



# South Coast Air Quality Management District

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

## MEETING, AUGUST 7, 2020

A meeting of the South Coast Air Quality Management District Board will be held at 9:00 AM.

**Pursuant to Governor Newsom's Executive Orders N-25-20 (March 12, 2020) and N-29-20 (March 17, 2020), the Governing Board meeting will only be conducted via video conferencing and by telephone. Please follow the instructions below to join the meeting remotely.**

### **ELECTRONIC PARTICIPATION INFORMATION (Instructions provided at bottom of the agenda)**

**Join Zoom Meeting - from PC, Laptop or Phone**

**<https://scaqmd.zoom.us/j/93128605044>**

Meeting ID: **931 2860 5044** (applies to all)

Teleconference Dial In +1 669 900 6833 or +1 253 215 8782

One tap mobile +16699006833,,97364562763# or +12532158782,,93128605044#

**Audience will be allowed to provide public comment through telephone or Zoom connection.**

### **PUBLIC COMMENT WILL STILL BE TAKEN**

#### **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 South Coast 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.

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 at South Coast AQMD's web page ([www.aqmd.gov](http://www.aqmd.gov)).

#### **Americans with Disabilities Act and Language Accessibility**

Disability and language-related accommodations can be requested to allow participation in the Governing Board meeting. The agenda will be made available, upon request, in appropriate alternative formats to assist persons with a disability (Gov. Code Section 54954.2(a)). In addition, other documents may be requested in alternative formats and languages. Any disability or language-related accommodation must be requested as soon as practicable. Requests will be accommodated unless providing the accommodation would result in a fundamental alteration or undue burden to the South Coast AQMD. Please contact the Clerk of the Boards Office at (909) 396-2500 from 7:00 a.m. to 5:30 p.m., Tuesday through Friday, or send the request to [cob@aqmd.gov](mailto:cob@aqmd.gov)

**A webcast of the meeting is available for viewing at:**

<http://www.aqmd.gov/home/news-events/webcast>

*Cleaning the air that we breathe...*

## **CALL TO ORDER**

- Pledge of Allegiance
- Roll Call
- Opening Comments: William A. Burke, Ed.D., Chair  
Other Board Members  
Wayne Nastri, Executive Officer

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Staff/Phone (909) 396-

## **CONSENT CALENDAR (Items 1 through 18)**

Note: Consent Calendar items held for discussion will be moved to Item No. 19

1. Approve Minutes of June 5, 2020 Board Meeting **Thomas/3268**
2. Set Public Hearing September 4, 2020 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations **Nastri/3131**
  - Determine That Proposed Amendments to Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces, and Revisions to Clean Air Furnace Rebate Program Are Exempt from CEQA; Amend Rule 1111 and Approve Revisions to Clean Air Furnace Rebate Program **Nakamura/3105**

Rule 1111 establishes a NOx emission limit of 14 ng/J for residential and commercial gas furnaces. Proposed Amended Rule 1111 will extend the compliance date from October 1, 2020 to September 30, 2021 for weatherized and high-altitude furnaces. The proposed amendments would also include an exemption for gas-electric dual fuel systems with low-NOx furnaces (40 ng/J) installed at higher altitudes until September 30, 2022. Staff is also recommending modifications to the Clean Air Furnace Rebate program. This action is to adopt the Resolution: 1) Determining that the proposed amendments to Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces, and revisions to the Clean Air Furnace Rebate Program are exempt from the requirements of the California Environmental Quality Act; 2) Amending Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces; and 3) Revising the Clean Air Furnace Rebate program to incentivize installation of 14 ng/J furnaces and electric heat pumps. (Reviewed: Stationary Source Committee, June 19, 2020 and To Be Reviewed: August 21, 2020)

**Budget/Fiscal Impact**

3. **Execute Contract to Investigate Effects of Ethanol-Gasoline Fuel Blend from Light-Duty Vehicles on Criteria Emissions and Secondary Organic Aerosol Formation** **Miyasato/3249**

In May 2019, the U.S. EPA approved the use of gasoline blended with up to 15 percent ethanol by volume (E15) for year-round use to support renewable fuel standards and energy independence. Past studies have shown that light-duty gasoline vehicles are significant sources of NOx, VOC and other precursor gas emissions, which together contribute to secondary organic aerosol (SOA) formation and higher PM2.5 in the South Coast Air Basin. CARB, along with the ethanol industry and the University of California, Riverside (UCR)/CE-CERT, has proposed a fuel study measuring criteria and toxic pollutant emissions from 20 gasoline vehicles using E15. This action is to execute a contract with UCR/CE-CERT to perform investigation of E15 gasoline fuel effects on criteria and toxic pollutant emissions and SOA formation from light-duty vehicles in amount not to exceed \$200,000 from the Clean Fuels Program Fund (31). (Reviewed: Technology Committee, June 19, 2020; Recommended for Approval)

4. **Recognize Revenue, Appropriate Funds, and Issue Solicitations and Purchase Orders for Air Monitoring** **Low/2269**

South Coast AQMD is expected to receive grant funds up to \$247,416 from the U.S. EPA for the NATTS Program. These actions are to recognize revenue and appropriate funds for the NATTS Monitoring Program, appropriate the remaining balances of the NATTS and PAMS Program funds, and issue solicitations and purchase orders for air monitoring equipment and utility vans. (Reviewed: Administrative Committee, June 12, 2020; Recommended for Approval)

5. **Amend Contract to Clarify Ownership of Equipment Funded by South Coast AQMD in High Efficiency and Low-NOx Combo Ribbon Burner Combustion System Demonstration** **Fine/2239**

In January 2019, the Board awarded a contract to Gas Technologies Institute (GTI) to demonstrate the EcoZone Low-NOx combustion system on an existing multi-zone baking oven located at a host site within the jurisdiction of the South Coast AQMD. This contract was part of 26 emission reduction and technology demonstration projects funded by South Coast AQMD Special Revenue Funds. This action is to amend the contract with GTI to clarify that GTI will own the equipment funded under the contract and does not increase the cost of this contract. (Reviewed: Administrative Committee, June 12, 2020; Recommended for Approval)

6. **Adopt Resolution Recognizing Funds for FY 2019-20 Carl Moyer State Reserve Program and Redistribute Funding Sources for Incentive Projects to Facilitate Timely Implementation** **Berry/2363**

In April 2020, CARB approved allocations for the FY 2019-20 Carl Moyer "Year 22" State Reserve Program, including \$4,275,655 to the South Coast AQMD for heavy-duty truck projects eligible pursuant to the On-Road Heavy-Duty Vehicle Voucher Incentive Program (VIP). This action is to adopt a Resolution recognizing up to \$4.3 million in FY 2019-20 Carl Moyer State Reserve funds from CARB. The Board also periodically approves awards for incentive projects using a variety of funding sources. Some projects experience delays in contract executions and equipment purchase and deliveries, as well as cancellations due to a variety of varying issues. As a result of the COVID-19 pandemic and associated economic impacts, staff anticipates additional delays may forestall the liquidation of funds per mandated grant timelines. This action is to also allow the redistribution of funding sources, as needed, for incentive projects to facilitate timely liquidation. (Reviewed: Technology Committee, June 19, 2020; Recommended for Approval)

7. **Issue Program Announcement for Zero-Emission Class 8 Freight and Port Drayage Trucks Eligible Under Statewide Volkswagen Environmental Mitigation Trust Program and Execute Contracts for Selected Eligible Projects** **Berry/2363**

In November 2018 and March 2020, the Board recognized revenue up to \$165 million to administer and implement two of the five project funding categories for the Volkswagen (VW) Environmental Mitigation Trust Program. For the category of Zero-Emission Class 8 Freight and Port Drayage Trucks, the first installment of VW project funds totaling \$27 million is available for eligible vehicles selected through a first-come, first-served solicitation. This action is to issue a statewide Program Announcement for the VW Zero-Emission Class 8 Freight and Port Drayage Trucks category totaling \$27 million for eligible vehicles selected on a first-come, first-served basis. The solicitation will be released upon Board approval, but applications will be accepted beginning August 18, 2020, at 1:00 p.m. PST. This action is to also authorize the Executive Officer to enter into contracts for eligible projects selected through this solicitation. (Reviewed: Technology Committee, June 19, 2020; Recommended for Approval)

8. **Issue RFP for Qualified Installers of Global Positioning Devices for Marine Vessel Projects** **Berry/2363**

South Coast AQMD requires all marine vessel engine repowering projects funded by the Carl Moyer Program to install a Global Positioning System (GPS) on the vessel in order to monitor operation within South Coast AQMD's jurisdictional waters. These marine vessel projects are required to operate at least 75 percent of the time in South Coast AQMD's jurisdictional waters throughout the contract life. However, South Coast AQMD's contract with the previous installer has expired. This action is to issue an RFP soliciting bids from qualified vendors for the purchase, installation, tracking and monitoring of GPS devices equipped with electronic monitoring units on marine vessels funded by the Carl Moyer Program. (Reviewed: Technology Committee, June 19, 2020; Recommended for Approval)

9. Establish a List of Prequalified Counsel to Represent and Advise South Coast AQMD Hearing Board **Gilchrist/3459**

On April 3, 2020 the Board approved issuance of an RFP to pre-qualify outside counsel having expertise in the California Environmental Quality Act, South Coast AQMD rulemaking and planning procedures, administrative law and related issues for both South Coast AQMD and South Coast AQMD Hearing Board. The RFP was issued jointly to limit costs. The evaluation of responding firms has been completed. This action is to establish a list of prequalified counsel to represent South Coast AQMD Hearing Board. (Reviewed: Administrative Committee; June 12, 2020; Recommended for Approval)

10. Approve Fund Transfer for Miscellaneous and Direct Expenditures Costs in FY 2020-21 as Approved by MSRC **McCallon**

Every year the Mobile Source Air Pollution Reduction Review Committee (MSRC) adopts an Administrative Budget which includes transference of funds to the South Coast AQMD's Budget to cover administrative expenses. At this time the MSRC seeks Board approval of the fund transfer as part of the FYs 2018-21 Work Program. (Reviewed: Mobile Source Air Pollution Reduction Review Committee, June 18, 2020; Recommended for Approval)

**Items 11 through 18 - Information Only/Receive and File**

11. Legislative, Public Affairs, and Media Report **Alatorre/3122**

This report highlights the May and June 2020 outreach activities of the Legislative, Public Affairs and Media Office, which includes: Major Events, Community Events/Public Meetings, Environmental Justice Update, Speakers Bureau/Visitor Services, Communications Center, Public Information Center, Business Assistance, Media Relations and Outreach to Business and Federal, State and Local Government. (No Committee Review)

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

This reports the actions taken by the Hearing Board during the period of May 1 through June 30, 2020. (No Committee Review)

13. Civil Filings and Civil Penalties Report **Gilchrist/3459**

This reports the monthly penalties from May 1, 2020 through June 30, 2020, and legal actions filed by the General Counsel's Office from May 1 through June 30, 2020. An Index of South Coast AQMD Rules is attached with the penalty report. (Reviewed: Stationary Source Committee, June 19, 2020)

14. **Lead Agency Projects and Environmental Documents Received** **Nakamura/3105**
- This report provides a listing of CEQA documents received by the South Coast AQMD between May 1, 2020 and June 30, 2020, and those projects for which the South Coast AQMD is acting as lead agency pursuant to CEQA. (Reviewed: Mobile Source Committee, June 19, 2020 for the May 1 to May 30, 2020 portion of the report; the June 1 to June 30, 2020 portion of the report had no committee review.)
15. **Rule and Control Measure Forecast** **Fine/2239**
- This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2020. (No Committee Review)
16. **Status Report on Major Ongoing and Upcoming Projects for Information Management** **Moskowitz/3329**
- Information Management is responsible for data systems management services in support of all South Coast AQMD operations. This action is to provide the monthly status report on major automation contracts and planned projects. (Reviewed: Administrative Committee, June 12, 2020)
17. **California Fuel Cell Partnership Executive Board Meeting Agenda and Activity Update** **Miyasato/3249**
- This report provides the California Fuel Cell Partnership Executive Board Agenda for the meeting held May 19, 2020 and provides the Activity Update for the fourth quarter of 2019 and first quarter of 2020. (Reviewed: Technology Committee, June 19, 2020)
18. **Report to Legislature and CARB on South Coast AQMD's Regulatory Activities for Calendar Year 2019** **Alatorre/3122**
- The South Coast AQMD is required by law to submit a report to the Legislature and CARB on its regulatory activities for the preceding calendar year. The report is to include a summary of each rule and rule amendment adopted by South Coast AQMD, number of permits issued, denied, or cancelled, emission offset transactions, budget and forecast, and an update on the Clean Fuels program. Also included is the Annual RECLAIM Audit Report, as required by RECLAIM Rule 2015 - Backstop Provisions. (No Committee Review)
19. **Items Deferred from Consent Calendar**

## **BOARD CALENDAR**

20. **Administrative Committee (Receive & File)** **Chair: Burke Nastri/3131**

21. Legislative Committee **Chair: Mitchell Alatorre/3122**

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

<b>Agenda Item</b>	<b>Recommendation</b>
AB 2882 (Chu) Hazardous emissions and substances: school sites: private and charter schools	Support
AB 3256 (E. Garcia) Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020	Support if Amended
SB 895 (Archuleta) Energy: zero-emission fuel, infrastructure, and transportation technologies	Support

22. Mobile Source Committee (Receive & File) **Chair: Burke Fine/2239**

23. Stationary Source Committee (Receive & File) **Chair: Benoit Dejbakhsh/2618**

24. Technology Committee (Receive & File) **Chair: Buscaino Miyasato/3249**

25. Mobile Source Air Pollution Reduction Review Committee (Receive & File) **Board Liaison: Benoit Berry/2363**

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

**Staff Presentation/Board Discussion**

27. Support California Proposition 16, Repeal of Proposition 209, Placed on November 2020 Ballot for Voter Consideration **Alatorre/3122**

South Coast AQMD seeks to improve intra-agency inclusiveness and racial equity through the re-evaluation of current policies and adoption of new policies. This item is to discuss and take action on Proposition 16 (2020), a constitutional amendment to repeal Proposition 209 (1996), which prohibited the state from granting preferential treatment to persons on the basis of race, sex, color, ethnicity, or national origin in public employment, public education, and public contracting. (No Committee Review)

28. Budget and Economic Outlook Update (*Presentation In Lieu of Board Letter*) **Whynot/3104**

Staff will provide an update on economic indicators and key South Coast AQMD metrics. (Reviewed: Administrative Committee, June 12, 2020)

29. Notification to Board of Settlement Discussions (*Oral Report/No Written Materials*) **Gilchrist/3459**

General Counsel proposes to establish a policy whereby counsel will notify the Executive Officer of four types of civil penalty cases, upon becoming aware that a case has the potential to: (1) attract heightened public interest; (2) involve a public health risk; (3) involve an initial settlement offer of \$250,000 or more; or (4) for any other reason be likely to be of interest or concern to one or more Board Members. In consultation with the General Counsel, the Executive Officer will decide which of these cases should be brought to the attention of the Board. The General Counsel will send the Board members an attorney/client confidential legal memo regarding the selected cases. This item is to consider approving this policy. (No Committee Review)

### **PUBLIC HEARING**

30. Determine That Submission of Amended Rule 212 –Standards for Approving Permits and Issuing Public Notice, into the SIP Is Exempt from CEQA and Submit Rule 212 for Incorporation into the SIP **Nakamura/3105**

When Rule 212 – Standards for Approving Permits and Issuing Public Notice was amended on March 1, 2019, the Public Hearing Notice did not specify that the amendments would be submitted for incorporation into the SIP. Public notification is provided that the March 1, 2019 amendments to Rule 212, as adopted, will be submitted to U.S. EPA for incorporation into the SIP. (No Committee Review)

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

### **BOARD MEMBER TRAVEL – (No Written Material)**

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

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

**Gilchrist/3459**

### **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

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



- In the Matter of SCAQMD v. Aerocraft Heat Treating Co., Inc. and Anaplex Corp., SCAQMD Hearing Board Case No. 6066-1 (Order for Abatement);
- In the Matter of SCAQMD v. Browning-Ferris Industries of California, Inc. dba Sunshine Canyon Landfill, SCAQMD Hearing Board Case No. 3448-14;
- Communities for a Better Environment v. SCAQMD, Los Angeles Superior Court Case No. BS161399 (RECLAIM);
- Communities for a Better Environment v. South Coast Air Quality Management District, Court of Appeals, Second Appellate District, Case No. B294732; (Tesoro)
- Communities for a Better Environment v. South Coast Air Quality Management District, Los Angeles Superior Court Case No. 19STCP05239; (Tesoro II)
- People of the State of California, ex rel. SCAQMD v. Exide Technologies, Inc., Los Angeles Superior Court Case No. BC533528;
- In re: Exide Technologies, Inc., U.S. Bankruptcy Court, District of Delaware, Case No. 13-11482 (KJC) (Bankruptcy Case); Delaware District Court, Case No.: 19-00891 (Appellate Case); United States Court of Appeals, Third Circuit, Case No. 20-1858;
- In re: Exide Holdings Inc., U.S. Bankruptcy Court, District of Delaware, Case No. 20-11157 (CSS) (Bankruptcy Case);
- In the Matter of SCAQMD v. Southern California Gas Company, Aliso Canyon Storage Facility, SCAQMD Hearing Board Case No. 137-76 (Order for Abatement); People of the State of California, ex rel SCAQMD v. Southern California Gas Company, Los Angeles Superior Court Case No. BC608322; Judicial Council Coordinated Proceeding No. 4861;
- In the Matter of SCAQMD v. Torrance Refining Company, LLC, SCAQMD Hearing Board Case No. 6060-5 (Order for Abatement);
- People of the State of California, ex rel South Coast Air Quality Management District v. The Sherwin-Williams Company, an Ohio Corporation, and Does 1 through 50, Inclusive, Los Angeles Superior Court Case No. PSCV 00136;
- CalPortland Company v. South Coast Air Quality Management District; Governing Board of the South Coast Air Quality Management District; and Wayne Nastri, Executive Officer, and Does 1-100, San Bernardino County Superior Court, Case No. CIV DS 19258941;
- Downwinders at Risk et al. v. EPA, United States Court of Appeals, D.C. Circuit, Case No. 19-1024 (consolidated with Sierra Club, et al. v. EPA, No. 15-1465);
- SCAQMD, et al. v. Elaine L. Chao, et al., District Court for the District of Columbia, Case No. 1:19-cv-03436-KBJ;
- SCAQMD, et al. v. EPA, United States Court of Appeals, D.C. Circuit, Case No. 19-1241 (consolidated with Union of Concerned Scientists v. NHTSA, No. 19-1230);
- SCAQMD, et al. v. NHTSA, EPA, et al., United States Court of Appeals, D.C. Circuit, Filed May 28, 2020; and
- Association of Irrigated Residents v. U.S. EPA, SCAQMD, SJVUAPCD, et al., United States Court of Appeals, D.C. Circuit, Case No. 19-71223.

#### CONFERENCE WITH LEGAL COUNSEL – INITIATING LITIGATION

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

#### CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Also, it is necessary for the Board to recess to closed session pursuant to Government Code section 54956.9(d)(2) to confer with its counsel because there is a significant exposure to litigation against the SCAQMD (two cases).

Letter from Steven J. Olson, O'Melveny & Myers LLP, on behalf of ExxonMobil Corporation, dated August 22, 2018.

#### CONFERENCE WITH LABOR NEGOTIATORS

It is also necessary to recess to closed session pursuant to Government Code Section 54957.6 to confer with labor negotiators:

- Agency Designated Representative: A. John Olvera, Deputy Executive Officer – Administrative & Human Resources;
- Employee Organization(s): Teamsters Local 911, and South Coast AQMD Professional Employees Association; and
- Unrepresented Employees: Designated Deputies and Management and Confidential employees.

#### **ADJOURNMENT**

**\*\*\*PUBLIC COMMENTS\*\*\***

Members of the public are afforded an opportunity to speak on any agenda item before consideration of that item. Persons wishing to speak may do so remotely via Zoom or telephone. To provide public comments via a Desktop/Laptop or Smartphone, click on the "Raise Hand" at the bottom of the screen, or if participating via Dial-in/Telephone Press \*9. This will signal to the host that you would like to provide a public comment and you will be added to the list.

All agendas are posted at South Coast AQMD 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 South Coast AQMD's authority. Speakers may be limited to a total of three (3) minutes for the entirety of the Consent Calendar plus Board Calendar, and three (3) minutes or less for each of the other agenda items.

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 the Public Comment Period 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. Individuals who wish to submit written or electronic comments must submit such comments to the Clerk of the Board, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765-4178, (909) 396-2500, or to [cob@aqmd.gov](mailto:cob@aqmd.gov), on or before 5:00 p.m. on the Tuesday prior to the Board meeting.

**ACRONYMS**

AQ-SPEC = Air Quality Sensor Performance Evaluation Center  
AQIP = Air Quality Investment Program  
AQMP = Air Quality Management Plan  
AVR = Average Vehicle Ridership  
BACT = Best Available Control Technology  
BARCT = Best Available Retrofit Control Technology  
Cal/EPA = California Environmental Protection Agency  
CARB = California Air Resources Board  
CEMS = Continuous Emissions Monitoring Systems  
CEC = California Energy Commission  
CEQA = California Environmental Quality Act  
CE-CERT =College of Engineering-Center for Environmental Research and Technology  
CNG = Compressed Natural Gas  
CO = Carbon Monoxide  
DOE = Department of Energy  
EV = Electric Vehicle  
EV/BEV = Electric Vehicle/Battery Electric Vehicle  
FY = Fiscal Year  
GHG = Greenhouse Gas  
HRA = Health Risk Assessment  
LEV = Low Emission Vehicle  
LNG = Liquefied Natural Gas  
MATES = Multiple Air Toxics Exposure Study  
MOU = Memorandum of Understanding  
MSERCs = Mobile Source Emission Reduction Credits  
MSRC = Mobile Source (Air Pollution Reduction) Review Committee  
NATTS =National Air Toxics Trends Station

NESHAPS = National Emission Standards for Hazardous Air Pollutants  
NGV = Natural Gas Vehicle  
NOx = Oxides of Nitrogen  
NSPS = New Source Performance Standards  
NSR = New Source Review  
OEHHA = Office of Environmental Health Hazard Assessment  
PAMS = Photochemical Assessment Monitoring Stations  
PEV = Plug-In Electric Vehicle  
PHEV = Plug-In Hybrid Electric Vehicle  
PM10 = Particulate Matter ≤ 10 microns  
PM2.5 = Particulate Matter ≤ 2.5 microns  
RECLAIM=Regional Clean Air Incentives Market  
RFP = Request for Proposals  
RFQ = Request for Quotations  
RFQQ=Request for Qualifications and Quotations  
SCAG = Southern California Association of Governments  
SIP = State Implementation Plan  
SOx = Oxides of Sulfur  
SOON = Surplus Off-Road Opt-In for NOx  
SULEV = Super Ultra Low Emission Vehicle  
TCM = Transportation Control Measure  
ULEV = Ultra Low Emission Vehicle  
U.S. EPA = United States Environmental Protection Agency  
VOC = Volatile Organic Compound  
ZEV = Zero Emission Vehicle

## **INSTRUCTIONS FOR ELECTRONIC PARTICIPATION**

### **Instructions for Participating in a Virtual Meeting as an Attendee**

As an attendee, you will have the opportunity to virtually raise your hand and provide public comment.

Before joining the call, please silence your other communication devices such as your cell or desk phone. This will prevent any feedback or interruptions during the meeting.

**Please note:** During the meeting, all participants will be placed on Mute by the host. You will not be able to mute or unmute your lines manually.

After each agenda item, the Chairman will announce public comment.

Speakers may be limited to a total of 3 minutes for the entirety of the consent calendar plus board calendar, and three minutes or less for each of the other agenda items.

A countdown timer will be displayed on the screen for each public comment.

If interpretation is needed, more time will be allotted.

**Once you raise your hand to provide public comment, your name will be added to the speaker list. Your name will be called when it is your turn to comment. The host will then unmute your line.**

### **Directions for Video ZOOM on a DESKTOP/LAPTOP:**

- If you would like to make a public comment, please click on the “**Raise Hand**” button on the bottom of the screen.
- This will signal to the host that you would like to provide a public comment and you will be added to the list.

### **Directions for Video Zoom on a SMARTPHONE:**

- If you would like to make a public comment, please click on the “**Raise Hand**” button on the bottom of your screen.
- This will signal to the host that you would like to provide a public comment and you will be added to the list.

### **Directions for TELEPHONE line only:**

- If you would like to make public comment, please **dial \*9** on your keypad to signal that you would like to comment.

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BOARD MEETING DATE: August 7, 2020

AGENDA NO. 1

MINUTES: Governing Board Monthly Meeting

SYNOPSIS: Attached are the Minutes of the June 5, 2020 meeting.

RECOMMENDED ACTION:

Approve Minutes of the June 5, 2020 Board Meeting.

Faye Thomas  
Clerk of the Boards

FT:cmw

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**FRIDAY, JUNE 5, 2020**

Notice having been duly given, the regular meeting of the South Coast Air Quality Management District Board was conducted remotely via video conferencing and telephone. Members present:

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

Council Member Ben Benoit, Vice Chairman  
Cities of Riverside County

Supervisor Kathryn Barger  
County of Los Angeles

Supervisor Lisa A. Bartlett  
County of Orange

Council Member Joe Buscaino  
City of Los Angeles

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

Senator Vanessa Delgado (Ret.)  
Senate Rules Committee Appointee

Gideon Kracov  
Governor's Appointee

Mayor Larry McCallon  
Cities of San Bernardino County

Council Member Judith Mitchell  
Cities of Los Angeles County – Western Region

Supervisor V. Manuel Perez  
County of Riverside

Council Member Carlos Rodriguez (Left the meeting at 12:20 p.m.)  
Cities of Orange County

Supervisor Janice Rutherford  
County of San Bernardino

**CALL TO ORDER:** Chairman Burke called the meeting to order at 9:00 a.m.

- Pledge of Allegiance: Led by Mayor McCallon
- Opening Comments

Mr. Nastri reported that 90 percent of South Coast AQMD staff have been telecommuting and there have been no cases of COVID-19 reported amongst the staff. The update on the budget and economic outlook will be presented later in the meeting.

Chairman Burke commented on racism, the recent civil unrest in the country, and his shared memories as a 10-year-old child witnessing a police officer beating a black pregnant woman. He expressed that everyone has the responsibility to make the world a better place and noted the strides that have been made over the years at South Coast AQMD to improve employee diversity and adoption of programs that protect disadvantaged communities and all citizens in the Basin. Several Board Members thanked Dr. Burke for his comments.

Supervisor Bartlett commented on the impact that COVID-19, homelessness and George Floyd's death have had on all communities, and that a new way of looking at things is needed to change society. She also mentioned the Governor's plan to reopen certain sectors of business.

Supervisor Rutherford commented on actions that the County of San Bernardino is taking to address the issue of racism, including a proposed Resolution declaring racism as a public health crisis.

Council Member Mitchell thanked Chairman Burke for his contributions to Environmental Justice efforts and air quality improvements in disadvantaged communities at the South Coast AQMD. She also stressed the importance of addressing and correcting systemic failures on social systems.

Council Member Benoit expressed his hope that we do better for future generations.

Council Member Rodriguez commented on the responsibility of public servants to make our communities a better place and speak out and take action against racism. He shared information about a peaceful protest at the Yorba Linda Town Center and urged the Board continue their work to address disparities in air pollution exposure.

Supervisor Perez acknowledged the good work that fellow Board Members are doing in their communities. He stressed the importance of recognizing that racism exists and shared actions the County of Riverside is taking to condemn racism and evaluate policing practices.

Supervisor Barger commented on her experiences serving with Mrs. Burke and former Los Angeles County Supervisor Mike Antonovich and how their leadership abilities impacted her career. She noted the importance of taking action so that the death of George Floyd is not in vain.

Chairman Burke noted the importance of revisiting the air quality initiatives from the last 20 years and strengthening them.

Mayor McCallon stated that it is his hope that peaceful protests and strong community support will result in change.

Council Member Buscaino shared reflections from the 1992 riots and his work as a LAPD officer. He commented on the importance of investments in programs that benefit disadvantaged communities.

Board Member Kracov commented on the importance of building on the progress made by South Coast AQMD.

Council Member Cacciotti thanked Board Members for the good work they are doing in their communities during such difficult times.

## **CONSENT CALENDAR**

1. Approve Minutes of May 1, 2020 Board Meeting
2. Set Public Hearing August 7, 2020 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations

Determine That Proposed Submission of Amended Rule 212 – Standards for Approving Permits and Issuing Public Notice, For Inclusion into the SIP, Is Exempt from CEQA and Submit Rule 212 for Inclusion into the SIP

### **Budget/Fiscal Impact**

3. Execute Contract for Commercial Experience Demonstration of Heavy-Duty Electric Trucks
4. Amend Contract for Kore Infrastructure Project
5. Recognize Revenue and Reimburse General Fund for Administrative Costs for Enhanced Fleet Modernization Program



6. Recognize Revenue for Continued AB 617 Implementation
7. Authorize Purchase of Oracle PeopleSoft Software and Support
8. Approve Contract Modifications as Approved by MSRC and Approve Appropriation of Funds to Re-Open Contract as Approved by MSRC

**Items 9 through 15 – Information Only/Receive and File**

9. Legislative, Public Affairs and Media Report
10. Hearing Board Report
11. Civil Filings and Civil Penalties Report
12. Lead Agency Projects and Environmental Documents Received
13. Rule and Control Measure Forecast
14. Report of RFQs Scheduled for Release in June
15. Status Report on Major Ongoing and Upcoming Projects for Information Management

Council Member Mitchell noted that she has no financial interests in Item Nos. 5 and 6 but is required to identify for the record that she is a Board Member of CARB, which is involved in these items.

Supervisor Barger noted that she does not have a financial interest in Item No. 8 but is required to identify for the record that she is a Board Member of the Los Angeles County Metropolitan Transportation Authority which is involved in this Item.

Agenda Item No. 3 was withheld for comment and discussion.

Harvey Eder, Public Solar Power Coalition, expressed concerns about natural gas and global warming. He commented on recent protests and incidents of violence.

MOVED BY CACCIOTTI, SECONDED BY BENOIT, AGENDA ITEMS 1, 2 AND 4 THROUGH 15 APPROVED AS RECOMMENDED, BY THE FOLLOWING VOTE:

AYES: Barger, Bartlett, Benoit, Burke, Buscaino, Cacciotti, Delgado, Kracov, McCallon, Mitchell, Perez, Rodriguez and Rutherford

NOES: None

ABSENT: None

16. Items Deferred from Consent Calendar

(Supervisor Bartlett left the meeting at 9:45 a.m.)

3. Execute Contract for Commercial Experience Demonstration of Heavy-Duty Electric Trucks

Council Member Cacciotti expressed support for the project and inquired about the skid-mounted, transportable DC charging system for the trucks.

Dr. Matt Miyasato, DEO/Science and Technology Advancement, responded that it is a portable DC fast-charging system the size of a refrigerator that can be moved to different fleet locations. He added that the transportable fast-charging infrastructure will help accelerate the deployment of heavy-duty electric trucks in the future.

(Supervisor Rutherford left the meeting 10:03 a.m.)

Ranji George, a member of the public, expressed concerns about battery electric vehicles and the lack of funding for hydrogen fuel-cell technology.

Mike Munoz expressed concerns about funding being awarded to companies that have violated labor laws, noting that NFI, a subcontractor for Daimler, is known to have violated labor laws. He asked that protections be added to contracts to ensure compliance with labor laws so that violators do not benefit from incentive funding.

Dr. Miyasato stated that language has been added to contracts to address labor law violation concerns and inspections are done every year to ensure compliance.

Supervisor Perez reiterated the need to address labor law violation concerns in contracts.

MOVED BY CACCIOTTI, SECONDED BY BENOIT, AGENDA ITEM 3 APPROVED AS RECOMMENDED, BY THE FOLLOWING VOTE:

AYES: Barger, Benoit, Burke, Buscaino, Cacciotti, Delgado, Kracov, McCallon, Mitchell, Perez, and Rodriguez

NOES: None

ABSENT: Bartlett and Rutherford

(Supervisor Rutherford rejoined the meeting 10:10 a.m.)

### **BOARD CALENDAR**

17. Administrative Committee
18. Investment Oversight Committee
19. Legislative Committee
20. Stationary Source Committee
21. Technology Committee
22. Mobile Source Air Pollution Reduction Review Committee
23. California Air Resources Board Monthly Report

**Due to time constraints, CARB's meeting summary was not available, and therefore, Item 23 was pulled from consideration.**

MOVED BY BENOIT, SECONDED BY CACCIOTTI, AGENDA ITEMS 17 THROUGH 22, APPROVED AS RECOMMENDED, RECEIVING AND FILING THE COMMITTEE AND MSRC REPORTS, BY THE FOLLOWING VOTE:

AYES: Barger, Benoit, Burke, Buscaino, Cacciotti, Delgado, Kracov, McCallon, Mitchell, Perez, Rodriguez and Rutherford

NOES: None

ABSENT: Bartlett

**Staff Presentation/Board Discussion**

24. Emission Reductions and Air Quality Impacts from COVID-19 Pandemic Response (*Presentation In Lieu of Board Letter*)

(Supervisor Bartlett rejoined the meeting 10:12 a.m.)

Dr. Scott Epstein gave the staff presentation on Item No. 24.

Chairman Burke asked if weather is the only factor impacting the decrease in air quality levels.

Dr. Epstein commented that the day-to-day variations in air quality are driven by weather, but emissions are the most important factor in achieving clean air standards.

Senator Delgado asked whether elevated ozone levels are directly related to VOCs in the atmosphere from cleaning products, as the COVID-19 crisis has increased the use of cleaning and disinfecting products.

Dr. Fine responded that VOC emissions are very uncertain at this time and there should be some reduction due to a decrease in light-duty vehicles on the road. However, due to COVID-19 there has been an increase in the use of household products to clean and sanitize. VOC emissions have a significant role in ozone production and consumer products are one of the largest sources of VOC in the Basin. Staff is looking at satellite data and ground-level measurements to assess changes in VOC emissions during this period.

In response to Mr. Nastri's request to explain the NOx/VOC ratio dependence for ozone formation and the overall strategy staff is employing to address this issue, Dr. Fine stated that the chemical reactions that form ozone are complex and depend not only on NOx and VOC levels but also on the ratio of VOC to NOx concentrations. Under certain conditions, ozone concentration increases despite the reduction in NOx emissions, indicating a NOx disbenefit, due to the dependence on the ratio. Reducing VOCs and NOx concurrently is needed to reduce high ozone levels. This disbenefit is expected to occur more in the springtime or late summer, which is typically not the period with the highest ozone concentrations, and mostly in areas of the Basin further to the west that typically do not experience the highest ozone levels. He added that NOx reductions are critical for attainment as air quality standards cannot be achieved with VOC reductions alone.

Mayor McCallon asked how the data compares to the modeling and whether there are any concerns with what is being seen compared to the model.

Dr. Epstein stated that there is some uncertainty regarding the VOC emissions in the Basin but the modeling suggests that a reduction in NOx while VOCs remain constant, or slightly reduced, may result in an increase in ozone, especially during May. There is no inconsistency with the modeling but staff is working to refine the emissions inventory and identify markers from VOC measurements to simulate the COVID-19 period.

Mayor McCallon inquired about what caused the higher ozone levels in the west side of the Basin.

Dr. Epstein stated that ozone levels on the western side are higher than typical but are consistent with the modeling. This is expected when there is a decrease in NOx emissions but VOCs are relatively constant. However, a more recent ozone episode resulted in spatial trends that were similar to episodes in past years, which is expected as emissions are beginning to return to normal levels.

Council Member Rodriguez asked whether there is a correlation between the reduction in traffic and decrease in NOx emissions during the COVID-19 pandemic response. He also asked if the decrease in vehicle activity on the freeways is contributing to the reduction in NOx emissions.

Dr. Epstein presented emissions inventory data showing the contribution of NOx concentrations by source category. He noted that some media outlets emphasized the link between the decrease in light-duty vehicle traffic on the freeways and the reduction in air pollution levels early in the COVID-19 crisis; however, light-duty vehicles are only responsible for five percent of the NOx emissions with on-road heavy-duty trucks contributing 35 percent.

Council Member Rodriguez noted that state legislative policies are moving towards reducing vehicle travel and inquired whether the decrease in total NOx emissions was anticipated, given the large decrease in vehicle activity.

Dr. Epstein stated that changes in activities in certain sectors (on-road vehicles, aircraft, and ocean-going vessels), can be estimated; however, the impact of the COVID-19 response on other emission sources is still uncertain. Staff is collecting additional data and working with CARB to determine the emission changes in all of the sectors that emit NOx and will quantify the results to get a better understanding if the reduction in NOx emissions is consistent with the inventory.

Council Member Cacciotti requested additional examples of large sources of VOC emissions. Dr. Epstein presented information on the types of sources that impact VOC emissions and noted that VOC emissions are mostly driven by consumer products and off-road sources such as lawn and garden equipment.

Council Member Cacciotti noted that as the economy reopens, more disinfectants will be used for sanitizing businesses, restaurants, and homes. He recommended that staff increase public outreach and provide educational materials about the adverse health effects of household cleaners and safer products to use.

Mr. Nastri commented on U.S. EPA's list of low VOC-containing consumer products for cleaning. He added that information would also be posted on South Coast AQMD's website.

Chris Chavez, Coalition for Clean Air (CCA), expressed concern that emission levels will increase once economic activities resume and that will add to the challenge of meeting national air quality standards. CCA supports incentive programs and recognizes their role in reducing emissions but the latest quarterly cap and trade auction that helps fund incentive programs generated significantly less revenue. He stressed the need for stronger rules, enforcement and other strategies to counter the increasing reliance on automobiles. He expressed concern that air pollution contributes to respiratory illnesses, increasing the risk of becoming ill during a virus outbreak. He expressed support for engaging with the public to regulate household cleaners that are contributing to VOC emissions as well as addressing environmental racism that disproportionately impacts communities of color and low-income communities. (Submitted Written Comments)

Chairman Burke noted that CARB has been discussing the issue of VOC emissions from household products for many years and it is time to do something.

Emily Warren Spokes, Northeast LA (NELA) Climate Collective, expressed concern about NOx levels and suggested instituting alternative driving days for both cars and trucks to reduce these levels. She also expressed concern about VOC emissions from household products and emissions from gasoline-powered lawn and garden care equipment.

Jessica Craven, NELA Climate Collective, expressed concerns about the recent events surrounding the death of George Floyd. She noted that unhealthy air has returned and urged for more innovative solutions to clean the air, especially in disadvantaged communities that suffer disproportionately from poor air quality. She suggested stronger public information campaigns to inform the public about the emissions created by gasoline-powered lawn and garden equipment.

Andrea Vidaurre, Center for Community Action and Environmental Justice (CCA EJ), expressed concerns regarding increased emissions from trucks and pollution in the Inland Empire. She urged the Board to take stronger action to clean the air in communities that suffer disproportionately from the effects of pollution. She added that poor land use decisions have resulted in a heavy concentration of warehouses in environmental justice communities.

Denise Grab, Rocky Mountain Institute, thanked the South Coast AQMD for the work they are doing but expressed that more needs to be done to clean the air. She inquired if there has been an analysis of emission levels from gas appliances in buildings, especially since individuals are spending more time at home because of the COVID-19 pandemic and are using gas appliances more frequently. She noted that on a typical day indoor NOx emissions are higher than NOx emissions from light-duty vehicles.

(Supervisor Perez left the meeting 11:02 a.m.)

Elease Stemp, NELA Climate Collective, thanked the Board for their continued efforts to clean the air. She expressed support for climate and racial justice, noting that communities of color are disproportionately impacted by climate change and pollution.

Carlo, a public member, expressed concerns about air quality in the Inland Empire due to increased truck traffic and urged support for a warehouse Indirect Source Rule (ISR) and zero emission technologies. He expressed concern about the health effects from pollution in environmental justice communities and the connection to COVID-19.

Chairman Burke asked for an update on the warehouse ISR.

Mr. Nastri commented on the complexities of an ISR for warehouses and efforts on the development of the Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. He noted the challenge for South Coast AQMD in

adopting ISR regulations because CARB and U.S. EPA have primary authority over mobile sources and added that staff is seeking additional incentive funding to support and accelerate implementation of zero and near-zero emission technologies.

Board Member Kracov asked if the Board had authority to adopt ISRs.

Mr. Nastri responded that the Board has the authority granted under the federal Clean Air Act and state law.

Mr. Eder expressed concerns about NOx emissions from heavy-duty trucks, climate change and underreported numbers for pollutants. He urged the use of solar power.

Mr. George commented on the increase of warehouses in the Inland Empire, employment and product distribution costs.

RECEIVE AND FILE; NO ACTION NECESSARY

25. Budget and Economic Outlook Update (*Presentation In Lieu of Board Letter*)

Jill Whynot, Chief Operating Officer, gave the staff presentation on Item No. 25.

Chairman Burke requested that staff compare permitting statistics for the same time period and provide data on actual permits that have expired in future presentations.

Council Member Rodriguez suggested a future discussion to consider extending the grace period for permit fees beyond 12 months to reinstate in light of COVID-19.

Ms. Whynot stated that in addition to the 12-month period to submit permitting fees, staff reaches out to companies to notify them about their fee payment deadline as well as payment options.

Chairman Burke directed staff to bring this item to the Administrative Committee for discussion.

Council Member Cacciotti expressed concern about the high vacancy rate in the Legal department and asked what positions are vacant. He suggested making an exception to the hiring freeze and filling some of the vacancies in that department.



Bayron Gilchrist, General Counsel, provided a breakdown of the positions that are vacant in the Legal department, noting that 20 percent of the vacancies are attorneys.

Chairman Burke directed staff to report to the Administrative Committee on possible solutions to the Legal department vacancies. He also noted the low vacancy rate in Administrative Services & Human Resources and requested that staff provide a detailed explanation.

Ms. Whynot noted retirements as a factor affecting the vacancy rate in some departments and that Administrative Services & Human Resources includes support services to employees as well as the maintenance and operations of the South Coast AQMD facility.

Mr. George suggested that the South Coast AQMD consider rehiring retired employees to work part-time, given staffing constraints.

Mr. Eder expressed concern about high vacancy rates and suggested that South Coast AQMD hire additional staff or consider staggering work schedules to cover six days a week. He commented on George Floyd's death and the events following his death. He expressed concerns about climate change and the underreported numbers of premature deaths linked to pollution and the connection to COVID-19.

RECEIVE AND FILE; NO ACTION NECESSARY

## **PUBLIC HEARINGS**

26. Determine That Proposed Amendments to Rule 445 – Wood-Burning Devices, Are Exempt from CEQA and Amend Rule 445  
*(This item was continued from the May 1, 2020 Board Meeting).*

Tracy Goss, Planning and Rules Manager, gave the staff presentation on Item No. 26.

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 CACCIOTTI, SECONDED BY MITCHELL, AGENDA ITEM NO. 26 APPROVED AS RECOMMENDED, ADOPTING RESOLUTION NO. 20-8 DETERMINING THAT PROPOSED AMENDED RULE 445 – WOOD-BURNING DEVICES, IS EXEMPT FROM THE REQUIREMENTS OF CEQA AND AMENDING RULE 445 – WOOD – BURNING DEVICES, BY THE FOLLOWING VOTE:

AYES: Barger, Bartlett, Benoit, Burke, Buscaino, Cacciotti, Delgado, Kracov, McCallon, Mitchell, Rodriguez and Rutherford

NOES: None

ABSENT: Perez

27. Determine That Proposed Amendments to Rule 1117 – Emissions from Container Glass Melting and Sodium Silicate Furnaces, Are Exempt from CEQA and Amend Rule 1117

Board Member Kracov recused himself from Item No. 27 and left the meeting during the discussion of this item.

(Supervisor Perez rejoined the meeting at 11:55 a.m.)

Michael Morris, Planning and Rules Manager, gave the staff presentation on Item No. 27.

The public hearing was opened, and the following individuals addressed the Board on Item 27.

Mike Carroll, Latham and Watkins on behalf of Owens Brockway Glass Container Inc., stated that Owens is one of the two facilities subject to Proposed Amended Rule 1117 and is the only glass melting facility. Owens is not opposed to the proposed amendments and will be able to achieve the very stringent NOx standard. Mr. Carroll noted that the NOx emission limit is far more stringent than what can be achieved at a typical, well controlled glass melting facility; however, Owens uses two emission control strategies to reduce NOx emissions and other pollutants. The combination of these two emission control strategies are unprecedented and represents the lowest emissions of any container glass melting facility in the nation. The decision to implement these emissions control strategies was made in part because of the economic incentives provided through the NOx

RECLAIM program, which allowed for the sale of unused RECLAIM Trading Credits (RTCs) to recover a portion of their investment and operating costs. It would be cost prohibitive to install both strategies outside of RECLAIM, and Mr. Carroll believes that the costs to implement both technologies greatly exceeds the estimate staff used in the cost-effectiveness analysis. He commented that the NOx emission limit should not be viewed as a precedent for other jurisdictions because these controls were installed in a market-based program and the furnaces are uniquely controlled. (Submitted Written Comments)

Supervisor Rutherford requested that staff respond to Mr. Carroll's concerns and written comments as she sees a common theme where facilities want to take steps to do better; however, certain rule requirements can create an impediment for facilities to move forward, leaving emissions in the air. She stated that emissions could be reduced quicker if facilities were provided with more flexibility to address these issues.

Mr. Nastri replied that the South Coast AQMD rules are often replicated in other air districts and that cost-effectiveness is a consideration in the BARCT determination. Even if a control technology is not cost-effective for one facility it may not be the same for another facility. He explained that the issues that Supervisor Rutherford is referencing are probably more related to New Source Review and the installation of more stringent BACT requirements and offsetting. Mr. Nastri explained that New Source Review is a complex program that must meet strict federal requirements and the agency is continuing to work through these issues. Mr. Nastri also commented that staff has been providing in-depth discussions of New Source Review at Stationary Source Committee meetings.

