section 302(k), which are defined as limitations that must be met on a continuous basis, and CAA section 110(a)(2)(A), which requires each SIP to include enforceable emission limitations and other control measures as may be necessary or appropriate to meet applicable CAA requirements. This is discussed in more detail in "EPA Proposed Rule: State Implementation Plans: Response to Petition for Rulemaking; Findings of Substantial Inadequacy, and SIP Calls to Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown, and Malfunction" (78 FR 12460, February 22, 2013).

In addition, CAA sections 110(l) and 193 restrict EPA's ability to approve SIP relaxations. While the zero visible emission standard and other requirements of Rule 1155 would clearly strengthen the SIP, it is not clear how this strengthening relates to the startup exemption in paragraph (g)(7), which could be interpreted to relax other District rules and SIP requirements, such as those regarding opacity (e.g., SCAQMD Rule 401) and gr/dscf loading (e.g., SCAQMD Rule 404).

As a result of these concerns with paragraph (g)(7), we recommend that SCAQMD revise and resubmit Rule 1155 in lieu of EPA acting on the existing version. We believe our issues can be addressed without significant impact on affected sources and we would be happy to work with the District in this regard. Feel free to contact me (415-972-3183), Andy Steckel (415-947-4115) or Christine Vineyard (415-947-4125) if you wish to discuss this further.

Sincerely,



Elizabeth Adams  
Deputy Director, Air Division

cc: Phil Fine, SCAQMD

**ATTACHMENT B**



**South Coast  
Air Quality Management District**

21865 Copley Drive, Diamond Bar, CA 91765-4182  
(909) 396-2000 • www.aqmd.gov

**SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**PROJECT TITLE: PROPOSED AMENDED RULE 1155 – PARTICULATE MATTER (PM) CONTROL DEVICES**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (SCAQMD) is the Lead Agency and will prepare a Notice of Exemption for the project identified above.

Rule 1155 was adopted in December 2009 and subsequently submitted to the California Air Resources Board (CARB) for approval and inclusion in the State Implementation Plan (SIP). CARB approved the SIP inclusion and submitted to U.S. EPA in July 2010 for approval. U.S. EPA has raised concerns about certain exemptions during equipment start-up. In order to address U.S. EPA's concern affecting approval of this rule into the SIP, an administrative amendment for Rule 1155 is proposed to clarify that certain provisions of Rule 401 – Visible Emissions, and the provisions of Rule 404 – Particulate Matter – Concentration, are applicable to equipment subject to Rule 1155.

Pursuant to CEQA, the SCAQMD is the Lead Agency and has reviewed the proposed project mentioned above pursuant to CEQA Guidelines §§15002 (k)(1) and 15061. The proposed amendments are not expected to adversely affect air quality or any other environmental categories because they are administrative in nature. As a result, no new adverse impacts on the environment are expected from the proposed project. Since it can be seen with certainty that the proposed project has no potential to adversely impact air quality or any other environmental area, it is exempt from CEQA pursuant to state CEQA Guidelines §15061(b)(3) – Review for Exemption. A Notice of Exemption has been prepared pursuant to CEQA Guidelines §15062 - Notice of Exemption. The Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside and San Bernardino counties immediately following the adoption of the proposed project.

Any questions regarding this Notice of Exemption should be sent to Jeff Inabinet (c/o Planning, Rule Development & Area Sources) at the above address. Mr. Inabinet can also be reached at (909) 396-2453.

**Date:** May 2, 2014

**Signature:** \_\_\_\_\_

Michael Krause  
Program Supervisor – CEQA Section  
Planning, Rule Development &  
Area Sources



## ATTACHMENT C

RESOLUTION NO. 2014-\_\_\_\_\_

**A Resolution of the South Coast Air Quality Management District (SCAQMD) Board certifying the Notice of Exemption for Proposed Amended Rule 1155 – Particulate Matter (PM) Control Devices.**

**A Resolution of the South Coast Air Quality Management District Board amending Rule 1155 – Particulate Matter (PM) Control Devices.**

**WHEREAS**, Rule 1155 was adopted in December 2009 to implement a PM control measure in the 2007 Air Quality Management Plan (AQMP); and

**WHEREAS**, U.S. EPA has submitted a letter expressing concerns relating to start-up emissions, which currently prevents approval of Rule 1155 into the State Implementation Plan (SIP); and

**WHEREAS**, the SCAQMD staff conducted a public workshop regarding Proposed Amended Rule 1155; and

**WHEREAS**, the SCAQMD staff has reviewed Proposed Amended Rule 1155, and determined that it is exempt from CEQA pursuant to state CEQA Guidelines Section 15061 (b)(3) – Review for Exemption; and

**WHEREAS**, the SCAQMD staff has prepared, pursuant to CEQA Guidelines Section 15062, a Notice of Exemption for Proposed Amended Rule 1155 – Particulate Matter (PM) Control Devices; and

**WHEREAS**, the SCAQMD staff has reviewed Proposed Amended Rule 1155, and determined that no socioeconomic impact assessment needs to be performed for the proposed amendments because they are administrative in nature and seek to clarify that the existing rule requirements of Rule 404, as well as Rule 401 (b)(1) [shown as Rule 401 (a) in the SIP-approved version, as amended March 2, 1984 and SIP-approved on January 29, 1985] are already in effect; and

**WHEREAS**, California Health and Safety Code Section 40727 requires that prior to adopting, amending or repealing a rule or regulation, the SCAQMD Governing Board shall make findings of necessity, authority, clarity, consistency, non-duplication, and reference based on relevant information presented at the public hearing and in the staff report; and

**WHEREAS**, the SCAQMD Governing Board has determined that a need exists to adopt Proposed Amended Rule 1155 to ensure that the proposed amendment addresses U.S. EPA's concerns relating to start-up emissions. The above amendment would clarify that Rule 404 requirements for PM concentration and Rule 401 (b)(1) requirements for opacity remain applicable, which is necessary for approval into the State Implementation Plan; and

**WHEREAS**, the SCAQMD Governing Board has authority to adopt Proposed Amended Rule 1155 pursuant to the California Health and Safety Code Sections 40000, 40001, 40440, 40702, 40725 through 40728; and

**WHEREAS**, the SCAQMD Governing Board has determined that Proposed Amended Rule 1155 is written and displayed so that the meaning can be easily understood by persons directly affected by it; and

**WHEREAS**, the SCAQMD Governing Board has determined that Rule 1155, as proposed to be amended, is 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 Rule 1155, as proposed to be amended, does not impose the same requirement as any existing state or federal regulation, and the proposed amended rule is necessary and proper to execute the powers and duties granted to, and imposed upon, the SCAQMD; and

**WHEREAS**, adoption of Proposed Amended Rule 1155 will alleviate a problem by addressing specific U.S. EPA's concerns regarding start-up emissions that are necessary for approval of the rule into the State Implementation Plan (SIP) and will assist in attaining state and federal ambient air quality standards; and

**WHEREAS**, by adopting Proposed Amended Rule 1155, the SCAQMD Governing Board will be implementing, interpreting or making specific the provisions of the California Health and Safety Code Section 40001 (rules to achieve ambient air quality standards), 40440 (a) (rules to carry out the AQMP), 40440 (c) (cost-effectiveness), and Federal Clean Air Act Section 172 (c)(1) (RACT); and

**WHEREAS**, the SCAQMD specifies the Assistant Deputy Executive Officer of Proposed Amended Rule 1155 as the custodian of the documents or other materials which constitute the record of proceedings upon which the adoption of this proposed amended rule is based, which are located at the South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, California; and

**WHEREAS**, a public hearing has been properly noticed in accordance with all provisions of Health and Safety Code Section 40725; and



**WHEREAS**, the SCAQMD Governing Board has held a public hearing in accordance with all provisions of law.

**NOW, THEREFORE BE IT RESOLVED**, the SCAQMD Governing Board hereby certifies, pursuant to the authority granted by law, the Notice of Exemption for Rule 1155, as proposed to be amended, in compliance with CEQA Guidelines Sections 15061 (b)(3) – Review for Exemption, and 15062; and

**BE IT FURTHER RESOLVED**, that the SCAQMD Governing Board does hereby adopt, pursuant to the authority granted by law, Proposed Amended Rule 1155, as set forth in the attached, and incorporated herein by reference; and

**BE IT FURTHER RESOLVED**, that the South Coast Air Quality Management District Board requests that Proposed Amended Rule 1155 be submitted into the State Implementation Plan; and

**BE IT FURTHER RESOLVED**, that the Executive Officer is hereby directed to forward a copy of this Resolution and Proposed Amended Rule 1155 to the California Air Resources Board for approval and subsequent submittal to the U.S. Environmental Protection Agency for inclusion into the State Implementation Plan.

DATE: \_\_\_\_\_

\_\_\_\_\_  
CLERK OF THE BOARDS

## ATTACHMENT D

(Adopted December 4, 2009)

(PAR1155, March 19, 2014)

### **PROPOSED AMENDED RULE 1155. PARTICULATE MATTER (PM) CONTROL DEVICES**

(a) Purpose

The purpose of this rule is to establish requirements for permitted particulate matter (PM) air pollution control devices, including, but not limited to, baghouses, high efficiency particulate air (HEPA) systems, bin vents, or other dust collectors using high efficiency or other air filters, cyclones, electrostatic precipitators, and wet scrubbers.

(b) Applicability

This rule applies to the operator of permitted PM air pollution control device(s) venting processes that have direct (non-combustion) PM emissions. A summary of key rule elements is provided in Table 1 of this rule.

(c) Definitions

- (1) BEST AVAILABLE CONTROL TECHNOLOGY (BACT) is as defined in South Coast Air Quality Management District (SCAQMD) Rule 1302 – Definitions, subdivision (h).
- (2) BAGHOUSE means an air pollution control device designed to remove PM from a gas stream using fabric filters in the shape of a tube or an envelope, or other air filters that are built into a frame or cartridge. For the purpose of this rule, baghouses are separated into three tiers based on the following characteristics:
  - (A) Tier 1: Baghouses for which the filter surface area is less than or equal to 500 square feet;
  - (B) Tier 2: Baghouses for which the filter surface area is greater than 500 square feet but less than or equal to 7,500 square feet; or
  - (C) Tier 3: Baghouses for which the filter surface area is greater than 7,500 square feet.
- (3) BAG LEAK DETECTION SYSTEM (BLDS) means a system that monitors electrical charge transfer based on triboelectricity or electrostatic induction to continuously monitor bag leakage and similar failures by detecting changes in particle mass loading in the exhaust.

