

BOARD MEETING DATE: April 3, 2020

AGENDA NO. 27

REPORT: Stationary Source Committee

SYNOPSIS: The Stationary Source Committee held a meeting on Friday, March 20, 2020. The following is a summary of the meeting.

RECOMMENDED ACTION:
Receive and file.

Ben Benoit, Chair
Stationary Source Committee

AD:cr

Committee Members

Present: Council Member Ben Benoit (Chair)
Council Member Judith Mitchell
Senator Vanessa Delgado (Ret)
Board Member Gideon Kracov
Supervisor V. Manuel Perez
Supervisor Janice Rutherford

Call to Order

Chair Benoit called the meeting to order at 10:30 a.m.

INFORMATIONAL ITEMS:

1. Summary of Proposed Amendments to Rule 445 – Wood Burning Devices

Tracy Goss, Planning and Rules Manager, provided a summary of the proposed rule amendment to add contingency measures that would be triggered by Federal Clean Air Act (CAA) provisions in the event of failure to meet a milestone or target date for attainment. The proposal would increase the number of no-burn days upon a final determination by EPA that the Basin has failed to meet specific CAA milestones.

Council Member Mitchell inquired about whether the rule itself required averaging. Dr. Philip Fine, Deputy Executive Officer, responded that the CAA requires averaging for attainment demonstration. In addition, he clarified that the intent of the rule amendment is to satisfy EPA requirements regarding contingency measures.

Council Member Mitchell also asked about the pending USEPA determination of attainment of the 24-hour PM_{2.5} standard (December 31, 2019). Dr. Fine and Barbara Baird, Chief Deputy Counsel, stated that data would be certified within the month and that USEPA has 180 days to make a determination, which should be made soon.

Council Member Mitchell inquired about the Basin-wide forecast for no-burn days. Dr. Fine noted the current sub-regional forecast leading to a localized no-burn day was confusing to the public and implementing it Basin-wide would generate a small amount of additional emission reductions.

In addition, under public comment, one person commented that their neighbor was burning wood frequently and at various night and day hours resulting in adverse health effects. Staff committed to following up with the person to work and resolve the issue.

2. RECLAIM Quarterly Report – 7th Update

Susan Nakamura, Assistant Deputy Executive Officer/Planning, Rule Development, and Area Sources, provided the quarterly update regarding transitioning the NO_x RECLAM program to a command-and-control regulatory structure.

Council Member Mitchell asked for clarification on how RECLAIM Trading Credits (RTCs), Emission Reduction Credits (ERCs), the Internal Bank, and New Source Review (NSR) relate to each other. She further asked about where ERCs come from, what the concerns are for NSR, what is in the Internal Bank, and what supplies the internal bank.

Ms. Nakamura responded by providing and discussing additional information on the RECLAIM program, the differences between new source review requirements in RECLAIM and Regulation XIII – New Source Review, highlighting the difference between an allocation under RECLAIM and Emission Reduction Credits under Regulation XIII. Recognizing the complexity of New Source Review, Ms. Nakamura recommended that staff come back to the Stationary Source Committee with a presentation to clarify NSR. The Committee members agreed with her recommendation.

Mr. David Rothbart, Southern California Alliance of Publicly Owned Treatment Works (SCAP), expressed his concerns about the availability of NO_x offsets in the Internal Bank for essential public services and suggested that the BARCT rules being developed should only be those that affect the RECLAIM facilities.

Ms. Nakamura replied that staff is cognizant of the need for sufficient offsets to be available for essential public services. Ms. Nakamura explained that there are two BARCT rules in development that affect essential public services, 1179.1 and

1150.3, and BARCT needs to be updated periodically and staff will continue with those rulemakings, as well as with other non-RECLAIM rulemakings.

WRITTEN REPORTS:

3. Notice of Violation Penalty Summary

The report was acknowledged by the Committee.