Mr. Eder commented that 40 percent of fossil fuel profits are connected to the production of plastics and expressed support for glass products. He expressed concerns about climate change, the arctic melting, and the need for solar power.

There being no further testimony on this item, the public hearing was closed.

Written Comments Submitted by:

Richard M. Tomicek, Ardagh Glass Inc.

Adriano L. Martinez, Earthjustice

Jane Williams, California Communities Against Toxics

Andrea Vidaurre, CCAEJ

Julia May, Communities for a Better Environment

Taylor Thomas, East Yard Communities for Environmental Justice

MOVED BY CACCIOTTI, SECONDED BY BENOIT, AGENDA ITEM NO. 27 APPROVED AS RECOMMENDED, ADOPTING RESOLUTION NO. 20-9 DETERMINING THAT THE PROPOSED AMENDED RULE 1117 – EMISSIONS FROM CONTAINER GLASS MELTING AND SODIUM SILICATE FURNACES, IS EXEMPT FROM THE REQUIREMENTS OF CEQA AND AMENDING RULE 1117 – EMISSIONS FROM CONTAINER GLASS MELTING AND SODIUM SILICATE FURNACES, BY THE FOLLOWING VOTE:

AYES: Barger, Bartlett, Benoit, Burke, Buscaino, Cacciotti, Delgado, McCallon, Mitchell, Perez, Rodriguez and Rutherford

NOES: None

ABSTAIN: Kracov

ABSENT: None

28. Determine That Reasonably Available Control Technology (RACT) Demonstration and Emissions Statement Certification for 2015 8-Hour Ozone Standard Are Exempt from CEQA and Approve RACT Demonstration and Emissions Statement Certification

Staff waived the presentation on Item No. 28.

The public hearing was opened, and the following individuals addressed the Board on Item 28.

Mr. Chavez stated that the Coalition for Clean Air does not oppose staffs' commitment to amend Rule 1115 - Motor Vehicle Assembly Line Coating Operations, to meet the Control Technique Guidelines (CTG) requirements; however, certain CTGs were last updated in 1975 and may not reflect the best available science or most effective pollution control methods. He requested that staff pursue control measures beyond the minimum Reasonably Available Control Technology (RACT) levels. He also urged staff to support low-emission technologies, such as Ultraviolet/Electron Beam (UV/EB) cured coatings, and the elimination of most solvents used in conventional coatings processes that would lower VOC emissions and help reduce pollutants that contribute to poor air quality in the Basin. (Submitted Written Comments)

Rita Loof, RadTech International, conveyed her opposition to the RACT demonstration. She expressed concern that U.S. EPA's CTGs have not been updated since the 1970s and do not reflect current methods and standards. Ms. Loof requested that staff not wait until the 2022 AQMP development process to evaluate UV/EB/Light Emitting Diode (UV/EB/LED) as a compliance application option to meet RACT. She also requested that the RACT demonstration be postponed for 1-2 months to allow for additional time to consider UV/EB processes as an alternative option for selected VOC emission categories for the RACT level of control.

(Council Member Rodriguez left the meeting at 12:20 p.m.)

Dr. Philip Fine, DEO/Planning, Rule Development and Area Sources, clarified that the RACT demonstration is to review South Coast AQMD existing rules in comparison to U.S. EPA's CTG and rules adopted by other air districts to determine if South Coast AQMD rules meet RACT requirements; it is not an analysis of new control technologies. Staff is in favor of UV/EB/LED technology; however, the RACT demonstration is not the appropriate place to require a RACT requirement. Dr. Fine stated that all feasible control technologies that go above and beyond RACT to meet air quality attainment goals will be evaluated as part of the AQMP development process. If UV/EB technology was a RACT requirement, areas in the country designated as extreme or serious nonattainment would have to require UV/EB technology and there could be issues with cost effectiveness that requires a full analysis.

Mr. Nastri noted that a letter would be sent to U.S. EPA to request that they consider revising the CTGs, as recommended by Council Member Benoit at the Stationary Source Committee Meeting.

Lisa Fine, Ink Systems, Inc.  
Esteban Marin, Heraeus Noblelight American, LLC  
Douglas DeLong, DDU Enterprises  
Jennifer Heathcoat, GEW, Inc.  
Erik Swenson, Nichia America Corporation

Expressed support for UV/EB/LED technology to be considered in the RACT demonstration and not postpone the analysis until the 2022 AQMP development process. Noted that the technology produces low VOC emissions which supports the clean air mission. Requested that the guidelines and studies be based on the available recent data and not based on outdated U.S. EPA guidelines.

Mr. Eder, Public Solar Power Coalition, commented that U.S. EPA's outdated CTGs and Alternative Control Techniques need to be re-evaluated and requested that solar be evaluated as BARCT. Expressed support for complete and equitable solar conversion due to its cost effectiveness.

Council Member Benoit asked staff to clarify the purpose of the RACT demonstration and whether it is a procedural requirement to comply with established U.S. EPA guidelines.

Mr. Nastri commented that the analyses concluded that the South Coast AQMD rules meet the minimum federal RACT requirements and are equivalent to or more stringent than other air districts' rules and regulations. He noted that UV/EB technologies are already in use in the South Coast Basin and their use is encouraged. He stated that the demonstration cannot be postponed because the RACT SIP must be submitted in time for CARB to forward it to U.S. EPA by the August 3, 2020 deadline.

Dr. Fine clarified that the Clean Air Act would require that UV/EB be mandated if the technology is determined to be RACT, leading to implications for other industries; therefore, staff needs more time to conduct a comprehensive analysis. He noted that the use of UV/EB technology is currently allowed in the South Coast Air Basin, but staff will conduct a full analysis during the 2022 AQMP control measure development and, if feasible, will bring rules to the Board for consideration to require this technology in certain applications.

Board Member Kracov noted Council Member Benoit's request at the Stationary Source Committee for staff to transmit a letter to U.S. EPA.

Dr. Fine stated that the letter would request that U.S. EPA consider updating CTGs and evaluating UV/EB/LED coating technologies.

There being no further testimony on this item, the public hearing was closed.

MOVED BY MITCHELL, SECONDED BY BENOIT, AGENDA ITEM NO. 28 APPROVED AS RECOMMENDED, ADOPTING RESOLUTION NO. 20-10 DETERMINING THAT THE REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) DEMONSTRATION AND EMISSIONS STATEMENT CERTIFICATION FOR THE 2015 8-HOUR OZONE STANDARD ARE EXEMPT FROM THE REQUIREMENTS OF CEQA AND APPROVING THE RACT DEMONSTRATION AND EMISSIONS STATEMENT CERTIFICATION FOR THE 2015 8-HOUR OZONE STANDARD, DIRECTING STAFF TO FORWARD TO CALIFORNIA AIR RESOURCES BOARD (CARB) FOR APPROVAL AND SUBMISSION TO UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (U.S. EPA) FOR INCLUSION IN THE STATE IMPLEMENTATION PLAN (SIP) AND DIRECTING STAFF TO SUBMIT A LETTER TO U.S. EPA REQUESTING A REVIEW AND UPDATE TO THE CONTROL TECHNIQUE GUIDELINES DOCUMENTS, BY THE FOLLOWING VOTE:

AYES: Barger, Bartlett, Benoit, Burke, Buscaino, Cacciotti, Delgado, Kracov, McCallon, Mitchell, Perez and Rutherford

NOES: None

ABSENT: Rodriguez

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

Laura Santos, Mt. San Antonio College Board of Trustees  
Rebecca Overmyer-Velazquez, Clean Air Coalition of North Whittier and Avocado Heights  
Adriana Quinones  
Rene Jimenez  
Joan Licari

Andrea Gordon  
Marilyn Kamimura, Clean Air Coalition of North Whittier and Avocado Heights  
Luis Cabellos  
Maria Espero, Clean Air Coalition of North Whittier and Avocado Heights  
Duncan McKee  
Karen Worman

Expressed concerns about the Quemetco settlement, operating violations, proposed expansion plans, and health and safety impacts and risks affecting the surrounding community. Shared information from the Los Angeles County Health Department regarding precautions that should be taken by residents living near the facility. Urged the closure of the facility.

Chairman Burke asked if the settlement included approval for expansion of the facility.

Mr. Gilchrist responded that the settlement was related to violations and did not provide for the expansion or any change to the throughput at the facility.

Ms. Whynot explained that Quemetco had submitted a permit to expand operations; however, no action has been taken, and review of their plan is a long process and will include public notification and participation. There is also a Department of Toxic Substances Control (DTSC) process currently underway for the renewal of the facility's current operating permit and the draft permit is expected in the summer with final action on the permit expected by the end of the year. The violations are related to DTSC requirements and the South Coast AQMD is working closely with DTSC. Ms. Whynot indicated that she would contact Ms. Santos to discuss her concerns and provide information on participating in the public process.

Chairman Burke asked for information about the handling of settlement agreements and directed staff to bring this item to the Administration Committee for discussion.

Mr. George expressed concerns regarding battery recycling and the future needs associated with increased demand for electric vehicles. He urged support for hydrogen fuel-cell technology.

Written Comments Submitted by:  
Kristy Pace

Mr. Eder shared information about pneumonia and COVID-19 and expressed support for pneumonia vaccines. He commented on several books by economists and climate change.



## **CLOSED SESSION**

The Board recessed to closed session at 1:35 p.m., pursuant to Government Code sections:

### CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

- 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 SCAQMD is a party. The actions are:

People of the State of California, ex rel. SCAQMD v. Exide Technologies, Inc., Los Angeles Superior Court Case No. BC533528;

In re: Exide Technologies, Inc., U.S. Bankruptcy Court, District of Delaware, Case No. 13-11482 (KJC) (Bankruptcy Case); Delaware District Court, Case No.: 19-00891 (Appellate Case); United States Court of Appeals, Third Circuit, Case No. 20-1858;

In re: Exide Holdings Inc., U.S. Bankruptcy Court, District of Delaware, Case No. 20-11157 (CSS) (Bankruptcy Case); and

In the Matter of SCAQMD v. Southern California Gas Company, Aliso Canyon Storage Facility, SCAQMD Hearing Board Case No. 137-76 (Order for Abatement); People of the State of California, ex rel SCAQMD v. Southern California Gas Company, Los Angeles Superior Court Case No. BC608322; Judicial Council Coordinated Proceeding No. 4861.

Following closed session, Bayron Gilchrist, General Counsel, announced that no reportable actions were taken in closed session.

**ADJOURNMENT**

There being no further business, the meeting was adjourned by Mr. Gilchrist at 1:50 p.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on June 5, 2020.

Respectfully Submitted,

Faye Thomas  
Clerk of the Boards

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

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Dr. William A. Burke, Chairman

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**ACRONYMS**

AQMP = Air Quality Management Plan  
BACT = Best Available Control Technology  
BARCT = Best Available Retrofit Control Technology  
CARB = California Air Resources Board  
CEQA = California Environmental Quality Act  
CTGS = Control Techniques Guidelines  
DTSC = Department of Toxics Substances Control  
FY = Fiscal Year  
MSRC = Mobile Source (Air Pollution Reduction) Review Committee  
NOx = Oxides of Nitrogen  
PM = Particulate Matter  
RACT = Reasonably Available Control Technology  
RECLAIM = Regional Clean Air Incentives Market  
RFQ = Request for Quotations  
SIP = State Implementation Plan  
U.S. EPA = United States Environmental Protection Agency  
VOC = Volatile Organic Compound

BOARD MEETING DATE: August 7, 2020

AGENDA NO. 2

PROPOSAL: Set Public Hearing September 4, 2020 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations:

Determine That Proposed Amendments to Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces, and Revisions to Clean Air Furnace Rebate Program Are Exempt from CEQA, Amend Rule 1111 and Approve Revisions to Clean Air Furnace Rebate Program

Rule 1111 establishes a NOx emission limit of 14 ng/J for residential and commercial gas furnaces. Proposed Amended Rule 1111 will extend the compliance date from October 1, 2020 to September 30, 2021 for weatherized and high altitude furnaces. The proposed amendments would also include an exemption for gas-electric dual fuel systems with low-NOx furnaces (40 ng/J) installed at higher altitudes until September 30, 2022. Staff is also recommending modifications to the Clean Air Furnace Rebate program. This action is to adopt the Resolution: 1) Determining that the proposed amendments to Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces, and revisions to the Clean Air Furnace Rebate Program are exempt from the requirements of the California Environmental Quality Act; 2) Amending Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces; and 3) Revising the Clean Air Furnace Rebate program to incentivize installation of 14 ng/J furnaces and electric heat pumps. (Reviewed: Stationary Source Committee, June 19, 2020 and To Be Reviewed: August 21, 2020)

The complete text of the proposed amendments, staff report and other supporting documents will be available from the South Coast AQMD's publication request line at (909) 396-2001, or from: Ms. Fabian Wesson – Assistant Deputy Executive Officer/Public Advisor, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765, (909) 396-2432, [PICrequests@aqmd.gov](mailto:PICrequests@aqmd.gov) and on the Internet ([www.aqmd.gov](http://www.aqmd.gov)) as of August 5, 2020.

RECOMMENDED ACTION:

Set Public Hearing September 4, 2020 to Amend Rule 1111 and Approve Revisions to the Clean Air Furnace Rebate Program.

Wayne Nastri  
Executive Officer

BOARD MEETING DATE: August 7, 2020

AGENDA NO. 3

**PROPOSAL:** Execute Contract to Investigate Effects of Ethanol-Gasoline Fuel Blend from Light-Duty Vehicles on Criteria Emissions and Secondary Organic Aerosol Formation

**SYNOPSIS:** In May 2019, the U.S. EPA approved the use of gasoline blended with up to 15 percent ethanol by volume (E15) for year-round use to support renewable fuel standards and energy independence. Past studies have shown that light-duty gasoline vehicles are significant sources of NO<sub>x</sub>, VOC and other precursor gas emissions, which together contribute to secondary organic aerosol (SOA) formation and higher PM<sub>2.5</sub> in the South Coast Air Basin. CARB, along with the ethanol industry and the University of California, Riverside (UCR)/CE-CERT, has proposed a fuel study measuring criteria and toxic pollutant emissions from 20 gasoline vehicles using E15. This action is to execute a contract with UCR/CE-CERT to perform investigation of E15 gasoline fuel effects on criteria and toxic pollutant emissions and SOA formation from light-duty vehicles in amount not to exceed \$200,000 from the Clean Fuels Program Fund (31).

**COMMITTEE:** Technology, June 19, 2020, Recommended for Approval

**RECOMMENDED ACTION:**

Authorize the Chairman to execute a contract with UCR/CE-CERT to perform an investigation study of E15 gasoline fuel effects on criteria and toxic pollutant emissions and SOA formation from light-duty vehicles in amount not to exceed \$200,000 from the Clean Fuels Program Fund (31).

Wayne Natri  
Executive Officer

## **Background**

In May 2019, the U.S. EPA approved the use of gasoline blended with up to 15 percent ethanol by volume (E15) for year-round use to help regulated parties comply with the Federal Renewable Fuels Standard (RFS) and California's Low Carbon Fuels Standard (LCFS). Higher levels of ethanol in gasoline would also reduce petroleum reliance and has the potential to reduce GHGs and criteria pollutant emissions from refineries. Currently, gasoline in California contains up to 10 percent ethanol by volume (E10).

The 2016 AQMP estimates gasoline contributes to over 45 percent of total energy consumed in the South Coast Air Basin (Basin), and the emissions inventory reflects that light-duty gasoline vehicles are the fourth highest category of NOx emissions and the second highest category of VOC emissions. Previous work has shown the potential for emission reductions with higher ethanol blends, but results are inconsistent with lower ethanol blends such as E15. In a 2019 CARB Staff Concept Paper, the gasoline predictive model estimates higher NOx emissions from E15 based on data from existing studies. The 2016 AQMP also identified that the precursor gas emissions, such as volatile and semi-volatile organic compounds, NOx, CO and PM emitted from gasoline vehicles, together contributed to higher PM2.5 concentrations in the Basin. The introduction of a new gasoline blend will likely have important implications in the air quality of the Basin and UCR/CE-CERT's evaluation of the fuel impacts on criteria emissions and SOA from gasoline vehicles is an important step in understanding air quality in our region.

## **Proposal**

CARB, Renewable Fuels Association (RFA), Growth Energy and UCR/CE-CERT have partnered together and are proposing to evaluate criteria and toxic pollutant emissions from 20 gasoline vehicles of different model years, emission standards, manufacturers and engine technology on both E10 and E15 fuels. Triplicate testing will be conducted using U.S. EPA's Federal Test Procedure-75 typically used for passenger cars. Emission measurements will include regulated pollutants, fuel economy, carbonyl compounds and VOCs. CE-CERT proposes to expand the scope and add in-depth characterization of the SOA forming potential from a subset of ten vehicles that best represent vehicle populations in the Basin. Both primary and secondary aerosols will be characterized in each experiment.

## **Sole Source Justification**

Section VIII.B.2 of the Procurement Policy and Procedure identifies four major provisions under which a sole source award may be justified. This request for sole source award is made under provision B.2.d.: Other circumstances exist which in the determination of the Executive Officer require such waiver in the best interest of the South Coast AQMD. Specifically, these circumstances are B.2.d.(1): Project involving cost-sharing by multiple sponsors; and B.2.d.(8): Research and development efforts with educational institutions or nonprofit organizations. The proposed project will

include in-kind contributions and cost-share by CARB, RFA and Growth Energy. UCR is also an educational institution and CE-CERT is their research center with multidisciplinary resources to engage in diverse environmental and transportation research programs.

**Benefits to South Coast AQMD**

The proposed E15 fuel study will help to better understand the air quality and public health impact of the new fuel formulation on light-duty vehicles, which are significant contributors to the emissions in the Basin. Projects to assess emissions of light-duty vehicles are included in the *Technology Advancement Office Clean Fuels Program 2020 Plan Update* under the category of “Fuel/Emissions Studies”.

**Resource Impacts**

The total estimated cost for the proposed project is \$1,300,000, of which South Coast AQMD’s proposed cost-share will not exceed \$200,000 from the Clean Fuels Program Fund (31). Proposed cost-sharing is summarized below:

<b>Project Partner</b>	<b>Cost-Share</b>	<b>Percent</b>
CARB	\$500,000	39
RFA/Growth Energy	\$600,000	46
South Coast AQMD <i>(requested)</i>	\$200,000	15
<b>Total Project Cost</b>	<b>\$1,300,000</b>	<b>100</b>

Sufficient funds are available in the Clean Fuels Program Fund (31) for this proposed project. The Clean Fuels Program 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: August 7, 2020

AGENDA NO. 4

**PROPOSAL:** Recognize Revenue, Appropriate Funds, and Issue Solicitations and Purchase Orders for Air Monitoring

**SYNOPSIS:** South Coast AQMD is expected to receive grant funds up to \$247,416 from the U.S. EPA for the NATTS Program. These actions are to recognize revenue and appropriate funds for the NATTS Monitoring Program, appropriate the remaining balances of the NATTS and PAMS Program funds, and issue solicitations and purchase orders for air monitoring equipment and utility vans.

**COMMITTEE:** Administrative, June 12, 2020; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Recognize revenue, upon receipt, up to \$164,416 and appropriate funds up to \$164,416 for the NATTS FY 2020-21 grant into Science & Technology Advancement's FYs 2020-21 and/or 2021-22 Budgets, as detailed in Attachment 1.
2. Appropriate up to \$140,000 in remaining NATTS FY 2019-20 balances to Science & Technology Advancement's FYs 2020-21 and/or 2021-22 Budgets, as detailed in Attachment 2.
3. Appropriate up to \$96,000 in remaining 26th Year PAMS balances to Science & Technology Advancement's FYs 2020-21 and/or 2021-22 Budgets, as detailed in Attachment 3.
4. Appropriate up to \$426,000 in remaining 27th Year PAMS balances to Science & Technology Advancement's FYs 2020-21 and/or 2021-22 Budgets, as detailed in Attachment 4.
5. Issue solicitations (RFQ/RFP) and authorize the Procurement Manager, in accordance with South Coast AQMD Procurement Policy and Procedure, to issue purchase orders based on 'prior bid, last price', cooperative purchasing or the result of a solicitation process for the following (as listed in Table 1 and further described in this Board letter):
  - a. Up to two PM10 samplers not to exceed \$22,000;
  - b. Up to 14 ozone monitors not to exceed \$146,000;
  - c. Up to seven nitrogen dioxide (NO<sub>2</sub>) monitors not to exceed \$105,000;
  - d. One summa canister cleaner not to exceed \$40,000; and

- e. Up to two utility vans, either BEV, PHEV or SULEV based on availability, not to exceed \$90,000.

Wayne Natri  
Executive Officer

MMM:JCL:RMB:ld

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## **Background**

### NATTS Program

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. U.S. EPA Government Performance Results Act commitments specify a goal of reducing air toxic emissions by 75 percent from 1993 levels to significantly reduce 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 funds to conduct monitoring for toxic air contaminants at two existing monitoring sites--Central Los Angeles and Rubidoux. The air toxics data serves as a continuum between past and future air toxic measurement programs, such as MATES, and allows for accurate evaluation of toxic trends on a regional basis.

### PAMS Program

In February 1993, the U.S. EPA promulgated the PAMS regulations for areas classified as serious, severe or extreme nonattainment. These regulations require South Coast AQMD to conduct monitoring for ozone precursors with enhanced monitoring equipment at multiple sites. The PAMS Program also funds the meteorological upper air stations located at LAX, and in Irvine and Moreno Valley. Since the onset of the PAMS Program, the U.S. EPA has annually allocated Section 105 Grant funds in support of this requirement.

## **Proposal**

### NATTS Program (FY 2020-21)

U.S. EPA is expected to provide Section 103 Grant funding in an amount up to \$247,416 to continue the NATTS Program for the period from July 1, 2020 to June 30, 2021. Revenue for this grant in the amount of \$83,000 is included in the FY 2020-21 Budget. This action is to recognize, upon receipt, the remaining revenue up to \$164,416 and appropriate up to \$164,416 to Science & Technology Advancement's FYs 2020-21 and/or 2021-22 Budgets, as set forth in Attachment 1. U.S. EPA concurs with staff's proposed allocation.



### NATTS Program (FY 2019-20)

U.S. EPA provided Section 103 Grant funding to maintain the NATTS program during FY 2019-20. This action is to appropriate the remaining balance up to \$140,000 into Science & Technology Advancement's FYs 2020-21 and/or 2021-22 Budgets, as set forth in Attachment 2. U.S. EPA concurs with staff's proposed reallocation.

### 26th Year PAMS Program Funds

The U.S. EPA provided Section 105 Grant funding to maintain the 26th Year PAMS Program during FY 2017-18. This action is to appropriate the remaining balance up to \$96,000 into Science & Technology Advancement's FYs 2020-21 and/or 2021-22 Budgets, as set forth in Attachment 3. U.S. EPA concurs with staff's proposed reallocation.

### 27th Year PAMS Program Funds

The U.S. EPA provided Section 105 Grant funding to maintain the 27th Year PAMS Program during FY 2018-19. This action is to appropriate the remaining balance up to \$426,000 into Science & Technology Advancement's FYs 2020-21 and/or 2021-22 Budgets, as set forth in Attachment 4. U.S. EPA concurs with staff's proposed reallocation.

### Proposed Purchase through 'Prior Bid, Last Price', Cooperative Purchasing or Solicitation Process

#### *PM10 Samplers*

U.S. EPA's NATTS Program requires the analysis of air toxics samples collected on filters from PM10 samplers. The two PM10 samplers purchased will act as redundant samplers in case of a NATTS primary sampler failure. The approximate cost for two PM10 samplers is \$22,000 (see Table 1). The purchase will be made by "prior bid, last price" or through an informal solicitation process as allowed by the South Coast AQMD Procurement Policy and Procedure, which authorizes informal bids for equipment under \$25,000.

#### *Ozone Monitors*

PAMS requirements include enhanced monitoring of ozone for non-attainment areas. South Coast AQMD operates a network of 29 ozone monitors to support planning efforts and the PAMS air monitoring program. Many of the ozone monitors used for audits, calibrations and for measurements within the network have been replaced, but the remaining monitors are greater than ten years old and need replacement. The approximate cost for up to 14 ozone monitors is \$146,000 (see Table 1). The purchase will be made by "prior bid, last price" or through a solicitation process, as needed, followed by issuance of a purchase order(s).

### *Nitrogen Dioxide (NO2) Monitors*

PAMS recommended measurements include enhanced monitoring of NO<sub>2</sub> for non-attainment areas. South Coast AQMD operates a network of 27 NO<sub>2</sub> monitors to support planning efforts and the PAMS air monitoring program. Many of the NO<sub>2</sub> monitors within the network have been replaced, but the remaining monitors are greater than ten years old and need replacement. The approximate cost for up to seven NO<sub>2</sub> monitors is \$105,000 (see Table 1). The purchase will be made by “prior bid, last price” or through a solicitation process, as needed, followed by issuance of a purchase order(s).

### *Summa Canister Cleaner*

PAMS requirements include collection of VOCs as a means of determining precursors to ozone episodes. VOCs are collected in summa canisters over a 24-hour period and must be cleaned and evacuated before reuse. The current summa canister cleaner is more than 15 years old and needs replacement. The estimated cost of a summa canister cleaner is \$40,000 (see Table 1). The purchase will be made through a solicitation process followed by issuance of a purchase order(s).

### *Utility Vans*

South Coast AQMD operates two dedicated PAMS sites and 27 ozone and NO<sub>2</sub> sites in support of the PAMS monitoring network. Vehicles assigned to maintenance technicians have been driven over 150,000 miles, and new enhanced PAMS sites now require a chemist to visit monitoring sites. Staff proposes to purchase two utility vans, either BEV, PHEV or SULEV, at an estimated cost of up to \$45,000 each. The purchase will be made through a solicitation process or through a Cooperative Purchasing Agreement. Low emission vehicles are available from vendors through cooperative purchasing under the State of California, Department of General Services, Procurement Division, and Alternative Fueled Vehicles Contract 1-18-23-23A through H. Low emission utility vans will be selected from the vendor on the list with the most competitive price for these types of vehicles. The cost of the vehicles will not exceed \$45,000 each (see Table 1).

## **Resource Impacts**

U.S. EPA Section 103 Grant funding will support the continuation of the NATTS monitoring program, including equipment, contracts and supplies necessary to meet the objectives of the NATTS Program.

The U.S. EPA’s remaining 26th and 27th Years PAMS Program funds will fully support equipment purchases for the PAMS Program.

**Table 1**  
**Proposed Purchases through ‘Prior Bid, Last Price,’ Cooperative Purchasing Agreement or Solicitation Process**

<b>Description</b>	<b>Qty</b>	<b>Funding Source</b>	<b>Estimated Cost</b>
PM10 Samplers	Up to 2	NATTS FY 2020-21	\$22,000
Ozone Monitors	Up to 9	26th Year PAMS	96,000
Ozone Monitors	Up to 5	27th Year PAMS	50,000
NO2 Monitors	Up to 7	27th Year PAMS	105,000
Summa Canister Cleaner	1	27th Year PAMS	40,000
Utility Vans	Up to 2	27th Year PAMS	90,000
<b>Total</b>			<b>Not to Exceed \$403,000</b>

**Attachments**

1. Proposed NATTS FY 2020-21 Grant Expenditures (FYs 2020-21 and/or 2021-22 Appropriations)
2. Proposed NATTS FY 2019-20 Grant Expenditures (FYs 2020-21 and/or 2021-22 Appropriations for Remaining FY 2019-20 Balance)
3. Proposed 26th Year PAMS Expenditures (FYs 2020-21 and/or 2021-22 Appropriations for Remaining FY 2019-20 Balance)
4. Proposed 27th Year PAMS Expenditures (FYs 2020-21 and/or 2021-22 Appropriations for Remaining FY 2019-20 Balance)

**Attachment 1**  
**Proposed NATTS FY 2020-21 Grant Expenditures**  
**(FYs 2020-21 and/or 2021-22 Appropriations)**

Account Description	Account Number	Program Code	Estimated Expenditures
<b>Services &amp; Supplies Major Object:</b>			
Professional and Specialized Services	67450	47468	\$1,416
Maintenance of Equipment	67600	47468	49,000
Travel	67800	47468	6,000
Laboratory Supplies	68050	47468	75,000
Office Expenses	68100	47468	1,000
Small Tools, Instruments, Equipment	68300	47468	10,000
<b>Total Services &amp; Supplies:</b>			<b>\$142,416</b>
<b>Capital Outlays Major Object:</b>			
PM10 Monitors (up to 2)	77000	47468	\$22,000
<b>Total Capital Outlays:</b>			<b>\$22,000</b>
<b>Total Appropriations</b>			<b>\$164,416</b>

Note: Salaries, Benefits and Indirect Costs in the amount of \$83,000 are included in the FY 2020-21 Budget.

**Attachment 2**  
**Proposed NATTS FY 2019-20 Grant Expenditures**  
**(FYs 2020-21 and/or 2021-22 Appropriations**  
**for Remaining FY 2019-20 Balance)**

<b>Account Description</b>	<b>Account Number</b>	<b>Program Code</b>	<b>Initial Appropriation*</b>	<b>Appropriations not to Exceed</b>
<b>Services &amp; Supplies Major Object:</b>				
Professional and Specialized Services	67450	47468	\$600	\$10,000
Demurrage	67550	47468	1,000	10,000
Maintenance of Equipment	67600	47468	7,000	50,000
Travel	67800	47468	700	1,500
Laboratory Supplies	68050	47468	10,000	60,000
Office Expenses	68100	47468	250	1,000
Small Tools, Instruments, Equipment	68300	47468	1,500	7,500
<b>Total Services &amp; Supplies:</b>			<b>\$21,050</b>	<b>\$140,000</b>
<b>Total Appropriations</b>			<b>\$21,050</b>	<b>\$140,000</b>

\*This is the estimated amount for the first quarter of FY 2020-21. Any remaining amount will be appropriated upon reconciliation of FY 2019-20 expenditures.

**Attachment 3**  
**Proposed 26th Year PAMS Expenditures**  
**(FYs 2020-21 and/or 2021-22 Appropriations**  
**for Remaining FY 2019-20 Balance)**

Account Description	Account Number	Program Code	Appropriations not to Exceed
<b>Capital Outlays Major Object:</b>			
Ozone Monitors (Up to 9)	77000	47530	\$96,000
<b>Total Capital Outlays Major Object:</b>			<b>\$96,000</b>
<b>Total Appropriations</b>			<b>\$96,000</b>

**Attachment 4  
Proposed 27th Year PAMS Expenditures  
(FYs 2020-21 and/or 2021-22 Appropriations  
for Remaining FY 2019-20 Balance)**

Account Description	Account Number	Program Code	Appropriations not to Exceed
<b>Services &amp; Supplies Major Object:</b>			
Professional and Specialized Services: Technical Support – Upper Air and Monitoring Site Meteorological Support	67450	47530	\$141,000
<b>Total Services &amp; Supplies Major Object:</b>			<b>\$141,000</b>
<b>Capital Outlays Major Object:</b>			
Ozone Monitors (Up to 5)	77000	47530	\$50,000
NO2 Monitors (up to 7)	77000	47530	105,000
Summa Canister Cleaner (1)	77000	47530	40,000
Utility Vans (up to 2)	77000	47530	90,000
<b>Total Capital Outlays Major Object:</b>			<b>\$285,000</b>
<b>Total Appropriations</b>			<b>\$426,000</b>

BOARD MEETING DATE: August 7, 2020

AGENDA NO. 5

**PROPOSAL:** Amend Contract to Clarify Ownership of Equipment Funded by South Coast AQMD in High Efficiency and Low-NOx Combo Ribbon Burner Combustion System Demonstration

**SYNOPSIS:** In January 2019, the Board awarded a contract to Gas Technologies Institute (GTI) to demonstrate the EcoZone Low-NOx combustion system on an existing multi-zone baking oven located at a host site within the jurisdiction of the South Coast AQMD. This contract was part of 26 emission reduction and technology demonstration projects funded by South Coast AQMD Special Revenue Funds. This action is to amend the contract with GTI to clarify that GTI will own the equipment funded under the contract and does not increase the cost of this contract.

**COMMITTEE:** Administrative, June 12, 2020; Recommended for Approval

**RECOMMENDED ACTION:**

Authorize the Executive Officer to amend the contract with Gas Technology Institute (GTI) to clarify that GTI will own the equipment funded under the contract.

Wayne Natri  
Executive Officer

PF:SN:MK:GQ:SW

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**Background**

On January 4, 2019, the Board approved 26 stationary and mobile source emission reduction projects to implement emission reduction and demonstration projects that deploy, commercialize, and/or advance clean technologies. One of the projects included a contract with Gas Technology Institute (GTI) for a High Efficiency and Low-NOx Combo Ribbon Burner Combustion System Demonstration project. Gas Technology Institute was awarded \$1,282,000 from Fund 27 to purchase and demonstrate the EcoZone Low-NOx combustion system (EcoZone System) on an existing 7 MMBTU/hour multi-zone baking oven owned by Kroger Company/Ralphs Grocery



Company (Kroger). The project focuses on improvements to the combustion system focusing on efficiency and emissions. According to the Field Test Agreement between GTI and Kroger, it is intended for GTI to leave the EcoZone System installed on the existing multi-zone baking oven and transfer ownership of the EcoZone System to Kroger on an “as is” basis following the completion of this project.

Most technology demonstration projects co-funded by South Coast AQMD are with entities who already own the underlying equipment or technology (intellectual property), or South Coast AQMD is acting as a pass-through entity or South Coast AQMD’s funding contribution is a small percentage of the total project cost. As such, South Coast AQMD typically does not claim ownership of equipment or supplies purchased as part of these technology demonstration projects because ownership has already been established or someone else has a stronger ownership claim. In this case, however, the contract is with a research entity who does not own the underlying equipment (Kroger owns the existing oven) or technology to be demonstrated (Flynn Burner has a patent pending for the burner technology), and most of the funding for the project is coming from the South Coast AQMD. It is therefore necessary to clarify who owns the equipment comprising the EcoZone System funded under the South Coast AQMD contract. The South Coast AQMD also does not have the need or capacity to store, maintain or dispose of the demonstration equipment. By allowing Kroger to continue operating this low-NOx oven, air quality benefits would continue. This project conservatively estimates NOx emission reductions of approximately 25% when compared to the current levels required by Rule 1153.1 – Emissions of Oxides of Nitrogen from Commercial Food Ovens.

This is an ongoing project with a contract end date of October 1, 2022. To date, GTI has performed an assessment of the host site, conducted baseline emissions testing, and engineered the demonstration equipment. Currently, GTI and project partners are working to assemble the system and complete installation of the equipment. Delivery of the final results to the South Coast AQMD are expected during the first quarter of 2022.

### **Proposal**

This action is to authorize the Executive Officer to amend the contract with GTI to clarify that GTI will own the equipment funded under the contract. Upon completion of the demonstration project, it is anticipated that GTI will transfer ownership of the EcoZone System to Kroger on an “as is” basis.

### **Resource Impacts**

No fiscal impact is associated with this contract amendment.

### **Attachment**

Stamped Approved Board Letter from January 4, 2019 Agenda Item #2



# South Coast Air Quality Management District

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

BOARD MEETING DATE: January 4, 2019

AGENDA NO. 2

**PROPOSAL:** Execute Contracts for Emission Reduction Projects Using Incentive Funding from SCAQMD Special Revenue Funds, and Reimburse General Fund for Administrative Costs for Contract Administration

**SYNOPSIS:** In January 2018, the Board released an RFP to solicit stationary and mobile source projects that will result in emission reductions of NOx, VOC, and PM, in accordance with the approved control strategy in the 2016 AQMP. Project funding is proposed from existing special revenue funds related to mitigation fees, settlements, or grants from other agencies, and was approved for up to \$61 million. Twenty-six proposals are being recommended for a total amount not to exceed \$47,385,792. The remaining balance of the \$61 million allocated for this RFP will be reserved to expand or continue implementation of the awarded projects or for other future needs. This action is to execute contracts for air quality emission reduction projects in a total amount not to exceed \$47,385,792. This action is to also reimburse the General Fund up to 6.25 percent for administration of the projects.

**COMMITTEE:** Administrative, December 14, 2018; Recommended for Approval

## RECOMMENDED ACTIONS:

1. Authorize the Chairman to execute contracts for air quality emission reduction projects from the Special Revenue Funds as listed in Table 3 in a total amount not to exceed \$47,385,792;
2. Authorize the Executive Officer to reallocate any funding that becomes available due to unexecuted or reduced-cost contracts among the recommended projects as listed in Table 3 as appropriate; and
3. Authorize reimbursement to the General Fund for administrative costs of up to 6.25 percent from the various Special Revenue Funds to cover the program administration of emission reduction projects.

APPROVED  
by the  
South Coast Air Quality  
Management District Board  
Date: January 4, 2019  
Denise Regano  
Clerk of the Board

Wayne Natri  
Executive Officer

PMF:SR:ZP:KC:KFG

## **Background**

The South Coast Air Quality Management District (SCAQMD) is committed to achieving healthful air in the South Coast Air Basin and Coachella Valley. The 2016 AQMP seeks to achieve and maintain federal air quality standards within attainment deadlines by the earliest date achievable to comply with Federal Clean Air Act requirements. In particular, the region must meet the 8-hour ozone, 1-hour ozone, 24-hour PM<sub>2.5</sub>, and annual PM<sub>2.5</sub> National Ambient Air Quality Standards over the next 5 years. Although great strides have been made in air pollution control programs, these health-based air quality standards cannot be achieved without significant further emission reductions. In order to meet these goals, the 2016 AQMP includes an integrated control strategy addressing multiple objectives for a more efficient path in meeting all air quality standards. The 2016 AQMP uses a variety of implementation approaches to meet air quality standards such as regulation, accelerated deployment of available cleaner technologies (e.g., zero emission and near-zero emission technologies), and co-benefits from existing programs (e.g., climate and energy efficiency). Additional demonstration and commercialization projects will be crucial to help deploy and reduce costs for zero and near-zero emission technologies. A key element of the 2016 AQMP is to make available private and public funding to help further the development and deployment of these advanced technologies. Further, many of the same technologies will address both air quality and climate goals, such as increased energy efficiency and reduced fuel usage.

The SCAQMD is taking an initial step toward establishing an incentive funding program for stationary sources as well as continuing mobile source incentive funding to achieve emission reductions, in accordance with the approved control strategy in the 2016 AQMP. Incentives can be best applied where controls are cost-effective overall, but not necessarily affordable to the affected sector, especially when controls are considered for smaller businesses or residences. Incentive funds can be used to subsidize low-emitting equipment purchases or encourage the use of alternative approaches. For example, replacement of older, high-emitting vehicles with the cleanest vehicles available through incentive funding is one of the most effective control strategies. Programs that expand supporting infrastructure for implementation of cleaner fuels (e.g., charging infrastructure, alternative fueling stations, etc.) also help to accelerate the use of ultra-low emitting vehicles. The SCAQMD will continue to support technology demonstration projects for both mobile and stationary sources and will work to create new or expanded funding opportunities for early deployment of cleaner technologies. The SCAQMD will also prioritize distribution of incentive funding in environmental justice (EJ) areas and seek opportunities to expand funding to benefit the most disadvantaged communities.

## **RFP Proposal**

On January 5, 2018, the Board approved the release of RFP #P2018-06 to announce the availability of funds and solicit proposals for emission reduction projects in accordance with the approved control strategy in the 2016 AQMP. The broad-based RFP was open

to a wide variety of project types including but not limited to zero and near zero technologies, equipment replacement/repower/retrofit, infrastructure, energy efficiency improvement, and technology demonstration to achieve NOx, PM, and VOC emission reductions with up to \$61 million available from a combination of several SCAQMD Special Revenue Funds.

**Outreach**

A significant effort was made to conduct outreach to potential applicants including five community meetings held in each of the four counties with two meetings in the proximity of refineries in the South Bay (Table 1). Approximately 60 representatives from local communities, environmental groups, consulting firms, local governments and utilities attended the community meetings.

**Table 1. List of Public Community Meetings**

<b>Date</b>	<b>Location</b>	<b>Venue</b>	<b>Meeting Time</b>
Tues 2/20/18	Torrance	Torrance Community Center Garden Room 3330 Civic Center Dr, Torrance, CA 90503	1PM – 3PM
Tues 2/20/18	Wilmington	Wilmington Senior Center 1371 Eubank Ave, Wilmington, CA 90744	6PM - 8PM
Wed 2/21/18	Buena Park	Buena Park Community Center 6688 Beach Blvd., Buena Park, CA 90621	2PM – 4PM
Thurs 2/22/18	San Bernardino	San Bernardino County Transportation Authority 1170 W 3rd St, San Bernardino, CA 92410	9:30AM – 11:30AM
Thurs 2/22/18	Riverside	Louis Rubidoux Public Library 5840 Mission Blvd., Jurupa Valley, CA 92509	2PM – 4PM

In accordance with SCAQMD’s Procurement Policy and Procedure, a public notice advertising the RFP and inviting bids was published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside County’s Press Enterprise newspapers and sent to over 900 email recipients. Additionally, a bidder’s conference was held at the SCAQMD Headquarters on January 24, 2018 with approximately 60 people in attendance.

Staff also developed a webpage specific to the incentive funding program and RFP with supporting documents such as a project summary sheet, frequently asked questions, community meetings, and bidders conference times, locations and presentations.

**Proposals Received**

Eighty-two proposals were received by the submittal deadline of April 11, 2018, requesting a total of more than \$385 million in SCAQMD Special Revenue funds. A list of all proposals received is provided in Attachment A. Of the eighty-two proposals, one proposal was withdrawn and one proposal failed to meet the minimum standards for evaluation as it was not legible, resulting in eighty proposals requesting for a total of \$310 million in funding. The twenty-six proposals recommended for funding meet the

technical merits of the RFP, complement existing SCAQMD funding portfolios, and meet the policy objectives of the District. One project has been added to those recommended for approval after the matter was considered by the Administrative Committee, Item 69, Alcal Specialty Contracting.

### **Fund Restrictions**

The SCAQMD Special Revenue Funds for this RFP were established with monies from various sources including settlements, mitigation fees, or monies from other agencies. A majority of the Special Revenue Funds are reserved for projects that achieve NOx emission reductions or have other specific restrictions, such as being available for VOC or PM2.5 reductions. A limited number of these funds require funded projects to be “in proximity” of particular emission sources such as refineries, peaker plants or chemical plants. Since “in proximity” is not clearly distinguished, staff recommends defining it as a 6-mile radial distance from the boundary of an emission source. The 6-mile radial distance definition has been previously used to identify emission mitigation projects in proximity of power plants for the AB 1318 program.

### **RFP Evaluation**

The broad-based nature of the RFP allowed for a wide variety of proposed projects, with no particular restriction on the types of projects, process or methodology to achieve emission reductions. As a result, the 80 proposals evaluated were from a variety of disciplines, varying from mobile source to stationary source, and implementation projects to technology demonstrations. To streamline the evaluation process, the eighty eligible proposals were categorized into four categories: (1) mobile source replacement/repower/retrofit and related infrastructure, (2) mobile source technology demonstration and infrastructure, (3) stationary source replacement/repower/retrofit, efficiency improvement and related infrastructure, and (4) stationary source technology demonstration and infrastructure. By grouping proposals together into one of the categories, each proposal was evaluated along with other similar projects. Each of the evaluation panels consisted of four members, including three internal SCAQMD staff and one external member from either CARB or U.S. EPA. Proposals were evaluated using criteria as outlined in the RFP and shown in Table 2. Panel members were selected based on their knowledge and expertise.

**Table 2. Project Evaluation Criteria**

<b>Project Evaluation Criteria</b>	<b>Maximum Points</b>
Aids in achievement of SCAQMD's regional air quality goals in the jurisdiction of the SCAQMD and/or promotes long-term emission reduction technologies/strategies associated with state/federal regulatory clean air plans	35
Experience and expertise of proposer or other evidence of capacity to complete the project	20
Effective use of funds (e.g. cost effectiveness and/ or funding partnerships)	15
Co-contaminant reduction benefits (e.g. control/mitigation of toxics or GHGs)	10
EJ Area benefits	10
Job creation within the jurisdiction of the SCAQMD	5
Community/government support	5
<b>Total</b>	<b>100</b>
<b>Additional Points (17 maximum)</b>	
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
Most Favored Customer Pricing	2

As outlined above, priority for distribution of incentive funding was placed on cost-effective and feasible projects that aid in achieving SCAQMD's air quality goals. Additional points were also awarded to projects in EJ areas and to projects which provide co-benefits of other air contaminants including greenhouse gases and air toxics as well as projects having local and community support. Evaluators used the criteria listed in Table 2 to rank the proposed projects. Projects which did not result in a minimum technical score of 70 percent (56 points) were not considered for funding since the evaluation panels believed that proposals below this threshold lacked information demonstrating a likelihood of success in achieving emission reductions and thus should not be considered for funding at this time. The technical score was comprised of the first four criteria listed in Table 2. In addition, for the purpose of this RFP, schools and local governments were considered as local businesses in the evaluation.

### **Proposed Awards and Recommendations**

Based on the panel evaluations, 58 proposals received a technical score at or above the 70 percent threshold, totaling approximately \$211 million in requested funding. The 58 qualifying proposals were further considered in terms of certainty and permanency of emission reductions, number of projects already funded / proposals to be funded for a particular source category or technology, the eligibility of funding opportunities from other sources such as utilities or federal grants, if proposals complemented the existing SCAQMD funding portfolio, and other policy considerations.