- (4) BIN VENT means an air filtration dust collector designed to remove PM from the air that is displaced by materials filling silos and bins.
- (5) CONTINUOUS OPACITY MONITORING SYSTEM (COMS) means a system that meets minimum requirements specified under U.S. EPA 40 CFR Part 60, Appendix B, to continuously monitor opacity.
- (6) CYCLONE means an air pollution control device designed to remove PM from a gas stream by inertia.
- (7) ELECTROSTATIC PRECIPITATOR (ESP) means an air pollution control device designed to remove PM from a gas stream by imparting a high voltage direct current (DC) charge to the particles while simultaneously ionizing the carrier gas, producing an electric corona.
- (8) EXISTING PM CONTROL DEVICE means a PM air pollution control device installed or for which an application for a permit has been deemed complete on or before December 4, 2009.
- (9) FACILITY means any source or group of sources or other air contaminant-emitting activities which are subject to this rule and are located on one or more contiguous properties within the SCAQMD, in actual physical contact or separated solely by a public roadway or other public right-of-way, and are owned or operated by the same person (or by persons under common control), or an outer continental shelf (OCS) source as determined in 40 CFR Section 55.2. Such above-described groups, if noncontiguous, but connected only by land carrying a pipeline, shall not be considered one facility. Sources or installations involved in crude oil and gas production in Southern California Coastal or OCS Waters and transport of such crude oil and gas in Southern California Coastal or OCS Waters shall be included in the same facility which is under the same ownership or use entitlement as the crude oil and gas production facility on-shore.
- (10) NEW PM CONTROL DEVICE means a PM air pollution control device for which an application for a permit has been deemed complete after December 4, 2009.
- (11) NON-CONTINUOUS PROCESS means an emissions generating activity vented to a PM air pollution control device that operates no more than once per week or for periods of less than one hour, not to cumulatively exceed 4 hours during any single day.

- (12) VERIFIED FILTRATION PRODUCT means a filtration product that has been verified under the U.S. EPA Environmental Technology Verification (ETV) program at the time of purchase. Manufacturers whose filtration product verification has expired must demonstrate at the time of purchase that the product is the same as was previously tested and verified under the ETV program.
  - (13) WET SCRUBBER means an air pollution control device designed to remove PM from a gas stream by using a finely atomized stream of liquid to capture particulate matter pollutants.
- (d) General Requirements
- (1) Beginning April 1, 2010, the operator of a facility shall not cause or allow any visible emissions (excluding condensed water vapor) from any PM air pollution control device required to have a permit.
  - (2) No later than January 1, 2011, the operator of any Tier 3 baghouse shall meet an outlet PM concentration of less than or equal to 0.01 grains per dry standard cubic foot (gr/dscf).
    - (A) Notwithstanding the above, the operator of hot mix asphalt production equipment shall comply with the 0.01 gr/dscf limit no later than January 1, 2013, unless the operator has documentation that demonstrates that new fabric filters have been installed within 12 months prior to December 4, 2009, in which case the hot mix asphalt production equipment shall comply by January 1, 2014 or at the end of the filter useful life, whichever occurs sooner.
  - (3) No later than April 1, 2010, all permitted PM control devices shall be operated and maintained in accordance with the manufacturer's operation and maintenance manual or other similar written materials supplied by the manufacturer or distributor of a control device to ensure that the control device remains in proper operating condition. If such documents are not available, the operator shall provide and follow written operation and maintenance procedures for the PM control device(s). Such documentation shall be made available to the Executive Officer immediately upon request.
  - (4) No later than January 1, 2012 or after the end of the useful life of a manual shaker unit, whichever occurs sooner, the operator of an existing manual

shaker baghouse shall upgrade or replace it with, at a minimum, an automated shaker unit.

- (5) An operator shall not install a manual shaker baghouse after December 4, 2009.
- (6) If the PM emission limit in paragraph (d)(2) is exceeded, the operator shall file a permit application to use verified filtration products, as defined in paragraph (c)(12), or other technologies or methods demonstrated through source test pursuant to paragraph (e)(6) to comply with the requirement in paragraph (d)(2), within three months of discovery by the operator or of notification by the Executive Officer, to replace the existing filter bags or cartridges. The operator shall install the verified filtration products within three months of issuance of the permit.
- (7) If the operator discovers the exceedance of the PM limit in paragraph (d)(2) and resolves the problem that led to the exceedance, within 24 hours of discovery, the operator would not be subject to the requirements in paragraph (d)(6).
- (8) When a new process is vented to a new baghouse, the operator shall install and maintain a ventilation system that meets a minimum capture velocity requirement specified in the applicable standards of the most current Edition of the U.S. Industrial Ventilation Handbook, American Conference of Governmental Industrial Hygienists, at the time of installation.
- (9) The operator shall discharge material collected in a permitted PM control device for disposal or bring the material back to the process through a controlled material transfer system to prevent fugitive emissions during material transfer, including, but not limited to, shrouding or use of dust suppressants to stabilize the material.
- (10) Until more stringent requirements of this rule are effective and after, if still applicable, the operator shall operate and maintain all existing PM air pollution control devices according to existing SCAQMD permit conditions.
- (11) For any new or modified PM air pollution control device subject to BACT, the operator of such device shall meet the more stringent BACT level established for that device (pursuant to SCAQMD BACT Guidelines) at the time of evaluation of the permit application for the device.

## (e) Monitoring Requirements

- (1) No later than March 31, 2010, the operator shall have a minimum of one person trained in the reading of visible emissions pursuant to EPA Method 22. Beginning April 1, 2010, the operator of any baghouse or other PM control device shall have the trained person conduct a continuous five-minute visible emissions observation using EPA Method 22 once a week and shall maintain records for each observation and any necessary subsequent action(s) taken to eliminate visible emissions pursuant to subdivision (f). The provisions of this paragraph shall apply to Tier 3 baghouse units up to and until compliance with the provisions of paragraph (e)(3).
  - (A) If the operator observes any visible emissions exiting at any time, including during a scheduled Method 22 test, the operator shall implement, within 24 hours, all necessary corrective actions to eliminate the visible emissions.
  - (B) To verify corrective actions were effective, the operator must restart the operations and complete a new Method 22 test to ensure no visible emissions are present. If visible emissions are still present, further corrective actions pursuant to subparagraph (e)(1)(C) must be taken. If no visible emissions are present, normal operations may resume.
  - (C) If the operator, after taking all corrective actions, subsequently observes visible emissions, the operator shall shut down the PM emitting equipment that vents into the control device, unless the baghouse operation can be adjusted to ensure no visible emissions, until necessary steps are taken to prevent the visible emissions. Baghouse adjustments include, but are not limited to, closing off specific baghouse chambers.
  - (D) If the activity being observed is consistently a duration of less than five minutes, then the Method 22 observation shall be for the period in which the activity takes place.
  - (E) An operator shall not be considered in violation of this paragraph and (d)(1), if the operator complies with subparagraphs (e)(1)(A) through (e)(1)(D).
  - (F) To the extent that multiple Method 22 tests can be conducted simultaneously, the operator may observe multiple sources

contemporaneously at a single time as long as all of the sources are located in the field of view of the observer and appropriate records are kept for each observation. If the operator observes a visible emissions problem during the reading, each source shall then be monitored separately.

- (2) Notwithstanding the requirements of paragraph (e)(1), any baghouse outfitted completely with verified filtration products shall only be required to conduct visible emission observations once per month, pursuant to paragraph (e)(1), and shall maintain records for each Method 22 observation and any subsequent actions taken to eliminate visible emissions.
- (3) The operator of any Tier 3 baghouse shall install, operate, calibrate and maintain a BLDS pursuant to the manufacturer's written recommendations, to monitor baghouse performance and ensure compliance with in paragraphs (d)(1) and (d)(2).
  - (A) The provisions of this paragraph shall apply to any new Tier 3 baghouse installed and operated as of December 4, 2009. For an existing baghouse, the facility operator shall file a permit application for a BLDS no later than May 1, 2010 and shall install the BLDS within three months of issuance of the permit.
  - (B) The BLDS system shall meet the following minimum requirements:
    - (i) The BLDS sensor must provide output of relative PM emissions; and
    - (ii) The BLDS must have an alarm that will activate automatically when it detects significant increase in relative PM emissions greater than a preset level and the presence of an alarm condition should be clearly apparent to the facility operator.
  - (C) The operator shall install a BLDS that has been certified by the manufacturer to be capable of alarming automatically before visible emissions can be seen in the exhaust of a baghouse and shall set the BLDS to operate at such level. The baseline output for the system must be established as follows:
    - (i) Adjust and maintain the range and the averaging period of the device for the specific application per the

- manufacturer's written specifications and recommendations; and
- (ii) Establish and maintain the alarm set points and the alarm delay time per the manufacturer's written specifications and recommendations.
- (D) The operator shall perform adequate maintenance and inspections of a BLDS, according to the written specifications and recommendations of the manufacturer, to ensure that the monitor is operating properly at all times and shall maintain the records pursuant to subdivision (f).
  - (E) If the operator receives an alarm from the BLDS, the operator shall investigate the baghouse and the BLDS, and take all necessary corrective actions to eliminate the cause of the alarm.
  - (F) The operator shall maintain filters and operate the baghouse such that the BLDS alarm activation is minimized and the cumulative number of hours of alarm activation within any continuous six-month rolling period do not exceed more than five percent of the total operating hours in that period after following the procedures of subparagraph (e)(3)(G), including, but not limited to, shut down of the equipment as specified.
  - (G) Each time the alarm activates, the operator shall count the alarm time as the actual length of time of the elevated emissions that caused the alarm and record it. If the inspection of the baghouse, pursuant to subparagraph (e)(3)(E), demonstrates that no visible emissions are occurring in conjunction with the alarm and that no corrective actions are necessary to the baghouse equipment, no alarm time will be counted. If cumulative alarm time exceeds five percent of the total operating hours based on any continuous six-month rolling period, the operator shall shut down the equipment that vents into the baghouse until necessary actions are taken to eliminate the elevated emissions.
- (4) Notwithstanding the provisions of paragraph (e)(1) and subparagraph (e)(3)(A) applicable to Tier 3 units, the operator of hot mix asphalt production equipment may conduct daily visible emissions monitoring, as described in paragraph (e)(1), in lieu of BLDS installation, provided the facility operator notifies the Executive Officer in writing no later than



May 1, 2010, files a permit application for a BLDS no later than June 1, 2011, and installs the BLDS within three months of issuance of the permit, at which time the operator shall comply with the provisions of paragraph (e)(3). Daily visible emissions monitoring shall begin no later than January 1, 2011 and continue until such time the BLDS is installed. The operator shall maintain records for each observation and any subsequent actions taken to eliminate visible emissions during the time in which daily visible emissions monitoring is conducted.