OTHER MATTERS:

4. Other Business

Council Member Benoit mentioned there have been a lot of comments on social media about pollution in general going down and asked staff if our sensors have shown this. Dr. Fine replied that we are looking at this very closely. He stated due to the recent rainy weather conditions we expect cleaner air quality. He explained it's hard to carve out what portion of the ambient concentrations are due to our weather conditions and what part is due to reduced emissions from this slow down. He stated we won't know until we can do an analysis of our daily forecasts. We will be comparing our forecasts, if we see discrepancies between what we expect and what actually occurs, then that would be an indication that we are seeing an improvement in air quality because of less traffic.

5. Public Comment Period

Ricardo Martinez, Del Real Testing, stated he is the owner of a company that services gasoline dispensing facilities following the requirements of Rule 461. He explained under the requirements of Rule 461 testing can only be done between the hours of 7:00 a.m. and 8:00 a.m. He asked the Board Committee to consider amending this requirement and allow for the testing to be done at night. Mr. Martinez expressed concern for service technicians and the public stating during this time there would be less people and less chance of being exposed to the virus. Mr. Nastri responded that there are a number of issues that are related to impacts associated with COVID-19 and staff is currently working on possible solutions to address these issues including Mr. Martinez's concern. He also noted that Mr. Martinez submitted an email to the Board under the header, No MHF, which talks about Rule 461 requirements.

6. Next Meeting Date

The next regular Stationary Source Committee meeting is scheduled for Friday, April 17, 2020.

Adjournment

The meeting was adjourned at 11:24 a.m.

Attachments

1. Attendance Record
2. Draft Notice of Violation Penalty Summary

ATTACHMENT 1

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT STATIONARY SOURCE COMMITTEE

Attendance – March 20, 2020

All participants attended the meeting remotely

Council Member Ben Benoit	South Coast AQMD Governing Board
Senator Vanessa Delgado (Ret.)	South Coast AQMD Governing Board
Board Member Gideon Kracov	South Coast AQMD Governing Board
Council Member Judith Mitchell	South Coast AQMD Governing Board
Supervisor V. Manuel Perez	South Coast AQMD Governing Board
Supervisor Janice Rutherford	South Coast AQMD Governing Board
Teresa Acosta	(Board Consultant) Delgado
Thomas Gross	(Board Consultant) Benoit
Fred Minassian	(Board Consultant) Mitchell
Andy Silva.....	(Board Consultant) Rutherford
Howard Berman	E4 Strategic Solutions
Curt Coleman	Southern California Air Quality Alliance
Bill LeMar	California Small Business Alliance
David Rothbart	SCAP
Susan Stark.....	Marathon Petroleum
Peter Wittingham	Whittingham Public Affairs Advisors
Tammy Yamasaki	Southern California Edison
Additional telephone attendee.....	unidentified
Derrick Alatorre	South Coast AQMD staff
Jason Aspell	South Coast AQMD staff
Barbara Baird	South Coast AQMD staff
Amir Dejbakhsh	South Coast AQMD staff
Marian Coleman.....	South Coast AQMD staff
Philip Fine	South Coast AQMD staff
Bayron Gilchrist.....	South Coast AQMD staff
Tracy Goss	South Coast AQMD staff
Mark Henninger	South Coast AQMD staff
Michael Krause	South Coast AQMD staff
Michael Morris.....	South Coast AQMD staff
Ron Moskowitz	South Coast AQMD staff
Susan Nakamura	South Coast AQMD staff
Wayne Nastri.....	South Coast AQMD staff
Sarah Rees.....	South Coast AQMD staff
Nicholas Sanchez	South Coast AQMD staff
Jill Whynot.....	South Coast AQMD staff
William Wong.....	South Coast AQMD staff

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

General Counsel's Office

DRAFT

February 2020 Settlement Penalty Report

Total Penalties

Civil Settlements:	\$195,335.00
MSPAP Settlements:	\$2,153.00
Hearing Board Settlements:	\$49,175.00