As a result, a total of 26 proposals are recommended for funding for an amount not to exceed \$47,385,792 from the Special Revenue Funds as shown in Table 3. The funding amount for each recommended project has been matched to the RFP funding sources<sup>1</sup>, as outlined in the original release of the RFP (Table 1–RFP Funding Sources by Fund #). The recommended projects support AQMP goals, have a long-term positive impact on air quality goals of the SCAQMD, complement other incentive programs, and provide the basis for new incentive programs to expand the District’s funding portfolio. Staff recommends the Board approve the projects in Table 3 for up to the amount indicated. Several of the recommended project funds are contingent on the proposer obtaining additional funding or forming project partnerships. For these projects (denoted with an asterisk in Table 3), the recommended funding amount will be set aside for a period of up to 18 months to complete contract negotiations. If additional funding or partnerships cannot be established or projects are awarded/completed at a reduced amount, then these funds will be released to continue or expand on the awarded projects or for other future projects. Therefore, staff recommends authorizing the Executive Officer to reallocate this funding to continue or expand on the awarded projects as appropriate. Furthermore, staff recommends partial funding for some of the proposals based on implementation of a portion of the projects or minor changes to the scope of work, as denoted in Table 3. The Special Revenue Funds and amounts listed in Table 4 have been identified as eligible sources of funding for the projects selected for this RFP program.

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<sup>1</sup> Exact amount from each funding source is subject to change based on the available funding balance at the time of Board approval

**Table 3. List of SCAQMD Staff Recommended Projects**

#	Project Proponent	Project Title	Requested Funding Amount	Recommended Funding Amount (up to)	SCAQMD Funding Source <sup>^</sup>
1	Institute of Gas Technology	Ultra Low-NOx Commercial Foodservice Deep Fat Fryer Development	\$321,970	\$321,970	Fund 27 (AQIP Prefunding) \$93,650
					Fund 27 (Rule 1110.2) \$213,708
					Fund 27 (Rule 1121) \$14,612
3	Institute of Gas Technology	High Efficient and Low-NOx Combo Ribbon Burner Combustion System Demonstration	\$1,282,000	\$1,282,000	Fund 27 (Rule 1111) \$1,282,000
5	Nett Technologies	Commercial Harbor Craft Nox and PM Emission Reduction Technology Demonstration	\$1,785,000	*\$1,338,750	Fund 54 (Rule 1118) \$1,338,750
6	Rialto Bioenergy Facility, LLC	Rialto Bioenergy Facility RNG Upgrading and Interconnection Project	\$4,365,801	\$4,365,801	Fund 27 (Rule 1111) \$4,365,801
7	Chanje Energy, Inc.	Chanje Zero-Emission Panel Van Deployment Project	\$11,793,135	***\$3,000,000	Fund 27 (EO Mitigation) \$3,000,000
8	Grant Farm	AMPCaddy Deployment Program	\$722,060	*\$361,030	Fund 54 (Rule 1118) \$361,030
12	Harley Marine Services	Electric Drive Tugboat Technology Project	\$3,000,000	\$3,000,000	Fund 54 (Rule 1118) \$3,000,000
14	Beckett Gas, Inc.	Application of Swirl-Pattern Burner Head Technology (Rule 1111)	\$791,992	\$791,992	Fund 27 (Rule 1111) \$791,992
16	BioFuels Energy, LLC	Aquarium of the Pacific 1320 kW Fuel Cell Power Generation System	\$650,000	\$650,000	Fund 27 (EO Mitigation) \$650,000
23	University of Redlands	Microgrid System at University of Redlands	\$1,962,000	\$1,962,000	Fund 27 (EO Mitigation) \$1,962,000
24	Transportation Power, Inc.	Electric Class 8 Refuse Trucks Using Advanced Charging and Renewable Energy	\$5,999,988	***\$2,250,000	Fund 27 (Rule 1111) \$2,250,000
34	Port of Long Beach	The Port of Long Beach Zero-Emission and Hybrid Terminal Equipment Deployment and Demonstration Project	\$11,570,713	***\$2,500,000	Fund 54 (Rule 1118) \$2,500,000
38	FuelCell Energy, Inc.	Riverside Flare Reduction Project: Producing Renewable Hydrogen & Power and Avoiding NOx and VOC	\$3,767,380	\$3,767,380	Fund 27 (Rule 1111) \$3,767,380
41	Southern California Gas Company	Midstream Commercial Water Heating Incentive Program	\$1,221,237	\$1,221,237	Fund 20 (Air Quality Assistance) \$610,619
					Fund 27 (Rule 1121) \$610,618
43	Southern California Gas Company	Residential Fuel Cell Demonstration with PV and Storage	\$490,000	\$490,000	Fund 27 (EO Mitigation) \$490,000
44	University of Southern California	Transient Pulsed Plasma Technology for Retrofit Treatment of Diesel Emissions	\$688,045	\$688,045	Fund 27 (Rule 1111) \$354,313
					Fund 41 (State Backup Generator Program) \$333,732
47	Clean Energy	Market Acceleration Program (MAP) (HD NZ NG Truck Replacement)	\$6,000,000	***\$3,000,000	Fund 54 (Rule 1118) \$3,000,000



**Table 3. List of SCAQMD Staff Recommended Projects (Concluded)**

#	Project Proponent	Project Title	Requested Funding Amount	Recommended Funding Amount (up to)	SCAQMD Funding Source <sup>^</sup>
62	Lantec Products	Next Generation Ultra Low NOx Forced Air Forced Air Furnace	\$340,000	\$340,000	Fund 27 (Rule 1121) \$340,000
65	Healthy Hearth, LLC	HearthCAT Retrofit Program	\$4,560,000	****\$2,280,000	Fund 27 (Rule 1121) \$934,800
					Fund 27 (EO Mitigation) \$205,200
					Fund 27 (Rule 1111) \$1,140,000
66	PureFlame Technologies, LLC	Restaurant Emissions - PM Reduction Program	\$1,072,000	*****\$100,000	Fund 27 (Rule 1111) \$100,000
69	Alcal Specialty Contracting	Residential Energy Efficiency Retrofit Project (Coachella Valley)	\$3,866,667	*\$966,667	Fund 27 (EO Mitigation) \$966,667
70	Coachella Valley Association of Governments	Regional PM-10 Street Sweeping Operations in Coachella Valley	\$1,100,000	**\$1,150,000	Fund 35 (AES Settlement) \$750,320
					Fund 36 (Rule 1309.1 Priority Reserve) \$189,496
					Fund 45 (CBE/OCE Settlement) \$210,184
71	Association for Energy Affordability, Inc.	Multifamily Affordable Housing Electrification Project: Zero-NOx Water Heating, Space Heating, Cooking and Laundry Systems	\$7,740,000	\$7,740,000	Fund 27 (Rule 1111) \$2,534,926
					Fund 37 (CARB ERC Bank) \$561,074
					Fund 54 (Rule 1118) \$4,644,000
76	Advanced Energy Machines	Zero emission transport refrigeration at Heart of Compassion Distribution	\$338,920	\$338,920	Fund 27 (Rule 1121) \$338,920
81	Bloom Energy, Corp.	Fuel Cells Integrated with Energy Storage on College of the Canyons Campus	\$3,000,000	\$3,000,000	Fund 27 (EO Mitigation) \$3,000,000
82	Alcal Specialty Contracting	Residential Energy Efficiency Retrofit Project (San Fernando Valley)	\$1,933,333	*\$480,000	Fund 27 (EO Mitigation) \$480,000
<b>Total Recommended Funding Amount (Up To)</b>					<b>\$47,385,792</b>

\* Recommended funding is contingent on proposer obtaining additional co-funding or forming project partnerships for the remaining portions of the requested amount.

\*\* Recommend funding for 1 out of the 5 years requested, and allocating an additional \$50,000 for a study to improve program efficiency, with remaining funds released once report is completed.

\*\*\* Partial funding for a subset of the proposals including, but not limited to, reduced recommended amount or reduced number of equipment.

\*\*\*\* Recommend to start with 500 units, and reserve funds for up to 2000 additional installations and for project expansion to other areas.

\*\*\*\*\*Recommend funding for certification package and then subsequent installations of up to 10 units.

<sup>^</sup> Fund 20 - Restricted to provide small business assistance

Fund 27 - Restricted to NOx mitigations

Fund 36 - Restricted to offset PM10 emissions

Fund 37 - Restricted to provide emission reductions in vicinity of new or expanded peaker plants

Fund 41 - Restricted to reduction in toxics exposure and NOx emissions

Fund 45 - Restricted to NOx / PM10 mitigations

Fund 54 - Restricted to offset refinery flare emissions

**Table 4. Proposed Project Funding by Funding Source**

Fund #	Fund Description	Funding Source with Estimated Fund Balance Approved by Governing Board on Jan. 5, 2018	Proposed Funding Source for Recommended Proposals		
			Amount	SCAQMD 6.25% Administrative Cost (up to)*	Grand Total
20	Air Quality Assistance	\$1,590,230	\$610,619	\$38,164	\$648,783
27	AQIP Prefunding	\$99,503	\$93,650	\$5,853	\$99,503
27	Rule 1110.2	\$227,065	\$213,708	\$13,357	\$227,065
27	Rule 1121	\$2,385,065	\$2,238,950	\$139,934	\$2,378,884
27	EO Mitigation	\$11,428,260	\$10,753,867	\$672,117	\$11,425,984
27	Rule 1111	\$15,025,150	\$16,586,412	\$1,036,651	\$17,623,063***
35	AES Settlement	\$554,469	\$750,320	\$46,895	\$797,215***
36	1309.1 Priority Reserve	\$3,732,020	\$189,496	\$11,844	\$201,340
37	CARB ERC Bank	\$596,141	\$561,074	\$35,067	\$596,141
38	LADWP Settlement**	\$397,266	-	-	-
41	State Backup Generator Program	\$354,590	\$333,732	\$20,858	\$354,590
44	Rule 1173 Mitigation Fee	\$3,322,166	-	-	-
45	CBE/OCE Settlement	\$223,320	\$210,184	\$13,136	\$223,320
54	Rule 1118 Mitigation	\$18,931,843	\$14,843,780	\$927,736	\$15,771,516
62	Rule 1470 Risk Reduction Fund	\$2,454,935	-	-	-
<b>Total</b>		<b>\$61,322,023</b>	<b>\$47,385,792</b>	<b>\$2,961,612</b>	<b>\$50,347,404</b>

\* Exact amount from each funding source is subject to change based on the available funding balance at the time of Board approval.

\*\* Funds were used for other contracts approved by Board actions subsequent to Board approval on January 5, 2018.

\*\*\* Additional funds were received subsequent to Board approval on January 5, 2018, which were more appropriate for the proposed projects.

### Administration

Staff proposes to reimburse the General Fund for administrative costs up to 6.25 percent from the Special Revenue Funds listed in Table 4 to cover the program administration of the emission reduction projects. This administration cost is consistent with the cost for administering other incentive programs such as the Carl Moyer Program. Additional staff may be requested in the next budget to handle contract management and tracking emission reductions to ensure they are creditable to the State Implementation Plan and develop guidelines for future stationary source incentive programs.

**Benefits to SCAQMD**

A total of 26 stationary and mobile source projects are recommended for funding. Of the 26 projects, 15 are selected to implement commercially available zero or near zero control technology as well as to support infrastructure for implementation of cleaner fuels. These projects are anticipated to result in approximately 88 tons per year (tpy) of NOx and 2 tpy of PM2.5 emissions reductions in the Basin with the majority of projects in EJ communities. Additionally, 11 technology demonstration projects are recommended for funding. Upon successful demonstration and deployment, these projects have the potential to provide long term emission reduction benefits of up to 1,369 tpy of NOx. Out of the \$47,385,792 of the recommended funding, over \$36 million are allocated for implementation/deployment projects, of which 80% of the funding will be spent in EJ areas and disadvantaged communities. The remainders of the recommended funding (over \$11 million) is allocated for technology demonstration projects, which would provide benefits to EJ areas and disadvantaged communities upon successful demonstration and deployment.

**Resource Impacts**

A total of \$61 million from SCAQMD Special Revenue Funds was identified by the Board on January 5, 2018. The total cost for the recommended projects is not to exceed \$47,385,792 from the various Special Revenue Funds. The remaining will be reserved for this RFP to expand or continue implementation of the awarded projects or for other future projects. Staff also recommends reimbursement to the General Fund for administrative costs up to 6.25 percent from the various Special Revenue Funds to cover the program administration of the emission reduction projects.

**Attachments**

- A. List of Proposals Received
- B. Scores of Proposals Evaluated

**Attachment A**  
**Table A-1**  
**List of Proposals Received**

Proposal Number	Project Title	Proposer Name	Requested Funding Amount
1	Ultra Low-Nox Commercial Foodservice Deep Fat Fryer Development	Institute of Gas Technology	\$ 321,970
2	Retrofit of Diesel Tugboat with Natural Gas & Diesel Blends	Blue Gas Marine	\$ 150,000
3	High Efficient and Low-Nox Combo Ribbon Burner Combustion System Demonstration	Institute of Gas Technology	\$ 1,282,000
4	Novel Efficient Combustion for Char broilers with Reduced Particulate Emissions	Institute of Gas Technology	\$ 258,000
5	Commercial Harbor Craft Nox and PM Emission Reduction Technology Demonstration	Nett Technologies	\$ 1,785,000
6	Rialto Bioenergy Facility RNG Upgrading and Interconnection Project	Rialto Bioenergy Facility, LLC (RBF)	\$ 4,365,801
7	Chanje Zero-Emission Panel Van Deployment Project	Chanje Energy, Inc.	\$ 11,793,135
8	AMPCaddy Deployment Program	Grant Farm	\$ 722,060
9	Zero-Emission RTG Advanced Infrastructure Program	Grant Farm	\$ 10,118,010
10	Battery-Electric Truck Ferry Project	Curtin Maritime	\$ 11,322,365
11	Combustion System Optimization on a Gas-Fired Residential Heat Pump Water Heater (5ng/J)	Stone Mountain Technologies	\$ 317,195
12	Electric Drive Tugboat Technology Project	Harley Marine Services	\$ 3,000,000
13	Selective Cool Particulate Regeneration Technology Demo for Marine/Diesel Engines	Global Clean Diesel	\$ 2,869,036
14	Application of Swirl-Pattern Burner Head Technology (Rule 1111)	Beckett Gas, Inc.	\$ 791,992
15	Greater Ontario Convention & Visitors Bureau Airport Shuttle Project (12 ZEV Shuttle Buses)	Greater Ontario Convention and Visitors Bureau (GOCVB)	\$ 9,149,024
16	Aquarium of the Pacific 1320 kW Fuel Cell Power Generation System	BioFuels Energy, LLC	\$ 650,000
17	The Solar for Schools Pilot Program	City of Anaheim, Public Utilities Department	\$ 6,122,344
18	Fuel Cells at Owens Corning Roofing Plant	Bloom Energy, Corp.	\$ 1,000,000
19	Near-Zero Aftertreatment System for Medium/Heavy Duty Natural Gas Truck Engines	Tecogen Inc.	\$ 785,220
20	Auxiliary Catalytic Converter for LD Gasoline Cars and Trucks	Compliance and Research Services	\$ 125,000
21	Playground Repair, Solar PV, Lighting Retrofit, Heating and A/C Replacement	Los Angeles Unified School District	\$ 43,620,177
22	Integrated Microgrid Emission Reduction Project	Applied Medical Resources, Inc.	\$ 640,000
23	Microgrid System at University of Redlands	University of Redlands	\$ 1,962,000
24	Electric Class 8 Refuse Trucks Using Advanced Charging and Renewable Energy	Transportation Power, Inc.	\$ 5,999,988
25	New Indy Containerboard's (NICB) Ontario Mill Repowering Project	New-Indy Ontario, LLC	\$ 2,617,500
26	Green Street Asbestos Abatement & Mobility Improvements	City of Pasadena, Dept. of Public Works	\$ 1,480,950
27	Emergency Standby Generator Bi-Fuel Retrofit	Diesel 2 Gas Solutions, LLC	\$ 7,000,000
28	Electric Landscape Equipment Trial & Evaluation Program	Wildan Energy Solutions	\$ 948,973

**Table A-1  
List of Proposals Received (Continued)**

<b>Proposal Number</b>	<b>Project Title</b>	<b>Proposer Name</b>	<b>Requested Funding Amount</b>
29	BYD-SCAQMD Zero-Emission Incentive Project (17 ZE TRU Trucks Replacement)	BYD Motors, Inc.	\$ 2,125,000
30	Deploying Hydrogen in Heavy-Duty Trucks and Ancillary Markets in Southern California	Robert V. Jensen, Inc.	\$ 10,967,373
31	Deployment of 5 Electrified Power Take-Off Units	Viatec, Inc.	\$ 1,110,807
32	C2P Consolidated Interstate Pipeline	Guillette & Cos., LLC	\$ 1,290,000
33	Solar Renewable Energy Project	City of South Pasadena	\$ 3,295,670
34	The Port of Long Beach Zero-Emission and Hybrid Terminal Equipment Deployment and Demonstration Project	Port of Long Beach	\$ 11,570,713
35	San Pedro Bay Ports' Clean Air Action Plan Ocean-Going Vessel Emissions Reduction Program	San Pedro Bay Ports	\$ 10,000,000
36	#ElectrifyAnaheim: Changing the Transit Paradigm in Southern California	Anaheim Transportation Network (ATN)	\$ 28,617,000
37	Portable Off-Grid Solar Wireless Charging System	Wireless Advanced Vehicle Electrification, Inc.	\$ 2,846,592
38	Riverside Flare Reduction Project: Producing Renewable Hydrogen & Power and Avoiding NOx and VOC	FuelCell Energy, Inc. (FCE)	\$ 3,767,380
39	Deployment of 20 Heavy-Duty Commercial Zero-Emissions Trucks and Associated EV Charging Infrastructure	Daimler Trucks North America	\$ 15,670,072
40	Schools Energy Efficiency Program (SEEP) - Direct Installation of Advanced Low-NOx Technologies	Southern California Gas Company (SoCalGas)	\$ 246,193
41	Midstream Commercial Water Heating Incentive Program	Southern California Gas Company (SoCalGas)	\$ 1,221,237
42	New CNG Stations: Fast-Fill, Heavy-Duty, Public Access	Southern California Gas Company (SoCalGas)	\$ 4,800,000
43	Residential Fuel Cell Demonstration with PV and Storage	Southern California Gas Company (SoCalGas)	\$ 490,000
44	Transient Pulsed Plasma Technology for Retrofit Treatment of Diesel Emissions	University of Southern California, Dept. of Contracts and Grants	\$ 688,045
45	Reducing Harbor Craft Emissions with Nanosecond Pulsed Plasma Treatment	University of Southern California, Dept. of Contracts and Grants	\$ 688,045
46	Restaurant Smoke Emissions Remediation using Transient Pulsed Plasma	Transient Plasma Systems	\$ 474,618
47	Market Acceleration Program (MAP) (HD NZ NG Truck Replacement)	Clean Energy	\$ 6,000,000
48	SCR Operation R&D and Demonstration	Fossil Energy Research Corp. (FERCo)	\$ 732,309
49	Battery Energy Storage System	City of Glendale Water & Power	\$ 10,000,000
50	Clean Energy Automotive Training	San Bernardino Valley College Foundation	\$ 1,415,000
51	Replacement of Caterpillar Scrapers (Tier 4)	Sukut Equipment, Inc.	\$ 10,280,452
52	Replacement of Caterpillar Scraper (Tier 4)	Sukut Equipment, Inc.	\$ 1,468,636
53	Replacement of Caterpillar Crawler Dozers (Tier 4)	Sukut Equipment, Inc.	\$ 616,518
54	Replacement of Caterpillar Crawler Dozers (Tier 4)	Sukut Equipment, Inc.	\$ 932,200
55	Replacement of Caterpillar Dozers (Tier 4)	Sukut Equipment, Inc.	\$ 759,392

**Table A-1  
List of Proposals Received (Concluded)**

<b>Proposal Number</b>	<b>Project Title</b>	<b>Proposer Name</b>	<b>Requested Funding Amount</b>
56	Replacement of Caterpillar Dozers (Tier 4)	Sukut Equipment, Inc.	\$ 844,300
57	Replacement of Caterpillar Wheel Loaders (Tier 4)	Sukut Equipment, Inc.	\$ 183,864
58	Replacement of Caterpillar Off-Highway Trucks (Tier 4)	Sukut Equipment, Inc.	\$ 636,769
59	Repower of Caterpillar Scrapers	Sukut Equipment, Inc.	\$ 2,598,350
60	Replacement of Caterpillar Tractor/Loader/Backhoes (Tier 4)	Sukut Equipment, Inc.	\$ 54,160
61	Replacement of Caterpillar Dozers (Tier 4)	Sukut Equipment, Inc.	\$ 355,203
62	Next Generation Ultra Low Nox Forced Air Forced Air Furnace	Lantec Products	\$ 340,000
63	Zero Emission Battery Switcher Locomotive	Rail Propulsion Systems	\$ 1,872,425
64	Demonstration of Game Changer Technology Platform for Cost-effective Emissions Mitigation in Refineries and EJ Communities	T2M Global, LLC	\$ 4,989,975
65	HearthCAT Retrofit Program	Healthy Hearth, LLC	\$ 4,560,000
66	Restaurant Emissions - PM Reduction Program	PureFlame Technologies, LLC	\$ 1,072,000
67	Solvent Absorption and Electrochemical Reduction (SAER) Process Demonstration	RealEnergy	\$ 927,500
68	Landfill Gas Treatment and Upgrade Project	US Biogas	n/a
69	Residential Energy Efficiency Retrofit Project (Coachella Valley)	Alcal Specialty Contracting, Inc.	\$ 3,866,667
70	Regional PM-10 Street Sweeping Operations in Coachella Valley	Coachella Valley Association of Governments	\$ 1,100,000
71	Multifamily Affordable Housing Electrification Project (MAHEP): Zero-NOx Water Heating, Space Heating, Cooking and Laundry Systems	Association for Energy Affordability, Inc.	\$ 7,740,000
72	Electric Vehicle Charging Project	LA County Dept of Public Works	\$ 247,320
73	Commercial Cooking Emissions Reduction Project	Frontier Energy	\$ 365,810
74	Adaptive Camless Technology Demonstration	UCLA	\$ 2,250,000
75	Beta Offshore - Nox Reduction Plan	Beta Offshore	\$ 7,400,000
76	Zero emission transport refrigeration at Heart of Compassion Distribution	Advanced Energy Machines (AEM)	\$ 338,920
77	Equity, Health and Pollution Controls Program (EHPC)	Build It Green	\$ 10,135,892
78	Zero Emissions Multi-Family Swimming Pools Demonstration	Energx Controls Incorporated	\$ 1,075,850
79	Implementation of Immediate Total Solar Conversion of SCAQMD	Harvey Eder / Public Solar Power Coalition	\$ 61,000,000
80	Fuel Cells at San Manuel Casino	Bloom Energy, Corp.	\$ 5,000,000
81	Fuel Cells Integrated with Energy Storage on College of the Canyons Campus	Bloom Energy, Corp.	\$ 3,000,000
82	Residential Energy Efficiency Retrofit Project (San Fernando Valley)	Alcal Specialty Contracting	\$ 1,933,333

**Attachment B**

**Table B-1**

**Scores of Proposals Evaluated\* - Panel A (Mobile Source Replacement/Repower/Retrofit and Related Infrastructure)**

Final Score	Technical Score	Proposal Number	Project Title	Proposer Name	Requested Funding Amount
100	64	7	Chanje Zero-Emission Panel Van Deployment Project	Chanje Energy, Inc.	\$ 11,793,135
88	68	34	The Port of Long Beach Zero-Emission and Hybrid Terminal Equipment Deployment and Demonstration Project	Port of Long Beach	\$ 11,570,713
87	68	59	Repower of Caterpillar Scrapers	Sukut Equipment, Inc.	\$ 2,598,350
86	64	36	#ElectrifyAnaheim: Changing the Transit Paradigm in Southern California	Anaheim Transportation Network (ATN)	\$ 28,617,000
84	65	61	Replacement of Caterpillar Dozers (Tier 4)	Sukut Equipment, Inc.	\$ 355,203
84	65	58	Replacement of Caterpillar Off-Highway Trucks (Tier 4)	Sukut Equipment, Inc.	\$ 636,769
84	61	15	Greater Ontario Convention & Visitors Bureau Airport Shuttle Project (12 ZEV Shuttle Buses)	Greater Ontario Convention and Visitors Bureau (GOCVB)	\$ 9,149,024
84	65	60	Replacement of Caterpillar Tractor/Loader/Backhoes (Tier 4)	Sukut Equipment, Inc.	\$ 54,160
83	64	53	Replacement of Caterpillar Crawler Dozers (Tier 4)	Sukut Equipment, Inc.	\$ 616,518
83	64	52	Replacement of Caterpillar Scraper (Tier 4)	Sukut Equipment, Inc.	\$ 1,468,636
83	64	57	Replacement of Caterpillar Wheel Loaders (Tier 4)	Sukut Equipment, Inc.	\$ 183,864
82	63	51	Replacement of Caterpillar Scrapers (Tier 4)	Sukut Equipment, Inc.	\$ 10,280,452
82	63	55	Replacement of Caterpillar Dozers (Tier 4)	Sukut Equipment, Inc.	\$ 759,392
82	63	56	Replacement of Caterpillar Dozers (Tier 4)	Sukut Equipment, Inc.	\$ 844,300
80	64	47	Market Acceleration Program (MAP) (HD NZ NG Truck Replacement)	Clean Energy	\$ 6,000,000
80	61	54	Replacement of Caterpillar Crawler Dozers (Tier 4)	Sukut Equipment, Inc.	\$ 932,200
78	60	29	BYD-SCAQMD Zero-Emission Incentive Project (17 ZE TRU Trucks Replacement)	BYD Motors, Inc.	\$ 2,125,000

Technical Score Below 70% Cutoff (56 points):

n/a	30	50	Clean Energy Automotive Training	San Bernardino Valley College Foundation	\$ 1,415,000
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\* Proposals selected for award are highlighted in gray

**Attachment B**

**Table B-2**

**Scores of Proposals Evaluated\* - Panel B (Mobile Source Technology Demonstration and Infrastructure)**

Final Score	Technical Score	Proposal Number	Project Title	Proposer Name	Requested Funding Amount
100	65	76	Zero emission transport refrigeration at Heart of Compassion Distribution	Advanced Energy Machines (AEM)	\$ 338,920
96	66	8	AMPCaddy Deployment Program	Grant Farm	\$ 722,060
95	66	10	Battery-Electric Truck Ferry Project	Curtin Maritime	\$ 11,322,365
93	64	9	Zero-Emission RTG Advanced Infrastructure Program	Grant Farm	\$ 10,118,010
90	62	63	Zero Emission Battery Switcher Locomotive	Rail Propulsion Systems	\$ 1,872,425
86	60	5	Commercial Harbor Craft Nox and PM Emission Reduction Technology Demonstration	Nett Technologies	\$ 1,785,000
84	65	24	Electric Class 8 Refuse Trucks Using Advanced Charging and Renewable Energy	Transportation Power, Inc.	\$ 5,999,988
82	63	12	Electric Drive Tugboat Technology Project	Harley Marine Services	\$ 3,000,000
78	63	42	New CNG Stations: Fast-Fill, Heavy-Duty, Public Access	Southern California Gas Company (SoCalGas)	\$ 4,800,000
72	58	30	Deploying Hydrogen in Heavy-Duty Trucks and Ancillary Markets in Southern California	Robert V. Jensen, Inc.	\$ 10,967,373

*Technical Score Below 70% Cutoff (56 points):*

<i>n/a</i>	52	31	<i>Deployment of 5 Electrified Power Take-Off Units</i>	<i>Viatec, Inc.</i>	<i>\$ 1,110,807</i>
<i>n/a</i>	51	19	<i>Near-Zero Aftertreatment System for Medium/Heavy Duty Natural Gas Truck Engines</i>	<i>Tecogen Inc.</i>	<i>\$ 785,220</i>
<i>n/a</i>	50	35	<i>San Pedro Bay Ports' Clean Air Action Plan Ocean-Going Vessel Emissions Reduction Program</i>	<i>San Pedro Bay Ports</i>	<i>\$ 10,000,000</i>
<i>n/a</i>	48	37	<i>Portable Off-Grid Solar Wireless Charging System</i>	<i>Wireless Advanced Vehicle Electrification, Inc.</i>	<i>\$ 2,846,592</i>
<i>n/a</i>	45	72	<i>Electric Vehicle Charging Project</i>	<i>LA County Dept of Public Works</i>	<i>\$ 247,320</i>
<i>n/a</i>	44	2	<i>Retrofit of Diesel Tugboat with Natural Gas &amp; Diesel Blends</i>	<i>Blue Gas Marine</i>	<i>\$ 150,000</i>
<i>n/a</i>	44	45	<i>Reducing Harbor Craft Emissions with Nanosecond Pulsed Plasma Treatment</i>	<i>University of Southern California, Dept. of Contracts and Grants</i>	<i>\$ 688,045</i>
<i>n/a</i>	41	28	<i>Electric Landscape Equipment Trial &amp; Evaluation Program</i>	<i>Wildan Energy Solutions</i>	<i>\$ 948,973</i>
<i>n/a</i>	36	13	<i>Selective Cool Particulate Regeneration Technology Demo for Marine/Diesel Engines</i>	<i>Global Clean Diesel</i>	<i>\$ 2,869,036</i>
<i>n/a</i>	25	20	<i>Auxiliary Catalytic Converter for LD Gasoline Cars and Trucks</i>	<i>Compliance and Research Services</i>	<i>\$ 125,000</i>

\* Proposals selected for award are highlighted in gray



**Attachment B**

**Table B-3**

**Scores of Proposals Evaluated\* - Panel C (Stationary Source Replacement /Repower/Retrofit, Efficiency Improvement and Related Infrastructure)**

Final Score	Technical Score	Proposal Number	Project Title	Proposer Name	Requested Funding Amount
99	71	6	Rialto Bioenergy Facility RNG Upgrading and Interconnection Project	Rialto Bioenergy Facility, LLC (RBF)	\$ 4,365,801
95	70	65	HearthCAT Retrofit Program	Healthy Hearth, LLC	\$ 4,560,000
92	72	16	Aquarium of the Pacific 1320 kW Fuel Cell Power Generation System	BioFuels Energy, LLC	\$ 650,000
87	71	71	Multifamily Affordable Housing Electrification Project (MAHEP): Zero-NOx Water Heating, Space Heating, Cooking and Laundry Systems	Association for Energy Affordability, Inc.	\$ 7,740,000
86	66	66	Restaurant Emissions - PM Reduction Program	PureFlame Technologies, LLC	\$ 1,072,000
84	66	82	Residential Energy Efficiency Retrofit Project (San Fernando Valley)	Alcal Specialty Contracting	\$ 1,933,333
82	72	38	Riverside Flare Reduction Project: Producing Renewable Hydrogen & Power and Avoiding NOx and VOC	FuelCell Energy, Inc. (FCE)	\$ 3,767,380
77	68	22	Integrated Microgrid Emission Reduction Project	Applied Medical Resources, Inc.	\$ 640,000
75	56	70	Regional PM-10 Street Sweeping Operations in Coachella Valley	Coachella Valley Association of Governments	\$ 1,100,000
74	56	69	Residential Energy Efficiency Retrofit Project (Coachella Valley)	Alcal Specialty Contracting, Inc.	\$ 3,866,667
73	56	75	Beta Offshore - Nox Reduction Plan	Beta Offshore	\$ 7,400,000
73	67	41	Midstream Commercial Water Heating Incentive Program	Southern California Gas Company (SoCalGas)	\$ 1,221,237
70	57	18	Fuel Cells at Owens Corning Roofing Plant	Bloom Energy, Corp.	\$ 1,000,000
70	66	81	Fuel Cells Integrated with Energy Storage on College of the Canyons Campus	Bloom Energy, Corp.	\$ 3,000,000
67	62	23	Microgrid System at University of Redlands	University of Redlands	\$ 1,962,000
67	57	27	Emergency Standby Generator Bi-Fuel Retrofit	Diesel 2 Gas Solutions, LLC	\$ 7,000,000
66	63	80	Fuel Cells at San Manuel Casino	Bloom Energy, Corp.	\$ 5,000,000
64	61	40	Schools Energy Efficiency Program (SEEP) - Direct Installation of Advanced Low-NOx Technologies	Southern California Gas Company (SoCalGas)	\$ 246,193

Technical Score Below 70% Cutoff (56 points):

n/a	54	77	Equity, Health and Pollution Controls Program (EHPC)	Build It Green	\$ 10,135,892
n/a	52	21.2	Solar Photovoltaic (PV) Carport Installations	Los Angeles Unified School District	\$ 8,366,259

**Attachment B**

**Table B-3**

**Proposals Evaluated - Panel C\* (Stationary Source Replacement /Repower/Retrofit,  
Efficiency Improvement and Related Infrastructure)**

<i>n/a</i>	<i>51</i>	<i>25</i>	<i>New Indy Containerboard's (NICB) Ontario Mill Repowering Project</i>	<i>New-Indy Ontario, LLC</i>	<i>\$ 2,617,500</i>
<i>n/a</i>	<i>49</i>	<i>17</i>	<i>The Solar for Schools Pilot Program</i>	<i>City of Anaheim, Public Utilities Department</i>	<i>\$ 6,122,344</i>
<i>n/a</i>	<i>49</i>	<i>21.3</i>	<i>Energy Efficient Lighting Retrofit</i>	<i>Los Angeles Unified School District</i>	<i>\$ 12,097,385</i>
<i>n/a</i>	<i>49</i>	<i>33</i>	<i>Solar Renewable Energy Project</i>	<i>City of South Pasadena</i>	<i>\$ 3,295,670</i>
<i>n/a</i>	<i>47</i>	<i>21.4</i>	<i>Heating Ventilation and Air Conditioning (HVAC) Replacement</i>	<i>Los Angeles Unified School District</i>	<i>\$ 22,277,130</i>
<i>n/a</i>	<i>44</i>	<i>21.1</i>	<i>Playground Area Repair and Greening</i>	<i>Los Angeles Unified School District</i>	<i>\$ 879,403</i>

*\* Proposals selected for award are highlighted in gray*

**Attachment B**

**Table B-4**

**Scores of Proposals Evaluated\* - Panel D (Stationary Source Technology Demonstration and Infrastructure)**

Final Score	Technical Score	Proposal Number	Project Title	Proposer Name	Requested Funding Amount (\$)
85	67	49	Battery Energy Storage System	City of Glendale Water & Power	\$ 10,000,000
82	67	44	Transient Pulsed Plasma Technology for Retrofit Treatment of Diesel Emissions	University of Southern California, Dept. of Contracts and Grants	\$ 688,045
81	59	48	SCR Operation R&D and Demonstration	Fossil Energy Research Corp. (FERCo)	\$ 732,309
80	68	3	High Efficient and Low-Nox Combo Ribbon Burner Combustion System Demonstration	Institute of Gas Technology	\$ 1,282,000
78	70	1	Ultra Low-Nox Commercial Foodservice Deep Fat Fryer Development	Institute of Gas Technology	\$ 321,970
77	57	46	Restaurant Smoke Emissions Remediation using Transient Pulsed Plasma	Transient Plasma Systems	\$ 474,618
76	59	11	Combustion System Optimization on a Gas-Fired Residential Heat Pump Water Heater (5ng/J)	Stone Mountain Technologies	\$ 317,195
76	63	73	Commercial Cooking Emissions Reduction Project	Frontier Energy	\$ 365,810
75	69	62	Next Generation Ultra Low Nox Forced Air Forced Air Furnace	Lantec Products	\$ 340,000
74	68	43	Residential Fuel Cell Demonstration with PV and Storage	Southern California Gas Company (SoCalGas)	\$ 490,000
73	58	74	Adaptive Camless Technology Demonstration	UCLA	\$ 2,250,000
73	66	4	Novel Efficient Combustion for Char broilers with Reduced Particulate Emissions	Institute of Gas Technology	\$ 258,000
73	68	14	Application of Swirl-Pattern Burner Head Technology (Rule 1111)	Beckett Gas, Inc.	\$ 791,992

*Technical Score Below 70% Cutoff (56 points):*

<i>n/a</i>	<i>53</i>	<i>78</i>	<i>Zero Emissions Multi-Family Swimming Pools Demonstration</i>	<i>Energx Controls Incorporated</i>	<i>\$ 1,075,850</i>
<i>n/a</i>	<i>51</i>	<i>67</i>	<i>Solvent Absorption and Electrochemical Reduction (SAER) Process Demonstration</i>	<i>RealEnergy</i>	<i>\$ 927,500</i>
<i>n/a</i>	<i>49</i>	<i>26</i>	<i>Green Street Asbestos Abatement &amp; Mobility Improvements</i>	<i>City of Pasadena, Dept. of Public Works</i>	<i>\$ 1,480,950</i>
<i>n/a</i>	<i>49</i>	<i>64</i>	<i>Demonstration of Game Changer Technology Platform for Cost-effective Emissions Mitigation in Refineries and EJ Communities</i>	<i>T2M Global, LLC</i>	<i>\$ 4,989,975</i>
<i>n/a</i>	<i>47</i>	<i>32</i>	<i>C2P Consolidated Interstate Pipeline</i>	<i>Guillette &amp; Cos., LLC</i>	<i>\$ 1,290,000</i>
<i>n/a</i>	<i>37</i>	<i>68</i>	<i>Landfill Gas Treatment and Upgrade Project</i>	<i>US Biogas</i>	<i>n/a</i>

\* Proposals selected for award are highlighted in gray

BOARD MEETING DATE: August 7, 2020

AGENDA NO. 6

**PROPOSAL:** Adopt Resolution Recognizing Funds for FY 2019-20 Carl Moyer State Reserve Program and Redistribute Funding Sources for Incentive Projects to Facilitate Timely Implementation

**SYNOPSIS:** In April 2020, CARB approved allocations for the FY 2019-20 Carl Moyer “Year 22” State Reserve Program, including \$4,275,655 to the South Coast AQMD for heavy-duty truck projects eligible pursuant to the On-Road Heavy-Duty Vehicle Voucher Incentive Program (VIP). This action is to adopt a Resolution recognizing up to \$4.3 million in FY 2019-20 Carl Moyer State Reserve funds from CARB. The Board also periodically approves awards for incentive projects using a variety of funding sources. Some projects experience delays in contract executions and equipment purchase and deliveries, as well as cancellations due to a variety of varying issues. As a result of the COVID-19 pandemic and associated economic impacts, staff anticipates additional delays may forestall the liquidation of funds per mandated grant timelines. This action is to also allow the redistribution of funding sources, as needed, for incentive projects to facilitate timely liquidation.

**COMMITTEE:** Technology, June 19, 2020; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Adopt the attached Resolution recognizing, upon receipt, up to \$4.3 million in FY 2019-20 Carl Moyer State Reserve funds (Grant #G19-MO47) from CARB into the VIP Program Fund (59); and
2. Authorize the Executive Officer to redistribute the source of funds within and/or between the Carl Moyer Program Fund (32), including SB 1107, SOON, State Reserve, FARMER and associated interest funds, the Carl Moyer AB 923 Match Funds (80) match funds and the Community Air Protection Fund (77), as needed, in

order to facilitate timely liquidation to the extent that such actions are not in conflict with any applicable guideline, requirement or direction from CARB.

Wayne Natri  
Executive Officer

MMM:NB:VW

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### **Background**

Pursuant to Section 44286(d) of the Health and Safety Code, CARB may reserve up to ten percent of the Carl Moyer Program funds available each year for projects that are eligible for funding through the Carl Moyer Program. These funds are referred to as the State Reserve funds. CARB reserves the sole authority to distribute the State Reserve funds each year. For FY 2019-20, approximately \$9.36 million in State Reserve funds are available. In April 2020, CARB approved allocations for the FY 2019-20 (Year 22) Carl Moyer Program State Reserve funds to seven air districts and designated the funds for implementation of the Carl Moyer On-Road Heavy-Duty Vehicle Voucher Incentive Program (VIP). The allocation for the South Coast AQMD is \$4,275,655, which is approximately 45.6 percent of the total State Reserve funds available. South Coast AQMD's allocation includes 6.25 percent in administrative funds.

The VIP Program is a streamlined truck replacement program for small fleets to replace an older heavy-duty diesel vehicle with a newer, lower emission vehicle. South Coast AQMD has been implementing the VIP Program since 2009, which has resulted in the replacement of over 1,200 trucks with grant funds totaling over \$42 million.

Since November 2017, the Board has periodically approved awards for incentive projects using a variety of funding sources, including but not limited to Community Air Protection, Carl Moyer, SOON Provision, Proposition 1B-Goods Movement, State Reserve, FARMER and NOx Remediation Measure funds. Some projects experience delays in contract executions and equipment purchase and deliveries, as well as cancellations due to a variety of issues. As a result of the COVID-19 pandemic and associated economic impacts, staff anticipates additional delays may forestall the liquidation of funds per mandated grant timelines.

### **Proposal**

This action is to adopt the attached Resolution recognizing up to \$4.3 million in FY 2019-20 Carl Moyer Program State Reserve funds from CARB into the VIP Program Fund (59). The State Reserve funds will be used for on-road heavy-duty truck projects that meet the eligibility requirements outlined in the 2020 VIP Program Guidelines.

Staff also proposes to authorize the Executive Officer to redistribute the source of funds within and/or between the Carl Moyer Program Fund (32), including SB 1107, SOON, State Reserve, FARMER and associated interest funds, the Carl Moyer AB 923 Fund (80) match funds, and the Community Air Protection Fund (77), as needed, in order to facilitate timely liquidation to the extent the redistribution would not be in conflict with any applicable guidelines, requirement or direction from CARB.

### **Benefits to South Coast AQMD**

The State Reserve funds will be used to fund heavy-duty truck projects eligible through the VIP which will provide surplus emission reductions of both NOx and PM. Since the vehicles funded by this program will operate for the life of the contract and beyond, the emission reductions will provide long-term benefits.

The incentive projects funded by the various grants will also reduce emissions of NOx and PM that are surplus to existing regulations and will occur throughout the life of the projects resulting in long-term emissions reduction benefits. Additionally, these projects will reduce exposure to toxic diesel exhaust emissions, especially in disadvantaged and low-income communities that are identified in the Carl Moyer and Community Air Protection incentives grants.

### **Resource Impacts**

The State Reserve funds, upon receipt from CARB, will be recognized into the VIP Program Fund (59). Total State Reserve funds for heavy-duty truck projects eligible under the VIP will not exceed \$4.3 million.

This action involves a redistribution of the funding source only and will not affect the Board-approved award amount for each project; therefore, no resource impacts are anticipated.

### **Attachment** Resolution

**RESOLUTION NO. 20-**

**A Resolution of the South Coast Air Quality Management District Board  
Recognizing Grant Funds and Approving the South Coast AQMD's Participation  
in the FY 2019-20 (Year 22) Carl Moyer Program State Reserve Program**

WHEREAS, under Health & Safety Code § 40400 *et seq.*, the South Coast Air Quality Management District (South Coast AQMD) is the local agency with the primary responsibility for the development, implementation, monitoring and enforcement of air pollution control strategies, clean fuels programs and motor vehicle use reduction measures; and

WHEREAS, the South Coast AQMD is authorized by Health & Safety Code §§ 40402, 40440, and 40448.5 as well as the Carl Moyer Memorial Air Quality Standards Attainment Program (§§ 44275, *et seq.*) to implement programs to reduce transportation emissions, including programs to encourage the use of alternative fuels and low-emission vehicles; to develop and implement other strategies and measures to reduce air contaminants and achieve the state and federal air quality standards; and

WHEREAS, the Governing Board has adopted several programs to reduce emissions from on-road and off-road vehicles, as well as emissions from other equipment, including the Carl Moyer Program; and

WHEREAS, the South Coast AQMD is designated as an extreme non-attainment area for ozone and as such is required to utilize all feasible measures to meet national ambient air quality standards.

BE IT FURTHER RESOLVED that the Governing Board approves the South Coast AQMD's participation in the State Reserve portion of the FY 2019-20 (Year 22) Carl Moyer Program, and the acceptance of funds allocated and awarded to the South Coast AQMD for eligible projects and program administration; and

THEREFORE, BE IT RESOLVED that the Governing Board, in regular session assembled on August 7, 2020, does hereby accept the FY 2019-20 (Year 22) Carl Moyer Program State Reserve grant award (#G19-MO47) and recognize up to \$4.3 million from CARB in the VIP Program Fund (59) for eligible on-road projects under the On-Road Heavy-Duty Vehicle Voucher Incentive Program (also known as VIP).

BE IT FURTHER RESOLVED that the Executive Officer is authorized and directed to take all steps necessary to carry out this Resolution.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Faye Thomas, Clerk of the Boards

 [Back to Agenda](#)

BOARD MEETING DATE: August 7, 2020 AGENDA NO. 7

PROPOSAL: Issue Program Announcement for Zero-Emission Class 8 Freight and Port Drayage Trucks Eligible Under Statewide Volkswagen Environmental Mitigation Trust Program and Execute Contracts for Selected Eligible Projects

SYNOPSIS: In November 2018 and March 2020, the Board recognized revenue up to \$165 million to administer and implement two of the five project funding categories for the Volkswagen (VW) Environmental Mitigation Trust Program. For the category of Zero-Emission Class 8 Freight and Port Drayage Trucks, the first installment of VW project funds totaling \$27 million is available for eligible vehicles selected through a first-come, first-served solicitation. This action is to issue a statewide Program Announcement for the VW Zero-Emission Class 8 Freight and Port Drayage Trucks category totaling \$27 million for eligible vehicles selected on a first-come, first-served basis. The solicitation will be released upon Board approval, but applications will be accepted beginning August 18, 2020, at 1:00 p.m. PST. This action is to also authorize the Executive Officer to enter into contracts for eligible projects selected through this solicitation.

COMMITTEE: Technology, June 19, 2020; Recommended for Approval

RECOMMENDED ACTIONS:

1. Issue Program Announcement #PA2021-01 to solicit projects for the first installment of program funds totaling \$27 million for the Zero-Emission Class 8 Freight and Port Drayage Trucks category eligible under the statewide VW Environmental Mitigation Trust Program, with applications accepted online beginning August 18, 2020, at 1:00 p.m. PST; and



2. Authorize the Executive Officer to enter into contracts for eligible projects selected under the first-come, first-served solicitation for the VW Zero-Emission Class 8 Freight and Port Drayage Trucks category.