- (5) No later than January 1, 2015 or after the end of the useful life of a COMS, whichever occurs sooner, a COMS installed at an existing Tier 3 baghouse shall be changed to a BLDS.
  - (6) Source tests conducted to demonstrate compliance with paragraph (d)(2) shall follow SCAQMD Methods 5.1, 5.2, or 5.3, as applicable.
    - (A) For a baghouse located at a Title V facility, the facility operator shall conduct an initial source test no later than January 1, 2011 to demonstrate compliance with the requirements of paragraph (d)(2). Subsequent source tests shall be conducted every five years thereafter.
    - (B) Source tests shall be conducted by an approved lab from the SCAQMD Laboratory Approval Program. For the purpose of this rule, the total weight of PM in solid and liquid form should be considered when conducting source tests.
- (f) Recordkeeping
- Records shall be kept in a format approved by the Executive Officer to demonstrate compliance with the provisions of this rule, and all records and information recorded pursuant to this subdivision shall be maintained at the facility for a minimum of five years and shall be made available to the Executive Officer immediately upon request.
- (1) For the purposes of paragraph (e)(1), records kept shall include, but not be limited to:
    - (A) Facility name;
    - (B) Observer's name and affiliation;
    - (C) Date and time of observation;
    - (D) Process unit(s) being observed;
    - (E) Observer's position relative to the source;

- (F) Observation duration;
  - (G) Whether visible emissions occurred and cumulative amount of time visible emissions occurred; and
  - (H) If visible emissions were observed, what actions were taken to correct the problem causing them, including and up to date and time of equipment shutdown, if applicable.
- (2) For the purposes of paragraph (e)(3), records kept shall include, but not be limited to:
- (A) Facility name;
  - (B) Facility representative for maintaining the BLDS;
  - (C) Date and time of routine maintenance and inspections conducted on BLDS;
  - (D) The date and time of any alarm, including length of the alarm time, and cause of the alarm;
  - (E) The date and time corrective action is completed to eliminate the cause of the alarm;
  - (F) Whether visible emissions occurred; and
  - (G) Total operating hours of the baghouse.
- (g) Exemptions
- (1) With the exception of paragraph (d)(1), any baghouse for which the filter surface area is less than or equal to 100 square feet is exempt from the provisions of this rule.
  - (2) The operator of a PM air pollution control device venting a non-continuous process is exempt from the provisions of paragraph (e)(1), provided no visible emissions occur when the process activity takes place.
  - (3) Any equipment with an active permit to operate that is not in operation as of December 4, 2009 shall be exempt from the provisions of this rule until operations commence.
  - (4) Facility operations that are subject to District Rules 1105.1 – Reduction of PM<sub>10</sub> and Ammonia Emissions from Fluid Catalytic Cracking Units, and 1156 – Further Reductions of Particulate Emissions from Cement Manufacturing Facilities, are exempt from the provisions of this rule.
  - (5) The operator of a Tier 1 or Tier 2 baghouse that voluntarily installs, operates, calibrates and maintains a BLDS pursuant to paragraph (e)(3) shall be exempt from the visible emissions provisions of paragraph (e)(1).

- (6) Bin vents are exempt from the provisions of paragraph (e)(1).
- (7) The provisions of paragraphs (d)(1), (d)(2), (d)(6), and (e)(1), and subparagraphs (e)(3)(E) through (e)(3)(G) shall not apply during the one-half hour of start-up of the equipment or process venting to the PM air pollution control device, including start-up after a repair to fix an equipment breakdown or after a scheduled maintenance activity. During that one-half hour starting period, PM air pollution control devices under this rule remain subject to the PM concentration (grain loading) requirements of Rule 404 and an opacity requirement of no greater than No. 1 on the Ringelmann Chart as specified in Rule 401 (b)(1) [shown as Rule 401 (a) in the SIP-approved version, as amended March 2, 1984, and SIP-approved on January 29, 1985].
- (8) For PM air pollution control devices connected in series, the provisions of paragraphs (d)(2), (d)(6), and (e)(1) shall only apply to the PM air pollution control device exhausting to the atmosphere. In the event a Tier 3 baghouse is not the last in the series to vent to the atmosphere, the provisions of paragraph (e)(3) shall not apply.
- (9) Any paint spray booth or powder spray booth is exempt from the provisions of this rule.
- (10) Air pollution control equipment exclusively venting organic gases from hot mix asphalt load-out operations and directly related equipment, including storage silos, conveyors, mills, and batching towers, are exempt from the provisions of this rule.
- (11) With the exception of paragraph (d)(1), any portable dust collector, fume extractor, or negative air machine with a maximum rated capacity of less than or equal to 3,000 cfm is exempt from the provisions of this rule.
- (12) With the exception of paragraph (d)(1), facility operations that are subject to District Rule 1469 - Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations are exempt from the provisions of this rule.
- (13) With the exception of paragraph (d)(1), high efficiency particulate air (HEPA) equipment are exempt from the provisions of this rule.

**Table 1**  
**Summary of Requirements**

Fabric Filtration PM Air Pollution Control Equipment (baghouses)*			Other Fabric and Non-Fabric Filtration PM Air Pollution Control Equipment (dust collectors, cyclones, ESPs, wet scrubbers)*
Tier 1	Tier 2	Tier 3	n/a
≤ 500 square feet	> 500 – 7,500 square feet	> 7,500 square feet	n/a
Once-a-week visible emissions monitoring and recordkeeping (new, existing)	Once-a-week visible emissions monitoring and recordkeeping (new, existing)	Until BLDS is installed, once-a-week visible emissions monitoring and recordkeeping	Once-a-week visible emissions monitoring and recordkeeping (new, existing)
--	--	BLDS installation (new, existing)	--
--	--	Emission limit (0.01 gr/dscf)	--
		Title V facilities conduct initial source test and test every five years relative to compliance with the emission limit.	

\* Except as provided in subdivision (g) Exemptions.

BOARD MEETING DATE: May 2, 2014

AGENDA NO. 28

PROPOSAL: Amend Rule 102 – Definition of Terms

SYNOPSIS: The proposed amendment exempts trans 1-chloro-3,3,3-trifluoropropene from the VOC definition of the rule. The U.S. EPA has already exempted the compound from the federal VOC definition because of its negligible photochemical reactivity level.

COMMITTEE: Stationary Source, February 21, 2014, Reviewed

**RECOMMENDED ACTIONS:**

Adopt the attached resolution:

1. Certifying the Notice of Exemption for Proposed Amended Rule 102 - Definition of Terms; and
2. Amending Rule 102 – Definition of Terms.

Barry R. Wallerstein, D.Env.  
Executive Officer

EC:PF:NB:DD:RC

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**Background**

The U.S. EPA delisted trans 1-chloro-3,3,3-trifluoropropene (also known as HFO-1233zd) from the federal VOC definition because of its negligible contribution to the formation of tropospheric ozone. In October 2013, Honeywell, Inc. petitioned the SCAQMD to include HFO-1233zd as a VOC-exempt compound in Rule 102 – Definition of Terms.

The proposed compound has good cleaning properties and is expected to be used as a compliant substitute solvent for HCFC-225 in vapor degreasing operations for precision cleaning of critical parts used in aerospace and military applications. HCFC-225 is classified as a Class II Ozone Depleting Substance under the Clean Air Act, and is being phased out by the end of 2014.

HFO-1233zd may also be used as a blowing agent for closed cell insulating foams, aerosol cleaner for electronics cleaning, and as a refrigerant in chillers. However, SCAQMD staff is not aware of any transition for these uses, and does not anticipate a shift towards a more expensive option in the absence of any other regulatory drivers.

HFO-1233zd is non-flammable and is low in toxicity based on toxicological studies conducted on the compound. The Office of Environmental Health Hazard Assessment has reviewed the proposed compound's toxicology and has issued an interim evaluation of the compound's toxicity, showing that HFO-1233zd is less toxic than HCFC-225, the compound it is expected to replace in the precision cleaning industry. Furthermore, it is not listed as a hazardous air pollutant under the Clean Air Act; has a negligible ozone depleting potential; and a very low global warming potential value.

### **Public Process**

During the development of Proposed Amended Rule 102, SCAQMD staff worked with industry and other persons affected by the proposed amendment. A public workshop was held on February 19, 2014. Comments received during the public workshop, including staff's responses, are summarized in the Final Staff Report.

### **Proposal**

SCAQMD staff is proposing to add HFO-1233zd to the definition of Group I VOC-exempt compounds in Rule 102. The proposed compound has favorable physical and environmental characteristics, and is suited for inclusion under Group I exempt compounds.

### **California Environmental Quality Act**

Pursuant to the California Environmental Quality Act (CEQA), the SCAQMD is the Lead Agency and has reviewed the proposed project pursuant to the CEQA Guidelines §15002 (k)(1) and §15061. Because the proposed project does not impose new requirements that will create any significant adverse effects on air quality or any other environmental areas, it can be seen with certainty that there is no possibility that the proposed project has the potential to have significant adverse effects on the environment; therefore, it is exempt from CEQA pursuant to CEQA Guidelines §15061(b)(3). The Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside and San Bernardino counties immediately following the adoption of the proposed project.

### **Cost Impacts**

There is no additional compliance cost to users of the compound proposed for exemption since its use is strictly voluntary. However, PAR 102 provides additional flexibility to manufacturers and local facilities by adding an additional exempt solvent; therefore, PAR 102 is not expected to have any adverse socioeconomic impacts.

### **AQMP and Legal Mandates**

The California Health and Safety Code requires that the SCAQMD adopt an Air Quality Management Plan to meet state and federal ambient air quality standards in the Basin. In addition, the California Health and Safety Code requires that the SCAQMD adopt rules and regulations that carry out the objectives of the AQMP.

The proposed amendment to Rule 102 may help reduce VOC emissions by providing additional options in meeting SCAQMD's VOC limits, and supports SCAQMD's air quality objective of achieving state and federal air quality standards.

### **Implementation and Resources**

Current SCAQMD resources are sufficient to implement the proposed amendments with no additional fiscal impact.

### **Attachments**

- A. Summary of Proposal
- B. Rule Development Process
- C. Key Contacts
- D. Resolution
- E. Proposed Amended Rule 102 Language
- F. Final Staff Report
- G. Notice of Exemption

**ATTACHMENT A**  
**SUMMARY OF PROPOSAL**

**PROPOSED AMENDED RULE 102 – DEFINITION OF TERMS**

**The proposed change to the rule is as follows:**

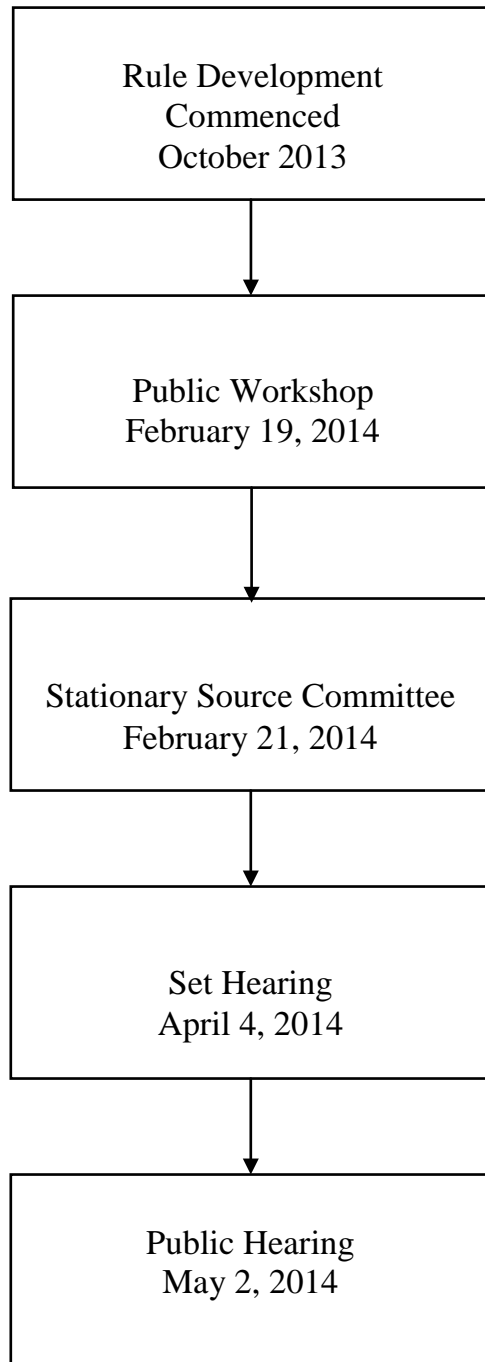
- Add trans-1-chloro-3,3,3-trifluoropropene (HFO-1233zd) to the list of Group I exempt compounds.



