

BOARD MEETING DATE: June 7, 2019

AGENDA NO. 2

PROPOSAL: Set Public Hearings July 12, 2019 to Consider Adoption of and/or Amendments to SCAQMD Rules and Regulations:

(A) Determine That Proposed Amendment to Rule 301 – Permitting and Associated Fees, Is Exempt from CEQA; Amend Rule 301; and Submit Rule 301 to CARB for Submission into SIP

As part of its review of the 2016 AQMP, U.S. EPA has recently requested that Rule 301 be amended to include a requirement that facilities submitting emission reports certify that the information is accurate to the best knowledge of the individual submitting and certifying the report. Facilities already certify their emission reports in practice, and the proposed minor amendment will now place this requirement into the rule. This action is to adopt the Resolution: 1) Determining that the proposed amendment to Rule 301 – Permitting and Associated Fees, is exempt from the California Environmental Quality Act; 2) Amending Rule 301 – Permitting and Associated Fees; and 3) Directing the Executive Officer to submit Rule 301 to CARB for submission into the SIP. (Reviewed: Stationary Source Committee, June 21, 2019)

(B) Determine That Proposed Amendments to Rule 2001 – Applicability, Are Exempt from CEQA and Amend Rule 2001

On October 5, 2018, the Board adopted amendments to Rule 2001 that incorporated a provision to allow facilities to opt-out of the RECLAIM program. U.S. EPA is recommending that facilities remain in RECLAIM until all the rules associated with the transition to a command-and-control regulatory structure have been adopted and approved into the SIP. To address U.S. EPA's comments, Proposed Amended Rule 2001 will remove the opt-out provision so that facilities cannot exit RECLAIM. This action is to adopt the Resolution: 1) Determining that the proposed amendments to Rule 2001 are exempt from the California Environmental Quality Act; and 2) Amending Rule 2001 – Applicability. (Reviewed: Stationary Source Committee, May 17, 2019)

- (C) Determine That Proposed Amendments to Regulation IX - Standards of Performance for New Stationary Sources, and Regulation X – National Standards for Hazardous Air Pollutants, Are Exempt from CEQA and Amend Regulations IX and X
- Regulations IX and X are periodically amended to incorporate new or amended federal emission performance standards that have been enacted by U.S. EPA for stationary sources. These standards are currently in effect and enforceable by the South Coast AQMD pursuant to the federal Clean Air Act, regardless of whether South Coast AQMD incorporates them into Regulations IX and X. The Board has historically adopted NSPS (40 CFR 60) and NESHAP (40 CFR 61) actions into Regulations IX and X by reference providing stationary sources with a single source of information for determining which federal and local requirements apply to their specific operations. Regulations IX and X were last amended October 2016 and April 2015, respectively. These proposed amendments incorporate new or revised NSPS and NESHAP actions that have occurred since. In 2016, U.S. EPA promulgated one new NSPS for municipal solid waste landfills that commence construction, reconstruction, or modification after July 17, 2014. In addition, U.S. EPA also amended existing provisions of six NSPS standards, two NSPS appendices, one NESHAP standard, and one NESHAP appendix. This action is to adopt the Resolution: 1) Determining that the proposed amendments to Regulations IX – Standards of Performance for New Stationary Sources, and Regulation X – National Standards for Hazardous Air Pollutants, are exempt from the California Environmental Quality Act; and 2) Amending Regulation IX – Standards of Performance for New Stationary Sources, and Regulation X – National Emission Standards for Hazardous Air Pollutants. (Reviewed: Stationary Source Committee, May 17, 2019)

The complete text of the proposed amendments, staff reports and other supporting documents will be available from the South Coast AQMD's Public Information Center, (909) 396-2001 and on the Internet ([www.aqmd.gov](http://www.aqmd.gov)) as of June 12, 2019.

**RECOMMENDED ACTION:**

Set Public Hearings July 12, 2019 to Amend Rules 301, 2001 and Regulations IX and X.

Wayne Natri  
Executive Officer