Wayne Nastri  
Executive Officer

MMM:NB:VW:PG

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### **Background**

In November 2018 and March 2020, the Board recognized revenue up to \$165 million to administer and implement two of the five project funding categories for the Volkswagen (VW) Environmental Mitigation Trust Program. The two funding categories that South Coast AQMD will administer are the Combustion Freight and Marine Projects and Zero-Emission Class 8 Freight and Port Drayage Trucks. The other three funding categories are being administered and implemented by two other air districts, San Joaquin Valley APCD and Bay Area AQMD. San Joaquin Valley APCD is administering the Zero-Emission Transit, School and Shuttle Buses. Bay Area AQMD is administering the Zero-Emission Freight and Marine Projects and Light Duty Zero-Emission Vehicle Infrastructure. Staff has been working in collaboration with CARB, San Joaquin Valley APCD and Bay Area AQMD to develop an administrative budget, project agreements, framework for the VW Program, program specific webpages, and an online grant management system for South Coast AQMD's two funding categories that includes a public user interface for application submittal and related communications, as well as extensive outreach materials and efforts statewide.

Several statewide solicitations will be released to implement the VW Environmental Mitigation Trust Program. On October 21, 2019, San Joaquin Valley APCD released its first solicitation for Zero-Emission Transit, School, and Shuttle Buses, offering \$65 million in funding for the first of two installments. Currently, the school bus portion of San Joaquin's solicitation is closed due to oversubscription. On December 6, 2019, the South Coast AQMD released the first of two \$30 million installments for the Combustion Freight and Marine Projects Category; that solicitation closed on March 4, 2020. On February 20, 2020, the Bay Area AQMD, in conjunction with the CEC, issued its solicitation for Light Duty Zero-Emission Infrastructure for the hydrogen category, offering a total of \$5 million in funding; that solicitation closed on May 22, 2020. On June 18, 2020, Bay Area AQMD also released the first of two \$35 million installments for Zero-Emission Freight and Marine Projects and will release a solicitation for the final funding category offering \$5 million for Light Duty Zero-Emission Infrastructure for EVs in late 2020.

## **Proposal**

This action is to issue Program Announcement (PA) #PA2021-01 for the Zero-Emission Class 8 Freight and Port Drayage Trucks category of the VW Environmental Mitigation Trust Program. While the solicitation will be released upon Board approval, applications will be accepted online beginning August 18, 2020, at 1:00 p.m. PST, to provide equitable opportunities for all applicants. CARB supports this approach. The amount of funding available for eligible projects in this first of two installments is \$27 million. This action is to also authorize the Executive Officer to enter into contracts for eligible projects selected under the first-come, first-served solicitation for the VW Zero-Emission Class 8 Freight and Port Drayage Trucks category.

The PA will solicit applications from vehicle owners for the replacement of older, in-use on-road Class 8 freight trucks, waste haulers, dump trucks and concrete mixers with zero emission commercially available technologies. This program requires the scrapping of the older vehicle that is being replaced. Applicants will be required to submit applications for the Zero-Emission Class 8 Freight and Port Drayage Trucks category through an online application portal. Eligible projects in this category will be selected on a first-come, first-served basis, with the solicitation closing once all funds have been allocated.

## **Outreach**

The PA will be provided to San Joaquin Valley APCD, Bay Area AQMD, CARB and CAPCOA to assist with statewide outreach. The PA will also be posted on each of the VW websites administered by the South Coast AQMD, San Joaquin Valley APCD, Bay Area AQMD and CARB. South Coast AQMD will release a press release notifying interested stakeholders of the opening of the PA for the Zero-Emission Class 8 Freight and Port Drayage Trucks category. South Coast AQMD will also announce a public webinar session to assist applicants statewide and will conduct outreach on a statewide basis.

## **Funding Distribution**

The VW Trust is a component of partial settlements with VW and is enumerated in Appendix D of the Consent Decree ordered by the U.S. District Court for the Northern District of California. In May 2018, as required by the Consent Decree, CARB approved the Beneficiary Mitigation Plan, which includes a goal that at least 50 percent of program funds be expended on projects that will reduce NOx emissions in disproportionately impacted and low-income communities. The Plan provides the ability for each of the three air districts to track this on a cumulative basis. Staff will utilize the latest version of CalEnviroScreen for identification of disadvantaged and low-income communities.

**Benefits to South Coast AQMD**

The NOx emission reductions that will be achieved from replacing older, high-polluting vehicles and equipment with cleaner technologies within the South Coast AQMD and statewide are intended to fully mitigate the diesel NOx emissions caused by VW's illegal actions. CARB estimates that 10,000 tons of NOx emission reductions will be achieved over the 10-year life of the VW Mitigation Program. The projects funded through this program will also reduce emissions of other criteria air pollutants, toxic air contaminants and greenhouse gases. This program will also accelerate the deployment of new commercially available zero emission trucks and near-zero emissions heavy-duty natural gas trucks, which is a key strategy in the 2016 AQMP for reducing NOx emissions.

**Resource Impacts**

Revenue up to \$165 million was previously recognized into the VW Mitigation Special Revenue Fund (79) to administer and implement the two project funding categories being administered by the South Coast AQMD. There are sufficient funds in the VW Mitigation Special Revenue Fund (79) for this PA, which allocates \$27 million towards eligible projects. Reimbursement of administrative costs will not exceed \$15 million as allowed by the CARB grant.

**Attachment**

Volkswagen Environmental Mitigation Trust Zero-Emission Class 8 Freight and Port Drayage Trucks Program Announcement #PA2021-01



**2020**  
**VOLKSWAGEN ENVIRONMENTAL MITIGATION TRUST**  
**ZERO-EMISION CLASS 8 FREIGHT AND PORT DRAYAGE TRUCKS**  
**STATEWIDE PROGRAM ANNOUNCEMENT (PA)**  
**#PA2021-01**

Funding is now available from the Volkswagen Environmental Mitigation Trust for the Zero-Emission Class 8 Freight and Port Drayage Trucks category (hereafter “VW Mitigation – ZE Class 8 Trucks Category”). This program will provide incentive funds on a first-come, first-served basis to truck owners operating in the State of California to replace Class 8 freight trucks, including drayage trucks, waste haulers, dump trucks, and concrete mixers, with zero-emission technologies approved by the California Air Resources Board (CARB) and available for commercial use.

In the preparation of this Program Announcement, the words “Applicant,” “Contractor,” and “Consultant” are used interchangeably.

**SECTION 1 – OVERVIEW**

**PURPOSE**

The purpose of the Program Announcement (PA) is to solicit project applications for the first installment of funds for the VW Mitigation – ZE Class 8 Trucks Category. **The budget for this PA is \$27 million from the Volkswagen Environmental Mitigation Trust (VW Trust) and is available to fleets operating throughout the State of California.**

**INTRODUCTION**

The VW Trust was established as part of a settlement with Volkswagen (VW) for their role in utilizing illegal defeat devices in certain 2.0- and 3.0-liter vehicles that resulted in excess NOx emissions. The VW Mitigation program is intended to fully mitigate the excess NOx emissions caused by these VW vehicles.

CARB is the designated lead agency acting on the State’s behalf as beneficiary to implement California’s allocation of the mitigation funds. On May 25, 2018, CARB approved the Beneficiary Mitigation Plan (BMP) for California which contains the eligible mitigation actions (EMA) or project funding categories that are eligible for funding from the states \$423 million allocation of the VW Trust. The BMP designated five project categories for funding that will be administered and implemented as a statewide program by three local air districts, for which the South Coast AQMD is the statewide project administrator for two of the five project categories including: Combustion Freight and Marine Projects, and Zero-Emission Class 8 Freight and Port Drayage Trucks. For the purposes of this PA, South Coast AQMD will hereafter be referred to as the Project Administrator.

This PA is for the first installment of the VW Mitigation funds available for the ZE Class 8 Trucks Category, which includes a total of \$27 million. All applications will be evaluated on a first-come, first-served basis. This PA was prepared based on the latest version of the BMP, which is available online at:



<https://ww2.arb.ca.gov/resources/documents/californias-beneficiary-mitigation-plan>. The FAQs can be found at: <http://www.aqmd.gov/vw>.

This PA will identify key eligibility criteria to qualify for funding under this solicitation for the VW Mitigation – ZE Class 8 Trucks Category. The detailed requirements for projects can be found in the BMP.

Applicants are encouraged to review this PA for general eligibility information and funding limitations that may apply to certain types of projects.

The requirements and project eligibility criteria set forth in this PA and the BMP may be more stringent than those within the Consent Decree. As such, the more stringent requirements and project eligibility criteria will prevail.

### **GENERAL PROGRAM INFORMATION**

- All applications must be submitted through the web-based application portal. No paper applications will be accepted.
- The applicant must be the legal owner of the truck. The applicant may use a third party to assist in completing the online application; however, the application must be signed by the applicant, and no contracts will be executed with a third party.
- Applicants must be able to demonstrate the ability to refuel or recharge trucks funded with Program funds.
- Applications may contain funding requests for multiple trucks; however, fleets will be limited to no more than ten percent of the available program funds for this solicitation (i.e., up to \$2.70 million) per Entity (Applicant), as determined by Tax ID. If insufficient applications are received to expend the available VW Mitigation funds for this PA, the Project Administrator reserves the right to issue additional contracts beyond the stated limit.
- Funding through this PA will be limited to entities that have been legally operating the subject trucks for at least 75 percent of the time within the State of California for at least the previous one year.
- Out-of-state International Registration Plan (IRP) registration may be allowed if the registration documentation shows that the truck was operated for at least 75 percent of the time within California.
- Solicitation is first-come, first-served. The Project Administrator will evaluate and contract with complete and qualifying applications meeting all applicable project requirements including eligibility, recordkeeping, and reporting, in the order the applications are received.
- It is expected that multiple awards will be granted under this PA.

All proposals will be evaluated based on criteria set forth in this PA. Furthermore, the Project Administrator reserves the right to adjust awards based on the subsequent verification of information received.



## **IMPORTANT PROGRAM INFORMATION**

- Applicants must ensure that the truck to be purchased is compliant with all applicable federal, state, and local air quality rules and regulations and that it will maintain compliance for the full contract term.
- Any associated tax obligation from receiving grant funds from the Project Administrator is the responsibility of the applicant.
- Pre, post, and destruction inspection of trucks approved for funding will be conducted by the Project Administrator or their designee.
- Applicants may not receive funds exceeding actual project costs.
- Applicants shall not apply for funding for the same truck with any other funding source which claims the same emission reductions.
- All projects must be operational by the date specified in their contract.

## **FUNDING CATEGORIES & ELIGIBILITY**

Below is the specific project category identified for funding under this PA:

- Class 8 freight trucks including drayage trucks, waste haulers, dump trucks, and concrete mixers

### General Eligibility Requirements

- Projects must implement zero-emission technologies certified/approved by CARB.
- Trucks must be commercially available and ready for use.
- Trucks purchased must be part of a service and maintenance network.
- Trucks must be in service within 24 months of contract execution, unless otherwise approved by the Project Administrator.
- Applicants must demonstrate that they are in full compliance with all applicable state, federal, and local rules and regulations.
- The existing truck being replaced must be scrapped by a CA DMV-licensed dismantler.
- The replacement truck must be a new truck.
- The replacement (new) truck funded through this program must be operated in California for a minimum of three years.

### Class 8 Freight Trucks

Below are the key eligibility requirements for on-road vehicle projects:

- Truck Type:
  - Class 8: freight trucks including drayage trucks, waste haulers, dump trucks, and concrete mixers
- Project Type:
  - Replacement only
- Old Truck/Engine:

- Internal combustion engine with a 1992 to 2012 engine model year that is currently in compliance with and will remain in compliance with all state, federal, and local rules and regulations until time of replacement.
- New Truck/Motor:
  - Zero-Emission Technology (certified/approved by CARB and commercially available) with the motor model year in which the replacement occurs or one motor model year prior:
    - Battery Electric
    - Hydrogen Fuel Cell
- Compliance
  - See *Regulatory Compliance* section below.

## REGULATORY COMPLIANCE

All applicants must be fully compliant with applicable rules and regulations to be eligible for consideration for VW Mitigation – ZE Class 8 Trucks Category funding. Reference is made to CARB’s rule webpages that provide detailed information on compliance with these regulations. Please see *Section VI: Staff Contacts and Additional Resources* below for links to these webpages.

## PROJECT REQUIREMENTS

The following application/supplemental documentation items will be needed to determine project eligibility:

- Applicant must demonstrate compliance with applicable CARB rules or regulations, which may include, but is not limited to:
  - TRUCRS Fleet Compliance for each project application
  - Drayage Truck Registry Compliance for each project application
  - Compliance with the Solid Waste Collection Regulation for each project application
  - Compliance with Fleet Rule for Public Agencies and Utilities
- Applicants must provide the CARB Executive Order for the old and new truck
- Applicant must provide a copy of the vehicle’s title (must be a clean title with no active lienholders)
- Applicant must provide a vendor price quote for the new truck dated within 90 days of application submittal, or for government entities provide documentation for a bid process which includes the cost of each individual replacement purchase
- Applicant must provide twelve months of vehicle registration documentation
- Applicant must provide twelve months of truck insurance documentation, or for government agencies who are self-insured, documentation certifying self-insurance.
- Applicant must provide twelve consecutive months of usage records (e.g. mileage records, maintenance reports or other documentation)
- Applicants must provide photos of existing vehicle/engine including:

- Entire front of truck
- Entire side of truck
- Truck license plate number and unit number/identifier (if any)
- Vehicle Identification Number (VIN)
- Gross Vehicle Weight Rating (GVWR) label
- Engine tag (with engine model year, serial number, engine family name, and horsepower rating clearly identified)

**MAXIMUM ELIGIBLE FUNDING**

The maximum eligible funding caps are summarized below in Table 1: ZE Class 8 Trucks Category Funding & Eligibility.

**Table 1: ZE Class 8 Trucks Category Funding & Eligibility**

Baseline Equipment	Baseline Technology	Replacement Technology	Project Type	Ownership Category	Maximum Percentage (%) of Funding (of cost)	Maximum Funding Up To
Class 8 Freight Trucks (including drayage trucks, waste haulers, dump trucks, and concrete mixers)*	Engine Model Years 1992 to 2012**	Zero-Emission: Battery-Electric or Hydrogen Fuel Cell	Replacement	Non-Government	75%	\$200,000
				Government	100%	

\*Class 8 – Gross Vehicle Weight Rating (GVWR) greater than 33,000 lbs.

\*\*Must comply with all applicable rules and regulations until time of replacement

**REPORTING AND MONITORING**

All participants in the VW Mitigation – ZE Class 8 Trucks Category will be required to keep appropriate records during the full contract period, which will include a minimum of three years during the contract term, plus three years after the contract term. All equipment must operate in the state of California at least 75 percent of the time for the full contract term. The records will contain the following, at a minimum, as applicable:

- DMV Registration Records
- Insurance Certificate(s) or documentation certifying self-insurance for government agencies that are self-insured
- Records of Annual Usage – including Odometer Readings
- Operational and maintenance issues encountered and how they were resolved





- Self-certification of where the truck was operated
- Self-certification of compliance with labor laws

Contractors will be required to submit annual reports containing the above information to the Project Administrator for the three-year term of the contract. Records must be retained and updated throughout the contract term plus three years and made available for the Project Administrator, CARB, or their designee for review upon request.

## **PROGRAM ADMINISTRATION**

The VW Mitigation – ZE Class 8 Trucks Category will be administered by the South Coast AQMD through the Technology Advancement Office.

## **PROJECT EVALUATION/AWARDS**

The Project Administrator will evaluate all submitted project applications for completeness and eligibility, and select projects on a first-come, first-served basis. Projects will also be evaluated to determine if the project qualifies as benefiting a disadvantaged or low-income community.

## **DEFINITIONS**

1. Beneficiary Mitigation Plan (BMP)  
Document that contains the eligible mitigation actions (projects) for California that the California Air Resources Board (CARB or Board) will fund from the State's \$423 million allocation of the Environmental Mitigation Trust.
2. CARB Certified  
Vehicle or engine that has been certified and issued an Executive Order by CARB.
3. Class 8 Local Freight, and Port Drayage Trucks (Eligible Large Trucks)  
Trucks with a Gross Vehicle Weight Rating (GVWR) greater than 33,000 lbs. used for port drayage and/or freight/cargo delivery (including waste haulers, dump trucks, concrete mixers).
4. Concrete Mixer (or cement mixer)  
On-road vehicle used for transporting and mixing concrete.
5. Consent Decree  
The First Partial Consent Decree in 'IN RE: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation', MDL No. 2672 CRB (JSC) (Dkt. No. 2103-1), and the Second Partial Consent Decree in that case (Dkt. No. 3228-1).

6. Contract Term

Contract term is the duration for which the contract is valid. It encompasses both the project completion and project implementation periods.

- (i) Project completion period is the first part of the Contract term starting from the date of Contract execution by both parties to the date the project post-inspection confirms that the project has become operational, and the destruction inspection confirms the old vehicle/engine has been destroyed.
- (ii) Project implementation period is the second part of the Contract term and equals the project life.

7. Drayage Trucks

Trucks hauling cargo to and from ports and intermodal rail yards.

8. Dump Truck

On-road vehicle used for the transportation of bulk material and that has a body which tilts to dump its contents.

9. Eligible Mitigation Action

Any of the actions listed in Appendix D-2 of the Environmental Mitigation Trust.

10. Environmental Mitigation Trust

The Trust funded with Mitigation Trust Payments according to the terms of the First Partial Consent Decree and the Second Partial Consent Decree (jointly, the "Consent Decree").

11. Freight Truck

Trucks, including commercial trucks, used to deliver cargo and freight (e.g., courier services, delivery trucks, box trucks moving freight, waste haulers, dump trucks, concrete mixers).

12. Garbage-packer vehicle

A vehicle specially designed to collect and compact residential or commercial solid waste on the vehicle for purposes of transportation and disposal. These include but are not limited to vehicles commonly referred to as front loader, rear loader, and automated and semi-automated side loaders.

13. Garbage-roll off vehicle

A vehicle that is designed to drop off and pick up open boxes or other containers that are commonly used to collect residential and commercial solid waste at a site.

14. Government

State or local government agency (including a school district, municipality, city, county, special district, transit district, joint powers authority, or port authority, owning fleets purchased with government funds), and a tribal government or native village. The term "State" means the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

15. Gross Vehicle Weight Rating (GVWR)

The maximum weight of the vehicle, as specified by the manufacturer. GVWR includes total vehicle weight plus fluids, passengers, and cargo.

Class 1: < 6,000 lb.

Class 2: 6,001-10,000 lb.

Class 3: 10,001-14,000 lb.

Class 4: 14,001-16,000 lb.

Class 5: 16,001-19,500 lb.

Class 6: 19,501-26,000 lb.

Class 7: 26,001-33,000 lb.

Class 8: > 33,000 lb.

16. Incremental Cost

Incremental cost is the percent of actual cost that is eligible for funding.

17. Intermodal Rail Yard

A rail facility in which cargo is transferred from drayage truck to train or vice-versa.

18. Mitigation Action

Eligible Project and is any of the actions listed in Appendix D-2 of the Environmental Mitigation Trust.

19. New Vehicle

A vehicle constructed entirely from new parts that has never been the subject of a retail sale, or registered with the department, or registered with the appropriate agency or authority of any other state, District of Columbia, territory or possession of the United States, or foreign state, province, or country.

20. Project Life

Project life is the period of the contract term, during which the repowered or replacement vehicle/equipment/engine is operated, and the contractor must report annual usage. It is used to calculate the cost effectiveness and funding amount for a particular project.

21. Replacement Project

Replacement project is the purchase of a new vehicle/equipment/engine to replace an existing vehicle/equipment/engine.

22. Residential or commercial solid waste

All putrescible and non-putrescible solid, and semisolid wastes, including garbage, trash, refuse, rubbish, ashes, yard waste, recyclable materials, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes originating from single-family or multiple family dwellings, stores, offices, and other

commercial sources, and construction and demolition projects in residential and commercial zones, not including hazardous, radioactive, or medical waste.

23. Scrapped

To render inoperable and available for recycle, and, at a minimum, to specifically cut a three-inch hole in the engine block for all engines. If any eligible vehicle will be replaced as part of an eligible project, scrapped also includes the disabling of the chassis by cutting the vehicle's frame rails completely in half.

24. Tier 0, 1, 2, 3, and 4

Refers to corresponding U.S. EPA engine emission classifications for nonroad, locomotive, and marine engines.

25. Waste Hauler

An on-road vehicle that is a "garbage-packer vehicle" or a "garbage-roll off vehicle".



**ALL APPLICATIONS MUST BE RECEIVED ELECTRONICALLY THROUGH THE ONLINE WEB-BASED APPLICATION PORTAL UNTIL THERE IS NO MORE FUNDING AVAILABLE FOR THE FIRST SOLICITATION OF THE ZERO-EMISSION CLASS 8 FREIGHT AND PORT DRAYAGE TRUCKS CATEGORY**

Only electronic submissions are allowed using the new Grant Management System (GMS) available upon this solicitation opening at: [www.agmd.gov/vw](http://www.agmd.gov/vw).

Paper, faxed or emailed proposals will not be accepted. Any correction or resubmission done by the applicant will not extend the submittal due date.

The Project Administrator may issue subsequent solicitations if insufficient applications are received in the initial solicitation.

All information submitted in applications is a public record and subject to Public Records Act requests.

#### **STATEMENT OF COMPLIANCE**

Government Code Section 12990 and California Administrative Code, Title II, Division 4, Chapter 5, require employers to agree not to unlawfully discriminate against any employee or applicant because of race, religion, color, national origin, ancestry, physical handicap, medical condition, marital status, sex, or age. A statement of compliance with this clause will be included in the contract with the Program Administrator.

#### **COMPLIANCE WITH LABOR LAWS**

If an application is deemed eligible, the applicant will be required to provide any labor violations that have occurred within the last three years to be further considered for an award. If awarded, the contractor will be required to notify the Program Administrator in writing if they have been found by a court or federal or state agency to have violated labor laws. The contractor will complete a yearly certification in which they will either state that they have not been found by a court or federal or state agency to have violated labor laws or, if such violations have been found, the contractor will give the Program Administrator details about those violations in the certification. If the contractor has previously provided that information to the Program Administrator, they will be required to reattach that previous notification to the certification and provide any additional details about those violations that have not previously been provided. The contractor's yearly certification will be due at the same time as the annual progress reports. The Program Administrator reserves the right to terminate the contract with a contractor that has been found to have violated labor laws, and the contractor may be required to return any and all contract funds, as determined by the Program Administrator. The contractor will also ensure that these requirements are included in all subcontracts.

#### **SECTION II: WORK STATEMENT/DELIVERABLES**

All applicants that are selected for funding awards must complete the *Work Statement and Deliverables* described below as part of the contracting process. Development of these materials for the initial



application is NOT required; however, applicants must digitally sign the application indicating their understanding of the requirements for submittal of additional project information to finalize a contract and that all trucks must be in operation no later than the date specified within the contract.

### **WORK STATEMENT**

The scope of work involves a series of tasks and deliverables that demonstrate compliance with the requirements of the VW Mitigation – ZE Class 8 Trucks Category as administered by CARB and the Program Administrator.

At a minimum, any proposed project must meet the following criteria:

- Emission reductions must be surplus to any existing regulatory requirements.
- The old and new truck must meet all eligibility requirements.
- Project trucks must operate in-service for the full contract term.
- All trucks must be in operation by the in-service date specified in the contract.
- Appropriate annual records must be kept and reported to the Project Administrator during the contract term of three years (e.g., odometer readings) and must be retained for three additional years after the term of the contract.
- All applicants must be fully compliant with applicable rules and regulations to be eligible for consideration for VW Mitigation – ZE Class 8 Trucks Category funding.
- If requested, a contractor must provide a financial statement and bank reference, or other evidence of financial ability to fulfill contract requirements.

### **DELIVERABLES**

The contract will describe how the project will be monitored and what type of information will be included in the annual reports. At a minimum, the Project Administrator expects to receive an annual report throughout the contract term, which provides:

- DMV Registration;
- Insurance Certificate(s) or documentation certifying self-insurance for government agencies that are self-insured;
- Records of Annual Usage – including Odometer Readings
- Operational and maintenance issues encountered and how they were resolved;
- Self-certification of where the truck was operated; and
- Self-certification of compliance with labor laws.

The Project Administrator reserves the right to verify the information provided.

### **SECTION III: PROPOSAL SUBMITTAL REQUIREMENTS**

Applicants must complete the appropriate application forms committing that the information requested in *Section II, Work Statement/Deliverables*, will be submitted if the Applicant’s project is selected for funding.



In addition, *Conflict of Interest* and *Project Cost* information, as described below, must also be submitted with the application. It is the responsibility of the applicant to ensure that all information submitted is accurate and complete.

### **CONFLICT OF INTEREST**

Applicant must address any potential conflicts of interest with other clients affected by actions performed by the firm on behalf of the Program Administrator. Although the applicant will not be automatically disqualified by reason of work performed for such firms, the Program Administrator reserves the right to consider the nature and extent of such work in evaluating the proposal. Conflicts of interest will be screened on a case-by-case basis by the General Counsel's Office for the Program Administrator. Conflict of interest provisions of the state law, including the Political Reform Act, may apply to work performed pursuant to this contract. Please discuss potential conflicts of interest on the application form entitled "Campaign Contributions Disclosure".

### **PROJECT COST**

Applicants must provide cost information that specifies the amount of funding requested and the basis for that request by providing a vendor price quote as part of the application. Applicants need to inform the vendor of the time frame of the award process so that they can accurately quote costs based on the anticipated order/purchase date. Quotes must be dated within 90 days of the application submittal date. For government agencies obtaining trucks through a bid process, bid process documentation must be provided indicating cost of each individual truck to be purchased.

Note that any orders placed or payments made in advance of an executed contract with the Project Administrator are done at the risk of the applicant. The Project Administrator has no obligation to fund the project until a contract is fully executed by both parties.

All project costs must be clearly indicated in the application. In addition, applicants must identify any sources of co-funding and the amount of co-funding from each source in the application. Funding from the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP) may not be used as co-funding with VW Mitigation funds. In addition, co-funding may not be from any state funding sources or funding sources where any portion of NOx reductions could be double-counted, including but not limited to the Carl Moyer Program, AB 923 or AB 617.

### **PROPOSAL SUBMISSION**

All proposals must be submitted according to specifications set forth herein.

#### Application Forms

All applications must be submitted through the web-based application portal. Applicants may submit multiple units per single application. An application checklist is provided as an attachment (Attachment A) to this PA to assist applicants in completing their applications. Required documents (e.g., pictures of existing vehicle, usage records, Disadvantaged Business Certification, etc.) requested in the application and discussed in this PA need to be uploaded prior to submittal. Paper, faxed, or emailed proposals will not be accepted.



### Certifications and Representations (Attachment B)

The online application will contain seven business forms of which six must be completed and submitted with the online application.

- Business Information Request
- Disadvantaged Business Certification
- W-9 Request for Taxpayer Identification Number and Certification
- Form 590 Withholding Exemption Certificate
- Certification of Debarment, Suspension, and Other Responsibility Matters
- Campaign Contribution Disclosure
- Direct Deposit Form (not required for application submittal)

### Methods of Delivery

The applicant must submit their application using the web-based application portal or Grant Management System (GMS), available at: [www.aqmd.gov/vw](http://www.aqmd.gov/vw). This online system allows applicants to submit their application electronically to the Project Administrator during the solicitation period. All required documents must be uploaded to the online system. First-time users must register as a new user.

### Grounds for Rejection

An application may be immediately rejected if:

- It is not prepared in the format described.
- It is not signed by the truck owner.
- Does not include required documents requested in the application or discussed in this PA.
- Does not meet eligibility requirements as stated in this PA.

### Disposition of Applications

The Project Administrator reserves the right to reject any or all applications based on the above criteria. All responses become the property of the Project Administrator.

### Modification or Withdrawal

Once submitted, applications cannot be altered without the prior written consent of the Project Administrator.

### Schedule

Release Solicitation:	Friday, August 7, 2020
Applications Accepted Beginning:	Tuesday, August 18, 2020, at 1:00 pm PST
All Applications Due by:	Closes when all funds are expended
Evaluation Period:	Ongoing as applications are submitted
Contract Execution:	Beginning November 2020





**SECTION IV: PROPOSAL EVALUATION/CONTRACTOR SELECTION CRITERIA**

The Project Administrator will evaluate all submitted project applications for completeness and eligibility. Funding will be awarded for each eligible truck until all funds have been awarded.

**SECTION V: PAYMENT TERMS**

For all projects, payment will be made upon the submittal of a complete and valid invoice for the reimbursement of costs paid by the Contractor for the new truck, and verification that the truck meets the program requirements and was placed into regular operating service. Proof of destruction of the old truck is also required prior to payment of VW Mitigation funds. The Project Administrator will pay a percentage of the invoice as described in this PA or the contract maximum amount, whichever is less.

**SECTION VI: STAFF CONTACTS AND ADDITIONAL RESOURCES**

For additional information, the Project Administrator has posted responses to Frequently Asked Questions (FAQs), which can be found at the Project Administrator’s VW website at: <http://www.aqmd.gov/vw/>.

If you have any additional questions regarding the content or intent of this PA, procedural matters, application support, etc., please contact the Project Administrator team members assigned to the VW Mitigation – ZE Class 8 Trucks Category below:

**Table 2: VW Mitigation - ZE Class 8 Trucks Category Staff Contacts**

Contact Name	Phone Number	Email
VW Funds	(833) 894-7267	vwfunds@aqmd.gov
Adan Velasco	(909) 396-3246	avelasco@aqmd.gov
Alicia Martinez	(909) 396-3165	amartinez@aqmd.gov
Ping Gui	(909) 396-3187	pgui@aqmd.gov

**WEBSITE LINKS**

Truck and Bus Regulation at: <http://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>

Drayage Truck Regulation at: <https://www.arb.ca.gov/msprog/onroad/porttruck/porttruck.htm>

Public/Utility Fleet Rule at: <http://www.arb.ca.gov/msprog/publicfleets/publicfleets.htm>

Solid Waste Collection Vehicle Regulation at: <https://ww3.arb.ca.gov/msprog/swcv/swcv.htm>

SCE Charge Ready Transport Program at: <https://www.sce.com/business/electric-cars/charge-ready-transport>

SDG&E MD/HD EV Charging Infrastructure Program at: <https://www.sdge.com/mediumheavy-duty-mdhd-ev-charging-infrastructure-program>

PG&E EV Fleet Program at: [https://www.pge.com/en\\_US/large-business/solar-and-vehicles/clean-vehicles/ev-fleet-program/ev-fleet-program.page](https://www.pge.com/en_US/large-business/solar-and-vehicles/clean-vehicles/ev-fleet-program/ev-fleet-program.page)

**ATTACHMENT A**

**VW Mitigation Program – Zero-Emission Class 8 Freight and Port Drayage Trucks**

**Application Checklist**

1.		Truck Identifier (the name used by applicant to identify the unit)
2.		Truck Information: <ul style="list-style-type: none"> <li>• Class (only Class 8 is eligible)</li> <li>• Vocation (Concrete Mixer, Drayage Truck, Dump Truck, Freight Truck, or Waste Hauler)</li> </ul>
3.		Truck domiciled address (physical location address of the vehicle)
4.		Truck ownership information
5.		Truck Activity Information: <ul style="list-style-type: none"> <li>• Odometer Readings: Documenting mileage for the previous 12 months</li> <li>• Odometer Readings: Current</li> </ul>
6.		Existing Truck Information: <ul style="list-style-type: none"> <li>• Vehicle Identification Number (VIN)</li> <li>• License Plate Number</li> <li>• Gross Vehicle Weight Rating (GVWR)</li> <li>• Truck Model Year</li> </ul>
7.		Existing Engine Information: <ul style="list-style-type: none"> <li>• Fuel type</li> <li>• Engine Family Name (EFN)</li> <li>• Engine Executive Order Number (EO)</li> <li>• Engine Model Year</li> <li>• Engine Make, Model, Serial, Horsepower (HP)</li> </ul>
8.		Replacement (New) Truck Information: <ul style="list-style-type: none"> <li>• Gross Vehicle Weight Rating (GVWR)</li> <li>• Truck Make, Model, Model Year</li> </ul>
9.		Replacement (New) Engine Motor Information: <ul style="list-style-type: none"> <li>• Zero-emission type</li> <li>• Vehicle Family Name (VFN)</li> <li>• Executive Order Number (EO), or verification of CARB-approval</li> <li>• Model Year</li> </ul>
10.		Total Cost: Replacement: cost of truck and associated taxes

**VW Mitigation Program – Zero-Emission Class 8 Freight and Port Drayage Trucks**

**Supplemental Documentation Checklist**

1.		<p>Photos for Existing Truck:</p> <ul style="list-style-type: none"> <li>• Front of truck</li> <li>• Full side view of truck</li> <li>• Truck License Plate Number</li> <li>• VIN and GVWR tag(s)</li> <li>• Engine tag (with Make, Model, Year, Serial Number, Horse Power, and Family Name)</li> <li>• Current Odometer reading</li> </ul>
2.		<p>Copy of compliance documentation (in its entirety) indicating that the existing truck and fleet is in compliance with applicable rules and regulations which may include, but not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Compliance Certificate</li> <li>• Picture of Compliance Sticker</li> <li>• Compliance Status printout</li> <li>• Truck Information printout</li> <li>• Company Information printout</li> </ul>
3.		Copy of truck’s clean title (no lienholders listed)
4.		12 months of vehicle registration documentation
5.		12 months of insurance documentation
6.		<p>Copy of Executive Order for:</p> <ul style="list-style-type: none"> <li>• Existing engine</li> <li>• Replacement (new) engine</li> </ul>
7.		12 consecutive months of usage records (odometer readings with date of readings required)
8.		<p>Vendor Quote (dated within 90 days of application) and must include:</p> <ul style="list-style-type: none"> <li>• Quoted date</li> <li>• Total cost (including taxes and state fees)</li> <li>• Warranty information</li> <li>• Government Agencies with bid processes only – bid documentation with cost breakdown of each individual unit</li> </ul>

**ATTACHMENT B**



# 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:

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, remember to sign all 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,

Sujata Jain  
Deputy Executive Officer  
Finance

DH:tm

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



# 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**

## BUSINESS STATUS CERTIFICATIONS

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 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:

- |   |  |
|---|--|
| <input type="checkbox"/> Small Business Enterprise/Small Business Joint Venture | <input type="checkbox"/> Women-owned Business Enterprise                               |
| <input type="checkbox"/> Local business   | <input type="checkbox"/> Disabled Veteran-owned Business Enterprise/DVBE Joint Venture |
| <input type="checkbox"/> Minority-owned Business Enterprise                     | <input type="checkbox"/> Most Favored Customer Pricing Certification                   |

Percent of ownership: \_\_\_\_\_ %

Name of Qualifying Owner(s): \_\_\_\_\_

**State of California Public Works Contractor Registration No. \_\_\_\_\_ . MUST BE INCLUDED IF BID PROPOSAL IS FOR PUBLIC WORKS PROJECT.**

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 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.

**Most Favored Customer** as used in this policy means that the SCAQMD will receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services.

# Request for Taxpayer Identification Number and Certification

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

▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.		
	2 Business name/disregarded entity name, if different from above		
	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes.		4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):  Exempt payee code (if any) _____  Exemption from FATCA reporting code (if any) _____  <i>(Applies to accounts maintained outside the U.S.)</i>
	<input type="checkbox"/> Individual/sole proprietor or single-member LLC <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) ▶ _____ <b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is <b>not</b> disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.		
	<input type="checkbox"/> Other (see instructions) ▶ _____		
	5 Address (number, street, and apt. or suite no.) See instructions.		Requester's name and address (optional)
6 City, state, and ZIP code			
7 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 line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

<b>Social security number</b>											
				-			-				
<b>or</b>											
<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); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**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 for Part II, later.

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

## General Instructions

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

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.*

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting*, later, for further information.

**Note:** If you are a U.S. person and 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 under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 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 section 1446 withholding on your share of partnership income.

In the cases below, the following person must give 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.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

**Foreign person.** If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 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, give the requester the appropriate completed Form W-8 or Form 8233.

## Backup Withholding

**What is backup withholding?** Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% 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, payments made in settlement of payment card and third party network transactions, 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 instructions for Part II 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 *Exempt payee code*, later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships*, earlier.

## What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code*, later, and the Instructions for the Requester of Form W-9 for more information.

## 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

### Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

**Note: ITIN applicant:** Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C corporation, or S corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. 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 line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. 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 line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

### Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

### Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual • Sole proprietorship, or • Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	Individual/sole proprietor or single-member LLC
• LLC treated as a partnership for U.S. federal tax purposes, • LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or • LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• Partnership	Partnership
• Trust/estate	Trust/estate

### Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

#### Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 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 U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—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 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 <sup>1</sup>	Generally, exempt payees 1 through 5 <sup>2</sup>
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

<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 reportable under section 6045(f), and payments for services paid by a federal executive agency.

**Exemption from FATCA reporting code.** The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

**Note:** You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

### Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

### Line 6

Enter your city, state, and ZIP code.

## 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.

If you are a single-member LLC that is disregarded as an entity separate from its owner, 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 *What Name and Number To Give the Requester*, later, 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 SSA 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. Go to [www.irs.gov/Forms](http://www.irs.gov/Forms) to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to [www.irs.gov/OrderForms](http://www.irs.gov/OrderForms) to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and 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 U.S. 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, 4, or 5 below indicates 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 line 1 must sign. Exempt payees, see *Exempt payee code*, earlier.

**Signature requirements.** Complete the certification as indicated in items 1 through 5 below.

**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 made in settlement of payment card and third party network transactions, 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), ABLE accounts (under section 529A), 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) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account <sup>1</sup>
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor <sup>2</sup>
5. 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>
6. Sole proprietorship or disregarded entity owned by an individual	The owner <sup>3</sup>
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor*
For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity <sup>4</sup>
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee

For this type of account:	Give name and EIN of:
14. 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
15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations 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*, earlier.

\*Note: The 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, 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 Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic 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 (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at [spam@uce.gov](mailto:spam@uce.gov) or report them at [www.ftc.gov/complaint](http://www.ftc.gov/complaint). You can contact the FTC at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see [www.IdentityTheft.gov](http://www.IdentityTheft.gov) and Pub. 5027.

Visit [www.irs.gov/IdentityTheft](http://www.irs.gov/IdentityTheft) 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. commonwealths and 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.

**2020 Withholding Exemption Certificate****590****The payee completes this form and submits it to the withholding agent. The withholding agent keeps this form with their records.****Withholding Agent Information**

Name \_\_\_\_\_

**Payee Information**Name \_\_\_\_\_  SSN or ITIN  FEIN  CA Corp no.  CA SOS file no.

Address (apt./ste., room, PO box, or PMB no.) \_\_\_\_\_

City (If you have a foreign address, see instructions.) \_\_\_\_\_ State \_\_\_\_\_ ZIP code \_\_\_\_\_

**Exemption Reason****Check only one box.**

By checking the appropriate box below, the payee certifies the reason for the exemption from the California income tax withholding requirements 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, Definitions.

 **Corporations:**

The 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. 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 D, Definitions.

 **Partnerships or Limited Liability Companies (LLCs):**

The 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. 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 entity is exempt from tax under California Revenue and Taxation Code (R&amp;TC) Section 23701 \_\_\_\_\_ (insert letter) or Internal Revenue Code Section 501(c) \_\_\_\_\_ (insert number). 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 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. If the trustee or noncontingent beneficiary 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 or trust. The decedent was a California resident at the time of death. The estate will file a California fiduciary tax return.

 **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 OF PAYEE:** Payee must complete and sign below.To learn about your privacy rights, how we may use your information, and the consequences for not providing the requested information, go to [ftb.ca.gov/forms](http://ftb.ca.gov/forms) and search for **1131**. To request this notice by mail, call 800.852.5711.

Under penalties of perjury, I declare that I have examined the information on this form, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. I further declare under penalties of perjury that if the facts upon which this form are based change, I will promptly notify the withholding agent.

Type or print payee's name and title \_\_\_\_\_ Telephone \_\_\_\_\_

Payee's signature ► \_\_\_\_\_ Date \_\_\_\_\_



## **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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## 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 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 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.**

**Campaign Contributions Disclosure, continued:**

Name of Contributor \_\_\_\_\_

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

Name of Contributor \_\_\_\_\_

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

Name of Contributor \_\_\_\_\_

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

Name of Contributor \_\_\_\_\_

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

**I declare the foregoing disclosures to be true and correct.**

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

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

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

**DEFINITIONS**

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

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



# South Coast Air Quality Management District

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

[↑ Back to Agenda](#)

BOARD MEETING DATE: August 7, 2020

AGENDA NO. 8

**PROPOSAL:** Issue RFP for Qualified Installers of Global Positioning Devices for Marine Vessel Projects

**SYNOPSIS:** South Coast AQMD requires all marine vessel engine repowering projects funded by the Carl Moyer Program to install a Global Positioning System (GPS) on the vessel in order to monitor operation within South Coast AQMD's jurisdictional waters. These marine vessel projects are required to operate at least 75 percent of the time in South Coast AQMD's jurisdictional waters throughout the contract life. However, South Coast AQMD's contract with the previous installer has expired. This action is to issue an RFP soliciting bids from qualified vendors for the purchase, installation, tracking and monitoring of GPS devices equipped with electronic monitoring units on marine vessels funded by the Carl Moyer Program.

**COMMITTEE:** Technology, June 19, 2020; Recommended for Approval

**RECOMMENDED ACTION:**

Issue RFP #P2021-01 soliciting bids from qualified vendors for the purchase, installation, tracking and monitoring of GPS devices equipped with electronic monitoring units on marine vessels funded by South Coast AQMD's Carl Moyer Program.

Wayne Nastri  
Executive Officer

MMM:NB:VW:WS

---

**Background**

The South Coast AQMD administers voluntary incentive-based programs, such as the Carl Moyer Program, to reduce NOx and PM emissions from mobile sources. For

marine vessel projects funded by the Carl Moyer Program, the South Coast AQMD requires that these marine vessels operate at least 75 percent of the time in South Coast AQMD waters--identified as the areas between the Northern Coastal Boundary of the Ventura and Los Angeles County border, and the Southern Coastal Boundary of the San Diego and Orange County border. As a condition of their contract, marine vessel project awardees under the Carl Moyer Program must agree to the installation of a GPS device equipped with an electronic monitoring unit (EMU) to assist the South Coast AQMD with enforcement of the 75 percent operational requirement through remote viewing of the GPS data in real-time. The basic function of the GPS unit is to determine location (latitude, longitude), time and date on a continuous or periodic basis. The EMU must be capable of storing data collected by the GPS (magnetically, optically) for transmission to the South Coast AQMD. Staff is also reviewing expanding the use of GPS systems for locomotives and on-road heavy-duty trucks as part of an effort to devise effective strategies, such as a trade-down approach, for maximizing the use of limited incentive funds.

In April 2012, South Coast AQMD selected Radio Satellite Integrators (RSI) through a competitive solicitation and contracted with them to install the GPS devices and track and monitor the marine vessels to verify compliance with the 75 percent operational requirement. The contract with RSI expired in July 2019 but the need for GPS device installation and monitoring services is still required.

### **Proposal**

This action is to issue an RFP soliciting bids from qualified vendors for the purchase, installation, tracking and monitoring of GPS devices equipped with EMUs for marine vessels, and potentially other types of vessels or vehicles, funded by the Carl Moyer Program. Proposals will be due Friday, November 6, 2020, at 1:00 p.m.

The GPS-EMU systems shall accurately collect miles traveled or hours operated within South Coast AQMD boundaries and geo-fence regions, determine percent of operation within South Coast AQMD boundaries, track distance, and operate in all ambient temperatures and weather conditions in California. Monitoring data will be transmitted to the South Coast AQMD in real-time and on a periodic basis.

Proposals will be solicited from qualified vendors for GPS-EMU systems that can meet the above requirements. South Coast AQMD will choose the most cost competitive and technologically superior product but reserves the right not to choose any proposal received under this RFP if no proposal meets the above requirements.

### **Outreach**

In accordance with South Coast AQMD'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's

Press Enterprise newspapers to leverage the most cost-effective method of outreach to the South Coast Air Basin.

Additionally, potential bidders may be notified utilizing South Coast AQMD's own electronic listing of certified minority vendors. Notice of the RFP will be emailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations, and placed on the Internet at South Coast AQMD's website (<http://www.aqmd.gov>) where it can be viewed by making the selection "Grants & Bids".

### **Bid Evaluation**

Proposals received will be evaluated by a panel consisting of South Coast AQMD technical/management staff and/or technically qualified outside experts who have appropriate expertise. The panel will make recommendations and the final selection of the Contractor will be subject to approval by the Board.

### **Benefits to South Coast AQMD**

The installation of GPS-EMU systems on marine vessels and other vehicles funded under the Carl Moyer Program will provide added enforcement capability to the South Coast AQMD including monitoring the location, nautical miles traveled and hours of operation. The installation of such systems will provide operational data to the South Coast AQMD in real-time and on a periodic basis, as needed.

### **Resource Impacts**

Funding for the GPS-EMU hardware, installation and services will be available from the Carl Moyer Program Fund (32). Staff will return to the Board for consideration of the contract award following evaluation of the bids received.

### **Attachment**

RFP #P2021-01 - Solicit Proposals for Qualified Installers of Global Positioning Devices for Marine Vessel Projects Funded by the Carl Moyer Program



# South Coast Air Quality Management District

## SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT REQUEST FOR PROPOSALS

### Solicit Bids for Qualified Installers of Global Positioning Devices for Marine Vessel Projects Funded by the Carl Moyer Program

#P2021-01

South Coast Air Quality Management District (South Coast AQMD) 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," "Consultant," "Bidder" and "Firm" are used interchangeably.