## ATTACHMENT B

### RULE DEVELOPMENT PROCESS

#### Proposed Amended Rule 102 – Definition of Terms



Total Time Spent In Rule Development Pre-Board Hearing: 8 Months

## **ATTACHMENT C**

### **CONTACTS LIST**

BFK Solutions

Branson Ultrasonics Corp

Bryant Racing

Corona Magnetics

DNR Industries

eChem

Honeywell

Institute for Research and Technical Assistance (IRTA)

L-3 Communications

Leach International

PSC

Raymond Regulatory Resources (3R), LLC

Stratesys Group

Techspray

Teledyne

Unique Equipment Corporation

Vishay

## **ATTACHMENT D**

### **RESOLUTION NO. -**

**A Resolution of the South Coast Air Quality Management District (SCAQMD) Governing Board amending Rule 102 – Definition of Terms.**

**A Resolution of the SCAQMD Governing Board determining that the proposed amendments to Rule 102 - Definition of Terms are exempt from the requirements of the California Environmental Quality Act (CEQA).**

**WHEREAS**, the SCAQMD Governing Board finds and determines that the proposed amendments to Rule 102 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; and

**WHEREAS**, the SCAQMD has had its regulatory program certified pursuant to Public Resources Code Section 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 Rule 102, as proposed to be amended, that is completed in compliance with CEQA Guidelines §15002(k)(1) – Three Step Process, and §15061 – Notice of Exemption; and

**WHEREAS**, the SCAQMD Governing Board has determined that a need exists to amend Rule 102 – Definition of Terms in order to incorporate a compound newly delisted by U.S. EPA from the federal VOC definition; and

**WHEREAS**, the SCAQMD Governing Board obtains its authority to adopt, amend, or repeal rules and regulations from California Health and Safety (H&S) Code §§39002, 40000, 40001, 40440, 40441, 40702, 41508, and

**WHEREAS**, the SCAQMD Governing Board has determined that Proposed Amended Rule 102 – Definition of Terms is written and displayed so that the meaning can be easily understood by persons directly affected by it; and

**WHEREAS**, the SCAQMD Governing Board has determined that Proposed Amended Rule 102 – Definition of Terms is 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 Rule 102 – Definition of Terms does not impose the same requirements as any existing state or federal regulation, and the proposed amended rule is necessary and proper to execute the powers and duties granted to, and imposed upon, the SCAQMD; and

**WHEREAS**, the SCAQMD Governing Board in adopting this regulation, references the following statutes which the SCAQMD hereby implements, interprets or makes specific: California H & S Code §§40001, 40440, and 40702; and

**WHEREAS**, the SCAQMD Governing Board has determined that Proposed Amended Rule 102 – Definition of Terms will not result in increased costs to affected industries and therefore will not result in any adverse socioeconomic impact; and

**WHEREAS**, a public hearing has been properly noticed in accordance with all provisions of California H & S Code §40725; and

**WHEREAS**, the SCAQMD Governing Board has held a public hearing in accordance with all provisions of law; and

**WHEREAS**, the SCAQMD specifies the Manager of the Area Sources section as the custodian of the Rule 102 documents or other materials which constitute the record of proceedings upon which the adoption of this proposed amendment is based, which are located at the South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, California; and

**NOW, THEREFORE, BE IT RESOLVED** that the SCAQMD Governing Board does hereby determine, pursuant to the authority granted by law, that amendments to Rule 102 – Definition of Terms are exempt from CEQA requirements pursuant to CEQA Guidelines §15002 (k)(1) – Three Step Process and §15061 (b)(3) – Review for Exemption (General Rule Exemption).

**BE IT FURTHER RESOLVED** that the South Coast Air Quality Management District Board requests that Proposed Amended Rule 102 – Definition of Terms be submitted into the State Implementation Plan.

**BE IT FURTHER RESOLVED** that the Executive Officer is hereby directed to forward a copy of this Resolution and Proposed Amended Rule 102 – Definition of Terms to the California Air Resources Board for approval and subsequent submittal to the U.S. Environmental Protection Agency for inclusion into the State Implementation Plan.

**BE IT FURTHER RESOLVED** that the SCAQMD Governing Board hereby amends, pursuant to the authority granted by law, Rule 102 – Definition of Terms, as set forth in the attached, and incorporated herein by this reference.

DATE: \_\_\_\_\_

\_\_\_\_\_  
CLERK OF THE BOARDS

## **ATTACHMENT E**

(Adopted February 4, 1977)(Amended April 1, 1977)(Amended September 2, 1977)  
(Amended November 4, 1988)(Amended July 9, 1993)(Amended November 17, 1995)  
(Amended June 13, 1997) (Amended March 13, 1998)(Amended June 12, 1998)  
(Amended April 9, 1999)(Amended October 19, 2001)(Amended December 3, 2004)  
(Amended September 11, 2009)(Amended March 1, 2013)(Amended May 2, 2014)

### **PROPOSED AMENDED RULE 102.      DEFINITION OF TERMS**

Except as otherwise specifically provided in these rules and except where the context otherwise indicates, words used in these rules are used in exactly the same sense as the same words are used in Division 26 of the Health and Safety Code.

**AGRICULTURAL BURNING** means open outdoor fires used in agricultural operations in the growing of crops or raising of fowl or animals, or open outdoor fires used in forest management, range improvement, or the improvement of land for wildlife and game habitat or disease and pest prevention. Agricultural burning also includes open outdoor fires used in the operation or maintenance of a system for the delivery of water for the purposes specified above.

**AGRICULTURAL OPERATIONS** means any operation occurring on a ranch or farm directly related to the growing of crops, or raising of fowl or animals for the primary purpose of making a profit or for a livelihood.

**AGRICULTURAL PERMIT UNIT** means any article, machine, equipment or other contrivance or combination thereof operated at an agricultural source, which is an agricultural operation and may cause or control the emissions of air contaminants that is not exempt from permit. In addition, each of the following at an agricultural source shall be considered a single agricultural permit unit:

- (A) All confined animal facilities, except that portion that is conveyORIZED feed storage and distribution.
- (B) All conveyORIZED feed storage and distribution at confined animal facilities.
- (C) All orchard wind machines powered by an internal combustion engine with a manufacturer's rating greater than 50 brake horsepower, and operated more than 30 hours in a calendar year.

**AGRICULTURAL SOURCE** means a source of air pollution or a group of sources used in the production of crops, or the raising of fowl or animals located on

contiguous property under common ownership or control that meets any of the following criteria:

- (A) Is a confined animal facility.
- (B) Is a stationary or portable internal combustion engine used in the production of crops or the raising of fowl or animals except an engine that is used to propel implements of husbandry, as that term is defined in Section 36000 of the Vehicle Code, as that section existed on January 1, 2003.
- (C) Is 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 (42 U.S.C. Sec. 7661 to 7661f, incl.) and the federal regulation adopted pursuant to Title V, or is a source that is otherwise subject to regulation by a district pursuant to this division or the Federal Clean Air Act (42 U.S.C. Sec. 7401 et seq.)

**AGRICULTURAL WASTES** means unwanted or unsalable materials produced wholly from agricultural operations, other than forest or range management operations, directly related to the growing of crops or animals for the primary purpose of making a profit or for a livelihood. The term does not include wastes created by land use conversion to non-agricultural purposes unless the destruction of such waste by open outdoor fire is ordered by the County or State Agricultural Commissioner upon his determination that the waste is infested with infections transmittable or contagious plant disease which is an immediate hazard to agricultural operations conducted on adjoining or nearby property.

**AIR POLLUTION CONTROL OFFICER** means the Executive Officer, or designee of the South Coast Air Quality Management District.

**AIR CONTAMINANT** or air pollutant means any discharge, release, or other propagation into the atmosphere directly or indirectly caused by man and includes, but is not limited to, smoke, charred paper, dust, soot, grime, carbon, fumes, gases, odors, particulate matters, acids or any combination thereof.

**ATMOSPHERE** (This definition was adopted on November 16, 1954 for the Metropolitan Zone and on November 23, 1973 for the Southern Zone. It is currently applicable only to the Metropolitan and Southern Zones.) "Atmosphere" means the air that envelopes or surrounds the earth. Where air pollutants are emitted into a building not

designed specifically as a piece of air pollution control equipment, such emission into the building shall be considered an emission into the atmosphere.

BASIC EQUIPMENT means any article, machine, equipment or contrivance which causes the issuance of air contaminants.

BREAKDOWN means a condition caused by an accidental fire or non-preventable mechanical or electrical failure.

CLEAN AIR SOLVENT is a VOC-containing material used to perform solvent cleaning, solvent finishing, or surface preparation operations or activities which:

- (A) Contains no more than twenty-five (25) grams of VOC per liter of material, as applied;
- (B) Has a VOC composite partial vapor pressure less than 5 mm Hg at 20°C (68°F);
- (C) Reacts to form ozone at a rate not exceeding that of toluene;
- (D) Contains no compounds classified as Hazardous Air Pollutants (HAPs) by the Federal Clean Air Act, or Ozone Depleting Compounds (ODCs) and Global Warming Compounds (GWCs) as defined by the District; and
- (E) Has been certified by the District to meet the criteria stated in (A) through (D) according to test methods and procedures approved by the District.

CLEAN AIR SOLVENT CERTIFICATE is a certificate issued by the District to a manufacturer, distributor, or facility for a specified product or class of products that meets the criteria for a Clean Air Solvent.

A Clean Air Solvent Certificate shall be valid for five years from the date of issuance, unless some lesser time is designated and written notification is given by the Executive Officer, and shall be renewed upon the Executive Officer's determination that the product(s) continues to meet the criteria for a Clean Air Solvent. However, the Executive Officer may revoke such Certificate if it is determined that the specific product or class of products does not meet the requirements of Clean Air Solvents as defined at the time of issuance.

COMBUSTIBLE REFUSE means any solid or liquid combustible waste material containing carbon in a free or combined state.



COMBUSTION CONTAMINANTS are particulate matter discharged into the atmosphere from the burning of any kind of material containing carbon in a free or combined state.

COMPLIANCE SCHEDULE means the date or dates by which a source or category of sources is required to comply with specific emission limitations contained in any air pollution rule, regulation, or statute and with any increment of progress toward such compliance.