Total Cash Settlements:	\$246,663.00
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Total SEP Value:	\$0.00
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Fiscal Year through 2 / 2020 Cash Total:	\$11,600,255.36
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Fiscal Year through 2 / 2020 SEP Value Only Total:	\$0.00
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Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbr	Total Settlement
Civil Settlements						
107653	CALMAT CO	2004	2/28/2020	VKT	P64141	\$4,000.00
137421	CORONA OIL CO, CORONA SHELL	461 H&S 41960	2/14/2020	NAS	P64669	\$1,000.00
123774	HERAEUS PRECIOUS METALS NO. AMERICA, LLC	2012	2/12/2020	BT	P69367	\$1,200.00
78137	JUANITA'S FOODS	203 1146	2/14/2020	NAS	P64022	\$3,000.00
2812	LA CO.,DEPT OF PUBLIC WRKS,EL MONTE AIRP	203(b) 461	2/19/2020	WBW	P60544 P67560	\$16,135.00
137767	MADISON MATERIALS INC	403	2/14/2020	DH	P63164 P63165	\$6,000.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbr	Total Settlement
59618	PACIFIC CONTINENTAL TEXTILES, INC.	2004	2/4/2020	KER	P66915 P66918 P66923	\$5,500.00
800183	PARAMOUNT PETR CORP	3002(c)(1)	2/11/2020	NSF	P60368 P64029 P64034 P64037 P67801 P67802	\$151,500.00
52517	REXAM BEVERAGE CAN COMPANY	2004	2/27/2020	SH	P67370	\$2,000.00
182752	TORRANCE LOGISTICS COMPANY LLC	109 1146 1178 3002(c)(1)	2/28/2020	VKT	P65317 P65327	\$2,500.00

Total Civil Settlements: \$195,335.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbr	Total Settlement
MSPAP Settlements						
180501	AMERICAN PACIFIC ENTERPRISES GROUP INC.	461 H&S 41960.2	2/7/2020	GC	P67213	\$330.00
98727	ANAHEIM CITY	1415	2/7/2020	GC	P68504	\$552.50
5981	ANAHEIM CITY, POLICE DEPT	461 1415	2/7/2020	GC	P68502	\$718.00
6638	ANAHEIM CITY, PUBLIC UTILITIES DEPT	1415	2/7/2020	GC	P68501	\$552.50
Total MSPAP Settlements: \$2,153.00						

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbr	Total Settlement
Hearing Board Settlements						
191012	CLIMATE INDUSTRIES, INC. dba HOWARD INDUSTRIES	1111	2/11/2020	MJR	6153-2	\$49,175.00
Total Hearing Board Settlements: \$49,175.00						

SOUTH COAST AQMD'S RULES AND REGULATIONS INDEX FOR FEBRUARY 2020 PENALTY REPORT

REGULATION I - GENERAL PROVISIONS

Rule 109 Recordkeeping for Volatile Organic Compound Emissions

REGULATION II - PERMITS

Rule 203 Permit to Operate

REGULATION IV - PROHIBITIONS

Rule 403 Fugitive Dust - Pertains to solid particulate matter emitted from man-made activities

Rule 461 Gasoline Transfer and Dispensing

REGULATION XI - SOURCE SPECIFIC STANDARDS

Rule 1111 NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces

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

Rule 1178 Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities

REGULATION XIV - TOXICS

Rule 1415 Reduction of Refrigerant Emissions from Stationary Refrigeration and Air Conditioning Systems

REGULATION XX - REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

Rule 2004 RECLAIM Program Requirements

Rule 2012 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions

REGULATION XXX - TITLE V PERMITS

Rule 3002 Requirements for Title V Permits

CALIFORNIA HEALTH AND SAFETY CODE

41960 Certification of Gasoline Vapor Recovery System

41960.2 Gasoline Vapor Recovery