#### **PURPOSE**

The purpose of this Request for Proposal (RFP) is to solicit bids from qualified vendors to purchase global positioning systems (GPS) equipped with electronic monitoring units (EMUs) for marine vessel applications within the South Coast AQMD jurisdiction.

The GPS system must be capable of collecting accurate data for marine vessels including, but not limited to, marine vessel identifier, latitude/longitude coordinates, vector/direction of marine vessel, miles traveled, and marine engine hours operated. Additionally, systems must be able to define South Coast AQMD boundaries and geo-fence the eligible region of operations, accurately track location on a real-time basis and within an accuracy of 30 feet of any boundary, and to operate in all ambient temperatures and weather conditions. Qualified contractors will be responsible for monitoring and on-demand reporting for each marine vessel equipped with GPS-EMU devices. In addition, qualified contractors will also be responsible for GPS-EMU hardware and software installation on marine vessels.

The GPS-EMU systems may be expanded to other project types including, but not limited to, locomotives and on-road heavy-duty vehicles as part of South Coast AQMD's effort to monitor other emission reduction projects.

The South Coast AQMD is soliciting bids from GPS-EMU hardware and software providers and/or service providers. This RFP is for qualified vendors for GPS-EMU systems that can meet the above requirements. From the bids received, South Coast AQMD will choose the most cost competitive product. More than one qualified vendor may be chosen from this solicitation. South Coast AQMD reserves the right not to choose any bid from this RFP.

#### **INDEX** - The following are contained in this RFP:

Section I	Background/Information
Section II	Contact Person
Section III	Schedule of Events



Section IV	Participation in the Procurement Process
Section V	Statement of Work/Schedule of Deliverables
Section VI	Required Qualifications
Section VII	Proposal Submittal Requirements
Section VIII	Proposal Submission
Section IX	Proposal Evaluation/Contractor Selection Criteria
Section X	Funding
Section XI	Sample Contract

Attachment A - Participation in the Procurement Process

Attachment B - Certifications and Representations

## **SECTION I: BACKGROUND/INFORMATION**

The South Coast AQMD administers and implements a variety of incentive-based programs to reduce emissions and improve air quality, including the Carl Moyer Program. The Carl Moyer Program is a voluntary incentive program that provides funding for the replacement or repower of older, diesel equipment and/or engines with cleaner-than-required engines and equipment technologies. The Carl Moyer Program accelerates the commercialization of the cleanest technology available while achieving emission reductions in the South Coast Air Basin. The Carl Moyer Program is implemented annually by the South Coast AQMD. One of the project categories of the Carl Moyer Program is the repower of propulsion and auxiliary engines on marine vessels. Marine vessel engines are generally diesel-fueled and operate in the coastal boundaries within the South Coast AQMD jurisdiction. Examples of marine vessels may include: tug-boats, ferries, excursion vessels, fishing and pilot boats. Engines operated on marine vessels can be subjected to very demanding duty-cycles, operate in adverse weather conditions, and under stop-and-go conditions.

South Coast AQMD requires all marine vessel engine repowering projects to install a Global Positioning System (GPS) on the vessel in order to monitor the operation within South Coast AQMD jurisdictional waters. These marine vessel projects, as a condition of their contract, must operate at least 75 percent of the time in South Coast AQMD jurisdictional waters throughout the contract life. The cost of installation of the GPS-EMU devices and monitoring services will not be incurred by the marine vessel owners; instead, funding for the GPS-EMU devices and monitoring will be provided by the Carl Moyer Program, which include revenues from smog abatement fees, tire fees and local DMV fees.

The previous RFP to solicit qualified vendors to install GPS-EMU devices and provide monitoring, reporting and GPS data was released in December 2011, and a contract was executed with the qualified vendor, as approved by the South Coast AQMD Governing Board on April 2012. The contract with the qualified vendor expired in July 2019.

Other project categories including, but not limited to, locomotives and on-road heavy-duty vehicles may be included as part of this solicitation.

In addition to incentive programs such as the Carl Moyer Program, South Coast AQMD also funds projects under the Research, Demonstration, Development, and Deployment (RDD&D) program, which may also require monitoring to ensure that the projects stay within South Coast AQMD boundaries. Under this Request for Proposal

(RFP), GPS-EMU devices and monitoring services may also be applied to the RDD&D program.

**SECTION II: CONTACT PERSON:**

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

Walter Shen  
 Program Supervisor  
 Technology Advancement Office  
 South Coast AQMD  
 21865 Copley Drive  
 Diamond Bar, CA 91765-4178  
 (909) 396-2487

**SECTION III: SCHEDULE OF EVENTS**

Date	Event
August 7, 2020	RFP Released
October 2, 2020	Bidder's Conference*
November 6, 2020	Proposals Due to South Coast AQMD - <b>No Later Than 1:00 pm</b>
November 10 thru December 8, 2020	Proposal Evaluations
January 5 thru January 8, 2021	Interviews, if required
February 5, 2021	Governing Board Approval
April 30, 2021	Anticipated Contract Execution

\*Participation in the Bidder's Conference is optional. Such participation would assist in notifying potential Bidders of any updates or amendments. The Bidder's Conference will be held in Room CC6 at South Coast AQMD Headquarters in Diamond Bar, California at 10:00 am on Friday, October 2, 2020. (Should the need arise to conduct the Bidder's Conference remotely, it will be conducted via an online meeting platform, such as ZOOM or WebEx.) Please contact Walter Shen at (909) 396-2487 by close of business on Friday, September 25, 2020, if you plan to attend or for additional information should a remote meeting be required.

**SECTION IV: PARTICIPATION IN THE PROCUREMENT PROCESS**

It is the policy of South Coast AQMD 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 South Coast AQMD contracts. Attachment A to this RFP contains definitions and further information.

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

### Statement of Work

Bid proposals should address the information requested in the following tasks and sub-tasks in the format specified below. Project proponents are encouraged to pay close attention to *Section IX - PROPOSAL EVALUATION/CONTRACTOR SELECTION CRITERIA* to assess how their bids will be evaluated. Information provided should be specific enough for evaluation and scoring purposes, and for inclusion into a binding contract. Successful bidders are expected to expand, and provide more complete details, on each Task and sub-task included in the Statement of Work below:

Please respond to Tasks 1 through 3 in the following format:

1. Describe how your GPS-EMU product meets the South Coast AQMD requirements for functionality, durability, reliability, warranty, etc.
2. Describe how the GPS-EMU equipment will be tamperproof.
3. Describe the system's memory and storage capabilities.
4. Describe installation and service procedures, both in general and how this might apply to the South Coast AQMD's program.
5. Describe level of accuracy of recording miles traveled within defined boundaries.
6. Describe how your company will collect data, as well as organize and retain said data.
7. Describe how the data will be transmitted to the South Coast AQMD (including format).
8. Provide the system technical information on the tracking software for the client and base station (if required to host the system in-house) the system specification, such as computer hardware, operation system, database server, application software, client software.
9. Provide system price per unit, base station system (if applicable), price of GPS-EMU including a breakout of costs for hardware, installation, and monthly monitoring/reporting (if any) and data service. The South Coast AQMD estimates between 30 to 40 marine vessels will be equipped with GPS-EMU systems annually. Vendor must provide unit price of hardware and services costs.

### **Task 1: Global Positioning System Specifications**

The basic function of the GPS is to determine location (latitude, longitude), time, and date on a continuous or periodic basis as required by the project. The EMU provides the capability to store data collected by the GPS (magnetically, optically), provide data to the South Coast AQMD, as required, on a continuous or periodic basis. GPS data must be provided to the South Coast AQMD via e-mail or electronic format such as a CDs or flash-drives; or via secure web-based formats offering real-time displays of

project location, and the ability to obtain statuses as highlighted in Task 2 below. The GPS-EMU system shall accurately collect miles traveled within the South Coast AQMD boundaries, geo-fence regions, determine percent of operation within South Coast AQMD boundaries, track distance within an accuracy of 100 feet of any boundary, and operate in all ambient temperatures and weather conditions in California.

The GPS-EMU software will be supplied by the vendor and will be populated with geo-fenced perimeters for the South Coast AQMD boundaries, which will include coordinates for South Coast AQMD waters. The South Coast AQMD will provide a map to the vendor for areas to be geo-fenced. The vendor shall state in detail how the activity level information gathered by the GPS-EMU system and analyzed by the geo-fence software will be stored in a magnetic/optical device (or equivalent) or transmitted directly to the base station in real-time, which is accessible by South Coast AQMD.

At a minimum, the GPS shall meet the following specifications:

GPS Positioning

Using GPS satellites, the GPS system must constantly track, display, and store the geographic position of each marine vessel (and other vehicle projects as needed). Positions must be displayed on web-based software, showing real-time marine vessel positions superimposed over user-friendly background maps, with an option to also display the tracks of travel over user-defined time intervals.

Regional Mileage Recording Accuracy

To ensure accurate recording of distance traveled in miles, vendor must explain how the required data is to be collected, processed, analyzed, and presented. If applicable, include reference to hardware, GPS data, logistics, or geo-statistical information that will help define the intended process and assure client of data accuracy and timeliness of reporting.

GPS Accuracy

The GPS receiver unit must be capable of 30 feet accuracy in a vessel (or vehicle) moving up to 80 mph

GPS Time of Locate & Report Date/Time Stamp

State the GPS time-of-locate duration and database archiving format

GPS Date/Time Stamp

Every event to be GPS time-stamped

GPS receiver

6-channels or better

Position update rate

Variable, depending upon user agency

Power-up sequence

Plug-and-play initialization and GPS first fix with no driver action required

Time-to-First Fix with GPS

Two minutes warm start, five minutes un-initialized cold start, vehicle in motion

## **Task 2: Electronic Monitoring Device Specifications**

For each GPS-EMU system installed, the South Coast AQMD desires to collect data for ten (10) years.

- One approach will provide this data to the South Coast AQMD on a quarterly basis in an electronic summary report format. The format of the data transmitted to the South Coast AQMD shall be mutually agreed upon by the South Coast AQMD and the system vendor. It is expected that acceptable formats will be, but are not limited to, comma delimited, tab delimited, space delimited, Microsoft Excel, or other database formats. For each marine vessel, the quarterly transmission shall include:
  - Vehicle/Engine identification
  - Date of Download
  - Total accumulated miles within each geo-fenced boundary
  - Total accumulated miles outside each geo-fenced boundary
  - Total accumulated engine run hours within each geo-fenced boundary
  - An exception flag by geo-fenced boundary – flag will only indicate data quality concern that needs to be investigated or unit failure.
- The second approach will enable select South Coast AQMD staff access to the system and further monitor marine vessels (and other vehicle projects, as needed) in near real-time via a secure, web-based user-interface. The Internet access software must enable South Coast AQMD to view disparate assets (whether fixed or mobile) and to download activity reports, start/stop sequences, routing summaries for current and past operations.

At a minimum, the EMU shall meet the following specifications:

### Location Identifier

Display latitude, longitude

### Direction Indication

Display direction of travel

### Speed

Display speed when in motion

### Stationary Time

Display overall time when stationary

### Key on/Key Off

Display key on, key off events/cycles

### Calculate Engine Run Time

Record engine start and stop sequences and record total engine run-time for any given period

### Distance Traveled

Provide capability to show distance traveled between locates and/or events. Record

mileage traveled within specific regional boundaries as defined by South Coast AQMD through GIS coordinate designations

Display Coverage

Display entire region in a geo-fence as specified by South Coast AQMD

Zoom Capability

Provide zoom-in and zoom-out capability by both preset increments and user-defined areas

Current Location “Individual” Vehicle Identifier Display

Show current location of all marine vessels (or vehicle) within a specific region (identifying each vessel)

Visual Displays

Display marine vessel (or vehicle) location and track

Display Options

Selective marine vessel (or vehicle) displayed by all, by group, and individually

Labeling

Defined marine vessel (or vehicle) labeling as provided by South Coast AQMD

Waypoints

Ability to create cursor-defined waypoints

Symbols and Icons

Ability to change display symbols

Current Location – “All” Vehicle Position Display

Current location of all marine vessels (or vehicles) wherever they are located

Historical Travel Records

Display a historic and visual path of a South Coast AQMD-defined marine vessel (or vehicle) for up to one year from defined date

Movement Displays

When displaying a visual path, the system will provide the option of a step-by-step movement of the marine vessel (or vehicle) throughout the day, as well as showing the daily movements

Real-Time Vehicle Tracking Displays

Ability to have marine vessel (or vehicle) movement displayed on the screen as information is received

Multiple Vehicle Path-of-Travel Displays

Display the path of more than one marine vessels (or vehicles) at a time

Graphical Illustration

Point, line, and area draws, shading, symbols, and fills

Printing

Hardcopy color print

Text Self-Contained Computer Mapping

Allow maps to reside on the client computer

Visual Display Maneuver Options

Provide the ability to automatically center, cursor center, pan, zoom, or move the display using box corners

Bearing & Distance

Provide the ability to allow for bearing and distance readouts

Daily Reporting

Contractor and South Coast AQMD shall be able to determine on a daily basis that all GPS-EMU units are functioning and reporting. Contractor must repair or replace any unit that fails the daily test for more than 3 days

**Task 3: Warranty and Service**

The minimum system warranty and service agreement will cover one year with options to extend the warranty beyond the first year if deemed appropriate by South Coast AQMD.

The South Coast AQMD seeks to procure GPS-EMU devices that can accurately provide usage data for each marine vessel (or other vehicle projects, as needed) over ten years. Devices in the field that fail during the warranty period will need to be repaired or replaced. Vendors should describe in their proposals how their system warranty and service information will meet these requirements. The South Coast AQMD will arrange for vendor access to the marine vessel (or vehicle) experiencing the problem.

**Schedule of Deliverables**

Successful bidders, following contract execution with South Coast AQMD, are expected to install GPS-EMU devices on vehicles, marine vessels, and other equipment within 60 days after notification by the South Coast AQMD.

1. Written progress reports following the completion of a significant milestone. This report will refer to the tasks in the statement of work, summarize and analyze project results by task, achievements to date, challenges that remain, and recommendations. These progress reports should accompany any invoices billed to South Coast AQMD.

2. Quarterly progress meetings, which may take place in person or via conference call.

## **SECTION VI: REQUIRED QUALIFICATIONS**

Vendors proposing to bid on this RFP must provide as part of their system proposal a list of installation facilities, installation time – including system lead time and vehicle/equipment installation, service locations, process, procedures, and cost. Vendors for this requested system may choose to train some or all of these qualified dealerships to perform installation and service. It will be up to the vendor to make any of these partnerships, not necessarily before submitting their proposal, but the fixed price per unit in the proposal must be inclusive of installation and service over ten years.

The South Coast AQMD estimates that between 30 to 40 marine vessels will be equipped with GPS-EMU systems annually. This will be an on-going project. As noted earlier, it is possible that even larger numbers will be needed in that same timeframe depending on future funding levels. Additional project types including, but not limited to, locomotives and on-road heavy-duty vehicles, may also be included in the annual estimates of the GPS-EMU system. Thus, the South Coast AQMD expects that any vendor awarded a contract through this RFP process will have business opportunities to supply these systems in an expeditious manner. Vendor must state how these demands will be met and the delivery schedule for volume orders of 100-200 units, 200 units and more.

In addition, vendors proposing to bid on this RFP must also submit the following summaries:

1. Describe the basics about your company, such as name, address, corporate officers, the person who can answer questions about GPS-EMU products, and the person's email address, telephone and fax numbers. List the company website (if any).
2. Describe how long your company has been in business, the types of products and services offered by your company, annual sales, examples of customers in general, and the financial status of your company.
3. Describe the general track record and history of the company in developing and selling GPS based equipment and services.
4. Describe how many units of the proposed GPS-EMU product (or a similar model) have been sold to date and are currently in use. Provide the names and contact information of 1 to 3 users in California (or other areas) who would not object to being contacted by the South Coast AQMD.

## **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. South Coast AQMD may modify the



RFP or issue supplementary information or guidelines during the proposal preparation period prior to the due date. Please check our website for updates (<http://www.aqmd.gov/grants-bids>). The cost for developing the proposal is the responsibility of the Contractor and shall not be chargeable to South Coast AQMD.

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 B to this RFP, must be completed and 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 methodology or techniques to be used.

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

Project Organization (Section C) - Describe the proposed management structure, program monitoring procedures, and organization of the proposed team. Provide a statement detailing your approach to the project, specifically address the Firm's ability and willingness to commit and maintain staffing to successfully complete the project on the proposed schedule.

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

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

1. List all key personnel assigned to the project by level, name and location. Provide a resume or similar statement describing the background, qualifications and experience 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 South Coast AQMD.
2. Provide a spreadsheet of the labor hours proposed for each labor category at the task level.
3. Provide a statement indicating whether 90 percent of the work will be performed within the geographical boundaries of South Coast AQMD.
4. Provide a statement of education and training programs provided to, 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 will be used, identifying functions to be performed by them, their related qualifications and experience and the total number of hours or percentage of time they will spend on the project.

Conflict of Interest (Section G) - Address possible conflicts of interest with other clients affected by actions performed by the Firm on behalf of South Coast AQMD. South Coast AQMD recognizes that prospective Contractors may be performing similar projects for other clients. Include a complete list of such clients for the past three (3) years with the type of work performed and the total number of years performing such tasks for each client. Although the Proposer will not be automatically disqualified by reason of work performed for such clients, South Coast AQMD 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 – South Coast AQMD 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 – The Cost Proposal must list the fully-burdened hourly rates and the total number of hours estimated for each level of professional and

administrative staff to be used to perform the tasks required by this RFP. Costs should be estimated for each of the components of the work plan.

- 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.
2. It is the policy of the South Coast AQMD to receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services. South Coast AQMD will give preference, where appropriate, to vendors who certify that they will provide "most favored customer" status to the South Coast AQMD. To receive preference points, Proposer shall certify that South Coast AQMD is receiving "most favored customer" pricing in the Business Status Certifications page of Volume III, Attachment B – Certifications and Representations.

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

**SECTION VIII: PROPOSAL SUBMISSION**

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

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

Due Date - **All proposals are due no later than 1:00 p.m., November 6, 2020, and should be directed to:**

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

Submittal - Submit original PLUS 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 #P2021-01."

**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 South Coast AQMD. 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 South Coast AQMD 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 South Coast AQMD 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.

(a) <u>Standardized Services</u>	<u>Points</u>
Understanding of Requirement	20
Contractor Qualifications	20
Past Experience	10
Cost	<u>50</u>
TOTAL:	100

(b) <u>Additional Points</u>	
Small Business or Small Business Joint Venture	10
DVBE or DVBE Joint Venture	10
Use of DVBE or Small Business Subcontractors	7
Zero or Near-Zero Emission Vehicle Business	5
Local Business (Non-Federally Funded Projects Only)	5
Off-Peak Hours Delivery Business	2
Most Favored Customer	2

**The cumulative points awarded for small business, DVBE, use of small business or DVBE subcontractors, Zero or Near-Zero emission vehicle business, local business, and off-peak hours delivery business shall not exceed 15 points. Most Favored Customer status incentive points shall be added, as applicable for a total of 17 points.**

**Self-Certification for Additional Points**

**The award of these additional points shall be contingent upon Proposer completing the Self-Certification section of Attachment B – 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 at the time of proposal submission certifying that the proposer meets the requirements set forth in Attachments A and B. 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 Zero or Near-Zero Emission Vehicle Business, the proposer must demonstrate to the Executive Officer, or designee, that supplies and materials delivered to South Coast AQMD are delivered in vehicles that operate on clean-fuels. To receive points as a Local Business, the proposer must affirm that it has an ongoing business within the South Coast AQMD at the time of bid/proposal submittal and that 90 percent of the work related to the contract will be performed within the South Coast AQMD. Proposals for legislative representation, such as in Sacramento, California or Washington D.C. are not eligible for local business incentive points. Federally funded projects are not eligible for local business incentive points. 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 South Coast AQMD between the hours of 10:00 a.m. and 3:00 p.m. To receive points for Most Favored Customer status, the proposer must submit, at proposal submission, certification of its commitment to provide most favored customer status to the South Coast AQMD. The cumulative points awarded for Small Business, DVBE, use of Small Business or DVBE Subcontractors, Local Business, Zero or Near-Zero Emission Vehicle Business, Off-Peak Hour Delivery Business and Most Favored Customer shall not exceed 17 points.

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 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 percent 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 South Coast AQMD.
  - 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 South Coast AQMD 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 South Coast AQMD 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 South Coast AQMD 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 South Coast AQMD's Procurement Policy and Procedure, South Coast AQMD reserves the right to reject any or all proposals. All proposals become the property of South Coast AQMD and are subject to the California Public Records Act. One copy of the proposal shall be retained for South Coast AQMD files. Additional copies and materials will be returned only if requested and at the proposer's expense.

**SECTION X: FUNDING**

Contractor will be reimbursed for GPS-EMU hardware and software installation after successful operation of the units and submittal of all necessary invoices to the South Coast AQMD. For on-going services such as real-time data transmittal, Contractor will be reimbursed on a monthly basis.

**SECTION XI: SAMPLE CONTRACT**

A sample contract to carry out the work described in this RFP is available on South Coast AQMD's website at <http://www.aqmd.gov/grants-bids> or upon request from the RFP Contact Person (Section II).

## ATTACHMENT A

### PARTICIPATION IN THE PROCUREMENT PROCESS

A. It is the policy of South Coast Air Quality Management District (South Coast AQMD) 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 South Coast AQMD 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, Zero or Near-Zero 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 South Coast AQMD at the time of bid or proposal submittal and performs 90 percent of the work related to the contract within the geographical boundaries of South Coast AQMD and satisfies the requirements of subparagraph H below. Proposals for legislative representation, such as in Sacramento, California or Washington D.C. are not eligible for local business incentive points.
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. "Zero or Near-Zero Emission Vehicle Business" as used in this policy means a company or contractor that uses Zero or Near-Zero emission vehicles in conducting deliveries to South Coast AQMD. Zero or Near-Zero emission vehicles include vehicles powered by electric, compressed natural gas (CNG), liquefied natural gas (LNG), liquefied petroleum gas (LPG), ethanol, methanol and hydrogen and are certified to 90 percent or lower of the existing standard.

8. "Off-Peak Hours Delivery Business" as used in this policy means a company or contractor that commits to conducting deliveries to South Coast AQMD 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 South Coast AQMD 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. "Most Favored Customer" as used in this policy means that the South Coast AQMD will receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services.
  12. "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 percent of the lowest cost responsive bid. Zero or Near-Zero 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 percent of the lowest cost responsive bid. Businesses offering Most Favored Customer status shall be granted a preference in an amount equal to 2 percent 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 percent) of the total contract value to a DVBE and/or small business. Zero or Near-Zero 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. Businesses offering Most Favored Customer status shall be awarded two (2) points in the evaluation process.
- E. South Coast AQMD 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 South Coast AQMD contractual obligations.
- F. South Coast AQMD 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. South Coast AQMD 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 South Coast AQMD. However, if the subject matter of the RFP or RFQ calls for the fabrication or manufacture of custom products, only companies performing 90 percent of the manufacturing or fabrication effort within the geographical boundaries of South Coast AQMD shall be entitled to the local business preference. Proposals for legislative representation, such as in Sacramento, California or Washington D.C. are not eligible for local business incentive points.
- J. In compliance with federal fair share requirements set forth in 40 CFR Part 33, South Coast AQMD shall establish a fair share goal annually for expenditures with federal funds covered by its procurement policy.

## ATTACHMENT B



# 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 South Coast AQMD Contractor/Supplier:

South Coast Air Quality Management District (South Coast AQMD) 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, remember to sign all 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,

Sujata Jain  
Chief Financial Officer

DH:tm

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

REV 8/19



# 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>	Individual DBA, Name _____, County Filed in _____ Corporation, ID No. _____ LLC/LLP, ID No. _____ 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**

## BUSINESS STATUS CERTIFICATIONS

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 South Coast AQMD, \_\_\_\_\_ (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 South Coast AQMD Procurement Policy and Procedure:**

Check all that apply:

- |   |  |
|---|--|
| <input type="checkbox"/> Small Business Enterprise/Small Business Joint Venture | <input type="checkbox"/> Women-owned Business Enterprise                               |
| <input type="checkbox"/> Local business   | <input type="checkbox"/> Disabled Veteran-owned Business Enterprise/DVBE Joint Venture |
| <input type="checkbox"/> Minority-owned Business Enterprise                     | <input type="checkbox"/> Most Favored Customer Pricing Certification                   |

Percent of ownership: \_\_\_\_\_ %

Name of Qualifying Owner(s): \_\_\_\_\_

**State of California Public Works Contractor Registration No. \_\_\_\_\_ . MUST BE INCLUDED IF BID PROPOSAL IS FOR PUBLIC WORKS PROJECT.**

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 South Coast AQMD at the time of bid application.
- performs 90 percent of the work within South Coast AQMD'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.

**Most Favored Customer** as used in this policy means that the South Coast AQMD will receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services.

**Request for Taxpayer  
Identification Number and Certification**

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

▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	<p><b>1</b> Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.</p> <p><b>2</b> Business name/disregarded entity name, if different from above</p> <p><b>3</b> Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.</p> <p><input type="checkbox"/> Individual/sole proprietor or single-member LLC      <input type="checkbox"/> C Corporation      <input type="checkbox"/> S Corporation      <input type="checkbox"/> Partnership      <input type="checkbox"/> Trust/estate</p> <p><input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____</p> <p><b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</p> <p><input type="checkbox"/> Other (see instructions) ▶ _____</p>	<p><b>4</b> Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):</p> <p>Exempt payee code (if any) _____</p> <p>Exemption from FATCA reporting code (if any) _____</p> <p><small>(Applies to accounts maintained outside the U.S.)</small></p>
	<p><b>5</b> Address (number, street, and apt. or suite no.) See instructions.</p> <p><b>6</b> City, state, and ZIP code</p> <p><b>7</b> List account number(s) here (optional)</p>	<p>Requester's name and address (optional)</p>

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

<b>Social security number</b>										
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	-		-							
<b>OR</b>										
<b>Employer identification number</b>										
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**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); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**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 for Part II, later.

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

**General Instructions**

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

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

**Purpose of Form**

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.*

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting*, later, for further information.

**Note:** If you are a U.S. person and 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 under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 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 section 1446 withholding on your share of partnership income.

In the cases below, the following person must give 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.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

**Foreign person.** If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 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, give the requester the appropriate completed Form W-8 or Form 8233.

## Backup Withholding

**What is backup withholding?** Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% 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, payments made in settlement of payment card and third party network transactions, 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 instructions for Part II 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 *Exempt payee code*, later, and the separate instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships*, earlier.

## What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code*, later, and the instructions for the Requester of Form W-9 for more information.

## 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

### Line 1

You must enter one of the following on this line; do not leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

**Note: ITIN applicant:** Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C corporation, or S corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. 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 line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. 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 line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

### Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

### Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual • Sole proprietorship, or • Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	Individual/sole proprietor or single-member LLC
• LLC treated as a partnership for U.S. federal tax purposes, • LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or • LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• Partnership	Partnership
• Trust/estate	Trust/estate

### Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

#### Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 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 U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—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 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 <sup>1</sup>	Generally, exempt payees 1 through 5 <sup>2</sup>
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

<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 reportable under section 6045(f), and payments for services paid by a federal executive agency.

**Exemption from FATCA reporting code.** The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

- A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)
- B—The United States or any of its agencies or instrumentalities
- C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)
- E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)
- F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state
- G—A real estate investment trust
- H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940
- I—A common trust fund as defined in section 584(a)
- J—A bank as defined in section 581
- K—A broker
- L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

**Note:** You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

**Line 5**

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

**Line 6**

Enter your city, state, and ZIP code.

**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.

If you are a single-member LLC that is disregarded as an entity separate from its owner, 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 *What Name and Number To Give the Requester*, later, 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 SSA 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. Go to [www.irs.gov/Forms](http://www.irs.gov/Forms) to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to [www.irs.gov/OrderForms](http://www.irs.gov/OrderForms) to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and 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 U.S. 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, 4, or 5 below indicates 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 line 1 must sign. Exempt payees, see *Exempt payee code*, earlier.

**Signature requirements.** Complete the certification as indicated in items 1 through 5 below.

**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 made in settlement of payment card and third party network transactions, 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), ABLE accounts (under section 529A), 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) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account <sup>1</sup>
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor <sup>2</sup>
5. a. The usual revocable savings trust (grantor is also trustee) b. So-called trust account that is not a legal or valid trust under state law	The grantor-trustee <sup>1</sup> The actual owner <sup>1</sup>
6. Sole proprietorship or disregarded entity owned by an individual	The owner <sup>3</sup>
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(c)(2)(i)(A))	The grantor <sup>4</sup>

For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity <sup>4</sup>
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee

For this type of account:	Give name and EIN of:
14. 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
15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations 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*, earlier.

\*Note: The 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, 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 Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic 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 (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at [spam@uce.gov](mailto:spam@uce.gov) or report them at [www.ftc.gov/complaint](http://www.ftc.gov/complaint). You can contact the FTC at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see [www.IdentityTheft.gov](http://www.IdentityTheft.gov) and Pub. 5027.

Visit [www.irs.gov/identitytheft](http://www.irs.gov/identitytheft) 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. commonwealths and 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.

# 2020 Withholding Exemption Certificate

590

The payee completes this form and submits it to the withholding agent. The withholding agent keeps this form with their records.

### Withholding Agent Information

Name \_\_\_\_\_

### Payee Information

Name \_\_\_\_\_

SSN or ITIN  FEIN  CA Corp no.  CA SOS file no.

Address (apt./sta., room, PO box, or PMB no.) \_\_\_\_\_

City (If you have a foreign address, see instructions.) \_\_\_\_\_

State \_\_\_\_\_ ZIP code \_\_\_\_\_

### Exemption Reason

Check only one box.

By checking the appropriate box below, the payee certifies the reason for the exemption from the California income tax withholding requirements 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, Definitions.

**Corporations:**

The 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. 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 D, Definitions.

**Partnerships or Limited Liability Companies (LLCs):**

The 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. 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 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). 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 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. If the trustee or noncontingent beneficiary 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 or trust. The decedent was a California resident at the time of death. The estate will file a California fiduciary tax return.

**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 OF PAYEE:** Payee must complete and sign below.

To learn about your privacy rights, how we may use your information, and the consequences for not providing the requested information, go to [ftb.ca.gov/forms](http://ftb.ca.gov/forms) and search for 1131. To request this notice by mail, call 800.852.5711.

Under penalties of perjury, I declare that I have examined the information on this form, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. I further declare under penalties of perjury that if the facts upon which this form are based change, I will promptly notify the withholding agent.

Type or print payee's name and title \_\_\_\_\_ Telephone \_\_\_\_\_

Payee's signature ► \_\_\_\_\_ Date \_\_\_\_\_

7061203

Form 590 2019



# 2020 Instructions for Form 590

## Withholding Exemption Certificate

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

### General Information

California Revenue and Taxation Code (R&TC) Section 18662 requires withholding of income or franchise tax on payments of California source income made to nonresidents of California. For more information, See General Information B, Income Subject to Withholding.

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

### A Purpose

Use Form 590, Withholding Exemption Certificate, to certify an exemption from nonresident withholding.

Form 590 does not apply to payments of backup withholding. For more information, go to [ftb.ca.gov](http://ftb.ca.gov) and search for **backup withholding**.

Form 590 does not apply to payments for wages to employees. Wage withholding is administered by the California Employment Development Department (EDD). For more information, go to [edd.ca.gov](http://edd.ca.gov) or call 888.745.3888.

**Do not** use Form 590 to certify an exemption from withholding if you are a **seller of California real estate**. Sellers of California real estate use Form 593, Real Estate Withholding Statement, to claim an exemption from the real estate withholding requirement.

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.

### B Income Subject to Withholding

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 partners, members, and S corporation shareholders 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 from activities sourced to California.

- Distributions of California source income to nonresident beneficiaries from an estate or trust.
- Endorsement payments received for services performed in California.
- 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 Additional Information.

### C Who Certifies this Form

Form 590 is certified (completed and signed) by the payee. California residents or entities exempt from the withholding requirement should complete Form 590 and submit it to the withholding agent before payment is made. 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 notified by the Franchise Tax Board (FTB) that the form should not be relied upon.

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 exemption certificate, the withholding agent may accept a letter from the payee as a substitute explaining why they are 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 (TIN).

The certification does not need to be renewed annually. The certification on Form 590 remains valid until the payee's status changes. The withholding agent must retain a copy of the certification or substitute for at least five years after the last payment to which the certification applies. The agent must provide it to the FTB upon request.

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 Definitions

For California nonwage withholding purposes, **nonresident** includes all of the following:

- Individuals who are not residents of California.
- Corporations not qualified through the California Secretary of State (CA SOS) to do business in California or having no permanent place of business in California.
- Partnerships or limited liability companies (LLCs) with no permanent place of business in California.
- Any trust without a resident grantor, beneficiary, or trustee, or estates where the decedent was not a California resident.

Foreign refers to non-U.S.

For more information about determining resident status, get FTB Pub. 1031, Guidelines for Determining Resident Status. Military servicemembers have special rules for residency. For more information see General Information E, Military Spouse Residency Relief Act (MSRRA), and FTB Pub. 1032, Tax Information for Military Personnel.

#### 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 it has qualified through the CA SOS to transact intrastate business. 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.

### 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.

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 MSRRRA.

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 MSRRRA requirements, get FTB Pub. 1032.

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## Specific Instructions

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### Payee Instructions

Enter the withholding agent's name.

Enter the payee's information, including the TIN and check the appropriate TIN box.

You must provide a valid TIN as requested on this form. 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 CA SOS file number.

**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** – Follow the country's practice for entering the city, county, province, state, country, and postal code, as applicable, in the appropriate boxes. Do not abbreviate the country name.

**Exemption Reason** – Check the box that reflects the reason why the payee is exempt from the California income tax withholding requirement.

### Withholding Agent Instructions

Do not send this form to the FTB. The certification on Form 590 remains valid until the payee's status changes. The withholding agent must retain a copy of the certificate or substitute for at least five years after the last payment to which the certificate applies. The agent must provide it to the FTB upon request.

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.

If any of these situations occur, then withholding may be required. For more information, get Form 592, Resident and Nonresident Withholding Statement, Form 592-B, Resident and Nonresident Withholding Tax Statement, Form 592-PTE, Pass-Through Entity Annual Withholding Return, Form 592-Q Payment Voucher for Pass-Through Entity Withholding, and Form 592-V, Payment Voucher for Resident or Nonresident Withholding.

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## Additional Information

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**Website:** For more information, go to [ftb.ca.gov](http://ftb.ca.gov) and search for **nonwage**.

**MyFTB** offers secure online tax account information and services. For more information, go to [ftb.ca.gov](http://ftb.ca.gov) and login or register for MyFTB.

**Telephone:** 888.792.4900 or 916.845.4900, Withholding Services and Compliance phone service

**Fax:** 916.845.9512

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

For questions unrelated to withholding, or to download, view, and print California tax

forms and publications, or to access the TTY/TDD numbers, see the Internet and Telephone Assistance section.

### 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 disability  
711 or 800.735.2929 California relay service

### 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 para personas con discapacidades auditivas o de habla

711 ó 800.735.2929 servicio de relevo de California

## **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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## 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 (South Coast AQMD) 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 South Coast AQMD 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 South Coast AQMD; 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, South Coast AQMD 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 South Coast AQMD Governing Board Members can be found at South Coast AQMD 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.**

**Campaign Contributions Disclosure, continued:**

Name of Contributor \_\_\_\_\_

Governing Board Member or MSRC Member/Alternate	Amount of Contribution	Date of Contribution
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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 Drive, Diamond Bar, CA 91765-4178  
(909) 396-2000 • [www.aqmd.gov](http://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 (South Coast AQMD) to direct deposit funds to my account in the financial institution as indicated below. I understand that the authorization may be rejected or discontinued by South Coast AQMD at any time. If any of the above information changes, I will promptly complete a new authorization agreement. If the direct deposit is not stopped before closing an account, funds payable to me will be returned to South Coast AQMD for distribution. This will delay my payment.
- This authorization remains in effect until South Coast AQMD receives written notification of changes or cancellation from you.
- I hereby release and hold harmless South Coast AQMD for any claims or liability to pay for any losses or costs related to insufficient fund transactions that result from failure within the Automated Clearing House network to correctly and timely deposit monies into my account.

### STEP 3:

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

### To be Completed by your Bank

<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 South Coast AQMD Use Only

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

Date \_\_\_\_\_

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BOARD MEETING DATE: August 7, 2020

AGENDA NO. 9

**PROPOSAL:** Establish a List of Prequalified Counsel to Represent and Advise South Coast AQMD Hearing Board

**SYNOPSIS:** On April 3, 2020 the Board approved issuance of an RFP to pre-qualify outside counsel having expertise in the California Environmental Quality Act, South Coast AQMD rulemaking and planning procedures, administrative law and related issues for both South Coast AQMD and South Coast AQMD Hearing Board. The RFP was issued jointly to limit costs. The evaluation of responding firms has been completed. This action is to establish a list of prequalified counsel to represent South Coast AQMD Hearing Board.

**COMMITTEE:** Administrative, June 12, 2020; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Approve the firm Strumwasser & Woocher as a prequalified law firm having expertise in the above-referenced areas to provide representation and advice as required by the South Coast AQMD Hearing Board.
2. Authorize the Executive Officer to execute contracts with Strumwasser & Woocher to provide representation to the Hearing Board as the need arises for a total not to exceed \$15,000 annually for up to three years.

Wayne Natri  
Executive Officer

BTG:lal

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**Background**

On April 3, 2020, the Board approved issuance of an RFP for an amount up to \$250,000 for the South Coast AQMD General Counsel and \$15,000 for the South Coast AQMD Hearing Board to solicit proposals from outside litigation counsel having particular

expertise and experience in the California Environmental Quality Act, South Coast AQMD rulemaking and planning procedures, issues relating to statute and rule interpretation, air quality laws, administrative law, representation of government agencies, constitutional issues, the Brown Act, and complex environmental litigation. The RFP was issued jointly to limit costs. General Counsel and the South Coast AQMD Hearing Board will utilize different firms to avoid conflicts of interest. In the past, the South Coast AQMD and the South Coast AQMD Hearing Board have faced, and likely will face in the future, litigation and other matters requiring such specialized expertise. A rapid response is needed in such situations, and it is not possible to go through the RFP process as new cases arise. Establishing prequalified lists ensures that South Coast AQMD and South Coast AQMD Hearing Board can quickly select counsel for representation as needed.

### **Outreach**

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising the RFP and inviting bids was published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside County's Press Enterprise newspapers to leverage the most cost-effective method of outreach to the South Coast Basin. Also, potential bidders were notified by sending notification to various individual law firms and bar associations.

Additionally, potential bidders may have been notified utilizing South Coast AQMD's own electronic listing of certified minority vendors. Notice of the RFP 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 South Coast AQMD's website (<http://www.aqmd.gov>).

### **Evaluation**

Bid responses for the Environmental Law RFP were received from nine (9) law firms. Of the nine bid responses, only one qualified bid response addressed the needs of the Hearing Board. A summary of the responses is provided in Attachment A. An evaluation panel was convened to evaluate proposals for the General Counsel and one to evaluate the proposals for the Hearing Board. The Hearing Board requires different counsel than the firms hired by South Coast AQMD because its interest may not coincide with South Coast AQMD's interest. The South Coast AQMD panel consisted of three South Coast AQMD employees: three General Counsel attorneys; one male, two females; one African American, one Caucasian, and one Asian. The Hearing Board panel consisted of one Hearing Board member - a Caucasian female.



**Proposal**

Establish one list, for the South Coast AQMD Hearing Board, valid from June 5, 2020, through July 31, 2023, of prequalified outside counsel for advice and representation.

For the South Coast AQMD Hearing Board:

Strumwasser & Woocher

**Resource Impacts**

The recommended total annual budget for fiscal year 2020 is \$15,000 for the South Coast AQMD Hearing Board, all of which may be allocated to one or more selected contractors as the need arises based on future litigation, the availability of counsel, and the needs of the South Coast AQMD Hearing Board. Selection may also be made for occasional assignments in subject areas of the firms' expertise that do not involve litigation.

**Attachment**

A – Summary of Responses to RFP #2020-10

**ATTACHMENT A**

**RFP #2020-10**  
**(CEQA / Environmental Law)**

BIDDER	LOCAL FIRM	BID AMOUNT (per hour)	TOTAL POINTS
Shute Mihaly & Weinberger LLP	Y	\$405	106
Woodruff Spradlin & Smart	Y	\$425	97
Halpern May Ybarra Gelberg LLP	Y	\$600	96
Best Best & Krieger LLP	Y	\$350	94
Kaufman Legal Group	Y	\$455	92
Duncan, Weinberg, Genzer, & Pembroke, P.C.	N	\$420	80
Hahn & Hahn	Y	\$595	76
KTBS Law LLP	Y	\$1445	59

\* Includes an additional 10 points for Small Business Certification submitted with Bid Proposal, pursuant to SCAQMD Procurement Policy & Procedure, Section VIII.D.2.b.

**RFP #2020-10**  
**(Hearing Board)**

BIDDER	LOCAL FIRM	BID AMOUNT per hour	TOTAL POINTS
Strumwasser & Woocher	Yes	\$510	90

\* Includes an additional 10 points for Small Business Certification submitted with Bid Proposal, pursuant to SCAQMD Procurement Policy & Procedure, Section VIII.D.2.b.

BOARD MEETING DATE: August 7, 2020

AGENDA NO. 10

**PROPOSAL:** Approve Fund Transfer for Miscellaneous and Direct Expenditures Costs in FY 2020-21 as Approved by MSRC

**SYNOPSIS:** Every year the Mobile Source Air Pollution Reduction Review Committee (MSRC) adopts an Administrative Budget which includes transference of funds to the South Coast AQMD's Budget to cover administrative expenses. At this time the MSRC seeks Board approval of the fund transfer as part of the FYs 2018-21 Work Program.

**COMMITTEE:** Mobile Source Air Pollution Reduction Review, June 18, 2020; Recommended for Approval

**RECOMMENDED ACTION:**

Recognize \$56,000 revenue in the General Fund from the AB 2766 Discretionary Fund, Special Fund 23, and appropriate \$56,000 to the FY 2020-21 Budget of Science and Technology Advancement, Services and Supplies Major Object, to facilitate the payment of MSRC Miscellaneous Direct and Travel Costs, as provided in Table 1 of this letter.

Larry McCallon,  
Chair, MSRC

MMM:NB: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 South Coast AQMD be placed into an account to be allocated pursuant to a work program developed and adopted by the MSRC and approved by the Board.

## Proposals

At its June 20, 2019 meeting, the MSRC considered recommendations from its MSRC-TAC and approved the following:

### FY 2020-21 Administrative Budget

Every year the MSRC adopts an Administrative Budget for the upcoming fiscal year to ensure costs remain within the limitation, currently 6.25 percent. For FY 2020-21, the MSRC adopted an Administrative Budget in the amount of \$809,787, which is \$208,963 below the 6.25 percent cap. Administrative expenditures are not directly drawn, however, from the MSRC fund account, but instead from the South Coast AQMD's budget. To cover these expenses, the MSRC approved a fund transfer (see Table 1 for further details).

Table 1. Estimated FY 2020-21 MSRC Miscellaneous and Direct Expenditures Proposed to be Allocated to South Coast AQMD Science and Technology Advancement FY 2020-21 Budget

	<b>Work Program Code</b>	<b>Account</b>	<b>Amount</b>
Professional & Special Services	44003	67450	\$9,000
Public Notice	44003	67500	\$8,000
Communications	44003	67900	\$5,000
Postage	44003	68060	\$7,500
Office Expense/Supplies	44003	68100	\$12,000
Miscellaneous Expense	44003	69700	\$7,000
Conference- Related Expense	44003	69700	\$5,000
Travel Costs	44003	67800	\$2,500
<b>Total</b>			<b>\$56,000</b>

### **Resource Impacts**

The South Coast AQMD 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 any contracts awarded in response to the solicitation will be drawn from this fund.

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BOARD MEETING DATE: August 7, 2020

AGENDA NO. 11

REPORT: Legislative, Public Affairs and Media Report

SYNOPSIS: This report highlights the May and June 2020 outreach activities of the Legislative, Public Affairs and Media Office, which includes Major Events, Community Events/Public Meetings, Environmental Justice Update, Speakers Bureau/Visitor Services, Communications Center, Public Information Center, Business Assistance, Media Relations, and Outreach to Community Groups and Federal, State, and Local Governments.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file.

Wayne Natri  
Executive Officer

FW:NM:LTO:KH:DM:ar:lam:mc

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## **BACKGROUND**

This report summarizes the activities of the Legislative, Public Affairs and Media Office for May and June. The report includes: Major Events; Community Events/Public Meetings; Environmental Justice Update; Speakers Bureau/Visitor Services; Communications Center; Public Information Center; Business Assistance; Media Relations; and Outreach to Community Groups and Governments.

## **MAJOR EVENTS (HOSTED AND SPONSORED)**

Each year, South Coast AQMD staff engage in holding and sponsoring several major events throughout South Coast AQMD's four county areas to promote, educate, and

provide important information to the public regarding reducing air pollution, protecting public health, improving air quality, and the economy.

No major events were hosted or sponsored in May and June due to the COVID-19 pandemic.

### **COMMUNITY EVENTS/PUBLIC MEETINGS**

Each year, South Coast AQMD staff engage with thousands of residents, providing valuable information about the agency, incentive programs, and ways individuals can help reduce air pollution through events and meetings sponsored solely by South Coast AQMD 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;
- South Coast AQMD incentive programs;
- Ways to participate in South Coast AQMD's rules and policy development; and
- Assistance in resolving air pollution-related problems.

South Coast AQMD staff attended and/or provided information and updates at the following May and June events and meetings:

#### **AB 2588 Public Notification Meeting for MM West Covina, LLC**

On May 19, staff held an AB 2588 public notification meeting for MM West Covina, LLC in West Covina. MM West Covina generates electricity by combusting landfill gas from the BKK landfill. The meeting provided information on the AB 2588 Toxic Hotspots program, the facility Health Risk Assessment (HRA), the potential impact emissions may have on public health, and what is being done to reduce emissions both now and in the future. Meeting attendees participated in a public comment session with questions and answers.