CONFINED ANIMAL FACILITY (CAF) means a source or group of sources of air pollution at an agricultural source for the raising of 3,360 or more fowl or 50 or more animals, including but not limited to, any structure, building, installation, farm, corral, coop, feed storage area, milking parlor, or system for the collection, storage, or distribution of solid and liquid manure; if domesticated animals, including but not limited to, cattle, calves, horses, sheep, goats, swine, rabbits, chickens, turkeys, or ducks corralled, penned, or otherwise caused to remain in restricted areas for commercial agricultural purposes and feeding is by means other than grazing.

CONTROL EQUIPMENT means air pollution control equipment which eliminates, reduces or controls the issuance of air contaminants.

DISTRICT means the South Coast Air Quality Management District.

DUSTS are minute solid particles released into the air by natural forces or by mechanical processes including, but not limited to, crushing, grinding, milling, drilling, demolishing, shoveling, conveying, covering, bagging, and sweeping.

EXECUTIVE OFFICER means the Executive Officer or designee of the South Coast Air Quality Management District.

EQUIPMENT means any article, machine, or other contrivance.

EXEMPT Compounds are any of the following compounds

(A) Group I

1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC-43-10mee)

1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC 225cb)

3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC 225ca)

- (A) Group I (cont.)
- acetone
  - ethane
  - chlorodifluoromethane (HCFC-22)
  - trifluoromethane (HFC-23)
  - 2,2-dichloro-1,1,1-trifluoroethane (HCFC-123)
  - 2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124)
  - pentafluoroethane (HFC-125)
  - 1,1,2,2-tetrafluoroethane (HFC-134)
  - 1,1,1,2-tetrafluoroethane (HFC-134a)
  - 1,1-dichloro-1-fluoroethane (HCFC-141b)
  - 1-chloro-1,1-difluoroethane (HCFC-142b)
  - 1,1,1-trifluoroethane (HFC-143a)
  - 1,1-difluoroethane (HFC-152a)
  - cyclic, branched, or linear, completely fluorinated alkanes
  - cyclic, branched, or linear, completely fluorinated ethers with no unsaturations
  - cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations
  - sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.
  - difluoromethane (HFC-32)
  - 1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane (C<sub>4</sub>F<sub>9</sub>OCH<sub>3</sub>)
  - 2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane [(CF<sub>3</sub>)<sub>2</sub>CFCH<sub>2</sub>OCH<sub>3</sub>]
  - 1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane (C<sub>4</sub>F<sub>9</sub>OC<sub>2</sub>H<sub>5</sub>)
  - 2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane [(CF<sub>3</sub>)<sub>2</sub>CFCH<sub>2</sub>OC<sub>2</sub>H<sub>5</sub>]
  - parachlorobenzotrifluoride (PCBTF)
  - methyl acetate
  - methyl formate
  - propylene carbonate
  - 1,1,1,2,3,3,3-heptafluoropropane (HFC-227ea)
  - trans-1,3,3,3-tetrafluoropropene (HFO-1234ze)
  - trans-1-chloro-3,3,3-trifluoropropene (HFO-1233zd)

(B) Group II

- methylene chloride (dichloromethane)
- 1,1,1-trichloroethane (methyl chloroform)
- trichlorofluoromethane (CFC-11)
- dichlorodifluoromethane (CFC-12)
- 1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113)
- 1,2-dichloro-1,1,2,2-tetrafluoroethane (CFC-114)
- chloropentafluoroethane (CFC-115)
- cyclic, branched, or linear, completely methylated siloxanes (VMS)
- tetrachloroethylene (perchloroethylene)
- ethylfluoride (HFC-161)
- 1,1,1,3,3,3-hexafluoropropane (HFC-236fa)
- 1,1,2,2,3-pentafluoropropane (HFC-245ca)
- 1,1,2,3,3-pentafluoropropane (HFC-245ea)
- 1,1,1,2,3-pentafluoropropane (HFC-245eb)
- 1,1,1,3,3-pentafluoropropane (HFC-245fa)
- 1,1,1,2,3,3-hexafluoropropane (HFC-236ea)
- 1,1,1,3,3-pentafluorobutane (HFC-365mfc)
- chlorofluoromethane (HCFC-31)
- 1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a)
- 1 chloro-1-fluoroethane (HCFC-151a)

The use of Group II compounds and/or carbon tetrachloride may be restricted in the future because they are either toxic, potentially toxic, upper-atmosphere ozone depleters, or cause other environmental impacts. By January 1, 1996, chlorofluorocarbons (CFC), 1,1,1-trichloroethane (methyl chloroform), and carbon tetrachloride were phased out in accordance with the Code of Federal Regulation Title 40, Part 82 (December 10, 1993).

Whenever there is a conflict between the definition of exempt compounds of VOCs in this rule and the definition of exempt compounds of VOCs in another District rule, the definition in Rule 102 shall apply.

FLEET VEHICLES means gasoline-powered motor vehicles as defined by Section 415 of the Vehicle Code and which are operated from one business address.

FUGITIVE DUST means any solid particulate matter that becomes airborne, other than that emitted from an exhaust stack, directly or indirectly as a result of the activities of man.

GASOLINE means any petroleum distillate having a Reid vapor pressure of 200 mm Hg (3.9 pounds per square inch), or greater.

HAZARDOUS AIR POLLUTANT means any air pollutant listed as such by the United States Environmental Protection Agency in accordance with Section 112(b)(1) of the Federal Clean Air Act (42 U.S.C. Sec. 7412(b)(1)).

HEARING BOARD means the Hearing Board of the South Coast Air Quality Management District.

INCREMENTS OF PROGRESS means steps to be taken by an owner or operator to bring a source of air contaminants into compliance. (See definition of "Schedule of Increments of Progress.")

LOADING FACILITY means any aggregation or combination of organic liquid loading equipment which is both possessed by one person, and located so that all the organic liquid loading outlets, for such aggregation or combination of loading equipment can be encompassed within any circle of 90 meters (295 feet) in diameter.

MOTOR VEHICLE is a vehicle which is self-propelled.

MULTIPLE-CHAMBER INCINERATOR means any equipment, structure or part of a structure, used to dispose of combustible refuse by burning, consisting of three or more refractory lined combustion chambers, physically separated by refractory walls, interconnected by gas passage ports or ducts.

OIL-EFFLUENT WATER SEPARATOR means any tank, box, sump or other container in which any petroleum or product thereof, floating on or entrained or contained in water entering such tank, box, sump, or other container, is physically separated and removed from such water prior to outfall, drainage, or recovery of such water.

ORCHARD HEATER or citrus grove heater means any equipment burning any type of fuel or material capable of being used, for the purpose of giving protection from frost damage that is approved by the California Air Resources Board to produce no more than one gram of unconsumed solid carbonaceous material. Equipment commonly known as Wind Machines are not included.

ORCHARD WIND MACHINE means an internal combustion engine powered fan used in orchards or in citrus groves exclusively for the purpose of giving protection from frost damage.

ORGANIC MATERIAL means a chemical compound of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides, metallic carbonates and ammonium carbonate.

ORGANIC SOLVENTS include diluents and thinners and are defined as organic materials which are liquids at standard conditions and which are used as solvers, viscosity reducers or cleaning agents, except that such material exhibiting a boiling point higher than 104°C (219°F) at 0.5 mm Hg absolute pressure or having an equivalent vapor pressure shall not be considered to be solvents unless exposed to temperatures exceeding 104°C (219°F).

OZONE-DEPLETING COMPOUNDS (ODCs) are Class I substances identified in 40 CFR, Part 82, Appendix A, Subpart A, including, but not limited to the following compounds:

- 1,1,1-trichloroethane (methyl chloroform)
- trichlorofluoromethane (CFC-11)
- dichlorodifluoromethane (CFC-12)
- 1,1,2-trichloro-1,2,2,-trifluoroethane (CFC-113)
- 1,2-dichloro-1,1,2,2-tetrafluoroethane (CFC-114)
- chloropentafluoroethane (CFC-115)

PARTICULATE MATTER means any material, except uncombined water, which exists in a finely divided form as a liquid or solid at standard conditions.

PPM means parts per million by volume.

PERSON means any individual, firm, association, organization, partnership, business trust, corporation, company, contractor, supplier, installer, user or owner, or any state or local governmental agency or public district or any other officer or employee thereof. PERSON also means the United States or its agencies to the extent authorized by Federal law.

PHOTOCHEMICALLY REACTIVE SOLVENT means any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or which exceeds any of the following individual percentage composition limitations, referred to the total volume of solvent:

- (A) A combination of hydrocarbons, alcohols, aldehydes, ethers, esters or ketones having an olefinic or cycloolefinic type of unsaturation except perchloroethylene: 5 percent;
- (B) A combination of aromatic compounds with eight or more carbon atoms to the molecule except ethylbenzene, methyl benzoate and phenyl acetate: 8 percent;
- (C) A combination of ethylbenzene, ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 percent.

Whenever any organic solvent or any constituent of an organic solvent may be classified from its chemical structure into more than one of the above groups of organic compounds, it shall be considered as a member of the most reactive chemical group, that is, that group having the least allowable percent of the total volume of solvents.

PM-10 means the particulate matter with an aerodynamic diameter smaller than or equal to 10 microns as measured by applicable State and Federal reference test methods.

PROCESS WEIGHT means the total weight of all materials introduced into any specific process which may discharge contaminants into the atmosphere. Solid fuels charged will be considered as part of the process weight, but liquid gaseous fuels and air will not.

PROCESS WEIGHT PER HOUR means the total process weight divided by the number of hours in one complete operation from the beginning of any given process to the completion thereof, excluding any time during which the equipment is idle.

RECEPTOR AREA means that specified geographic area in which the air contaminants emitted from a source area are present or to which they may be transported.

REDUCTION OF ANIMAL MATTER means any heated process, used for rendering, cooking, drying, dehydrating, digesting, evaporating and protein concentrating of animal matter.

REGULATION means one of the major subdivisions of the Rules of the South Coast Air Quality Management District.

RULE means a rule of the South Coast Air Quality Management District.

SCHEDULE OF INCREMENTS OF PROGRESS means a statement of dates when various steps are to be taken to bring a source of air contaminants into compliance with emission standards and shall include, to the extent feasible, the following:

- (A) The dates of submittal of the final plan for the control of emissions of air contaminants from that source to the District.
- (B) The date by which contracts for emission control systems or process modifications will be awarded, or the date by which orders will be issued for the purchase of component parts to accomplish emission control or process modification.
- (C) The date of initiation of on-site construction or installation of emission control equipment or process change.
- (D) The date by which on-site construction or installation of emission control equipment or process modification is to be completed.
- (E) The date by which final compliance is to be achieved.
- (F) Such other dates by which other appropriate and necessary steps shall be taken to permit close and effective supervision of progress toward timely compliance.

SMALL BUSINESS means a business which is independently owned and operated and meets the following criteria, or if affiliated with another concern, the combined activities of both concerns shall meet these criteria:

- (A) the number of employees is 10 or less; and
- (B) the total gross annual receipts are \$500,000 or less; or
- (C) not-for-profit training center.

For the purpose of qualifying for assistance offered by the District's Small Business Assistance Office only, a small business means a business with total gross

annual receipts of \$5,000,000 or less, or a business with a total number of employees of 100 or less.

**SOLID PARTICULATE MATTER** means particulate matter which exists as a solid at standard conditions.

**SOURCE AREA** means that specified geographic area in which air contaminants are emitted.

**STANDARD CONDITIONS** are a gas temperature of 60°F and a gas pressure of 760 mm Hg (14.7 pounds per square inch) absolute.

**SUBMERGED FILL PIPE** means any fill pipe the discharge opening of which is completely submerged when the liquid level is 15 centimeters (6 inches) above the bottom of the container; or when applied to a container which is loaded from the side, it means any fill pipe the opening of which is entirely submerged when the liquid level is 45 centimeters (18 inches) above the bottom of the container.

**VEHICLE** is a device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved by human power or used exclusively upon stationary rails or tracks.

**VOLATILE ORGANIC COMPOUND (VOC)** is any volatile compound of carbon, excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonate, and exempt compounds.



## ATTACHMENT F

<b>SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT</b>
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**Final Staff Report for  
Proposed Amended Rule 102 - Definition of Terms**

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April 2014

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
GOVERNING BOARD**

Chairman: DR. WILLIAM A. BURKE  
Speaker of the Assembly Appointee

Vice Chairman: DENNIS YATES  
Mayor, Chino  
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Supervisor, Fifth District  
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**EXECUTIVE SUMMARY**

The United States Environmental Protection Agency (U.S. EPA) excluded trans-1-chloro-3,3,3-trifluoropropene, also known as HFO-1233zd, from the federal volatile organic compound (VOC) definition on the basis that the compound has a negligible contribution to tropospheric ozone formation. The U.S. EPA's final ruling, delisting HFO-1233zd as a VOC, became effective on September 27, 2013.

HFO-1233zd is non-flammable and is low in toxicity based on toxicological studies conducted on the compound. It is not listed as a hazardous air pollutant under the Clean Air Act. Further, HFO-1233zd has other desirable environmental properties, specifically, a negligible ozone depleting potential (ODP) and a very low global warming potential (GWP) value.

Primarily due to its favorable solvency properties, HFO-1233zd has a wide range of applications, and can be used in the following areas:

- Precision cleaning of critical parts in aerospace and military applications;
- Blowing agent for closed cell insulating foams;
- Solvent in aerosol products for electronics cleaning; and
- Refrigerant in chillers.

In October 2013, Honeywell, Inc (Honeywell) petitioned the SCAQMD to exempt HFO-1233zd as a VOC-exempt compound in Rule 102 – Definition of Terms. The proposed amendment adds HFO-1233zd to the list of Group I VOC-exempt compounds in the rule, based on staff's favorable review of supporting documents pertaining to the compound. As requested by SCAQMD, the Office of Environmental Health Hazard Assessment (OEHHA) has reviewed the toxicology of HFO-1233zd and has issued an interim evaluation of the compound's toxicity, showing that HFO-1233zd is less toxic than HCFC-225, the compound it is expected to replace in the precision cleaning industry.

Upon exemption, HFO-1233zd is expected to be used as a compliant substitute solvent for HCFC-225 in vapor degreasing operations for precision cleaning of critical parts used in aerospace and military applications. Vapor degreasing operations are subject to SCAQMD Rule 1122–Solvent Degreasers. Although HCFC-225 is a VOC-exempt solvent, it is classified as a Class II Ozone Depleting Substance (ODS) under the Clean Air Act, and is being phased out by the end of 2014. Exempting HFO-1233zd in Rule 102 provides additional alternative for industry to comply with SCAQMD's solvent degreasing rule (Rule 1122).

The proposed amended rule is not anticipated to result in additional emission reductions, considering the primary use will be to replace another exempt solvent that will be phased out by the end of 2014.

**BACKGROUND**

The U.S. EPA lists chemical compounds that are excluded from the VOC definition based on the compound's negligible contribution to the formation of tropospheric ozone (commonly known as smog). Smog is formed when VOCs react photochemically with nitrogen oxides in the atmosphere. However, VOCs have different reactivity levels, i.e., they do not react to form ozone at the same rate or do not form ozone to the same extent. There are VOCs that react

slowly, and changes in their emissions have limited effects on local or regional ozone pollution episodes. Because of this, the U.S. EPA's policy has been to exclude organic compounds with negligible reactivity level from the regulatory definition of VOCs, which helps states focus emission control efforts on VOCs that significantly increase ozone concentrations.

In determining negligible reactivity, the U.S. EPA compares the reactivity of a given organic compound to that of ethane. Compounds with reactivity levels lower than, or equal to, ethane under the assumed conditions may be deemed negligibly reactive, while compounds that are more reactive than ethane continue to be considered reactive VOCs, and therefore subject to control requirements.

Three primary methods are used by the U.S. EPA when comparing reactivity of a specific compound to that of ethane. The first method is based on the reaction rate constant ( $k_{OH}$ ) of the compound with the hydroxyl (OH) radical in the air. This reaction is the initial step in a series of chemical reactions in the formation of ozone. A slow reaction means the compound will likely not form ozone at a fast rate.

Two other methods for comparing reactivity levels are based on maximum incremental reactivity (MIR) expressed either on a reactivity per mass (gram) basis or on a reactivity per mole basis. The MIR values are more recently developed measures of photochemical reactivity and consider not only the initial reaction step, but also includes the complete ozone forming activity of a specific organic compound. MIR values are expressed either as grams of ozone formed per mole of VOC (molar basis), or as grams of ozone formed per gram of VOC (mass basis).

On July 19, 2011, Honeywell submitted a petition to the U.S. EPA requesting that HFO-1233zd be excluded from VOC control based on the compound's low reactivity relative to ethane. The MIR on a mass basis for HFO-1233zd is 0.04 grams of ozone formed per gram of VOC, which is only 14 percent of ethane's MIR of 0.28 grams of ozone formed per gram of VOC. In addition, HFO-1233zd's molar-based MIR value calculated as grams of ozone/mole of VOC is lower than ethane's. Based on HFO-1233zd's low photochemical reactivity, the U.S. EPA exempted HFO-1233zd as a VOC effective September 27, 2013.

On October 29, 2013, Honeywell formally petitioned the SCAQMD to amend Rule 102 and also include HFO-1233zd in the rule's "Exempt Compound" definition based on its negligible contribution to tropospheric ozone formation and low toxicity.

A detailed discussion of the properties and potential uses of HFO-1233zd follows this section.

## **DESCRIPTION OF PROPOSED COMPOUND**

### **HFO-1233zd**

HFO-1233zd (CAS # 102687-65-0) is a halogenated olefin, non-flammable liquid with a room temperature boiling point of 66°F. It is also known as trans-1-chloro-3,3,3-trifluoropropene.

On July 19, 2011, Honeywell petitioned the U.S. EPA to exclude HFO-1233zd from VOC controls based on the compound's low reactivity relative to ethane. Table 1 below compares the reactivity of HFO-1233zd to that of ethane.

**Table 1 – Comparison of Reactivity of HFO-1233zd and Ethane**

	<b>HFO-1233zd</b>	<b>Ethane</b>
$k_{OH}$ (cm <sup>3</sup> /molecule-sec)	$4.40 \times 10^{-13}$	$2.4 \times 10^{-13}$
gram ozone/mole VOC	5.22	8.4
gram ozone/gram VOC	0.04	0.28

From the data above, HFO-1233zd has a higher  $k_{OH}$  value than ethane, meaning it initially reacts more quickly in the atmosphere than ethane. However, a molecule of HFO-1233zd is less reactive than a molecule of ethane in terms of ozone formation as shown by the molar-based MIR values calculated as gram ozone/mole VOC. Additionally, the MIR on a mass basis for HFO-1233zd is a low 0.04 grams of ozone formed per gram of VOC, which is only 14 percent that of ethane (ethane's MIR is 0.28 grams of ozone formed per gram of VOC). Because of HFO-1233zd's lower photochemical reactivity than ethane, based on both molar-based and mass-based MIR, this compound is considered to be negligibly reactive in the formation of tropospheric ozone. Hence, the U.S. EPA exempted HFO-1233zd as a VOC effective September 27, 2013.

HFO-1233zd is not listed as a hazardous air pollutant under the Clean Air Act. It has a GWP (100-yr) value of less than 5. GWP is a relative measure of how much heat a greenhouse gas traps in the atmosphere, and compares the amount of heat trapped by a certain mass of a particular gas to the amount of heat trapped by a similar mass of carbon dioxide (CO<sub>2</sub>). GWP is expressed as a factor of carbon dioxide (CO<sub>2</sub> GWP = 1). For example, the 100-year GWP of CFC-11 (Freon 11) is 4,750, which means that if the same mass of CFC-11 and CO<sub>2</sub> were introduced into the atmosphere, that CFC-11 will trap 4,750 times more heat than CO<sub>2</sub> over the next 100 years.

Although HFO-1233zd has an ODP of 0.00024 to 0.00034, it is not regulated as an ODS. Additionally, HFO-1233zd contains one chlorine atom, but is expected to have minimal depletion of stratospheric ozone due to a relatively short atmospheric life (26 days).

The following table summarizes the physical and environmental properties of HFO-1233zd.

**Table 2 – Physical and Chemical Properties of HFO-1233zd**

Description	Clear Liquid
Molecular Formula	C3H2CIF3
CAS Number	102687-65-0
Molecular Weight	130.5 g/mol
Vapor Density	5.3 (relative to air = 1)
Boiling Point	19 C / 66 F
Vapor Pressure at 77°F (25°C)	18.6 psia/126kPa
Liquid Density 77°F (25°C)	10.5 lb/gal/1.26 g/ml
Solubility in Water	1.9 g/L
Liquid Viscosity 77°F (25°C)	0446 cP
Flash Point	None
Lower Explosive Limit	None
Upper Explosive Limit	None
Flammability	Not Flammable
Atmospheric Life	26 days
GWP(100)	< 5
ODP	~ 0
KB Value	25

HFO-1233zd is a highly effective cleaning solution exhibiting excellent solvency for a wide variety of solutes such as mineral oils, silicon oils, silicon greases, fluorinated oils, solder fluxes, cutting oils and others. It is suitable for precision cleaning of electronics and metal parts, including parts for medical devices. It can be used in a vapor degreasing equipment, cold batch cleaning equipment, or may be dispensed from an aerosol can.

HFO-1233zd's high vapor pressure facilitates quick drying of cleaned materials. In addition, its low surface tension provides a good wetting of the parts being cleaned and allows rapid cleaning of intricate parts that contain small channels and crevices. Because of the compound's good cleaning properties, HFO-1233zd is expected to be used as a solvent in vapor degreasing operations for precision cleaning of critical parts used in aerospace and military applications. Facilities engaged in such precision cleaning applications currently use HCFC-225, a VOC-exempt compound, in vapor degreasing operations.

Vapor degreasing operations are subject to SCAQMD Rule 1122–Solvent Degreasers. HCFC-225's VOC-exempt status allows these facilities to comply with the strict solvent VOC limit of 25 grams per liter in Rule 1122. However, HCFC-225 is classified as a Class II ODS under the Clean Air Act, and is being phased out by the end of 2014. Other cleaning solvents available in the market have high VOC contents, and would not meet the VOC limit requirement in Rule 1122.