#### **AB 2588 Public Notification Meeting for Southern California Edison Pebbly Beach Generating Station**

On June 24, staff held an AB2588 public notification meeting for Southern California Edison Pebbly Beach Generating Station in Avalon. This facility PBGS is the primary producer of electric power for Santa Catalina Island, as well as the primary provider of both water and liquefied petroleum gas. The meeting provided information on the AB 2588 Toxic Hotspots program, the facility Health Risk Assessment (HRA), the potential impact emissions may have on public health and what is being done to reduce emissions both now and in the future. Meeting attendees participated in a public comment session with questions and answers.

## **ENVIRONMENTAL JUSTICE UPDATE**

The following are key environmental justice-related activities in which staff participated during the months of May and June. These events involve communities affected disproportionately from adverse air quality impacts.

### **AB 617 Southeast Los Angeles Community Steering Committee Meeting**

On May 8, staff held the first virtual AB 617 Community Steering Committee (CSC) for Southeast Los Angeles with more than 100 participants. The meeting focused on foundation level issues that the CSC will build upon throughout the year including, community boundaries, air quality priorities, Community Emission Reduction Plan and Community Air Monitoring Plans. Additional topics for discussion included the meeting format to maximize community participation and online training provided by CARB. The meeting was attended by community members, government representatives, staff from elected officials' offices, businesses, and other stakeholders.

### **Environmental Justice Inter-Agency Task Force Meeting**

On May 13, staff organized and conducted a quarterly meeting of the Environmental Justice Inter-Agency Task Force meeting. The Task Force discussed the 2020 goals and objectives, virtual inter-agency staff training planned for August, and the inter-agency referral directory "Who to Call Guide."

### **AB 617 Wilmington/Carson/West Long Beach Community Steering Committee Meeting**

Staff held the second AB 617 Wilmington/Carson/West Long Beach CSC meeting. While the meeting was held virtually, it contained the same components as previously in person meetings format to provide consistency and move the program forward. The meeting focused on CERP updates including school prioritization results, monitoring updates and oil drilling, and production. The meeting also featured CSC member updates and public comment.

### **Coalition for a Safe Environment (CFASE) and CARB Community Project Meeting**

On May 20, staff participated in the Coalition for a Safe Environment (CFASE) and CARB AB 617 Community Air Grant Project Kick-Off Meeting. Jesse Marquez, CFASE Executive Director presented an overview of the community air monitoring project in Wilmington and discussed project tasks and goals. CARB provided an overview of the grant administration process.

### **AB 617 Eastern Coachella Valley Community Steering Committee Meeting**

Staff held the second CSC meeting for the Eastern Coachella Valley (ECV). The agenda focused on foundation level topics including an update on the newsletter, meeting format and process, and the ECV CSC Charter. CARB also provided an update on their

Blueprint Training. provided opportunity CSC members suggested topics for future meetings and there was an opportunity for public comment.

### **AB 617 San Bernardino/Muscoy Community Steering Committee Meeting**

On May 21, staff held the second quarter update meeting for the San Bernardino/Muscoy CSC. The agenda included updates from CSC members and CARB, CERP implementation, air filtration in schools, a Safe Routes to Partnership presentation, the South Coast AQMD Indirect Source Rule for warehouses and rails and an update on air monitoring. CSC members discussed future meeting topics and there was an opportunity for public comment.

### **AB 617 Briefing for American Cancer Society**

On May 22, staff held an AB 617 briefing for several Board Members and the American Cancer Society. Staff shared the history of the AB 617 program and the work being done in the five AB 617 communities in the South Coast, including formation of the CSCs and development of the Community Air Monitoring Plans and Community Emission Reduction Programs. Staff responded to questions regarding outreach and engagement in environmental justice communities and discussed strategies for developing community partnerships.

### **AB 617 Eastern Coachella Valley Meeting with Community Steering Committee Representatives**

On June 2, staff held a meeting with ECV CSC representatives from Torres-Martinez Desert Cahuilla Indians to discuss a U.S. EPA grant opportunity, known as the State Environmental Justice Cooperative Agreement Program. These grants fund projects through state and local governments, tribes, and territories to work with underserved communities on projects that help improve environmental health and/or public health.

### **Environmental Justice Community Partnership Advisory Council Meeting**

On June 3, staff hosted the second meeting of the year for the Environmental Justice Community Partnership (EJCP) Advisory Council. The Advisory Council discussed COVID-19 impacts on their communities and approved their 2020 Goals and Objectives. Staff provided an overview and live demonstration of the South Coast AQMD's mobile app.

### **Salton Sea Management Program Meeting**

On June 4, staff participated in a State Salton Sea Management Program meeting that focused on their draft Dust Suppression Action Plan presentation, discussion and questions. A draft plan will be provided to South Coast AQMD for review.

### **AB 617 Southeast Los Angeles Community Steering Committee Meeting**

On June 11, staff held the second AB 617 CSC meeting. Staff presented on the process to identify community air quality issues and provided examples of strategies and



actions. CSC members discussed a worksheet to help prioritize community air quality issues and strategies to address issues and goals. There was significant discussion on how to direct incentive funds to assist local businesses in an equitable manner.

**AB 617 Eastern Coachella Valley Community Steering Committee Meeting**

On June 22, staff held the first ECV CSC Charter Working Group meeting. The working group discussed the charter and developed draft recommendations that would be presented at the next meeting.

**SCAG Town Hall Meeting**

On June 24, staff attended Southern California Association of Governments Virtual Townhall: Regional Dialogue on Connect SoCal and COVID-19 Recovery. Immediate regional impacts identified were increased unemployment, decline in transit ridership, declining tax revenues, and increased teleworking. Two breakout sessions were held “How has COVID-19 impacted your community” and “How can Connect SoCal be a tool for recovery.”

**San Pedro Bay Ports Clean Air Action Plan Implementation Stakeholder Advisory Meeting**

Staff attended the San Pedro Bay Ports Clean Air Action Plan Implementation Stakeholder Advisory Meeting. Staff from the Port of Los Angeles and the Port of Long Beach provided updates on the status of various technology demonstration projects, as well as an update on the Clean Truck Program. Additional topics included incentive partnerships with South Coast AQMD and CARB. The Port of Los Angeles briefly discussed their participation on the AB 617 Wilmington/Carson/West Long Beach CSC as a means by which they stay connected to the local community.

**Coachella Valley Environmental Justice Task Force Meeting**

Staff attended the Coachella Valley Environmental Justice Task Force meeting. The meeting focused on continued collaborative efforts between the community and public agencies regarding COVID-19, the Salton Sea, Oasis Mobile Park drinking water issues, and AB 617 efforts (Imperial County and South Coast). Staff briefed the Task Force on ongoing AB 617 efforts and upcoming meetings.

**AB 617 Eastern Coachella Valley Community Steering Committee Meeting**

On June 25, staff held the third AB 617 ECV CSC meeting. The meeting included a follow-up discussion on the charter with recommendations by the Charter Working Group. Additional topics discussed were the AB 617 budget, air quality priorities, preview of air monitoring workshop, and CSC agenda items for upcoming meetings.

**CARB AB 617 Meeting**

On June 30, staff participated in a CARB webinar to discuss the AB 617 community selection process and 2020 Community Recommendations.

### **SPEAKERS BUREAU/VISITOR SERVICES**

South Coast AQMD 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. South Coast AQMD also hosts visitors from around the world who meet with staff on a wide range of air quality issues.

Due to the COVID-19 pandemic, there were no requests for the Speaker's Bureau and Visitor Services in May and June 2020.

### **COMMUNICATION CENTER STATISTICS**

The Communication Center handles calls on South Coast AQMD's main line, the 1-800-CUT-SMOG® line, the Spanish line, and after-hours calls to each of those lines. Total calls received in the months of May and June were:

Calls to South Coast AQMD's Main Line and 1-800-CUT-SMOG® Line	4,805
Calls to South Coast AQMD's Spanish-language Line	82
Total Calls	4,887

### **PUBLIC INFORMATION CENTER STATISTICS**

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

Calls Received by PIC Staff	5
Calls to Automated System	1,257
Total Calls	1,262

Materials Mailed	0
Visitor Transactions	0
Email Advisories Sent	27,687

## BUSINESS ASSISTANCE

South Coast AQMD notifies local businesses of proposed regulations so they can participate in the agency's rule development process. South Coast AQMD 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, as summarized below for May and June 2020.

- Provided permit application assistance to 469 companies; and
- Processed 116 Air Quality Permit Checklists.

Types of businesses assisted:

Auto Body Shops	Gas Stations	Furniture Refinishing Facilities
Auto Repair Centers	Restaurants	Construction Firms
Warehouses	Plating Facilities	Architecture Firms
Manufacturing Facilities	Dry Cleaners	Engineering Firms

## MEDIA RELATIONS

The Media Office handles all South Coast AQMD outreach and communications with television, radio, newspapers and all other publications, and media operations.

May/June 2020 reports are listed:

Major Media Interactions	166
Press Releases	16
News Carousel Write-Ups	5

### Major Media Topics for May and June

- **ISR and Electric Truck Standards** - Forbes requested an interview to discuss ISR and Electric truck standards. Staff participated in the interview.
- **ISR Warehouse** - Inside EPA requested additional information on the delay of Rule 2305 and the rule calendar. Written responses with a link to the requested information online were provided.
- **Respiratory Illness in the Imperial Valley** - BBC inquired about air pollution and respiratory illness in the Imperial Valley. Reporter was referred to the Imperial County APCD and was provided contact information.
- **Rule Development** - LA Times requested an interview to discuss the rule development schedule. Staff participated in the interview.
- **EPA Data relating to COVID-19 shutdowns** - NPR requested any updates on air quality data relating to COVID-19 stay-at-home orders. Responses were provided.

- **Permit Dashboard** - Pitches were sent to local reporters on the new permit dashboard. LA Sentinel and several other online outlets picked up the story.
- **Ozone Advisory and Smog Season** - Pitches were sent to local reporters announcing the start of smog season and the ozone advisory issued. The announcement was picked up by Associated Press, KTLA, NBC/CBS Palm Springs, and other local outlets.
- **Ozone and PM2.5** - NBC requested ozone and PM2.5 data from January-April 2020. Information was sent to the reporter.
- **Aliso Canyon and other Odor Complaints** - ABC, KPCC, the LA Daily News, KNX, City News Service, Patch, and NBC inquired about extreme odors. Staff participated in the interview with ABC and other outlets were sent information.
- **RECLAIM** - NPR reached out with written questions regarding RECLAIM, light-duty trucks, off-road equipment, and residential fuel combustion. Responses were sent.
- **Quemetco Settlement** - The San Gabriel Valley Tribune requested additional information on the facilities pending permit application and information was provided.
- **World Logistics Center** - CalMatters asked for information on the World Logistics Center and impacts on local air quality and provided written questions. Responses were provided.
- **Air Quality Impacts of COVID-19** NBC conducted an interview with staff on changes in traffic patterns and air quality during the stay-at-home period. Responses to written questions regarding health impacts of COVID-19 were sent to reporter.
- **Regulatory Impacts of COVID-19** - California Environmental Insider requested a copy of the rules calendar. Reporter was sent the information.
- **MATES IV** - The New York Times requested an interview to discuss the MATES IV study. Staff participated in the interview. The reporter requested follow up information on diesel emissions and their effects on public health. Written responses were provided.
- **Ozone Advisory** - Pitches were sent to local media on the May 25 ozone advisory and was covered by more than 15 radio, television, and print outlets.
- **Agency Funding** - The LA Times requested an interview on how funding has been affected by COVID-19 measures and its impacts on South Coast AQMD's goals. An interview was held with staff.
- **SB 1099** - Bloomberg Law reached out with questions about SB 1099 and gas generators during public safety power shutdowns. An interview was held with staff.
- **Aliso Canyon Odors** - The LA Times requested an update on odors near Aliso Canyon. An update was provided.
- **Windblown Dust Advisory** - Pitches were sent to news outlets and the dust advisory was covered by local media.

- **SB 732** - The LA Times requested a timeline for SB 732. Information was provided to the reporter.
- **Windblown Dust Advisory Extension** - Pitches were sent to news outlets and the advisory and was picked up by local media.
- **Air Quality Index Maps** - Staff reached out to NBC to clarify agency information when reporting AQI during weather reports. The station agreed to make the adjustment.
- **Replace Your Ride** - Pitches were sent to news outlets regarding the Replace Your Ride announcement. City News Service reached out with some questions about the programs. The reporter was provided information. KPCC /LAist reached out with additional questions and an interview request. Information was sent and an interview was conducted with staff.
- **Salton Sea Odor Advisory** - Pitches were sent to news outlets and the advisory was picked up by local media.
- **AQI Data** - Spectrum News is looking to feature the agency's daily AQI map on its forecast. Reporters were provided with a data file. FOX LA also requested the daily AQI forecast for evening newscasts. Staff is working on a long-term solution for sending daily information and making data files more accessible to news meteorologists.
- **Thermal Fire** - KESQ inquired about the fire in Thermal and its effects on air quality. Smoke advisory information was sent to reporter. The advisory was also pitched to local media outlets.
- **Windblown Dust Advisory** - Dust advisory was pitched to news outlets and was picked up by local media.

#### **News Release and Announcements May and June**

- **South Coast AQMD unveils online tool to track permit applications - May 1, 2020:** Notified residents of the new permit dashboard.
- **Summer Smog Season Has Begun, Stay Informed of Air Quality Levels - May 5, 2020:** Announced the onset of summer smog season.
- **South Coast AQMD Issues Ozone Advisory Due to Heat Wave - May 5, 2020:** Notified residents of an ozone advisory issued through May 8<sup>th</sup>.
- **South Coast AQMD Reaches \$600,000 Settlement with Lead-Acid Battery Recycling Facility for Emissions Violations - May 8, 2020:** Announced settlement with Quemetco over previous violations.
- **U.S. EPA awards \$4.1 million for air quality projects in Southern California - May 14, 2020:** Announces Targeted Air Shed Grant to South Coast AQMD to reduce emissions.
- **South Coast AQMD Issues Ozone Advisory Due to Heat Wave — May 25, 2020:** Informed residents of increase of ozone levels due to the heat wave.

- **Near-Zero Emission Natural Gas Truck Technology Proven Ready for the Rigors of Port Drayage Operations - May 28, 2020:** Provided quote for California Natural Gas Vehicle Partnership release.
- **South Coast AQMD Files Lawsuit Challenging Trump Administration Rollbacks to Clean Vehicle Standards – May 28, 2020:** Announced the D.C. Circuit petition challenging U.S. EPA and NHTSA’s rollbacks to the SAFE Vehicles Rule. Issued jointly with BAAQMD and Sacramento Metropolitan AQMD.
- **South Coast AQMD Issues Windblown Dust Advisory for Portions of Riverside County – June 5, 2020:** Advised residents of windblown dust advisory.
- **South Coast AQMD Extends Windblown Dust Advisory - June 7, 2020:** Announced extension of the dust advisory.
- **South Coast AQMD Receives \$15.4 Million from CARB for Replace Your Ride Program - June 11, 2020:** Announced new funding for the Replace Your Ride program and information on the application process.
- **Volvo Trucks Deploys First Pilot All-Electric VNR Truck at TEC Equipment in Southern California - June 18, 2020:** Announced the first VNR Electric truck deployed in Southern California by Volvo LIGHTS and South Coast AQMD.
- **\$35 million in new funding for zero-emission projects in California - June 18, 2020:** Announced the availability of \$35 million in Volkswagen Environmental Mitigation Trust project funding.
- **South Coast AQMD Issues Salton Sea Odor Advisory – June 20, 2020:** Notified residents of the Coachella Valley odor advisory.
- **South Coast AQMD Issues Smoke Advisory due to a Mulch Fire in City of Thermal - June 24, 2020:** Notified residents of the smoke advisory issued due to fire conditions.
- **South Coast AQMD Issues Windblown Dust Advisory - June 28, 2020:** Notified residents of windblown dust advisory.

#### News Carousel May and June

- **Keep up with the latest from South Coast AQMD - May 12, 2020:** Highlighted newest edition of the Advisor.
- **NPR: Why Air Pollution Hasn't Fallen More with Everyone Driving Less - May 20, 2020:** Highlighted national NPR story featuring an interview with staff.
- **Deadline Extended for Carl Moyer Program Funding Applications - June 4, 2020:** Informs residents of the Carl Moyer application deadline extension.
- **LAist: Scrap Your Old Ride for Cash, Get A Newer, Cleaner Vehicle - June 17, 2020:** Spotlight on Replace Your Ride article and interview with staff.

- **Additional “Plus Up” VIP funding available for replacing small truck fleets - June 24, 2020:** Posted information on funding availability with links to program page.

**Social Media Notable Posts: May and June**

- Ozone Advisory Initial Post (5/5): 9,324 Twitter Impressions
- Ozone Advisory Reminder (5/6): 10,366 Twitter Impressions
- Air Quality Awareness Week: WHAM (5/8): 1,756 Twitter Impressions
- AQ Forecast (5/17): 1,676 Twitter Impressions
- Ozone Advisory (5/25): 10,291 Twitter Impressions
- (External) Metrolink's AB 617 Post (5/27): 31,000 South Coast AQMD Twitter Impressions on 5/28; 23K South Coast AQMD Twitter Impressions on 5/29
- Windblown Dust Advisory Extension (6/7): 3,359 Twitter Impressions
- AQ Forecast (6/9): 2,816 Twitter Impressions
- AQ Forecast (6/11): 4,580 Twitter Impressions
- AQ Forecast (6/15): 8,889 Twitter Impressions
- AB 617 Reminder (6/23): 1,309 Facebook Users Reached
- Dust Advisory (6/28): 27,742 Twitter Impressions

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

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

Anaheim	Huntington Beach	Rosemead
Avalon	Irvine	San Bernardino
Baldwin Park	La Cañada Flintridge	San Dimas
Brea	La Habra	San Fernando
Buena Park	La Puente	San Gabriel
Burbank	Laguna Niguel	Santa Ana
Chino Valley	Lake Forest	Santa Clarita
Claremont	Loma Linda	Sierra Madre
Corona	Long Beach	Temple City
Covina	Los Alamitos	Tustin
Cypress	Mission Viejo	Walnut
Duarte	Moreno Valley	West Covina
Fountain Valley	Pacoima	Whittier
Fullerton	Placentia	Yorba Linda
Garden Grove	Rancho Cucamonga	
Glendale	Riverside	

Communication were conducted in May and June with elected officials and/or staff from the following state and federal offices:

- U.S. Representative Judy Chu
- U.S. Representative Gil Cisneros
- U.S. Representative Lou Correa
- U.S. Representative Mike Levin
- U.S. Representative Alan Lowenthal
- U.S. Representative Grace Napolitano
- U.S. Representative Harley Rouda
- U.S. Representative Norma Torres
- Senator Ben Allen
- Senator Bob Archuleta
- Senator Ling Ling Chang
- Senator Connie Leyva
- Senator John Moirlach
- Senator Mike Morrell
- Senator Anthony Portantino
- Senator Susan Rubio
- Senator Henry Stern
- Senator Tom Umberg
- Assembly Majority Leader Ian Calderon
- Assembly Member Ed Chau
- Assembly Member Phillip Chen
- Assembly Member Tom Daly
- Assembly Member Tyler Diep
- Assembly Member Cristina Garia
- Assembly Member Eduardo Garcia
- Assembly Member Sydney Kamlager-Dove
- Assembly Speaker Anthony Rendon
- Assembly Member Eloise Reyes
- Assembly Member Luz Rivas



Staff represented South Coast AQMD in May and June and/or provided updates or a presentation to the following governmental agencies and business organizations:

Alhambra Chamber of Commerce  
American Green Zone Alliance  
Association of California Cities, Orange County  
Association of Climate Change Officers  
Brea City Council  
Building Industry Association, Orange County  
California Air Resources Board  
California Commission on Status of Women & Girls  
California Contract Cities Association  
California Insurance Commissioners  
California State Water Company  
Chino Valley Chamber of Commerce  
Coachella Valley Association of Governments  
County of Riverside, Economic Development Agency  
County of San Bernardino, Economic Development Agency  
Fullerton City Council  
Gateway Cities Council of Governments  
Gateway Cities Energy Leadership Partnership  
Harbor Association of Industry and Commerce  
Huntington Beach Chamber of Commerce  
Inland Valley Development Agency  
La Habra City Council  
League of California Cities, Orange County Division  
Loma Linda Chamber of Commerce  
Long Beach Chamber of Commerce  
Los Angeles County Board of Supervisors  
Los Angeles County Department of Public Health  
Metro Los Angeles  
Mountain Transit Board  
Omnitrans  
Ontario International Airport Authority  
Orange Chamber of Commerce  
Orange County Board of Supervisors  
Orange County Business Council  
Orange County Council of Governments  
Orange County Transportation Authority  
Porter Ranch Neighborhood Council  
Port of Long Beach  
Port of Los Angeles  
Riverside County Board of Supervisors

Riverside Transit Agency  
San Bernardino Council of Governments  
San Bernardino County Board of Supervisors  
San Bernardino County Regional Parks  
San Bernardino County Transportation Authority  
San Bernardino International Airport Authority  
San Fernando Valley Council of Governments  
San Gabriel Valley City Managers Association  
San Gabriel Valley Council of Governments  
San Gabriel Valley Economic Partnership  
Santa Ana Chamber of Commerce  
Santa Fe Springs Chamber of Commerce  
South Bay Council of Governments  
Southern California Association of Governments  
Sunline Transit Agency  
Western Regional Epidemiology Network  
Western Riverside Council of Governments  
Yorba Linda City Council

Staff represented South Coast AQMD in May and June and/or provided updates or a presentation to the following community and educational groups and organizations:

Altadena Coalition of Neighborhood Associations  
California State University, San Bernardino  
California Women Lead  
CHA CHA, Altadenans for Clean Healthy Air  
Clean Air Coalition of North Whittier and Avocado Heights  
Earthjustice  
Hacienda Heights Improvement Association  
Hispanas Organized for Political Equality  
National Urban League, Los Angeles Chapter  
North Whittier Neighborhood Watch  
Orange County Community Relations Collaborative  
Rio Hondo College  
Rowland Heights Community Coordinating Council  
Rowland Unified School District  
San Bernardino Valley College  
Sunshine Canyon Landfill Community Advisory Committee  
Sustain Southern California  
Taking Responsibility and Control (TRAC) Neighborhood Watch  
Torrance Air Advisory Council  
Walnut Valley Unified School District  
Western Regional Epidemiology Network

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BOARD MEETING DATE: August 7, 2020

AGENDA NO. 12

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of May 1 through June 30, 2020.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file.

Julie Prussack  
Chairman of Hearing Board

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The following three summaries are attached: **May and June 2020 Hearing Board Cases and Rules From Which Variances and Orders for Abatement Were Requested in 2020.** An index of South Coast AQMD Rules is also attached.

There were no appeals filed during the period of May 1 to June 30, 2020

## Report of May 2020 Hearing Board Cases

Case Name and Case No. (Staff Attorney)	Rules	Reason for Petition/Hearing	South Coast AQMD Position/Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
1. City of Rialto, California Case No. 6105-2 (D. Hsu)	203(b)	Wastewater treatment facility sought relief to operate its backup flare to an extent greater than its permitted capacity, during repair of its main Zink flare.	Not opposed/Granted	Ex Parte EV granted commencing 5/26/20 and continuing through 6/15/20, or until final compliance, repair and operation of the Zink flare, whichever occurs first.	TBD due by 6/12/20
2. New Indy-Ontario Case No. 6162-1 (T. Barrera)	N/A	At required status and modification hearing, Petitioner requested the extension of an interim compliance date to account for additional corrective measures necessary to achieve full production capacity and compliance.	Not Opposed/Granted	MFCD/EXT granted commencing 5/7/20 and continuing through 8/20/20.	PM-10: 110 lbs/day averaged over 30 days
3. South Coast AQMD vs. City of San Bernardino Municipal Water District Case No. 6124-2 (Consent Calendar; No Appearance)	N/A	Status report	No Action	The Hearing Board received a status report and determined that no action was necessary to modify the O/A.	N/A
4. South Coast AQMD vs. D&D Disposal Services, Inc. dba West Coast Rendering Company Case No. 3462-4 (D. Hsu)	N/A	Status Report/Modification	Not Stipulated/Modified	Mod O/A issued commencing 5/6/20 and continuing through 12/10/20. The Hearing Board shall retain jurisdiction over this matter until compliance is achieved.	N/A
5. South Coast AQMD vs. Hubbell Inc./Lyall Division Case No. 6172-2 (Consent Calendar; No Appearance)	203(a) 1147(c)(1)	South Coast AQMD sought to bring Respondent facility into compliance by requiring the installation of a compliant burner to operate its ovens.	Stipulated/Issued	O/A issued commencing 5/13/20 and continuing through 8/31/20. The Hearing Board shall retain jurisdiction over this matter until compliance is achieved.	N/A

Case Name and Case No. (Staff Attorney)	Rules	Reason for Petition/Hearing	South Coast AQMD Position/Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
6. Tesoro Refining and Marketing Company LLC Case No. 4982-124 (K. Roberts)	203(b) 218(f)(3) 2004(f)(1) 2012(c)(2)(A) 2012(c)(2)(B) 2012(g)91 3002(c)(1)	Petitioner requested relief from requirement to run its CEMS for a heater which is currently out of operation and under repair.	Not Opposed/Granted	RV and AOC granted commencing 5/12/20 and continuing for a period not to exceed six (6) months or until notice is provided as specified in the Order, whichever comes first.	None

**Acronyms**

- AOC: Alternative Operating Conditions
- CEMS: Continuous Emissions Monitoring System
- EV: Emergency Variance
- EXT: Extension
- MFCD: Modification of Final Compliance Date
- Mod. O/A: Modification Order for Abatement
- O/A: Order for Abatement
- PM10: Particulate Matter ≤ 10 microns
- RV: Regular Variance
- TBD: To Be Determined

## Report of June 2020 Hearing Board Cases

Case Name and Case No. (Staff Attorney)	Rules	Reason for Petition/Hearing	South Coast AQMD Position/Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
1. Phillips 66 Company Case No. 4900-108 (Consent Calendar: No Appearance)	1180(e)	Petitioner sought relief because a third-party installation critical to the process cannot be completed due to stay- at-home orders.	Not Opposed/Granted	RV granted commencing 6/24/20 and continuing through 9/15/20, or until the third party is available and the installation completed, whichever occurs first.	None
2. South Coast AQMD vs. Weber Metals, Inc Case No. 6136-1 (Consent Calendar: No Appearance)	1430	Petitioner sought extension to comply with South Coast AQMD rules for one component of its operations due to construction delays from stay-at-home orders.	Stipulated/Issued	Mod. O/A issued commencing 6/11/20 and continuing through 11/20/20. The Hearing Board shall retain jurisdiction over this matter until 2/28/21.	N/A

### Acronyms

O/A: Order for Abatement

RV: Regular Variance



**SOUTH COAST AQMD RULES AND REGULATIONS INDEX  
FOR 2020 HEARING BOARD CASES AS OF JUNE 30, 2020**

**REGULATION II – PERMITS**

- Rule 202 Temporary Permit to Operate
- Rule 203 Permit to Operate
- Rule 218 Continuous Emissions Monitoring
- Rule 218.1 Continuous Emission Monitoring Performance Specifications

**REGULATION IV – PROHIBITIONS**

- Rule 401 Visible Emissions
- Rule 441 Research Operations
- Rule 461 Gasoline Transfer and Dispensing
- Rule 463 Organic Liquid Storage

**REGULATION XI - SOURCE SPECIFIC STANDARDS**

- Rule 1121 Control of Nitrogen Oxides (NOx) from Residential Type, Natural-Gas-Fired Water Heaters
- Rule 1147 NOx Reductions from Miscellaneous Sources
- Rule 1148.1 Oil and Gas Production Wells
- Rule 1173 Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants
- Rule 1176 VOC Emissions from Wastewater Systems
- Rule 1178 Reductions VOC Emissions from Storage Tanks at Petroleum Facilities
- Rule 1180 Refinery Fenceline and Community Air Monitoring

**REGULATION XIV - TOXICS AND OTHER NON-CRITERIA POLLUTANTS**

- Rule 1430 Control of Emissions from Metal Grinding Operations at Metal Forging Facilities

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

- Rule 2004 Requirements
- Rule 2011 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Sulfur (SOx) Emissions
- Rule 2012 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions



**SOUTH COAST AQMD RULES AND REGULATIONS INDEX  
FOR 2020 HEARING BOARD CASES AS OF JUNE 30, 2020**

**REGULATION XXX - TITLE V PERMITS**

Rule 3002     Requirements

**CALIFORNIA HEALTH AND SAFETY CODE**

§41701       Restricted Discharges

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BOARD MEETING DATE: August 7, 2020

AGENDA NO. 13

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This reports the monthly penalties from May 1, 2020 through May 31, 2020, and legal actions filed by the General Counsel's Office from May 1 through May 31, 2020. An Index of South Coast AQMD Rules is attached with the penalty report.

COMMITTEE: Stationary Source, June 19, 2020, Reviewed

RECOMMENDED ACTION:  
Receive and file.

Bayron T. Gilchrist  
General Counsel

BTG:ew

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There are no Civil Filings for May 2020

**Attachments**

May 2020 Penalty Report

Index of South Coast AQMD Rules and Regulations

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

**May 2020 Settlement Penalty Report**

<b><u>Total Penalties</u></b>	
Civil Settlements:	\$138,250.00
MSPAP Settlements:	\$9,314.00
Hearing Board Settlements:	\$153,975.00
<b>Total Cash Settlements:</b>	<b>\$301,539.00</b>
<b>Total SEP Value:</b>	<b>\$0.00</b>

<b>Fiscal Year through 5 / 2020 Cash Total:</b>	<b>\$12,235,094.36</b>
<b>Fiscal Year through 5 / 2020 SEP Value Only Total:</b>	<b>\$0.00</b>

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbr	Total Settlement
<b>Civil Settlements</b>						
800264	EDINGTON OIL COMPANY	2004 3002(c)(1)	5/5/2020	TRB	P65603 P67367 P67808	\$6,000.00
11034	ENWAVE LOS ANGELES INC.	2004 2012(c)(3)(A) 2012, Appendix A	5/5/2020	TRB	P66852	\$5,250.00
188379	IRVINE COMPANY	40 CFR 60, QQQ 1403	5/5/2020	NSF	P65513	\$2,500.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbr	Total Settlement
21505	LA CITY COLLEGE	203(a) 222 461 1415	5/5/2020	KCM	P68853 P68854	\$9,500.00
41229	LUBECO INC	203 402 1402 1469 1469.1 H&S 41700	5/27/2020	NSF	P64524 P65528 P66001	\$100,000.00
20604	RALPHS GROCERY CO	2004	5/27/2020	NAS	P66172 P66176	\$5,000.00
188493	RIVERWALK POST ACUTE	40 CFR 60, QQQ 1403	5/27/2020	NSF	P67438	\$10,000.00

**Total Civil Settlements: \$138,250.00**

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbr	Total Settlement
<b>MSPAP Settlements</b>						
103227	CALIFORNIA PAVING & GRADING	203 461	5/13/2020	GC	P66806	\$2,964.00
187730	CPT WINEVILLE LLC	203(a)	5/13/2020	GC	P63968	\$800.00
29844	JOHN MOELLER, PALISADES GAS-N-	461(c)(3)(Q)	5/13/2020	GV	P76614	\$600.00
183855	MOLLER RETAIL #6120	461(c)(3)(Q)	5/13/2020	GV	P77255	\$600.00
177384	MOLLER RETAIL, INC DBA CONSERV	461(c)(3)(Q)	5/13/2020	GV	P77124	\$600.00
183026	MOLLER RETAIL, INC.	461(c)(3)(Q)	5/13/2020	GV	P77237	\$600.00
155416	MOLLER RETAIL, INC. #6109	461(c)(3)(Q)	5/13/2020	GV	P76975	\$600.00
73610	SF HOLDING SUPERFINE TEXACO	461	5/13/2020	TF	P68431	\$1,950.00
185800	TOUCHUP AUTO COLLISION	1151	5/13/2020	TF	P67561	\$600.00

**Total MSPAP Settlements: \$9,314.00**

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbr	Total Settlement
<b>Hearing Board Settlements</b>						
191012	CLIMATE INDUSTRIES, INC. dba	1111	5/13/2020	MJR	6153-2	\$81,975.00
104234	MISSION FOODS CORPORATION	202 203(b) 1153.1 1303	5/27/2020	KCM	5400-4	\$25,000.00
181758	RUDOLPH FOODS WEST, INC.	202	5/13/2020	KCM	6168-1	\$2,000.00
10966	WEBER METALS INC	1430	5/13/2020	DH	6136-1	\$45,000.00
<b>Total Hearing Board Settlements: \$153,975.00</b>						

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

**REGULATION II - PERMITS**

- Rule 202 Temporary Permit to Operate
- Rule 203 Permit to Operate
- Rule 222 Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II

**REGULATION IV - PROHIBITIONS**

- Rule 402 Nuisance
- Rule 461 Gasoline Transfer and Dispensing

**REGULATION XI - SOURCE SPECIFIC STANDARDS**

- Rule 1111 NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces
- Rule 1151 Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations
- Rule 1153.1 Emissions of Oxides of Nitrogen from Commercial Food Ovens

**REGULATION XIII - NEW SOURCE REVIEW**

- Rule 1303 Requirements

**REGULATION XIV - TOXICS**

- Rule 1402 Control of Toxic Air Contaminants from Existing Sources
- Rule 1403 Asbestos Emissions from Demolition/Renovation Activities
- Rule 1415 Reduction of Refrigerant Emissions from Stationary Refrigeration and Air Conditioning Systems
- Rule 1430 Control of Emissions from Metal Grinding Operations at Metal Forging Facilities
- Rule 1469 Hexavalent Chromium Emissions from Chrome Plating and Chromic Acid Anodizing Operations
- Rule 1469.1 Spraying Operations Using Coatings Containing Chromium

**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
- Appendix A
- Rule 2012 Protocol for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions

**REGULATION XXX - TITLE V PERMITS**

- Rule 3002 Requirements for Title V Permits

**CODE OF FEDERAL REGULATIONS**

40 CFR 60, QQQ – Standards of Performance for VOC Emissions from Petroleum Refinery Wastewater

**CALIFORNIA HEALTH AND SAFETY CODE**

41700                      Violation of General Limitations



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BOARD MEETING DATE: August 7, 2020

AGENDA NO. 14

REPORT: Lead Agency Projects and Environmental Documents Received

SYNOPSIS: This report provides a listing of CEQA documents received by the South Coast AQMD between May 1, 2020 and June 30, 2020, and those projects for which the South Coast AQMD is acting as lead agency pursuant to CEQA.

COMMITTEE: The Mobile Source Committee reviewed the May 1 – May 31, 2020 portion of the report on June 19, 2020; while the June 1 – June 30, 2020 portion has had no committee review.

RECOMMENDED ACTION:  
Receive and file.

Wayne Nastri  
Executive Officer

PF:SN:JW:LS:MI:MC

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**CEQA Document Receipt and Review Logs (Attachments A and B)** – Each month, the South Coast AQMD receives numerous CEQA documents from other public agencies on projects that could adversely affect air quality. A listing of all documents received during the reporting period May 1, 2020 and May 31, 2020 is included in Attachment A1. A listing of all documents received during the reporting period June 1, 2020 and June 30, 2020 is included in Attachment A2. A list of active projects for which South Coast AQMD staff is continuing to evaluate or prepare comments for the May reporting period is included as Attachment B1, and the list for the June reporting period is included as Attachment B2. A total of 117 CEQA documents were received during this reporting period and 26 comment letters were sent.

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 Board's 1997 Environmental Justice Guiding Principles and Environmental Justice Initiative #4. As required by the Environmental Justice Program Enhancements for FY 2002-03, approved by the Board in October 2002, each attachment notes proposed projects where the South Coast AQMD has been contacted regarding potential air quality-related environmental justice concerns. The South Coast AQMD has established an internal central contact to receive information on projects with potential air quality-related environmental justice concerns. The public may contact the South Coast AQMD about projects of concern by the following means: in writing via fax, email, or standard letters; through telephone communication; and as part of oral comments at South Coast AQMD meetings or other meetings where South Coast AQMD staff is present. The attachments also identify, for each project, the dates of the public comment period and the public hearing date, if applicable. 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; general land use projects, etc. In response to the mitigation component, guidance information on mitigation measures was 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 South Coast AQMD's website at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies>. Staff will continue compiling tables of mitigation measures for other emission sources.

Staff focuses on reviewing and preparing comments for projects: where the South Coast AQMD is a responsible agency; that may have significant adverse regional air quality impacts (e.g. special event centers, landfills, goods movement); that may have localized or toxic air quality impacts (e.g. warehouse and distribution centers); where environmental justice concerns have been raised; and which a lead or responsible agency has specifically requested South Coast AQMD review. If staff provided written comments to the lead agency as noted in the column "Comment Status," there is a link to the "South Coast AQMD Letter" under the Project Description. In addition, if staff testified at a hearing for the proposed project, a notation is provided under the "Comment Status." If there is no notation, then staff did not provide testimony at a hearing for the proposed project.

During the period May 1, 2020 and June 30, 2020, the South Coast AQMD received 117 CEQA documents. Of the 133 documents listed in Attachments A1, A2, B1, and B2:

- 26 comment letters were sent;
- 59 documents were reviewed, but no comments were made;
- 29 documents are currently under review;
- 0 document did not require comments (e.g., public notices);
- 0 document were not reviewed; and
- 19 documents were screened without additional review.

(The above statistics are from May 1, 2020 to June 30, 2020 and may not include the most recent “Comment Status” updates in Attachments A1, A2, B1, and B2.)

Copies of all comment letters sent to lead agencies can be found on the South Coast AQMD’s CEQA webpage at the following internet address:

<http://www.aqmd.gov/home/regulations/ceqa/commenting-agency>.

**South Coast AQMD Lead Agency Projects (Attachment C)** – Pursuant to CEQA, the South Coast AQMD 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 for action is considered to be a “project” as defined by CEQA. For example, an Environmental Impact Report (EIR) is prepared when the South Coast AQMD, as lead agency, finds substantial evidence that the project may have significant adverse effects on the environment. Similarly, a Negative Declaration (ND) or Mitigated Negative Declaration (MND) may be prepared if the South Coast AQMD determines that the 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 projects will not have a significant adverse effect on the environment and, therefore, do not require the preparation of an EIR.

Attachments C1 and C2 to this report summarizes the active projects for which the South Coast AQMD is lead agency and is currently preparing or has prepared environmental documentation. As noted in Attachments C1 and C2, the South Coast AQMD continued working on the CEQA documents for one active project during May and June.

### **Attachments**

- A. Incoming CEQA Documents Log
- B. Ongoing Active Projects for Which South Coast AQMD Has or Will Conduct a CEQA Review
- C. Active South Coast AQMD Lead Agency Projects

**ATTACHMENT A1\***  
**INCOMING CEQA DOCUMENTS LOG**  
**May 1, 2020 to May 31, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Goods Movement</i> <b>LAC200521-13</b> Berth 200 Roadway Extension	The proposed project consists of widening of existing roadway eight feet in width and construction of a 3,000-linear-foot roadway. The project is located along Berth 200 Roadway between South Avalon Boulevard and State Route 47 within the Port of Los Angeles.  Comment Period: 5/21/2020 - 6/20/2020 Public Hearing: N/A	Notice of Intent to Adopt a Negative Declaration	City of Los Angeles Harbor Department	Document reviewed - No comments sent for this document received
<i>Warehouse &amp; Distribution Centers</i> <b>RVC200501-13</b> World Logistics Center	The proposed project consists of construction of 40.6 million square feet of warehouses on 2,600 acres. The project is located on the southeast corner of Redlands Boulevard and Eucalyptus Avenue. Reference RVC191217-07, RVC180725-03, RVC150612-04, RVC150430-07, and SBC130206-01  Comment Period: N/A Public Hearing: 6/16/2020	Notice of Completion of Revised Final Environmental Impact Report	City of Moreno Valley	Document reviewed - No comments sent for this document received
<i>Warehouse &amp; Distribution Centers</i> <b>RVC200506-02</b> Saddle Ranch South Project	The proposed project consists of construction of three warehouses totaling 374,170 square feet on 23.8 acres. The project is located at 3166 Horseless Carriage Drive on the northwest corner of Horseless Carriage Drive and Town and Country Drive.  Comment Period: 5/4/2020 - 5/26/2020 Public Hearing: 6/10/2020	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Norco	Document reviewed - No comments sent for this document received
<i>Warehouse &amp; Distribution Centers</i> <b>SBC200521-01</b> I-15 Logistics Project	Staff provided comments on the Draft Environmental Impact Report for the proposed project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2019/september/SBC190813-06.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2019/september/SBC190813-06.pdf</a> . The proposed project consists of construction of a 1,175,720-square-foot warehouse on 76 acres. The project is located on the northeast corner of Citrus Avenue and Interstate 15. Reference SBC190813-06 and SBC180109-05  Comment Period: N/A Public Hearing: 6/23/2020	Final Environmental Impact Report	City of Fontana	Document reviewed - No comments sent for this document received

\*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.

Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.



**ATTACHMENT A1  
INCOMING CEQA DOCUMENTS LOG  
May 1, 2020 to May 31, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Industrial and Commercial</i> <b>LAC200521-02</b> Sunset Gower Studios Enhancement Plan	The proposed project consists of demolition of 160,611 square feet of existing structures and construction of three office buildings totaling 693,432 square feet with subterranean parking on 15.9 acres. The project is located on the southeast corner of Sunset Boulevard and Gower Street in the community of Hollywood. Reference LAC180227-04 <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/July/LAC200521-02.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/July/LAC200521-02.pdf</a>  Comment Period: 5/21/2020 - 7/6/2020 Public Hearing: N/A	Draft Environmental Impact Report	City of Los Angeles	South Coast AQMD staff commented on 7/1/2020
<i>Industrial and Commercial</i> <b>ORC200507-19</b> Extra Space Storage Facility Expansion	The proposed project consists of construction of five self-storage buildings totaling 63,491 square feet on 5.32 acres. The project is located on the southeast corner of Katella Avenue and State College Boulevard.  Comment Period: 5/7/2020 - 5/27/2020 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Anaheim	Document reviewed - No comments sent for this document received
<i>Industrial and Commercial</i> <b>RVC200507-26</b> Palomino Business Park	Staff provided comments on the Draft Environmental Impact Report for the proposed project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2019/december/RVC191119-02.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2019/december/RVC191119-02.pdf</a> . The proposed project consists of demolition of 36 existing residential units and warehouses, and construction of 2,050,000 square feet of industrial, commercial, and office uses on 110 acres. The project is located on the southeast corner of Second Street and Pacific Avenue. Reference RVC191231-01, RVC191119-02, and RVC190402-02  Comment Period: N/A Public Hearing: 6/10/2020	Final Environmental Impact Report	City of Norco	Document reviewed - No comments sent for this document received
<i>Industrial and Commercial</i> <b>RVC200520-02</b> MA20075	The proposed project consists of construction of a 25,910-square-foot industrial building on 15.4 acres. The project is located at 5610 Market Street on the southwest corner of Rubidoux Boulevard and Market Street.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/RVC200520-02.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/RVC200520-02.pdf</a>  Comment Period: 5/20/2020 - 6/5/2020 Public Hearing: N/A	Site Plan	City of Jurupa Valley	South Coast AQMD staff commented on 5/21/2020

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**ATTACHMENT A1  
INCOMING CEQA DOCUMENTS LOG  
May 1, 2020 to May 31, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Waste and Water-related</i> <b>LAC200507-10</b> CalTrans Witco	The proposed project consists of development of remedial actions to clean up contaminated soil and groundwater with total petroleum hydrocarbons, volatile organic compounds, metals, polychlorinated biphenyls, and light non-aqueous phase liquid on 3.5 acres. The project is located at 2601 East Imperial Highway on the northeast corner of Imperial Highway and Alameda Street in the City of Lynwood.  Comment Period: 4/27/2020 - 5/28/2020 Public Hearing: N/A	Draft Removal Action Workplan	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received
<i>Waste and Water-related</i> <b>LAC200507-25</b> Silver Lake and Ivanhoe Reservoirs Aeration and Recirculation System	The proposed project consists of construction of water transfer, aeration, and recirculation systems on 127 acres. The project is located on the southwest corner of Tesla Avenue and Armstrong Avenue in the community of Silver Lake.  Comment Period: 5/7/2020 - 6/5/2020 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Los Angeles Department of Water and Power	Document reviewed - No comments sent for this document received
<i>Waste and Water-related</i> <b>LAC200521-11</b> Extra Space Storage, Inc.	The proposed project consists of development of remedial actions to clean up contaminated soil and groundwater with volatile organic compounds on 1.2 acres. The project is located at 6527 San Fernando Road near the southwest corner of Western Avenue and San Fernando Road in the City of Glendale.  Comment Period: 5/18/2020 - 6/26/2020 Public Hearing: N/A	Draft Response Plan	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received
<i>Waste and Water-related</i> <b>ORC200514-05</b> Las Flores Enhanced Water Reliability Project	The proposed project consists of construction of 10,190 linear feet of water pipelines ranging in diameter from eight inches to 16 inches and rehabilitation of a 3,650-linear-foot force main connecting system. The project is located along Meandering Trail Road, Oso Parkway, and Antonio Parkway in the community of Las Flores within Orange County.  Comment Period: 5/13/2020 - 6/11/2020 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	Santa Margarita Water District	Document reviewed - No comments sent for this document received

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INCOMING CEQA DOCUMENTS LOG  
May 1, 2020 to May 31, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Waste and Water-related</i> <b>RVC200501-06</b> Perris North Groundwater Monitoring Project	The proposed project consists of construction of 10 groundwater monitoring wells ranging in depth from 240 feet to 750 feet. The project is located near the southwest corner of Interstate 215 and Gregory Lane in the cities of Moreno Valley and Perris.  Comment Period: 4/20/2020 - 5/20/2020 Public Hearing: N/A	Mitigated Negative Declaration	Eastern Municipal Water District	Document reviewed - No comments sent for this document received
<i>Waste and Water-related</i> <b>SBC200507-17</b> The DP Etiwanda Site	The proposed project consists of development of cleanup actions to remove soil contaminated with metals and polychlorinated biphenyls and a land use covenant to prohibit future sensitive land uses on 11.82 acres. The project is located at 8822 Etiwanda Avenue on the northwest corner of Burlington Northern Santa Fe railway and Etiwanda Avenue in the City of Rancho Cucamonga. Reference SBC180112-02  Comment Period: 5/4/2020 - 6/26/2020 Public Hearing: N/A	Draft Preliminary Endangerment Assessment Report	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received
<i>Waste and Water-related</i> <b>SBC200507-29</b> Western San Bernardino County Distribution System Infrastructure Protection Program	The proposed project consists of development of criteria, standards, and programs to identify and accommodate surface water supply infrastructure repair and protection needs. The project encompasses 9,106 acres and includes counties of Los Angeles, Orange, Riverside, San Bernardino, and San Diego. Reference SBC141202-03  Comment Period: 5/7/2020 - 6/20/2020 Public Hearing: N/A	Notice of Availability of a Draft Environmental Impact Report	Metropolitan Water District of Southern California	Document reviewed - No comments sent for this document received
<i>Transportation</i> <b>LAC200507-07</b> Paramount Boulevard/Imperial Highway Intersection Improvement Project	The proposed project consists of construction of roadway improvements to the intersection of Paramount Boulevard and Imperial Highway.  Comment Period: 4/29/2020 - 5/18/2020 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Downey	Document reviewed - No comments sent for this document received

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INCOMING CEQA DOCUMENTS LOG  
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SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Transportation</b> <b>LAC200526-01</b> California High-Speed Rail Project: Burbank to Los Angeles Section	The proposed project consists of construction of a 14-mile rail track for freight and passenger services between Hollywood Burbank Airport in the City of Burbank and Los Angeles Union Station in the City of Los Angeles. Reference LAC140729-04  Comment Period: 5/29/2020 - 7/31/2020 Public Hearing: 7/8/2020	Notice of Availability of a Draft Environmental Impact Report/ Draft Environmental Impact Statement	California High-Speed Rail Authority	Under review, may submit written comments
<b>Transportation</b> <b>ORC200514-10</b> State Route 74 Lower Ortega Highway Widening Project	The proposed project consists of widening a 1.1-mile segment of State Route 74 from two lanes to four lanes 12 feet in width in each direction. The project is located from Calle Entradero [Post Mile (PM) 1.0] to Reata Road (PM 1.9) near the border of City of San Juan Capistrano and unincorporated areas of Orange County. Reference ORC190606-03  Comment Period: N/A Public Hearing: N/A	Finding of No Significant Impact	California Department of Transportation	Document reviewed - No comments sent for this document received
<b>Transportation</b> <b>RVC200501-04</b> State Route 60/World Logistics Center Parkway Interchange Project	The proposed project consists of construction of two lanes along a two-mile segment of State Route 60 (SR-60) and improvements to the SR-60 and World Logistics Center Parkway interchange. The project is located between Post Mile (PM) 20.0 and PM 22.0 in the City of Moreno Valley. Reference RVC191122-01 <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/June/RVC200501-04.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/June/RVC200501-04.pdf</a>  Comment Period: 4/24/2020 - 6/8/2020 Public Hearing: 5/13/2020	Draft Environmental Impact Report/ Environmental Assessment	California Department of Transportation	South Coast AQMD staff commented on 6/5/2020
<b>Transportation</b> <b>SBC200514-03</b> West Valley Connector Project	The proposed project consists of a 35-mile bus rapid transit corridor with 60 station platforms at 33 locations traversing through the cities of Pomona, Montclair, Ontario, Rancho Cucamonga, and Fontana. Reference SBC190625-01 and SBC160325-02  Comment Period: N/A Public Hearing: 5/6/2020	Notice of Availability of Final Environmental Impact Report	San Bernardino County Transportation Authority	Document reviewed - No comments sent for this document received

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May 1, 2020 to May 31, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Institutional (schools, government, etc.)</i> <b>LAC200507-08</b> W.M. Keck Science Center Expansion Project	The proposed project consists of construction of a 70,092-square-foot building on 1.16 acres. The project is located at 925 North Mills Avenue on the northeast corner of Amherst Avenue and East Ninth Street.  Comment Period: 4/27/2020 - 5/18/2020 Public Hearing: 5/27/2020	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Claremont	Document reviewed - No comments sent for this document received
<i>Institutional (schools, government, etc.)</i> <b>LAC200507-22</b> Housing Expansion Phase 1 - Housing Administration and Commons Building Project	The proposed project consists of demolition of a 5,700-square-foot building and construction of two buildings totaling 12,500 square feet on two acres. The project is located on the northwest corner of Beach Drive and Merriam Way in the City of Long Beach.  Comment Period: 5/6/2020 - 6/19/2020 Public Hearing: N/A	Notice of Availability of a Draft Supplemental Environmental Impact Report	California State University	Document reviewed - No comments sent for this document received
<i>Institutional (schools, government, etc.)</i> <b>RVC200501-08</b> Arlington High School Modernization and New Construction	The proposed project consists of demolition of seven existing structures, expansion of a sports field from 1,250 seats to 2,250 seats, and construction of 21,017 square feet of school facilities on 45 acres. The project is located at 2951 Jackson Street on the northwest corner of Jackson Street and Lincoln Avenue in the City of Riverside. Reference RVC200218-01 <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/June/RVC200501-08.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/June/RVC200501-08.pdf</a>  Comment Period: 4/29/2020 - 6/15/2020 Public Hearing: 7/21/2020	Notice of Availability of a Draft Environmental Impact Report	Riverside Unified School District	South Coast AQMD staff commented on 6/12/2020
<i>Medical Facility</i> <b>LAC200501-05</b> Artis Senior Living Care Facility	The proposed project consists of construction of a 44,192-square-foot senior living care facility with 80 rooms on 2.79 acres. The project is located on southeast corner of Colorado Boulevard and Michillinda Street.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/LAC200501-05.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/LAC200501-05.pdf</a>  Comment Period: 4/23/2020 - 5/22/2020 Public Hearing: 6/23/2020	Mitigated Negative Declaration	City of Arcadia	South Coast AQMD staff commented on 5/5/2020

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INCOMING CEQA DOCUMENTS LOG  
May 1, 2020 to May 31, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Medical Facility</i> <b>RVC200507-04</b> Hazelden Betty Ford Center Preliminary Development Plan	The proposed project consists of demolition of 51,694 square feet of residential buildings with 80 beds, and construction of a 61,870-square-foot building with 92 beds and 29,148 square feet of medical and office uses on 26.22 acres. The project is located near the northwest corner of Vista Del Sol and Country Club Drive. Reference RVC191217-04  Comment Period: 4/24/2020 - 6/8/2020 Public Hearing: N/A	Draft Environmental Impact Report	City of Rancho Mirage	Document reviewed - No comments sent for this document received
<i>Retail</i> <b>LAC200514-09</b> 100 East Ocean Boulevard	The proposed project consists of construction of a 537,075-square-foot hotel with 429 rooms on 1.36 acres. The project is located on the southeast corner of South Pine Avenue and East Ocean Boulevard. Reference LAC190813-05, LAC181207-02, and LAC181009-11  Comment Period: N/A Public Hearing: N/A	Final Environmental Impact Report	City of Long Beach	Document reviewed - No comments sent for this document received
<i>Retail</i> <b>RVC200514-01</b> PP2018-0119 & CUP2018-0021	The proposed project consists of construction of a 4,000-square-foot restaurant, a 3,800-square-foot convenience store, a 1,500-square-foot car wash facility, a gasoline service station with nine pumps, and a 6,700-square-foot fueling canopy on 3.96 acres. The project is located on the northeast corner of Desert Lawn Drive and Oak Valley Parkway. Reference RVC200402-02 and RVC200124-03  Comment Period: 5/13/2020 - 5/28/2020 Public Hearing: 5/28/2020	Site Plan	City of Beaumont	Document reviewed - No comments sent for this document received
<i>Retail</i> <b>RVC200514-02</b> CUP2019-0042 and CUP2019-0043	The proposed project consists of construction of a 5,185-square-foot convenience store, a 1,404-square-foot car wash facility, a gasoline service station with 16 pumps, and a 4,310-square-foot fueling canopy on 1.39 acres. The project is located on the southwest corner of Sixth Street and Pennsylvania Avenue. Reference RVC191210-05  Comment Period: 5/13/2020 - 5/21/2020 Public Hearing: 5/21/2020	Site Plan	City of Beaumont	Document reviewed - No comments sent for this document received

# - Project has potential environmental justice concerns due to the nature and/or location of the project. Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.





**ATTACHMENT A1  
INCOMING CEQA DOCUMENTS LOG  
May 1, 2020 to May 31, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>General Land Use (residential, etc.)</b> <b>RVC200507-18</b> Legado Specific Plan	The proposed project consists of construction of 1,061 residential units, 225,000 square feet of commercial uses, 14.8 acres of recreational uses, and 6.3 acres of open space on 331 acres. The project is located on the southeast corner of Rouse Road and Encanto Drive. Reference RVC200109-03 and RVC101110-01  Comment Period: N/A <span style="float: right;">Public Hearing: 6/3/2020</span>	Final Environmental Impact Report	City of Menifee	Document reviewed - No comments sent for this document received
<b>General Land Use (residential, etc.)</b> <b>RVC200521-03</b> Haun and Holland Mixed Use Center	The proposed project consists of construction of 178,100 square feet of commercial uses, 79,000 square feet of business park, and 47,200 square feet of industrial uses on 37.06 acres. The project is located on the northeast corner of Haun Road and Holland Road.  Comment Period: 5/19/2020 - 6/18/2020 <span style="float: right;">Public Hearing: 6/24/2020</span>	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Menifee	Document reviewed - No comments sent for this document received
<b>General Land Use (residential, etc.)</b> <b>SBC200507-13</b> The Standard - Planned Development	The proposed project consists of construction of 282 residential units totaling 133,662 square feet on 9.54 acres. The project is located at 24000 West Lugonia Avenue on the northeast corner of Mountain View Avenue and West Lugonia Avenue within the City of Redlands. Reference SBC200303-10  Comment Period: 5/4/2020 - 5/24/2020 <span style="float: right;">Public Hearing: N/A</span>	Notice of Intent to Adopt a Negative Declaration	San Bernardino County	Document reviewed - No comments sent for this document received
<b>General Land Use (residential, etc.)</b> <b>SBC200507-21</b> Tentative Tract Map No. 20336 and Commission Review and Approval No. 922  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/SBC200507-21.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/SBC200507-21.pdf</a>	The proposed project consists of subdivision of 58 acres for future development of 317 residential units. The project is located on the northwest corner of Domestic Avenue and Texas Street.  Comment Period: 3/1/2020 - 3/20/2020 <span style="float: right;">Public Hearing: N/A</span>	Site Plan (received after close of comment period)	City of Redlands	South Coast AQMD staff commented on 5/12/2020

# - Project has potential environmental justice concerns due to the nature and/or location of the project. Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.









**ATTACHMENT A2  
INCOMING CEQA DOCUMENTS LOG  
June 1, 2020 to June 30, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Industrial and Commercial</b> <b>LAC200611-29</b> Inglewood Basketball and Entertainment Center	Staff provided comments on the Draft Environmental Impact Report for the proposed project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/March/LAC191227-10.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/March/LAC191227-10.pdf</a> . The proposed project consists of construction of a 915,000-square-foot entertainment center with 18,000 fixed seats and up to 500 temporary seats on 27 acres. The project will also include a hotel with 150 rooms. The project is located on the southeast corner of South Prairie Avenue and West Century Boulevard. Reference LAC191227-10 and LAC180411-01  Comment Period: N/A Public Hearing: 7/21/2020	Final Environmental Impact Report	City of Inglewood	Document reviewed - No comments sent for this document received
<b>Industrial and Commercial</b> <b>LAC200623-07</b> Paramount Petroleum AltAir Renewable Fuels Project	The proposed project consists of conversion of existing crude oil refinery to a renewable fuels production facility, installation of pre-treatment, processing, and recovery units, and construction of rail loading and unloading racks and pipelines on 66 acres. The project is located at 14700 Downey Avenue near the northwest corner of Somerset Boulevard and Lakewood Boulevard. <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/July/LAC200623-07.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/July/LAC200623-07.pdf</a>  Comment Period: 6/4/2020 - 7/4/2020 Public Hearing: N/A	Notice of Preparation	City of Paramount	South Coast AQMD staff commented on 7/7/2020
<b>Industrial and Commercial</b> <b>RVC200609-02</b> MA20020	The proposed project consists of construction of a wood recycling facility and nursery on 11.5 acres. The project is located on the southeast corner of Wilson Street and Fleetwood Drive. <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/June/RVC200609-02.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/June/RVC200609-02.pdf</a>  Comment Period: 6/9/2020 - 6/23/2020 Public Hearing: N/A	Site Plan	City of Jurupa Valley	South Coast AQMD staff commented on 6/10/2020
<b>Industrial and Commercial</b> <b>SBC200611-13</b> Edwin Renewable Fuels (Conditional Use Permit 19-04)	The proposed project consists of construction of an 80,898-square-foot industrial building on 4.5 acres. The project is located near the northwest corner of Grand Terrace Road and Barton Road. <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/June/SBC200611-13.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/June/SBC200611-13.pdf</a>  Comment Period: 6/2/2020 - 6/16/2020 Public Hearing: N/A	Site Plan	City of Grand Terrace	South Coast AQMD staff commented on 6/16/2020

# - Project has potential environmental justice concerns due to the nature and/or location of the project. Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

**ATTACHMENT A2  
INCOMING CEQA DOCUMENTS LOG  
June 1, 2020 to June 30, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Waste and Water-related</i> <b>LAC200623-01</b> Arroyo Seco Canyon Project Areas 2 and 3	The proposed project consists of demolition of an existing water diversion and intake structure, construction of an intake system with a flow rate of 25 cubic feet per second, and improvements to existing spreading basins for infiltration. The project is located on the southwest corner of Explorer Road and North Arroyo Boulevard. Reference LAC191105-01 and LAC141009-06  Comment Period: 6/15/2020 - 7/31/2020 Public Hearing: N/A	Notice of Availability of a Draft Environmental Impact Report	City of Pasadena	Under review, may submit written comments
<i>Waste and Water-related</i> <b>LAC200623-03</b> Catalina Yachts/Former Rocketdyne Facility	The proposed project consists of evaluation of no further action request after cleanup of soil and groundwater contaminated with volatile organic compounds is completed on 9.2 acres. The project is located at 21200 Victory Boulevard on the southwest corner of Victory Boulevard and Variel Avenue in the community of Woodland Hills within Los Angeles County.  Comment Period: 6/15/2020 - 7/17/2020 Public Hearing: N/A	Site Cleanup Program	Los Angeles Regional Water Quality Control Board	Document reviewed - No comments sent for this document received
<i>Waste and Water-related</i> <b>LAC200623-08</b> DeMenno-Kerdoon	The proposed project consists of modifications to an existing hazardous waste facility permit to approve acceptance and mixing of recycled and exempt oil with used oil for storage and treatment and to change operation and management standards. The project is located at 2000 North Alameda Street on the southeast corner of East Pine Street and North Alameda Street in the City of Compton. <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/July/LAC200623-08.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/July/LAC200623-08.pdf</a>  Comment Period: N/A Public Hearing: N/A	Permit Modification	Department of Toxic Substances Control	South Coast AQMD staff commented on 7/7/2020
<i>Waste and Water-related</i> <b>ORC200611-09</b> San Joaquin Reservoir Filtration Facility	The proposed project consists of a 3,500-linear-foot wastewater pipeline ranging from four inches to 24 inches in diameter and a 4,000-square-foot water filtration facility with five pumps on a 0.17-acre portion of 55 acres. The project is located near the northwest corner of East Newport Ridge Drive and Chambord Road in the City of Newport Beach.  Comment Period: 6/3/2020 - 7/2/2020 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	Irvine Ranch Water District	Document reviewed - No comments sent for this document received

# - Project has potential environmental justice concerns due to the nature and/or location of the project.  
Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.





**ATTACHMENT A2  
INCOMING CEQA DOCUMENTS LOG  
June 1, 2020 to June 30, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Institutional (schools, government, etc.)</i> <b>LAC200602-11</b> Burroughs Middle School Comprehensive Modernization Project	Staff provided comments on the Draft Environmental Impact Report for the proposed project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2019/december/LAC191101-11.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2019/december/LAC191101-11.pdf</a> . The proposed project consists of demolition of 51,469 square feet of existing buildings, modernization of seven buildings totaling 116,815 square feet, and construction of four school facilities totaling 76,036 square feet on 10.4 acres. The project is located at 600 South McCadden Place on the southeast corner of South McCadden Place and West Sixth Street in the community of Hancock Park. Reference LAC191101-11 and LAC180216-03  Comment Period: N/A Public Hearing: 6/9/2020	Final Environmental Impact Report	Los Angeles Unified School District	Document reviewed - No comments sent for this document received
<i>Institutional (schools, government, etc.)</i> <b>LAC200612-01</b> Rancho Los Amigos South Campus Project	The proposed project consists of demolition of 105 existing buildings, and construction of three buildings totaling 650,000 square feet and two parking structures totaling 953,750 square feet on a 35-acre portion of 74 acres. The project is located on the southwest corner of Golondrinas Street and Dahlia Street within the City of Downey. Reference LAC191009-02 and LAC170809-05  Comment Period: N/A Public Hearing: 6/23/2020	Final Environmental Impact Report	County of Los Angeles	Document reviewed - No comments sent for this document received
<i>Institutional (schools, government, etc.)</i> <b>RVC200602-12</b> Moreno Elementary School Replacement	The proposed project consists of demolition of 6,600 square feet of existing structures and construction of a 77,000-square-foot building to accommodate up to 950 students on 8.97 acres. The project is located at 13700 Nason Street near the southeast corner of Cottonwood Avenue and Nason Street in the City of Moreno Valley.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/June/RVC200602-12.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/June/RVC200602-12.pdf</a>  Comment Period: 6/3/2020 - 7/3/2020 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	Moreno Valley Unified School District	South Coast AQMD staff commented on 6/25/2020
<i>Institutional (schools, government, etc.)</i> <b>RVC200617-02</b> Beaumont High School Expansion	The proposed project consists of demolition of existing school facilities and construction of two buildings totaling 50,000 square feet to accommodate up to 1,344 students on a 34-acre portion of 62 acres. The project is located at 39139 Cherry Valley Boulevard on the northwest corner of Beaumont Avenue and Cherry Valley Boulevard.  Comment Period: 6/19/2020 - 7/20/2020 Public Hearing: N/A	Notice of Preparation	Beaumont Unified School District	Under review, may submit written comments

# - Project has potential environmental justice concerns due to the nature and/or location of the project. Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

**ATTACHMENT A2  
INCOMING CEQA DOCUMENTS LOG  
June 1, 2020 to June 30, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Medical Facility</i> <b>RVC200602-10</b> Solana Assisted Living and Memory Care Project	The proposed project consists of construction of a 91,002-square-foot memory care facility with 107 beds on 4.69 acres. The project is located on the southeast corner of Margarita Road and Solana Way.  Comment Period: 5/27/2020 - 6/27/2020 Public Hearing: N/A	Mitigated Negative Declaration	City of Temecula	Document reviewed - No comments sent for this document received
<i>Retail</i> <b>LAC200611-23</b> Woodland Hills Hotel Project	The proposed project consists of construction of a 90,213-square-foot hotel with 149 rooms on 1.23 acres. The project is located at 20401 Ventura Boulevard near the northwest corner of Ventura Boulevard and Winnetka Avenue in the community of Canoga Park-Winnetka-Woodland Hills.  Comment Period: 6/11/2020 - 7/1/2020 Public Hearing: N/A	Mitigated Negative Declaration	City of Los Angeles	Document reviewed - No comments sent for this document received
<i>Retail</i> <b>RVC200611-20</b> Oak Valley Parkway and Interstate 10 Commercial Development Project	The proposed project consists of construction of a 3,800-square-foot convenience store, a 1,500-square-foot car wash facility, a 4,000-square-foot restaurant, and a gasoline service station with 18 pumps on 3.03 acres. The project is located on the southwest corner of Oak Valley Parkway and Interstate 10. Reference RVC200514-01, RVC200402-02, and RVC200124-03 <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/July/RVC200611-20.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/July/RVC200611-20.pdf</a>  Comment Period: 6/9/2020 - 7/9/2020 Public Hearing: 7/14/2020	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Beaumont	South Coast AQMD staff commented on 7/9/2020
<i>Retail</i> <b>RVC200611-24</b> Hotel Murrieta Project	The proposed project consists of construction a 203,571-square-foot hotel with 257 rooms on 6.17 acres. The project is located on the northwest corner of Monroe Avenue and Fig Street.  Comment Period: 6/5/2020 - 7/6/2020 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Murrieta	Document reviewed - No comments sent for this document received

# - Project has potential environmental justice concerns due to the nature and/or location of the project. Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.













**ATTACHMENT B1  
ONGOING ACTIVE PROJECTS FOR WHICH SOUTH COAST AQMD HAS  
OR IS CONTINUING TO CONDUCT A CEQA REVIEW**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>General Land Use (residential, etc.)</b> <b>LAC200423-05</b> 6220 West Yucca Project (ENV-2014-4706)	The proposed project consists of demolition of 44 existing residential units, and construction of two buildings totaling 316,948 square feet with 210 residential units, a 136-room hotel, and subterranean parking on 1.16 acres. The project is located on the southeast corner of Yucca Street and Argyle Avenue in the community of Hollywood. Reference LAC151201-04 <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/June/LAC200423-05.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/June/LAC200423-05.pdf</a> Comment Period: 4/23/2020 - 6/8/2020 Public Hearing: N/A	Notice of Availability of a Draft Environmental Impact Report	City of Los Angeles	South Coast AQMD staff commented on 6/2/2020
<b>General Land Use (residential, etc.)</b> <b>ORC200423-02</b> Creekside Specific Plan	The proposed project consists of demolition of a 123,000-square-foot building and construction of 188 residential units on 16.9 acres. The project is located on the southwest corner of Malaspina Road and Rancho Viejo Road. <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/ORC200423-02.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/ORC200423-02.pdf</a> Comment Period: 4/14/2020 - 5/14/2020 Public Hearing: 4/22/2020	Notice of Preparation	City of San Juan Capistrano	South Coast AQMD staff commented on 5/5/2020
<b>Plans and Regulations</b> <b>RVC200403-01</b> Northside Specific Plan	The proposed project consists of development of land use policies, development standards, and design guidelines with a planning horizon of 2040 on 2,000 acres. The project is located near the northeast corner of Santa Ana River and State Route 60 and encompasses cities of Riverside and Colton and unincorporated areas of Riverside County. Reference RVC190404-04 <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/RVC200403-01.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/RVC200403-01.pdf</a> Comment Period: 3/26/2020 - 5/25/2020 Public Hearing: N/A	Draft Environmental Impact Report	City of Riverside	South Coast AQMD staff commented on 5/19/2020

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







**ATTACHMENT C1  
ACTIVE SOUTH COAST AQMD LEAD AGENCY PROJECTS  
THROUGH MAY 31, 2020**

PROJECT DESCRIPTION	PROPONENT	TYPE OF DOCUMENT	STATUS	CONSULTANT
<p>Quemetco is proposing to modify existing South Coast AQMD permits to allow the facility to recycle more batteries and to eliminate the existing daily idle time of the furnaces. The proposed project will increase the rotary feed drying furnace feed rate limit from 600 to 750 tons per day and increase the amount of total coke material allowed to be processed. In addition, the project will allow the use of petroleum coke in lieu of or in addition to calcined coke, and remove one existing emergency diesel-fueled internal combustion engine (ICE) and install two new emergency natural gas-fueled ICEs.</p>	<p>Quemetco</p>	<p>Environmental Impact Report (EIR)</p>	<p>A Notice of Preparation/Initial Study (NOP/IS) was released for a 56-day public review and comment period from August 31, 2018 to October 25, 2018, and 154 comment letters were received. Two CEQA scoping meetings were held on September 13, 2018 and October 11, 2018 in the community. South Coast AQMD staff received a preliminary Draft EIR on December 20, 2019 which is undergoing review.</p>	<p>Trinity Consultants</p>

**ATTACHMENT C2  
ACTIVE SOUTH COAST AQMD LEAD AGENCY PROJECTS  
THROUGH JUNE 30, 2020**

PROJECT DESCRIPTION	PROPONENT	TYPE OF DOCUMENT	STATUS	CONSULTANT
<p>Quemetco is proposing to modify existing South Coast AQMD permits to allow the facility to recycle more batteries and to eliminate the existing daily idle time of the furnaces. The proposed project will increase the rotary feed drying furnace feed rate limit from 600 to 750 tons per day and increase the amount of total coke material allowed to be processed. In addition, the project will allow the use of petroleum coke in lieu of or in addition to calcined coke, and remove one existing emergency diesel-fueled internal combustion engine (ICE) and install two new emergency natural gas-fueled ICEs.</p>	<p>Quemetco</p>	<p>Environmental Impact Report (EIR)</p>	<p>A Notice of Preparation/Initial Study (NOP/IS) was released for a 56-day public review and comment period from August 31, 2018 to October 25, 2018, and 154 comment letters were received. Two CEQA scoping meetings were held on September 13, 2018 and October 11, 2018 in the community. South Coast AQMD staff received a preliminary Draft EIR on December 20, 2019 which is undergoing review.</p>	<p>Trinity Consultants</p>

[↑ Back to Agenda](#)

BOARD MEETING DATE:

AGENDA NO. 15

REPORT: Rule and Control Measure Forecast

SYNOPSIS: This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2020.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file.

Wayne Nastri  
Executive Officer

PMF:SN:SR:AK:ZS

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## **2020 MASTER CALENDAR**

The 2020 Master Calendar provides a list of proposed or proposed amended rules for each month, with a brief description, and a notation in the third column indicating if the rulemaking is for the 2016 AQMP, Toxics, AB 617 BARCT, or Other. Rulemaking efforts that are noted for implementation of the 2016 AQMP, Toxics, and AB617 BARCT are either statutorily required and/or are needed to address a public health concern. Projected emission reductions will be determined during rulemaking.

The South Coast AQMD staff is moving forward with rulemaking, recognizing stakeholders' resource limitations due to COVID-19. To maintain social distancing while integrating public participation in the rulemaking process, staff is connecting with stakeholders using tele- and videoconferencing. Also, staff has increased the review time of Working Group materials to allow stakeholders additional time to prepare for meetings. Lastly, Working Group Meetings have been restructured to be shorter in duration to better accommodate the tele- and video-conferencing format.

The following symbols next to the rule number indicate if the rulemaking will be a potentially significant hearing, will reduce criteria pollutants, or is part of the RECLAIM transition. Symbols have been added to indicate the following:

- \* *This rulemaking is a potentially significant hearing.*
- + *This rulemaking will reduce criteria air contaminants and assist toward attainment of ambient air quality standards.*
- # *This rulemaking is part of the transition of RECLAIM to a command-and-control regulatory structure.*

The following table summarizes changes to the schedule since last month’s Rule and Control Measure Forecast Report. Staff will continue to work with all stakeholders as these projects move forward.

<b>219</b>	<b>Equipment Not Requiring a Written Permit Pursuant to Regulation II</b>
<b>222</b>	<b>Filing Requirements for Specific Emission Sources not Requiring a Written Permit Pursuant to Regulation II</b>
<b>461</b>	<b>Gasoline Transfer and Dispensing</b>
Proposed Amended Rules 219, 222, and 461 are moved from 2020 To-Be-Determined to December 2020 to incorporate provisions for mobile fueling operations.	
<b>218</b>	<b>Continuous Emission Monitoring</b>
<b>218.1</b>	<b>Continuous Emission Monitoring Performance Specifications</b>
<b>218.2</b>	<b>Enhanced Requirements for Continuous Emission Monitoring System</b>
<b>218.3</b>	<b>Enhanced Requirements for Continuous Emission Monitoring System Performance Specifications</b>
Proposed Amended Rules 218 and 218.1 and Proposed Rules 218.2 and 218.3 are being moved from November 2020 to 2020 To-Be-Determined and is expected occur in the first quarter of 2021. Additional time is needed to develop rule language and to work with stakeholders.	
<b>445</b>	<b>Wood Burning Devices (Ozone Contingency)</b>
Proposed Amended Rule 445 was moved from 2020 To-Be-Determined to December 2020 to address ozone contingency measures as required by the federal clean air act.	
<b>1178</b>	<b>Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities</b>
Proposed Amended Rule 1178 is moved from 2020 To-Be-Determined to November 2020 to establish provisions for external floating roof tanks that exceed vapor pressure limits.	
<b>1407.1</b>	<b>Control of Toxic Air Contaminant Emissions from Chromium Alloy Melting Operations</b>
Proposed Amended Rule 1407.1 is being moved from November to December 2020 to allow staff additional time to work with stakeholders.	

## 2020 MASTER CALENDAR

Month	Title and Description	Type of Rulemaking
<b>September</b>		
1111	<p><b>Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces</b></p> <p>Amendments to Rule 1111 may be needed to address additional time to commercialize furnaces to meet an October 1, 2021 compliance date.  <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
<b>October</b>		
1179.1*+	<p><b>NOx Emission Reductions from Combustion Equipment at Publicly Owned Treatment Work Facilities</b></p> <p>Proposed Rule 1179.1 will establish NOx emission limits for combustion equipment burning biofuels to reflect Best Available Retrofit Control Technology and include monitoring, reporting, and recordkeeping requirements at publicly owned treatment works.  <i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
<b>November</b>		
1178	<p><b>Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities</b></p> <p>Proposed Amended Rule 1178 will establish provisions for external floating roof tanks that exceed vapor pressure limits.  <i>Michael Morris 909.396-3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 CERP
<b>December</b>		
219	<p><b>Equipment Not Requiring a Written Permit Pursuant to Regulation II</b></p> <p>Proposed Amended Rule 219 will modify permitting requirements for mobile fueling operations.</p>	Other
222	<p><b>Filing Requirements for Specific Emission Sources not Requiring a Written Permit Pursuant to Regulation II</b></p> <p>Proposed Amended Rule 222 will require registration for mobile fueling operations meeting certain criteria.</p>	
461	<p><b>Gasoline Transfer and Dispensing</b></p> <p>Proposed Amended 461 will revise requirements for mobile refueling operations.  <i>Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	

\* Potentially significant hearing

+ Reduce criteria air contaminants and assist toward attainment of ambient air quality standards

# Part of the transition of RECLAIM to a command-and-control regulatory structure



**2020 MASTER CALENDAR (Continued)**

Month	Title and Description	Type of Rulemaking
December (Continued)		
1407.1*	<p><b>Control of Toxic Air Contaminant Emissions from Chromium Alloy Melting Operations</b>                      Proposed Rule 1407.1 will establish requirements to reduce point source and fugitive toxic air contaminant emissions from chromium alloy metal melting operations.  <i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics/ AB 617 CERP
2202*	<p><b>On-Road Motor Vehicle Mitigation Options</b>                      Proposed Amended Rule 2202 will streamline implementation for regulated entities, as well as reduce review and administration time for South Coast AQMD staff. Concepts may include program components to facilitate achieving average vehicle ridership (AVR) targets.  <i>Carol Gomez 909.396.3264; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other

\* Potentially significant hearing

+ Reduce criteria air contaminants and assist toward attainment of ambient air quality standards

# Part of the transition of RECLAIM to a command-and-control regulatory structure

## 2020 To-Be-Determined

2020	Title and Description	Type of Rulemaking
209	<p><b>Transfer and Voiding of Permits</b> Staff may propose amendments to clarify requirements for change of ownership and permits and the assessment of associated fees. <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
218*# 218.1 218.2 (Added) 218.3 (Added)	<p><b>Continuous Emission Monitoring</b> <b>Continuous Emission Monitoring Performance Specifications</b> <b>Enhanced Requirements for Continuous Emission Monitoring System</b> <b>Enhanced Requirements for Continuous Emission Monitoring System Performance Specifications</b> Proposed Amended Rules 218 and 218.1 will include existing provisions for continuous emissions monitoring systems for non-RECLAIM facilities with minor revisions. The revised provisions that enhance requirements for Continuous Emissions Monitoring Systems (CEMS) will be included in separate rules, Proposed Rules 218.2 and 218.3, to streamline implementation. As a result, Proposed Rules 218.2 and 218.3 will incorporate the revised provisions for CEMS for non-RECLAIM and former RECLAIM facilities. <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
223	<p><b>Emission Reduction Permits for Large Confined Animal Facilities</b> Proposed Amended Rule 223 will seek additional ammonia emission reductions from large confined animal facilities by lowering the applicability threshold. Proposed amendments will implement BCM-04 in the 2016 AQMP. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
407#	<p><b>Liquid and Gaseous Air Contaminants</b> Proposed Amended Rule 407 will update SOx emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT
425	<p><b>Odors from Cannabis Processing</b> Proposed Rule 425 will establish requirements for control of odors from cannabis processing. <i>Tracy Goss 909.396.3106; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other

\* Potentially significant hearing

+ Reduce criteria air contaminants and assist toward attainment of ambient air quality standards

# Part of the transition of RECLAIM to a command-and-control regulatory structure



## 2020 To-Be-Determined (Continued)

2020	Title and Description	Type of Rulemaking
431.1 <sup>#</sup>	<p><b>Sulfur Content of Gaseous Fuels</b>  Proposed Amended Rule 431.1 will assess exemptions, including RECLAIM, and update other provisions, if needed.  <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT/ AB 617 CERP
431.2 <sup>#</sup>	<p><b>Sulfur Content of Liquid Fuels</b>  Proposed Amended Rule 431.2 will assess exemptions, including RECLAIM, and update other provisions, if needed.  <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT/ AB 617 CERP
431.3 <sup>#</sup>	<p><b>Sulfur Content of Fossil Fuels</b>  Proposed Amended Rule 431.3 will assess exemptions, including RECLAIM, and update other provisions, if needed.  <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT/ AB 617 CERP
462	<p><b>Organic Liquid Loading</b>  Proposed Amended Rule 462 will incorporate the use of advanced techniques to detect fugitive emissions and Facility Vapor Leak. Other amendments may be needed to streamline implementation and add clarity.  <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
463	<p><b>Organic Liquid Storage</b>  Proposed Amended Rule 463 will address the current test method and improve the effectiveness, enforceability, and clarity of the rule. Proposed amendments may also be needed to ensure consistency with Rule 1178.  <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
468 <sup>#</sup>	<p><b>Sulfur Recovery Units</b>  Proposed Amended Rule 468 will update SO<sub>x</sub> emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements.  <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT
469 <sup>#</sup>	<p><b>Sulfuric Acid Units</b>  Proposed Amended Rule 469 will update SO<sub>x</sub> emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements.  <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT

\* Potentially significant hearing

+ Reduce criteria air contaminants and assist toward attainment of ambient air quality standards

# Part of the transition of RECLAIM to a command-and-control regulatory structure

## 2020 To-Be-Determined (Continued)

2020	Title and Description	Type of Rulemaking
1101 <sup>#</sup>	<p><b>Secondary Lead Smelters/Sulfur Oxides</b>  Proposed Amended Rule 1101 will update SOx emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements.</p> <p style="text-align: center;"><i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT
1105 <sup>#</sup>	<p><b>Fluid Catalytic Cracking Units SOx</b>  Proposed Amended Rule 1105 will update SOx emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements.</p> <p style="text-align: center;"><i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT/ AB 617 CERP
1109 <sup>*+##</sup>  1109.1 <sup>*+##</sup>	<p><b>Emissions of Oxides of Nitrogen from Boilers and Process Heaters in Petroleum Refineries</b>  <b>Reduction of Emissions of Oxides of Nitrogen from Refinery Equipment</b>  Proposed Rule 1109.1 will establish NOx emission limits to reflect Best Available Retrofit Control Technology for NOx emitting equipment at petroleum refineries and related operations, and include monitoring, reporting, and recordkeeping requirements. Rule 1109 is proposed to be rescinded.</p> <p style="text-align: center;"><i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT/ AB 617 CERP
1110.2 <sup>*+##</sup>	<p><b>Emissions from Gaseous - and Liquid-Fueled Engines</b>  Proposed amendments may be needed for Rule 1110.2 to incorporate possible comments by U.S. EPA for approval in the SIP and/or to address use of emergency standby engines for Public Safety Power Shutoff programs.</p> <p style="text-align: center;"><i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
1113	<p><b>Architectural Coatings</b>  Amendments may be needed to clarify applicability of the rule with respect to distribution.</p> <p style="text-align: center;"><i>Dave DeBoer 909.396.2329; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1118 <sup>*</sup>	<p><b>Control of Emissions from Refinery Flares</b>  Proposed Amended Rule 1118 will revise provisions to further reduce flaring. The AB 617 Community Emission Reduction Plan has an emission reduction target to reduce flaring by 50 percent if feasible.</p> <p style="text-align: center;"><i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 CERP

\* Potentially significant hearing

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# Part of the transition of RECLAIM to a command-and-control regulatory structure

## 2020 To-Be-Determined (Continued)

2020	Title and Description	Type of Rulemaking
1119 <sup>#</sup>	<p><b>Petroleum Coke Calcining Operations – Oxides of Sulfur</b>  Proposed Amended Rule 1119 will update SO<sub>x</sub> emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements.</p> <p style="text-align: center;"><i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT/ AB 617 CERP
1121 <sup>*</sup>	<p><b>Control of Nitrogen Oxides from Residential Type, Natural-Gas-Fired Water Heaters</b>  Proposed amendments may be needed further reduce NO<sub>x</sub> emissions from water heaters.</p> <p style="text-align: center;"><i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
1133.3	<p><b>Emission Reductions from Greenwaste Composting Operations</b>  Proposed Amended Rule 1133.3 will seek additional VOCs and ammonia emission reductions from greenwaste and foodwaste composting. Proposed amendments will implement BCM-10 in the 2016 AQMP.</p> <p style="text-align: center;"><i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
1134	<p><b>Emissions of Oxides of Nitrogen from Stationary Gas Turbines</b>  Proposed Amended Rule 1134 will revise monitoring, reporting, and recordkeeping provisions to reflect amendments to Proposed Amended Rules 218 and 218.1 and possibly other amendments to address comments from U.S. EPA and to streamline implementation.</p> <p style="text-align: center;"><i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
1135	<p><b>Emissions of Oxides of Nitrogen from Electricity Generating Facilities</b>  Proposed Amended Rule 1135 will revise monitoring, reporting, and recordkeeping provisions to reflect amendments to Proposed Amended Rules 218 and 218.1 and possibly other amendments to address comments from U.S. EPA.</p> <p style="text-align: center;"><i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
1138	<p><b>Control of Emissions from Restaurant Operations</b>  Proposed Amended Rule 1138 will further reduce emissions from char boilers.</p> <p style="text-align: center;"><i>Tracy Goss 909.396.3106; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
1142	<p><b>Marine Tank Vessel Operations</b>  Proposed Amended Rule 1142 will address VOC and hydrogen sulfide emissions from marine tank vessel operations and provide clarifications.</p> <p style="text-align: center;"><i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other

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# Part of the transition of RECLAIM to a command-and-control regulatory structure

## 2020 To-Be-Determined (Continued)

2020	Title and Description	Type of Rulemaking
1146 <sup>#</sup>	<p><b>Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters</b>  Proposed amendments to Rule 1146 may be needed to clarify provisions for industry-specific categories and to incorporate comments from U.S. EPA.</p> <p style="text-align: center;"><i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1146.1 <sup>#</sup>	<p><b>Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters</b>  Proposed amendments to Rule 1146.1 may be needed to clarify provisions for industry-specific categories and to incorporate comments from U.S. EPA.</p> <p style="text-align: center;"><i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1146.2 <sup>#</sup>	<p><b>Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters</b>  Proposed Amended Rule 1146.2 will be revised to lower the NO<sub>x</sub> emission limit to reflect Best Available Retrofit Control Technology.</p> <p style="text-align: center;"><i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
1147.1 <sup>*+#</sup>	<p><b>NO<sub>x</sub> Reductions from Miscellaneous Sources</b>  <b>NO<sub>x</sub> Reductions for Equipment at Aggregate Facilities</b>  Proposed Rule 1147.1 will establish NO<sub>x</sub> emission limits to reflect Best Available Retrofit Control Technology for NO<sub>x</sub> equipment at aggregate facilities and will apply to RECLAIM and non-RECLAIM facilities.</p>	AQMP/ AB 617 BARCT
1147 <sup>*+#</sup>	<p><b>NO<sub>x</sub> Reductions from Miscellaneous Sources</b>  Proposed Amended Rule 1147 will remove equipment that will be regulated under Proposed Rule 1147.1.</p> <p style="text-align: center;"><i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176 and Socio: Ian MacMillan 909.396.3244</i></p>	
1147.2 <sup>*+#</sup>	<p><b>NO<sub>x</sub> Reductions from Metal Melting and Heating Furnaces</b>  Proposed Rule 1147.2 will establish NO<sub>x</sub> emission limits to reflect Best Available Retrofit Control Technology for metal melting and heating furnaces and will apply to RECLAIM and non-RECLAIM facilities.</p>	AQMP/ AB 617 BARCT
1147 <sup>*+#</sup>	<p><b>NO<sub>x</sub> Reductions from Miscellaneous Sources</b>  Proposed Amended Rule 1147 will remove equipment that will be regulated under Proposed Rule 1147.2.</p> <p style="text-align: center;"><i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	

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# Part of the transition of RECLAIM to a command-and-control regulatory structure

## 2020 To-Be-Determined (Continued)

2020	Title and Description	Type of Rulemaking
1148.1*	<p><b>Oil and Gas Production Wells</b>  Proposed Amended Rule 1148.1 will evaluate exemptions under Rule 463 to harmonize implementation for low producers. Other proposed amendments may be needed to further reduce emissions from operations, implement early leak detection, odor minimization plans, and enhanced emissions and chemical reporting from oil and drilling sites consistent with the AB 617 Community Emission Reduction Plan.</p> <p style="text-align: center;"><i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other/ AB 617 CERP
1148.2	<p><b>Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers</b>  Proposed amendments to Rule 1148.2 may be needed to improve notifications of well working activities to the community.</p> <p style="text-align: center;"><i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other/ AB 617 CERP
1150.3*+	<p><b>NOx Emission Reductions from Combustion Equipment at Landfills</b>  Proposed Rule 1150.3 will establish NOx emission limits for combustion equipment burning biofuels to reflect Best Available Retrofit Control Technology and include monitoring, reporting, and recordkeeping requirements at landfills.</p> <p style="text-align: center;"><i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
1166	<p><b>Volatile Organic Compound Emissions from Decontamination of Soil</b>  Proposed Amended Rule 1166 will update requirements, specifically concerning notifications and usage of mitigation plans (site specific versus various locations).</p> <p style="text-align: center;"><i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1173	<p><b>Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants</b>  Proposed revisions to Rule 1173 are being considered based on recent U.S. EPA regulations and CARB oil and gas regulations and revisions to improve the effectiveness, enforceability, and clarity of the rule. Other proposed amendments may be needed to further reduce emissions from operations, implement early leak detection, odor minimization plans, and enhanced emissions and chemical reporting from oil and drilling sites consistent with the AB 617 Community Emission Reduction Plan.</p> <p style="text-align: center;"><i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other/ AB 617 CERP

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# Part of the transition of RECLAIM to a command-and-control regulatory structure

## 2020 To-Be-Determined (Continued)

2020	Title and Description	Type of Rulemaking
1176	<p><b>VOC Emissions from Wastewater Systems</b>  Proposed Amended Rule 1176 will clarify the applicability of the rule to include bulk terminals under definition of "Industrial Facilities," and streamline and clarify provisions.  <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other/ AB 617 CERP
1178	<p><b>Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities</b>  Proposed Amended Rule 1178 will incorporate the use of more advanced detection methods for earlier leak detection and improve leak detection and repair programs for storage tanks to further reduce VOC emissions. Proposed amendments will implement one of the actions in the AB 617 Community Emission Reduction Plan.  <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 CERP
1180	<p><b>Refinery Fenceline and Community Air Monitoring</b>  Revisions to Rule 1180 could be considered to clarify applicability including modification or removal of the threshold exemption for petroleum refineries from the requirements of the rule.  <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1403*	<p><b>Asbestos Emissions from Demolition/Renovation Activities</b>  Proposed Amended Rule 1403 will enhance implementation, improve rule enforceability, and align provisions with the applicable U.S. EPA National Emission Standard for Hazardous Air Pollutants (NESHAP) and other state and local requirements as necessary.  <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1415 1415.1	<p><b>Reduction of Refrigerant Emissions from Stationary Air Conditioning Systems, and Reduction of Refrigerant Emissions from Stationary Refrigeration Systems</b>  Proposed Amended Rules 1415 and 1415.1 will align requirements with the proposed CARB Refrigerant Management Program and U.S. EPA's Significant New Alternatives Policy Rule provisions relative to prohibitions on specific hydrofluorocarbons.  <i>David De Boer 909.396.2329; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1420	<p><b>Emissions Standard for Lead</b>  Proposed Amended Rule 1420 will update requirements to address arsenic emissions to close a regulatory gap between Rule 1420 and Rule 1407 - Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Ferrous Metal Melting Operations.  <i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics

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# Part of the transition of RECLAIM to a command-and-control regulatory structure

**2020 To-Be-Determined (Continued)**

2020	Title and Description	Type of Rulemaking
1420.2	<p><b>Emission Standards for Lead from Metal Melting Facilities</b>                      Proposed Amended Rule 1420.2 will update requirements to address arsenic emissions to close a regulatory gap between Rule 1420 and Rule 1407 - Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Ferrous Metal Melting Operations.  <i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1426*	<p><b>Reduction of Toxic Air Contaminants from Metal Finishing Operations</b>                      Proposed amendments to Rule 1426 will establish requirements to reduce nickel, cadmium, hexavalent chromium, and other air toxics from plating and related operations. Proposed Amended Rule 1426 will establish requirements to control point source and fugitive toxic air contaminant emissions.  <i>Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics/ AB 617 CERP
1435*	<p><b>Control of Emissions from Metal Heat Treating Processes</b>                      Proposed Rule 1435 will establish requirements to reduce point source and fugitive toxic air contaminants including hexavalent chromium emissions from heat treating processes. Proposed Rule 1435 will also include monitoring, reporting, and recordkeeping requirements.  <i>Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics/ AB 617 CERP
1445	<p><b>Control of Toxic Emissions from Laser Arc Cutting</b>                      Proposed Rule 1445 will establish requirements to reduce toxic metal particulate emissions from laser arc cutting.  <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1450*	<p><b>Control of Methylene Chloride Emissions</b>                      Proposed Rule 1450 will reduce methylene chloride emissions from furniture stripping and establish monitoring, reporting, and recordkeeping requirements.  <i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; and Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1469*	<p><b>Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations</b>                      Proposed amendments to Rule 1469 may be needed to address use of chemical fume suppressants or other implementation issues.  <i>Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1469.1*	<p><b>Spraying Operations Using Coatings Containing Chromium</b>                      Proposed Amended Rule 1469.1 will establish additional requirements to address hexavalent chromium emissions from spraying operations using chromium primers or coatings.  <i>Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics/ AB 617 CERP

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# Part of the transition of RECLAIM to a command-and-control regulatory structure

## 2020 To-Be-Determined (Continued)

2020	Title and Description	Type of Rulemaking
1470	<p><b>Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines</b></p> <p>Proposed Amended Rule 1470 will establish additional provisions to reduce the exposure to diesel particulate from new and existing small (<math>\leq 50</math> brake horsepower) diesel engines located near sensitive receptors. Proposed amendments may be needed to address use of engines during Public Safety Power Shutoffs.</p> <p style="text-align: right;"><i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1472	<p><b>Requirements for Facilities with Multiple Stationary Emergency Standby Diesel-Fueled Internal Combustion Engines</b></p> <p>Proposed Amended Rule 1472 will remove provisions that are no longer applicable, update and streamline provisions, and assess the need for a Compliance Plans.</p> <p style="text-align: right;"><i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1480	<p><b>Toxics Monitoring</b></p> <p>Proposed amendments to Rule 1480 may be needed to remove fee provisions if they are incorporated in Regulation III.</p> <p style="text-align: right;"><i>Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176 and Socio: Ian MacMillan 909.396.3244</i></p>	Toxics/ AB 617 CERP
2305 <sup>*+</sup>	<p><b>Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program</b></p> <p>Proposed Rule 2305 will both reduce emissions and facilitate local and regional emission reductions associated with warehouses and the mobile sources attracted to warehouses.</p> <p style="text-align: right;"><i>Ian MacMillan 909.396.3244; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 CERP
Reg. III	<p><b>Fees</b></p> <p>Staff recently proposed six minor amendments (including two that would raise fees) to Regulation III and Rule 1480. However, given the recent circumstances stemming from the COVID-19 pandemic, staff is no longer proposing the amendments to Regulation III or Rule 1480 this year. In addition, staff is proposing to credit back this year's automatic 2.8% CPI increase as a budget action so that facilities will not experience any new fee increases for this upcoming fiscal year (FY 2020-2021).</p> <p style="text-align: right;"><i>Ian MacMillan 909.396.3244; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other

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# Part of the transition of RECLAIM to a command-and-control regulatory structure



## 2020 To-Be-Determined (Continued)

2020	Title and Description	Type of Rulemaking
Reg. XIII <sup>*#</sup>	<p><b>New Source Review</b> Proposed Amended Regulation XIII will revise New Source Review provisions to address facilities that are transitioning from RECLAIM to a command-and-control regulatory structure. Staff may be proposing a new rule within Regulation XIII to address offsets for facilities that transition out of RECLAIM.</p> <p style="text-align: right;"><i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
Reg. XX <sup>*#</sup>	<p><b>RECLAIM</b> Proposed Amended Regulation XX will address the transition of RECLAIM facilities to a command and control regulatory structure</p> <p style="text-align: right;"><i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
Reg. XXIII <sup>+*</sup>	<p><b>Facility-Based Mobile Sources</b> Proposed rules within Regulation XXIII would reduce emissions from indirect sources (e.g., mobile sources that visit facilities). The rule or set of rules that would be brought for Board consideration would reduce emissions from railyards.</p> <p style="text-align: right;"><i>Ian MacMillan 909.396.3244; CEQA: Jillian Wong 909.396.3176 Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ Toxics/ AB 617 CERP
Reg. II, IV, XIV, XI, XIX, XXIII, XXIV, XXX and XXXV	<p>Various rule amendments may be needed to meet the requirements of state and federal laws, implement OEHHA's 2015 revised risk assessment guidance, changes from OEHHA to new or revised toxic air contaminants or their risk values, address variance issues/technology-forcing limits, to abate a substantial endangerment to public health or additional reductions to meet SIP short-term measure commitments. The associated rule development or amendments include, but are not limited to, South Coast AQMD existing, or new rules to implement the 2012 or 2016 AQMP measures. This includes measures in the 2016 AQMP to reduce toxic air contaminants or reduce exposure to air toxics from stationary, mobile, and area sources. Rule adoption or amendments may include updates to provide consistency with CARB Statewide Air Toxic Control Measures, or U.S. EPA's National Emission Standards for Hazardous Air Pollutants. Rule adoption or amendments may be needed to implement AB 617 including but not limited to BARCT rules, Community Emission Reduction Plans prepared pursuant to AB 617, or new or amended rules to abate a public health issue identified through ambient monitoring.</p>	Other/ AQMP/ Toxics/ AB 617 BARCT/ AB 617 CERP

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# Part of the transition of RECLAIM to a command-and-control regulatory structure

BOARD MEETING DATE: August 7, 2020

AGENDA NO. 16

REPORT: Status Report on Major Ongoing and Upcoming Projects for Information Management

SYNOPSIS: Information Management is responsible for data systems management services in support of all South Coast AQMD operations. This action is to provide the monthly status report on major automation contracts and planned projects.