Last year, Honeywell and its solvent distributor coordinated testing efforts with the affected facilities to determine the efficacy of HFO-1233zd as a substitute solvent for HCFC-225. The results indicate that HFO-1233zd cleaned as well as the HCFC-225, and would be a viable alternative for precision cleaning of aerospace and military parts. Consequently, Honeywell

petitioned SCAQMD to include HFO-1233zd as an exempt compound in Rule 102. Exempting HFO-1233zd in Rule 102 provides an alternative for industry to comply with SCAQMD's solvent degreasing rule (Rule 1122).

It is important to note that HFO-1233zd may not be a drop in replacement for HCFC-225. Affected facilities need to evaluate their existing vapor degreasers to determine whether process modification may be needed for HFO-1233zd to work effectively. Input from a solvent distributor indicates minimal equipment modification cost to the affected facilities.

HFO-1233zd may also be used as a blowing agent in the manufacture of rigid, closed cell polyurethane foams, such as those used in home refrigerators and freezers. Specifically, it is a low GWP (< 5), non-flammable blowing agent and may also be used in spray-applied polyurethane foam for insulating commercial roofs and wall and attic insulation in homes, a growing market under the various energy efficiency programs. Because of its favorable environmental properties, HFO-1233zd can be used as potential replacement for currently used blowing agents such as HFC-245fa (GWP=1030), HFC-365mfc (GWP=794), HCFC-141b (GWP=725), and pentane (GWP=11). Pentane is flammable and is also classified as a VOC.

In addition, HFO-1233zd can be used as an aerosol solvent for cleaning and defluxing printed wiring boards and other electronic devices, and for other degreasing or cleaning applications. HFO-1233zd can potentially replace currently used aerosol solvents such as HCFC-225 (GWP=370), HFC-43-10mee (GWP=1640), HFE-7100 (GWP=297) and n-propyl bromide, which is a VOC. Furthermore, HFO-1233zd can also be used as a replacement refrigerant for HCFC-123 (GWP=77) in low-pressure centrifugal chillers for cooling large buildings. HCFC-123 is a Class II ODS slated for phase out at the beginning of 2015.

HFO-1233zd has a very low order of toxicity based on the results of extensive toxicological testing, as provided by Honeywell, with a published occupational exposure limit (OEL) of 800 ppm. As part of the process of exempting a compound as VOC in Rule 102, SCAQMD not only evaluates the compound's chemical and physical properties and environmental benefits but also assesses any potential adverse health risks associated with the use of such compounds. In January 2014, the SCAQMD requested OEHHA to review the toxicology of HFO-1233zd.

In March 2014, OEHHA completed its evaluation on the toxicity of HFO-1233zd, and issued an Interim Evaluation of the Toxicity of trans-1-Chloro-3,3,3-Trifluoropropene. As a result of the evaluation, OEHHA developed an interim acute reference exposure level (REL) for inhalation exposure of 51 ppm (270,000  $\mu\text{g}/\text{m}^3$ ) and a chronic REL of 0.4 ppm (2,100  $\mu\text{g}/\text{m}^3$ ). Table 3 shows a comparison of the interim RELs for HFO-1233zd and HCFC-225, which is the compound it intends to replace in vapor degreasing operations.



**Table 3 – Comparison of REL Values**

<b>Chemical Compound</b>	<b>Interim Acute REL (<math>\mu\text{g}/\text{m}^3</math>)</b>	<b>Interim Chronic REL (<math>\mu\text{g}/\text{m}^3</math>)</b>
HFO-1233zd <sup>A</sup>	270,000 (51 ppm)	2100 (0.4 ppm)
HCFC-225 <sup>B</sup>	1600 (0.2 ppm)	80 (0.01 ppm)

<sup>A</sup> Interim Evaluation of the Toxicity of trans-1-Chloro-3,3,3-Trifluoropropene, Office of Environmental Health Hazard Assessment, March 2014

<sup>B</sup> CARB, Environmental Impact Assessment of Selected Halogenated Chemicals, Staff Report, March 2008

The higher REL values for HFO-1233zd indicate that the compound would allow for higher exposure compared to HCFC-225, which also translates to a higher usage allowance.

As stated earlier, HFO-1233zd will be used primarily to replace HCFC-225 in vapor degreasing operations. Current vapor degreasers are designed to meet strict emission control standards such as the installation of various safety control switches, primary condensing coils, automated parts handling system, and higher freeboard ratios. These controls translate to lower solvent emissions and, thus, reducing worker exposure from vapor degreasing operations. In addition, some facilities converting to HFO-1233zd plan on installing additional emission controls, e.g., a refrigerated freeboard chiller that would further minimize solvent losses and reduce worker exposure.

Staff is not anticipating usage increase of HFO-1233zd in foam blowing and aerosol solvent cleaning due to HFO-1233zd's high cost and lack of regulatory drivers to push the industry to switch away from their current solvents. The cost of HFO-1233zd is about \$17 per pound versus \$1 per pound for pentane, which is the most common blowing agent in foam manufacturing. If amendments to existing Rule 1175 – Control of Emissions from the Manufacture of Polymeric Cellular (Foam) Products requiring additional VOC controls are considered, staff will conduct an environmental assessment to review any potential adverse impacts.

## **LEGISLATIVE AUTHORITY**

The California Legislature created the South Coast Air Quality Management District (SCAQMD) in 1977 (The Lewis-Presley Air Quality Management Act, California Health and Safety Code Section 40400 et seq.) as the agency responsible for developing and enforcing air pollution control rules and regulations in the South Coast Air Basin (Basin). By statute, the SCAQMD is required to adopt an Air Quality Management Plan (AQMP) demonstrating compliance with all state and federal ambient air quality standards for the Basin [California Health and Safety Code Section 40460(a)]. Furthermore, the SCAQMD must adopt rules and regulations that carry out the AQMP [California Health and Safety Code Section 40440(a)].

**PROPOSED RULE AMENDMENT**

Staff's proposal adds HFO-1233zd to the definition of Group I VOC-exempt compounds in Rule 102. Based on data from Honeywell, HFO-1233zd has a very low order of toxicity, and an ultra low global warming potential (GWP < 5). Furthermore, HFO-1233zd is not considered as an ozone depleting substance; thus, this compound is suited for inclusion under Group I exempt compounds.

**EMISSIONS INVENTORY AND REDUCTIONS**

The proposed amended rule is not anticipated to result in additional VOC emission reductions, considering the primary use will be to replace another exempt solvent that will be phased out by the end of 2014. However, the use of HFO-1233zd as replacement for high-GWP compounds in foam manufacturing and degreasing applications would result in greenhouse and ozone depleting gas emission reductions.

**COST IMPACTS**

There is no additional cost to users of the compound proposed for exemption since its use is strictly voluntary. However, PAR 102 provides additional flexibility to manufacturers and local facilities by adding an additional exempt solvent; therefore, PAR 102 is not expected to have any adverse socioeconomic impacts.

**INCREMENTAL COST-EFFECTIVENESS**

California Health and Safety Code Section 40920.6 requires the SCAQMD to perform an incremental cost effectiveness analysis when adopting a Best Available Retrofit Control Technology (BARCT) rule or feasible measure required by the California Clean Air Act. To perform this analysis, the SCAQMD must (1) identify one or more control options achieving the emission reduction objectives for the proposed rule; (2) determine the cost-effectiveness for each option; and (3) calculate the incremental cost effectiveness for each option. To determine incremental costs, the SCAQMD must "calculate the difference in the dollar costs divided by the difference in the emission reduction potentials between each progressively more stringent potential control option as compared to the next less expensive control option." The proposed amendments to Rule 102 do not implement a more restrictive BARCT or feasible control measure; therefore, Section 40920.6 is not applicable.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The SCAQMD has reviewed the proposed amendments to Rule 102 pursuant to CEQA Guidelines §15002(k)(1) – Three Step Process, for deciding which document to prepare for a project subject to CEQA and CEQA Guidelines §15061 – Review for Exemption, and has determined that the proposed amendments are exempt from CEQA pursuant to CEQA Guidelines §15061 (b)(3). Evaluation of the proposed project resulted in the conclusion that it will not create any adverse effects on air quality, toxics, hazards or any other environmental areas. The proposed project may produce beneficial effects by reducing VOC emissions and may reduce potential hazard impacts at facilities that replace currently used organic compounds with HFO-1233zd. Since it can be seen with certainty that there is no possibility that the proposed project may have a significant adverse effect on the environment, it is exempt from CEQA pursuant to CEQA Guidelines §15061(b)(3). If adopted, the Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside and San Bernardino counties immediately following the adoption of the proposed project.

**COMPARATIVE ANALYSIS**

The proposed amendment to Rule 102 does not impose emission control requirements on any equipment or source and, therefore, the analysis required by the California Health and Safety Code §40727.2 cannot be performed.

**DRAFT FINDINGS UNDER THE CALIFORNIA HEALTH AND SAFETY CODE**

Before adopting, amending, or repealing a rule, the California Health and Safety Code requires the SCAQMD to adopt written findings of necessity, authority, clarity, consistency, non-duplication, and reference, as defined in Section 40727. The draft findings are as follows:

**Necessity** - The SCAQMD Governing Board has determined that a need exists to amend Rule 102 - Definition of Terms to incorporate a new compound delisted by U.S. EPA from the federal VOC definition.

**Authority** - The SCAQMD Governing Board obtains its authority to adopt, amend, or repeal rules and regulations from the California Health and Safety Code sections 39002, 40000, 40001, 40440, 40441, 40702, 41508, and 41700.

**Clarity** - The SCAQMD Governing Board has determined that the proposed amendment to Rule 102 - Definition of Terms is written or displayed so that its meaning can be easily understood by persons directly affected by it.

**Consistency** - The SCAQMD Governing Board has determined that Proposed Amended Rule 102 - Definition of Terms is in harmony with, and not in conflict with or contradictory to, existing federal or state statutes, court decisions, or regulations.

**Non-Duplication** - The SCAQMD Governing Board has determined that the proposed amendment to Rule 102 - Definition of Terms does not impose the same requirement as any existing state or federal regulation, and the proposed amended rule is necessary and proper to execute the powers and duties granted to, and imposed upon, the SCAQMD.

**Reference** - In adopting this regulation, the SCAQMD Governing Board references the following statutes which the SCAQMD hereby implements, interprets or makes specific: Health and Safety Code sections 40001, 40440, and 40702.

**PUBLIC COMMENTS AND RESPONSES**

**COMMENT:** I am concerned that the exposure limit of 800 PPM established for HFO-1233zd may be too high and not justified based on the results of the 90-day sub-chronic inhalation toxicity study. Such exposure limit may be too high to protect workers in high exposure applications, e.g. aerosol cleaning and in spray foam application.

**RESPONSE:** Staff asked Honeywell to clarify the result of the sub-chronic inhalation toxicity study and how it was used to establish the 800 ppm exposure limit.

Based on information provided by Honeywell, the Workplace Environmental Exposure Level (WEEL) value of 800 PPM for HFO-1233zd was set by the WEEL Committee which consists of an independent group of experts, and operates under the auspices of the Occupational Alliance for Risk Science. The WEEL Committee reviewed the results of all toxicity tests commissioned by Honeywell and carried out by several different and well-qualified toxicology laboratories in the US and Europe.

The information provided to the WEEL Committee included an assessment of the results of the sub-chronic inhalation study by an expert veterinary pathologist at one of the top pathology groups in the country. The peer reviewer determined that the No Observed Adverse Effect Level (NOAEL) in the sub-chronic test was 4000 ppm.

Peer review was requested by Honeywell to ensure consistency in the interpretation of results and the nomenclature used to describe them. However, the peer reviewer did not participate in the WEEL Committee's deliberations.

**COMMENT:** There was a concern expressed over the notation in the Material Safety Data Sheet (MSDS) indicating that the decomposition products (by combustion) of HFO-1233zd may include hydrofluoric acid (HF) and hydrochloric acid (HCl).

**RESPONSE:** HFO-1233zd is non-flammable and extremely stable. The potential decomposition to HF and HCl, as indicated in the MSDS, may occur when the compound is exposed to extremely high temperatures (> 250 °C or >482 °F). However, HFO-1233zd is unlikely to break down in any of its intended applications, such as in a vapor degreaser, where the operational temperature is much lower. In a catastrophic event, such as fire, the decomposition of HFO-1233zd will be similar to those from other commonly used fluorinated hydrocarbons, e.g., HCFC-225, HFC-43-10 and HFE-7100.

**COMMENT:** We support the immediate modification of Rule 102 to add HFO-1233zd to the "Exempt Compounds" definition in the rule.

**RESPONSE:** Staff acknowledges the comment in support of the proposed amendment.

## REFERENCES

Federal Register, Volume 78, Number 167

Honeywell. Solstice Performance Fluid. Material Safety Data Sheet (04/23/2013).

K.O. Patten and D.J. Wuebbles. Atmospheric lifetimes and Ozone Depletion Potentials of trans-1-chloro-3,3,3-trifluoropropylene and trans-1,2-dichloroethylene in a three dimensional model

William P.L. Carter. Investigation of Atmospheric Ozone Impacts of trans 1-chloro-3,3,3-trifluoropropene

Honeywell Toxicology Summary. Trans-1-chloro-3,3,3-trifluoropropene

Workplace Environmental Exposure Level (WEEL). Trans-1-chloro-3,3,3-trifluoropropene

Garry M. Hoffman, BA, DABT. Acute (4-hour) inhalation toxicity study with HCFO-1233zd in rats

**Internet Materials:**

Solstice Liquid Blowing Agent  
(<http://www.honeywell-blowingagents.com>)

Precision Cleaning in 21<sup>st</sup> Century: New Solvent with Low Global Warming Potential  
([http://www.ipcoutcome.org/pdf/precision\\_cleaning.pdf](http://www.ipcoutcome.org/pdf/precision_cleaning.pdf))

Solstice Performance Fluid Technical Bulletin  
(<http://www.honeywell.com>)

New Chemical to reduce Climate Impact of Foam Insulation  
(<http://www.buildinggreen.com>)

Solstice Performance Fluid. Precision Cleaning Power for Demanding Applications  
(<http://www.honeywell.com>)

Solstice Performance Fluid. Superior Cleaning for Military and Aerospace Applications  
(<http://www.honeywell.com>)

Honeywell Solstice Liquid Blowing Agent. High Performance Refrigerator Insulation  
(<http://www.honeywell.com>)

Global Warming Potential  
([http://en.wikipedia.org/wiki/Global-warming\\_potential](http://en.wikipedia.org/wiki/Global-warming_potential))

# ATTACHMENT G



## South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182  
(909) 396-2000 • www.aqmd.gov

**SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**PROJECT TITLE: PROPOSED AMENDED RULE 102 – DEFINITION OF TERMS**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (SCAQMD) is the Lead Agency and will prepare a Notice of Exemption for the project identified above.

The United States Environmental Protection Agency (U.S. EPA) excluded trans-1-chloro-3,3,3-trifluoropropene, also known as HFO-1233zd, from the federal volatile organic compound (VOC) definition on the basis that the compound has a negligible contribution to tropospheric ozone formation. The U.S. EPA's final ruling, delisting HFO-1233zd as a VOC, became effective on September 27, 2013. HFO-1233zd is non-flammable and is low in toxicity based on toxicological studies conducted on the compound. It is not listed as a hazardous air pollutant under the Clean Air Act. Further, HFO-1233zd has other desirable environmental properties, specifically, a negligible ozone depleting potential (ODP) and a very low global warming potential (GWP) value.

Based on staff's review of relevant data pertaining to this compound, the SCAQMD is now proposing to add HFO-1233zd to the list of compounds exempt from the definition of VOC in Rule 102's Group I compounds. Evaluation of the proposed project resulted in the conclusion that it will not create any adverse effects on air quality, toxics, hazards or any other environmental areas. Since it can be seen with certainty that there is no possibility that the proposed project may have a significant adverse effect on the environment, it is exempt from CEQA pursuant to CEQA Guidelines §15061(b)(3) – Review for Exemption. Upon adoption, 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 Jeff Inabinet (c/o Planning, Rule Development & Area Sources) at the above address. Mr. Inabinet can also be reached at (909) 396-2453.

**Date:** May 2, 2014

**Signature:** \_\_\_\_\_

Michael Krause  
Program Supervisor – CEQA Section  
Planning, Rule Development &  
Area Sources

# NOTICE OF EXEMPTION

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**To:** County Clerks of  
Los Angeles, Orange, Riverside,  
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 102 – Definition of Terms

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**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.

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**Description of Nature, Purpose, and Beneficiaries of Project:**

The U.S. EPA excluded trans-1-chloro-3,3,3-trifluoropropene, also known as HFO-1233zd, from the federal volatile organic compound (VOC) definition on the basis that the compound has a negligible contribution to tropospheric ozone formation. The U.S. EPA's final ruling, delisting HFO-1233zd as a VOC, became effective on September 27, 2013. HFO-1233zd is non-flammable and is low in toxicity based on toxicological studies conducted on the compound. It is not listed as a hazardous air pollutant under the Clean Air Act. Further, HFO-1233zd has other desirable environmental properties, specifically, a negligible ozone depleting potential (ODP) and a very low global warming potential (GWP) value. Based on staff's review of relevant data pertaining to this compound, the SCAQMD is now proposing to add HFO-1233zd to the list of compounds exempt from the definition of VOC in Rule 102's Group I compounds. HFO-1233zd is expected to be used as a compliant substitute solvent for HCFC-225 in vapor degreasing operations for precision cleaning of critical parts used in aerospace and military applications. However, due to its favorable solvency properties, HFO-1233zd has a wide range of applications and can also be used as a blowing agent for closed cell insulating foams; as a solvent in aerosol products for electronics cleaning; and as a refrigerant in chillers. The proposed amended rule is not anticipated to result in additional emission reductions, considering the primary use will be to replace another exempt solvent that will be phased out by the end of 2014.

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**Public Agency Approving Project:**

South Coast Air Quality Management District

**Agency Carrying Out Project:**

South Coast Air Quality Management District

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**Exempt Status:**

General Concepts [CEQA Guidelines §15002 (k)(1)]; and  
General Rule Exemption [CEQA Guidelines §15061 (b)(3)]

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**Reasons why project is exempt:**

The SCAQMD has reviewed the proposed amendments to Rule 102 pursuant to CEQA Guidelines §15002(k)(1) – Three Step Process, and CEQA Guidelines §15061 – Review for Exemption, and has determined that the proposed amendments are exempt from CEQA pursuant to CEQA Guidelines §15061 (b)(3) (“General Rule Exemption”). Evaluation of the proposed project resulted in the conclusion that it will not create any adverse effects on air quality, toxics, hazards or any other environmental areas. The proposed project may produce beneficial effects by reducing VOC emissions. The proposed project may also reduce potential hazard impacts at facilities that replace currently used organic compounds with HFO-1233zd. Since it can be seen with certainty that there is no possibility that the proposed project may have a significant adverse effect on the environment, it is exempt from CEQA pursuant to CEQA Guidelines §15061(b)(3) – Review for Exemption.

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**Project Approval Date:**

SCAQMD Governing Board Hearing: May 2, 2014, 9:00 a.m.; SCAQMD Headquarters

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<b>CEQA Contact Person:</b>	<b>Phone Number:</b>	<b>Fax Number:</b>	<b>Email:</b>
Mr. Jeffrey Inabinet	(909) 396-2453	(909) 396-3324	<jinabinet@aqmd.gov>
<b>Rule Contact Person:</b>	<b>Phone Number:</b>	<b>Fax Number:</b>	<b>Email:</b>
Mr. Rizaldy Calungcagin	(909) 396-2315	(909) 396-2414	<rcalungcagin@aqmd.gov>

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Date Received for Filing \_\_\_\_\_

Signature Signed upon project approval  
Michael Krause  
Program Supervisor – CEQA Section  
Planning, Rule Development  
and Area Sources

**ERRATA SHEET FOR AGENDA ITEM 28**  
**Amend Rule 102 – Definition of Terms**  
May 2, 2014

**PROPOSED AMENDED RULE 102**

At the end of page 5, add the following rule language shown in **BOLD DOUBLE UNDERLINE**

EXEMPT Compounds are any of the following compounds

- (A) Group I (cont.)  
trans-1-chloro-3,3,3-trifluoropropene (HFO-1233zd) (see exemption limitation below)

**Trans-1-chloro-3,3,3-trifluoropropene (HFO-1233zd) shall be considered exempt as a volatile organic compound only if used in vapor degreasing equipment operating in accordance with the work practice and design requirements in Rule 1122.**

**RESOLUTION**

After the second **WHEREAS...**delete (in **BOLD STRIKEOUT**) and add (in **BOLD DOUBLE UNDERLINE**) the following language:

**WHEREAS**, SCAQMD staff has prepared a Notice of Exemption for Rule 102, as proposed to be amended, that is completed in compliance with CEQA Guidelines §15002(k)(1) – Three Step Process, and §15061~~(b)(3)~~ – **Notice of Review for Exemption (General Rule Exemption)**; and

**WHEREAS, the Notice of Exemption, the May 2, 2014 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**

After the last **WHEREAS...** add the following language shown in **BOLD DOUBLE UNDERLINE**

**WHEREAS, the SCAQMD Governing Board finds and determines, taking into consideration the factors in §(d)(4)(D) of the Governing Board Procedures, that the modifications which have been made to Proposed Amended Rule 102 – Definition of Terms since notice of public hearing was published do not significantly change the meaning of the proposed project within the meaning of Health and Safety Code §40726; and**

**WHEREAS, the SCAQMD Governing Board directs staff to continue to work with stakeholders to analyze the exemption of Trans-1-chloro-3,3,3-trifluoropropene (HFO-1233zd) for other uses and report back to the Stationary Source Committee within 180 days.**