COMMITTEE: Administrative, June 12, 2020, Reviewed

RECOMMENDED ACTION:  
Receive and file.

Wayne Natri  
Executive Officer

RMM:MAH:XC:agg

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### **Background**

Information Management (IM) provides a wide range of information systems and services in support of all South Coast AQMD 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 and Board-approved amendments to the Budget specify projects planned during the fiscal year to develop, acquire, enhance, or maintain mission-critical information systems.

In light of COVID-19 and the related budget impact, we are evaluating all of our projects and delaying non-critical projects as long as possible.

### **Summary of Report**

The attached report identifies the major projects/contracts or purchases that are ongoing or expected to be initiated within the next six months. Information provided for each project includes a brief project description and the schedule associated with known major milestones (issue RFP/RFQ, execute contract, etc.).

### **Attachment**

Information Management Status Report on Major Ongoing and Upcoming Projects During the Next Six Months

**ATTACHMENT**  
**August 7, 2020 Board Meeting**  
**Status Report on Major Ongoing and Upcoming Projects for Information Management**

<b>Project</b>	<b>Brief Description</b>	<b>Estimated Project Cost</b>	<b>Completed Actions</b>	<b>Upcoming Milestones</b>
Office 365 Implementation	Acquire and implement Office 365 for South Coast AQMD staff	\$350,000	<ul style="list-style-type: none"> <li>• Pre-assessment evaluation and planning completed</li> <li>• Board approved funding on October 5, 2018</li> <li>• Developed implementation and migration plan</li> <li>• Acquired Office 365 licenses</li> <li>• Implemented Office 365 email (Exchange) and migrated all users</li> <li>• Trained staff in Office 365 Pro Plus desktop software</li> <li>• Implemented Office 365 Pro Plus, Office Web, and OneDrive for Business</li> </ul>	<ul style="list-style-type: none"> <li>• Implement Office 365 internal website (SharePoint) and migrate existing content</li> </ul>
Permitting System Automation Phase 1	New Web application to automate the filing of permit applications with immediate processing and issuance of permits for specific application types: Dry Cleaners, Gas Stations, and Automotive Spray Booths	\$694,705	<ul style="list-style-type: none"> <li>• Automated 400A form filing, application processing, and online permit generation for Dry Cleaner, Automotive Spray Booth, and Gas Station Modules deployed to production</li> <li>• Enhanced processing of school locations with associated parcels</li> <li>• Deployed upgraded GIS Map integration and enhanced sensitive receptor identification and distance measurement work</li> </ul>	<ul style="list-style-type: none"> <li>• Continue Phase 1.1 project outreach support</li> <li>• New version of On Line Application Filing (OLAF) that includes Rule 212(c)(1) Implementation Guidance</li> </ul>

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
Permitting System Automation Phase 2	Enhanced Web application to automate filing of permit applications, Rule 222 equipment and registration for IC engines; implement electronic permit folder and workflow for internal South Coast AQMD users	\$525,000	<ul style="list-style-type: none"> <li>• Board approved initial Phase 2 funding December 2017</li> <li>• Phase 2 project startup and detail planning completed May 2018</li> <li>• Business process model approved</li> <li>• Board approved remaining Phase 2 funding October 5, 2018</li> <li>• Permitting Automation Workflow/Engineer shadowing/interviewing completed</li> <li>• Report outlining recommendations for automation of Permitting Workflow completed</li> <li>• Developed application submittals and form filing of the first nine of 32 400-E forms</li> <li>• Application submittals and form filing for 23 types of equipment under Rule 222 ready for User Testing completed</li> <li>• Deployed to production top three most frequently used Rule 222 forms: Negative Air Machines, Small Boilers, and Charbroilers</li> </ul>	<ul style="list-style-type: none"> <li>• Complete User Testing for first nine 400-E forms</li> <li>• Complete User Acceptance Testing (UAT) and Deployment to production of Emergency IC Engines Form (EICE-RE)</li> <li>• Complete User Acceptance Testing (UAT) and Deployment of remaining 22 Rule 222 forms to production</li> </ul>

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
Replace Your Ride (RZR)	New Web application to allow residents to apply for incentives to purchase newer, less polluting vehicles	\$301,820	<ul style="list-style-type: none"> <li>• Phase 2 and 3 Fund Allocation, Administration, Management Reporting modules, VIN Number, Case Manager, Auto e-mail and document library updates deployed and in production</li> <li>• Implemented following modifications: Electric Vehicle Service Equipment, email templates, call center hours, additional incentive amounts, VIN Number scramble modifications and replacement option choices to allow staff to process application more efficient</li> </ul>	<ul style="list-style-type: none"> <li>• Implementation of RZR and PeopleSoft Financial integration module</li> </ul>
South Coast AQMD Mobile Application Enhancements	Enhancement of Mobile application with addition of advance notification, alternative fuel station search, media integration, infrastructure for hourly migration, and performance improvements	\$100,000	<ul style="list-style-type: none"> <li>• Project charter released</li> <li>• Task order issued, evaluated and awarded</li> <li>• Code development of Phase 1, alternative fuel, media integration, and performance improvements completed</li> <li>• User Acceptance Testing of Phase 1 completed</li> <li>• Completed deployment to both Apple and Google App stores</li> <li>• Vision and scope for next phase completed</li> </ul>	<ul style="list-style-type: none"> <li>• Evaluate proposal for next phase of enhancements</li> </ul>

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
Legal Division New System Development	Develop new web-based case management system for Legal Division to replace existing system	\$500,000	<ul style="list-style-type: none"> <li>• Task order issued, evaluated and awarded</li> <li>• Project charter finalized</li> <li>• Business Process Model completed</li> <li>• Sprint 1, 2 and 3 functional and system design completed</li> <li>• Testing of Sprints 1–3: NOVs, MSPAP, settlements, civil and small claims completed</li> <li>• Sprint 4 functional and design requirements: criminal, bankruptcy, non-NOV cases and check registers completed</li> <li>• Sprint 5 functional and design requirements–investigative assignments completed</li> <li>• Deployed IM servers and User Testing for Sprints 1-5 modules</li> <li>• OnBase and finance integrated</li> <li>• User Acceptance Testing completed</li> <li>• Sprint 6 development, reports, and data migration completed</li> <li>• Parallel testing completed</li> </ul>	<ul style="list-style-type: none"> <li>• Deployment to production</li> </ul>

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
Flare Event Notification – Rule 1118	Develop new web-based application to comply with Rule 1118 to improve current flare notifications to the public and staff	\$100,000	<ul style="list-style-type: none"> <li>• Project charter released</li> <li>• Task order issued, evaluated and awarded</li> <li>• Requirement gathering and design for Sprint 1, 2, and 3 completed</li> <li>• Sprint 4 and Public Portal implementation completed</li> <li>• Major incident notification deployed</li> <li>• Refinery user training completed</li> <li>• Application demo completed</li> <li>• Deployed to production on December 12, 2019 including major incident reporting on public portal</li> <li>• Phase I Bug fixes deployed to production after initial deployment</li> </ul>	<ul style="list-style-type: none"> <li>• Phase II development (administrative and reporting pages)</li> <li>• Phase II User Acceptance Testing</li> </ul>
AQ-SPEC Cloud Platform	Develop a cloud-based platform to manage and visualize data collected by low-cost sensors	\$385,500	<ul style="list-style-type: none"> <li>• Project charter released</li> <li>• Task order issued, evaluated, and awarded</li> <li>• Business requirements gathering completed</li> <li>• System architecture, data storage, and design data ingestion completed</li> <li>• Data transformations, calculations, and averaging completed</li> <li>• Dashboards, microsities, and data migration completed</li> <li>• Release 2 User Acceptance Testing completed</li> </ul>	<ul style="list-style-type: none"> <li>• Deployment to production</li> </ul>

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
PeopleSoft Electronic Requisition	South Coast AQMD is implementing an electronic requisition for PeopleSoft Financials. This will allow submittal of requisitions online, tracking multiple levels of approval, electronic archival, pre-encumbrance of budget, and streamlined workflow	\$75,800	<ul style="list-style-type: none"> <li>• Project charter released</li> <li>• Task order issued, evaluated, and awarded</li> <li>• Requirement gathering and system design completed</li> <li>• System setup and code development and user testing for Information Management completed</li> <li>• System setup and code development and User Acceptance Testing completed for AHR (Administrative and Human Resources) completed</li> </ul>	<ul style="list-style-type: none"> <li>• Deployment to IM and AHR divisions</li> <li>• Integrated User Testing for other divisions</li> </ul>
Rule 1403 Enhancements	The Rule 1403 web application automates the Rule 1403 notification process. Enhancements to the system are now required to streamline the process and meet the new rule requirements	\$68,575	<ul style="list-style-type: none"> <li>• Project charter released</li> <li>• Task order issued, evaluated and awarded</li> <li>• Business requirements gathering completed</li> <li>• Phase 1 Development completed</li> <li>• Phase 2 Development completed</li> <li>• System Integration Testing and User Acceptance Testing in Development Environment completed</li> <li>• Deployment for stage testing completed</li> </ul>	<ul style="list-style-type: none"> <li>• Complete System Integration Testing and User Acceptance Testing in Stage Environment</li> <li>• System deployment to Production Environment</li> </ul>
Cybersecurity Assessment	Perform a cybersecurity risk assessment, maturity assessment, and penetration testing	\$100,000 (not included in FY 2020-21 Budget)		<ul style="list-style-type: none"> <li>• Release RFP December 4, 2020</li> <li>• Award Contract February 5, 2021</li> <li>• Complete Cybersecurity assessment May 31, 2021</li> </ul>



Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
VW Environmental Mitigation Action Plan Project	CARB has assigned South Coast AQMD to develop web applications for two projects: Zero-Emission Class 8 Freight and Port Drayage Truck Project and Combustion Freight and Marine Project. The agency is also responsible for maintaining a database that will be queried for reporting perspectives for CARB	\$355,000	<ul style="list-style-type: none"> <li>• Draft Charter Document issued</li> <li>• Project Initiation completed</li> <li>• Task order issued</li> <li>• Deployed Phase I to production on Dec. 6, 2019</li> <li>• Initial deployment of Phase II to production – Messaging, Evaluation, and Administration functionalities completed March 3, 2020</li> <li>• Development of evaluation module and calculation module completed</li> </ul>	<ul style="list-style-type: none"> <li>• Development of Phase III - ZE Class 8 project, Contracting, and Inspection and Form creation for Class 8</li> <li>• User Acceptance Testing</li> </ul>
Source Test Tracking System	South Coast AQMD will implement an Online Source Test Tracking System to keep track of timelines, as well as quantify the number of test protocols and reports received. The Source Test Tracking System will provide an external online portal to submit source testing protocols and reports, ability to track the review process, and provide integration to all other business units for all source test protocols and report submitted. It will also provide an external dashboard to review the status of a submittal.	\$250,000	<ul style="list-style-type: none"> <li>• Project Charter Approved</li> <li>• Project Initiation Completed</li> <li>• Task Order issued</li> <li>• Project Kick-off completed</li> </ul>	<ul style="list-style-type: none"> <li>• User requirement gathering</li> </ul>

Projects that have been completed within the last 12 months are shown below.

**Completed Projects**

Project	Date Completed
Document Conversion Services	June 30, 2020
Oracle PeopleSoft Software Support	June 5, 2020
Renewal of OnBase Software Support	May 1, 2020
Public Facing Permit Application Status Dashboard	May 1, 2020
Mobile Application Enhancement – Hourly Forecast	April 29, 2020
Renewal of HP Server Maintenance & Support	April 30, 2020
Rule 1180 Fence Line Monitoring Web Site Enhancements	April 3, 2020
Volkswagen Environmental Mitigation Administration and Communication Module	March 3, 2020
Data Cable Infrastructure Installation	February 31, 2020
Prequalify Vendor List for PCs, Network Hardware, etc.	February 7, 2020
Mobile Application Enhancements Including Spanish Language	January 23, 2020
Annual Emissions Reporting System	December 31, 2019
Rule 1180 Fence Line Monitoring Website	December 31, 2019
Online filing of Rule 222 – Negative Air Machines, Small Boilers, and Charbroilers Modules	December 13, 2019
Flare Notification System	December 12, 2019
Volkswagen Environmental Mitigation Application Filing Portal	December 7, 2019
CLASS Database Software Licensing and Support	November 30, 2019
Office 365 Suite Implementation of File Storage (OneDrive for Business)	November 22, 2019
Ingres Database Migration to Version 11	August 23, 2019
Renewal of OnBase Software Support	July 15, 2019
Telecommunications Service	July 15, 2019
AB 617 – Community Monitoring Data Display Web Application	July 9, 2019

BOARD MEETING DATE: August 7, 2020 AGENDA NO. 17

PROPOSAL: California Fuel Cell Partnership Executive Board Meeting  
Agenda and Activity Update

SYNOPSIS: This report provides the California Fuel Cell Partnership  
Executive Board Agenda for the meeting held May 19, 2020  
and provides the Activity Update for the fourth quarter of  
2019 and first quarter of 2020.

COMMITTEE: Technology, June 19, 2020, Reviewed

RECOMMENDED ACTION:  
Receive and file.

Wayne Nastri  
Executive Officer

MMM:NB:JI:LHM

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### **Background**

The California Fuel Cell Partnership (CaFCP) was initiated in 1999 to accelerate response to CARB's Zero Emission Vehicle (ZEV) regulations. The AQMP and the Technology Advancement Office Clean Fuels Program 2020 Plan Update have identified fuel cells for on- and off-road applications, especially medium- and heavy-duty vehicles, as well as hydrogen technologies and infrastructure, as a core technology for attaining and maintaining cleaner air quality. Because of the alignment of South Coast AQMD and CaFCP goals for accelerated fuel cell vehicle commercialization, the Board accepted the CaFCP's formal invitation to join as a full member in March 2000.

Each CaFCP Executive Member has a representative on the Executive Board. Current Executive Members include:

- Seven automotive manufacturers (General Motors, Toyota, Daimler, Honda, Hyundai, Nissan and Nikola Motor Co.);
- Seven industry stakeholders (Air Liquide, Anglo American, Cummins, Energy Independence Now, Iwatani, Shell and Chevron);
- Three government agencies (South Coast AQMD, CARB and CEC); and
- The Governor's Office of Economic Development (GO-Biz).

There are also currently 35 Full and Associate Members, with commensurate benefits and voting rights. These members can be viewed on the CaFCP website (<https://cafcp.org/members>).

The CaFCP activities planned for 2020 include:

- Develop the necessary infrastructure and processes to support expanded vehicle rollout for the first 200 hydrogen stations and longer-term exponential growth to reach 1,000 stations and related customer interface tools;
- Provide forums and opportunities for members to advance group collaboration and progress within CaFCP and among an expanding stakeholder base, including national coordination; and
- Reach target markets, audiences and communities to educate, inform and promote hydrogen and fuel cell vehicles and accelerate greater commercial adoption.

The recent activities for 2020 include:

- Publication of the Hydrogen Council report, with data collection and analysis by McKinsey & Company, entitled “Path to Hydrogen Competitiveness—A Cost Perspective,”<sup>1</sup> and “Roadmap to a US Hydrogen Economy,”<sup>2</sup> which described the anticipated cost reductions that enhance the accelerated deployment of fuel cell electric trucks; and
- Conducting the monthly teleconference of the HD FCET Task Force, providing a forum for members to learn more about funding opportunities and proposed regulations.

The next CaFCP Executive Board meeting is scheduled for October 7, 2020 in Sacramento. Additional information about the CaFCP can be found at <https://cafcp.org>.

#### Attachments

- 1) CaFCP May 19, 2020 Executive Board Meeting Agenda
- 2) CaFCP Activity Updates for 4th Quarter 2019 and 1st Quarter 2020

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<sup>1</sup><https://hydrogencouncil.com/en/path-to-hydrogen-competitiveness-a-cost-perspective/>

<sup>2</sup><https://cafcp.org/sites/default/files/Road%2BMap%2Bto%2Ba%2BUS%2BHydrogen%2BEconomy%2BFull%2BReport.pdf>

## **Attachment 1**

- Letter from CaFCP Chair Sandra Berg regarding May 19, 2020 Executive Board Meeting
- CaFCP May 19, 2020 Executive Board Meeting Agenda
- Decision Item – New Member Proposals for Consideration at May 19, 2020 Meeting
- Decision Item – Phoenix Project for Consideration at May 19, 2020 Meeting

May 13, 2020

**Dear California Fuel Cell Partnership Board Members!**

I am looking forward to welcoming you to our virtual 2020 Spring Board Meeting, Tuesday, May 19<sup>th</sup>. I confess, I am disappointed we will not see each other in person. The value of spending our traditional day sharing ideas, acknowledging our accomplishments and debating the issues that challenge the success of hydrogen and fuel cells to accomplish our common goal of electrification will not be the same with a 3 hour virtual meeting. Nevertheless, as the saying goes....*the show must go on.*

I know this Board is up for the added challenge and I can assure you Bill along with his dynamic CaFCP team plus our dedicated member committees have been working tirelessly on the organization's priorities as laid out by the Board last October. It has been inspiring to join this amazing group of people who are single minded in the quest of making a difference with hydrogen & fuel cells in our battle to end climate change. Our Board meeting reflects their efforts. It will be fast paced, full of content and at the end of the day we need your guidance and aligned direction to meet the vision of electrification with hydrogen and fuel cells.

Two short months ago we would have all agreed electrification of energy and transportation is a huge transformation and monumental task. Now we will tackle this task while recovering from a pandemic and in real time figuring out the social and economic consequences. Thinking about this added layer of complexity and frankly how it exponentially compounds our challenge, I was reminded of the iconic dance team of Fred Astaire and Ginger Rogers and the famous saying..... *'Sure Fred Astaire was great, but don't forget that Ginger Rogers did everything he did...backwards and in high heels.'*<sup>1</sup>

I'll leave you with the thought CaFCP is the Fred Astaire of electrification with hydrogen and fuel cells and now we have to add to our many talents mastering the art of dancing backwards and in high heels. A challenge.... I know *WE* are up for!

Stay safe and be well! See you on the 19<sup>th</sup> at our new virtual meeting.

*Sandy*

Sandra Berg, CaFCP Chair  
CARB Board Member

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<sup>1</sup> A bit of trivia....Ginger Roger did not author this saying, nor did she believe her role was more difficult. She credited cartoonist Bob Thaves' who in his 'Frank and Ernest' series Frank and Ernest are gazing at a billboard announcing a Fred Astaire Film Festival with that caption. The cartoon appeared in a LA newspaper.

**California Fuel Cell Partnership  
Spring Board of Director Meeting**

May 19, 2020 via GoToWebinar  
9:30am – 12:30pm PT

## **Agenda**

### **Welcome - Bill Elrick and Sandy Berg**

- Welcome – Bill Elrick
- Self-Introductions: Name & Company Affiliation
  - Share one observation, gratitude or something new as the result of sheltering-in.
  - Rules of Engagement via GoToWebinar for Board Members and the Public
- Meeting Framework – Sandy Berg
  - Making Lemonade....Who has the Sugar?
  - Review meeting Agenda, share Board meeting expectations & outcomes

### **CaFCP Formal Business Meeting Session – Bill Elrick and CaFCP Team**

- CaFCP Project/Technical Update/New Members
  - Board Discussion & Decisions
- Public Comments
- Close Formal Session

### **Board Presentation, Discussion and Path Forward....All Eyes on Fuel Cell Partnership's Next 20 Years**

- **Inspired Past & Passionate Present.....**  
**...building on a solid foundation for Hydrogen & Fuel Cell Success – Sandy Berg**
- **Connecting with FCP Strong Roots - Matt Forest & Gia Vacin**
  - Member Presentation: Phoenix Project process & findings; Member and Staff Feedback; Organization Vision, Mission & Principles; Strategic Objectives and Activities.
  - Board Q&A and Feedback
- **Blue Print to Develop FCP Expansion Plan – Sandy Berg & Phoenix Project Team**
  - Board Q&A and Feedback

### **Board Direction & Action Items – Bill Elrick, Sandy Berg and Board of Directors**

### **Open Public Comments**

### **Closing Thoughts & Thank YOU!**

**Decision Item**  
**New Member Proposals**  
**May 19<sup>th</sup>, 2020 Executive Board Meeting**

**BACKGROUND:**

To increase CaFCP’s capacity to successfully support hydrogen fuel cell vehicle and hydrogen infrastructure commercialization, the CaFCP Steering Team propose the following stakeholders as new members of CaFCP. Each proposed entity has experience in hydrogen infrastructure development, adds unique value to CaFCP, and provides new insights and perspectives to advance progress in commercialization activities in California and beyond.

With each member proposal, a recommended membership sector, tier and brief description is presented.

<b>Entity</b>	<b>Sector</b>	<b>Tier</b>
<b>Chevron</b> <i>- California-based multinational energy corporation, former CaFCP member and HRS operator, with traditional fueling experience from production to downstream retail operations.</i>	<b>Infrastructure</b>	<b>Executive</b>
<b>Toyota Tsusho America</b> <i>- A member of the Toyota group that supplies raw material, logistics &amp; procurement, in addition to development of HRS in Japan, with plans for California and U.S. deployments.</i>	<b>Infrastructure</b>	<b>Full</b>

**IMPACT:**

As members, each organization would have a valuable voice within CaFCP and help shape the commercial rollout and scaled deployment planning activities, especially in regard to hydrogen fueling infrastructure. Adding these two companies will increase CaFCP membership contributions revenue by \$100,000 per year.

**RECOMMENDATION:**

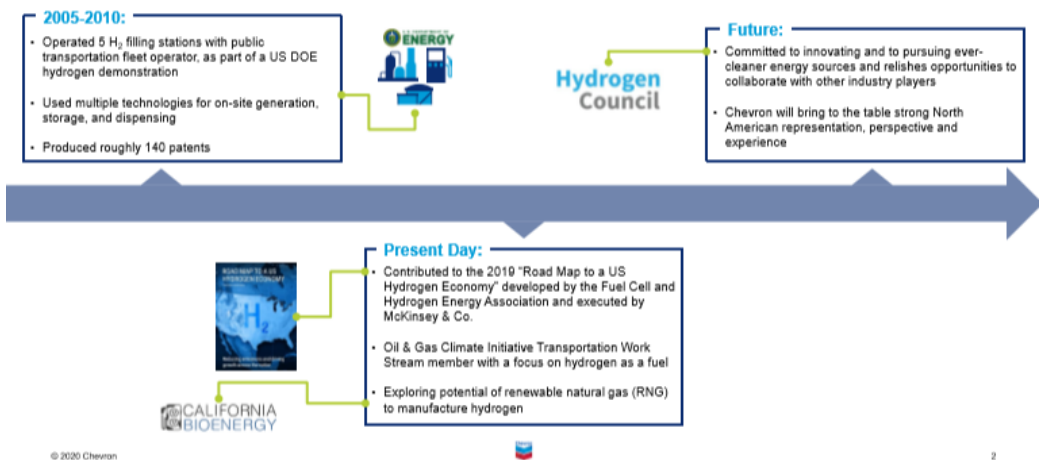
Invite Chevron to join the CaFCP board as an Executive member, and Toyota Tsusho America to join CaFCP as a Full member.







## Chevron's Contributions to the Advancement of Hydrogen Past, Present and Future



## Current Hydrogen Efforts Leveraging a partnership approach to enable H<sub>2</sub> market



Chevron believes that hydrogen has a potential role in a lower carbon future in many facets: as a transportation fuel, an industrial feedstock, and as an energy storage medium for use in heat and power.



1977 W 190<sup>th</sup> Street, suite 200  
Torrance, CA 90504

March 19, 2020

Bill Elrick, Executive Director  
California Fuel Cell Partnership  
3300 Industrial Blvd, Suite 1000  
West Sacramento, California 95691

Dear Mr. Elrick:

Toyota Tsusho America, Inc. (TAI) as well as our head office in Japan have been actively working towards contributing the development of hydrogen society in global scale. As family company of Toyota Motor Corporation (Japan) and Toyota Motor North America (TMNA), we not only support their automobile manufacture activities with various services such as logistic, raw material supply, sub-assembly and other procurement assistance, but develop infrastructure implementations for fuel cell electric vehicle (FCEV). We operate 8 hydrogen stations and several related demonstrations in Japan and would like to extend the experience to the U.S market to support its market expansion.

TAI is interested in becoming a full-level membership with the California Fuel Cell Partnership (CaFCP) to further advance our hydrogen infrastructure and FCEV rollout goals and support CaFCP's effort more extensively. With our membership participation, we believe that there will be a mutually beneficial synergy created between CaFCP, participating member companies and us which we hope accelerate hydrogen society expansion throughout the state.

Our hydrogen value chain business concept with unique company division strength should lead us establish the foundation of economically viable and sustainable model. Our goal is to create hydrogen demand and supply at the same time with continuous cost reduction effort. We believe that it is imperative to achieve such goal with collaboration with CaFCP and its member companies particularly in this initial market expansion phase.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Toru Sugiura', with a horizontal line extending to the right.

Toru Sugiura MBA, CPM  
Toyota Tsusho America, Inc.  
Senior Manager  
Corporate strategy & New Business Development



## Toyota Tsusho America, Inc. Hydrogen Value Chain Project Update

Toyota Tsusho America, Inc.  
3/19/2020

TOYOTA TSUSHO AMERICA, INC.



## Toyota Tsusho America, Inc. (TAI)

Corporate Profile (As of March, 2020)

- |                         |  |
|-------------------------|--|
| 1) Headquarters         | 805 Third Avenue, 17 <sup>th</sup> Floor<br>New York, NY 10022   |
| 2) Capital              | US\$ 90,000,000.-  |
| 3) Share holder         | Toyota Tsusho Corporation (100%)   |
| 4) Employees            | <Standalone> 1,000 (incl. 100 expatriate employees )<br><Consolidated> 3,800 (incl. 140 expatriate employees )           |
| 5) Business Description | Domestic wholesale, exporting and importing products, processing vehicle parts and accessories, insurance agencies, etc. |
| 6) Locations            |  |
| (Domestic)              | 25 locations including New York (Headquarters) and Kentucky. 27 subsidiaries and 11 equity companies                     |
| (Outside U.S.)          | 1 Costa Rica branch, 10 subsidiaries (3 in Canada; 7 in Mexico) , 7 equity companies (6 in Mexico; 1 in Venezuela)       |



By the way...

### Our headquarter (Japan)

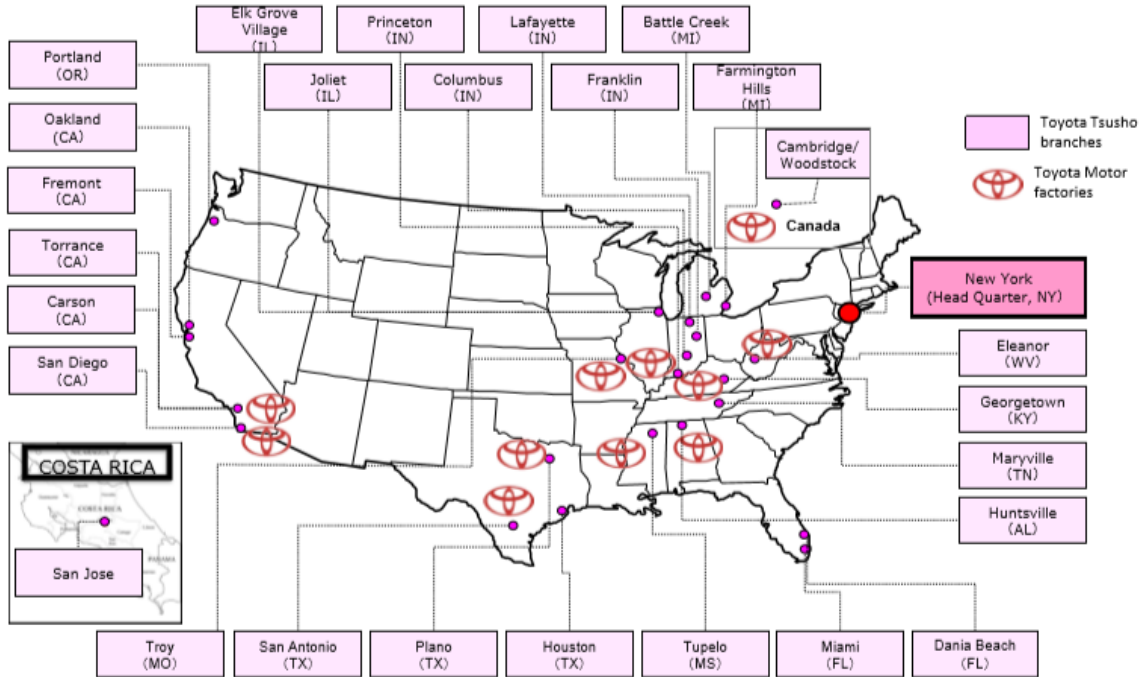
"Toyota Tsusho Corporation "

- Established in 1948
- Employee: 58,565 (as of 11/2019)  
(all affiliated combined)
- Sales (2018): \$61 billion (USD)
- One of 16 Toyota group companies
- 7 divisions  
(Metal, Machine & Energy, Global Logistic, Chemical & Electronics, Automobile, Food & Life Style, Africa)
- Toyota Motor owns 22% of stock.

TOYOTA TSUSHO AMERICA, INC.

1

# Our branches in North America (As of March, 2020)



As family company of Toyota, we are located and work closely with Toyota Motor North America

# Hydrogen Experience in Japan

Toyota Motor Kyushu

**DEMO** H2 Production from Solar Power + FC Forklift



- A Biz. Model validation
- C High-cost facilities, Operation

@Tomamae, Hokkaido

**DEMO** H2 Production from Wind power + Transportation

- A Biz. Model validation
- C High-cost Transportation

Fukuoka City

**DEMO** H2 production from Biogas



- A Establish Technology - World first
- C Demand creation

**Commercialized:** H2 Refueling Station (70MPa)

@Aichi & Tokyo



2 stationary stations + 6 mobile stations

- A : Aim
- C : Challenge

Validating various path ways of CO2 free Hydrogen Value chain (Produce ~ Utilization)

➔ We plan to use our Japan experience for the U.S. market

Key Word

Electrification

IT & Digital Transformation

Environment

Who:

Cross Function & Synergy



What:

Value Chain



Where (area):

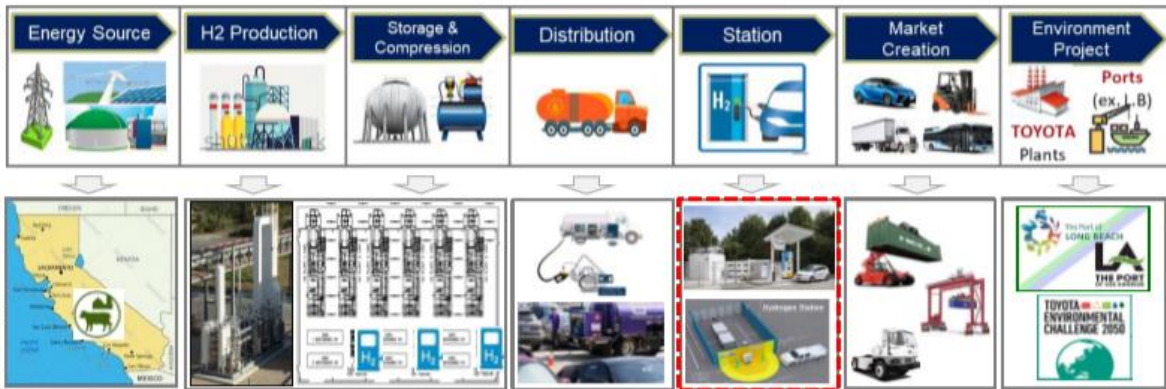
Specific Market (Commercial & Industrial)



Enhance TAI's core competence and corporate value

Toyota Tsusho: Hydrogen Value Chain Concept and Progress

Value Chain Synergy Concept  
Progress (Specific Activity)



Renewable Natural Gas (RNG)  
Development in  
Central California

Decentralized Hydrogen Production  
with Onsite Station for Trucks:  
Under Technical Feasibility Study

Mobile Refueler /  
Distribution Truck  
Development

• Conventional Stations  
(w/CEC Grant)  
• No-Compressor Station  
(Newly Developing)

Port Equipment  
Electrification  
Demonstration  
(Diesel to Fuel Cell)

• Clean Air Action Plan  
(POLA/POLB)  
• Toyota Environmental  
Challenge 2050

Toyota Tsusho Goals

Create Value Chain Synergy

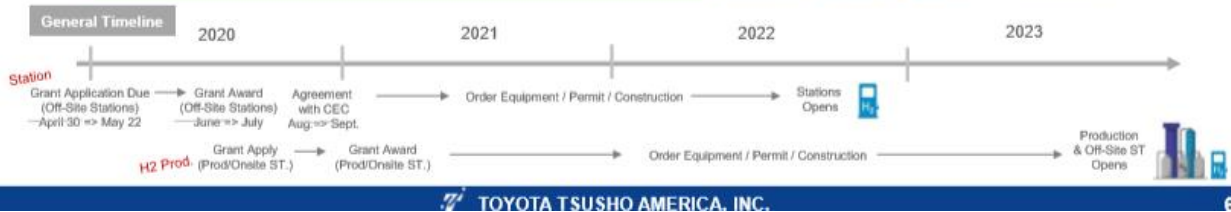
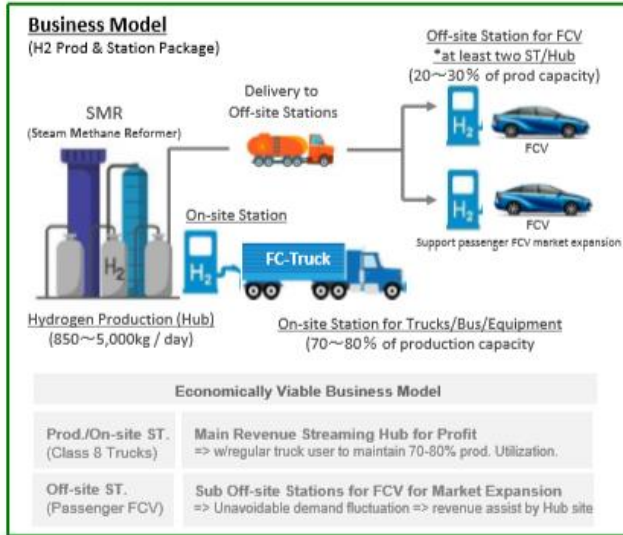
Creating supply and demand  
together in the value chain  
(Ex. More applications (hardware)  
More infrastructure=>More Hydrogen  
=> More RNG)

Establish Self-Sustainable  
Supply Chain

No more relying on centralized supply  
source and distribution method.

Accelerate Market Expansion

Demand Creation  
Total Chained Cost Down  
More Users  
Market Expansion



New 2020 Model

Current Model (2015)



Today, many stations are regularly closed for operation due to technical problems and supply capacity by centralized production by industrial gas company

Station Name	Status	Hours
Anaheim	Online	
Campbell	Offline	
Citrus Heights	Online	
Costa Mesa	Online	
Del Mar	Online	
Diamond Bar	Limited	
Fairfax LA	Offline	
Fremont	Online	
Harris Ranch	Online	
Hayward	Offline	
Hollywood	Online	
La Canada Flintridge	Limited	
Lake Forest	Online	
Lake Tahoe-Truckee	Online	
Lawndale	Limited	
LAX	Online	
Long Beach	Offline	
Mill Valley	Offline	
Mountain View	Offline	
Mountain View	Offline	Open 6:00 AM - 10:00 PM
Oakland - Grand Ave (New)	Limited	
Palo Alto	Online	Open 7:00 AM - 10:00 PM
Playa Del Rey	Online	
Riverside	Offline	
Sacramento (New)	Offline	
San Jose	Limited	
San Juan Capistrano	Online	
San Ramon	Online	
Santa Barbara	Online	
Santa Monica	Offline	
Santa Barbara	Online	
Santa Monica	Offline	
Saratoga	Online	Open 6:00 AM - 9:00 PM
South Pasadena	Offline	Open 6:00 AM - 10:00 PM
South San Francisco	Offline	
Thousand Oaks	Online	
Torrance	Offline	
UC Irvine	Online	
West LA	Limited	
West Sacramento	Limited	
Woodland Hills	Limited	Open 6:00 AM - 10:00 PM

California Fuel Cell Partner Ship (CaFCP) station app

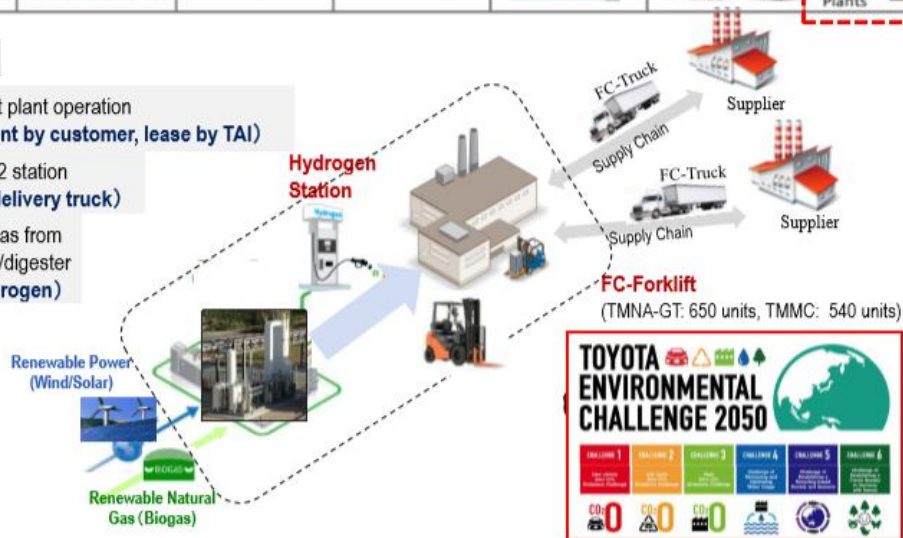
Our “decentralized production & station model” is self-sustainable”

Value Chain Synergy and Progress: Toyota Environmental Challenge



TAI Role (Idea)

- H2/Power/Heat plant operation (Ex. Investment by customer, lease by TAI)
- Operation of H2 station (For forklifts, delivery truck)
- Supply of Bio gas from near by landfill/digester (CO2 free hydrogen)





**Decision Item**  
**Phoenix Project – New FCP Organization**  
**May 19<sup>th</sup>, 2020 Executive Board Meeting**

**BACKGROUND:**

CaFCP is a voluntary public-private partnership established in 1999 to support commercialization of hydrogen and fuel cell electric vehicles in California. The organization has successfully led the development of the California market, from early research, development and demonstrations to the initial retail market launch in 2015.

As the technology and industry have evolved, so have the needs and activities of the public-private organization tasked with facilitating progress. While members developed the [California Fuel Cell Revolution](#), the common vision of a sustainable market in California, they recognized that the envisioned scaled deployment needs would require new approaches and tools to achieve that 2030 vision. Likewise, the urgency to accelerate actions to increase overall ZEV deployments to meet near- and long-term environmental goals increased.

While incremental changes to the organization were helpful, the CaFCP executive board in 2019 formally directed the development of a proposal for a new and improved public-private partnership. This new organization should position existing, and additional, stakeholders to successfully achieve the goals of California and the nation in transforming the transportation system to zero emissions by leveraging fuel cell vehicle and hydrogen fueling technologies.

The CaFCP board and members have provided significant input and guidance for the development of a new public-private partnership, outlining a common needs and desires around the vision, mission and objectives. This input has been collected and vetted through workshops, surveys, and regular meetings of the CaFCP board and steering team and is ready for board review and confirmation. Next, additional guidance is needed from the board on structural and governance to develop a complete organizational proposal for the board's consideration during the Fall 2020 meeting.

**IMPACT:**

An improved public-private partnership capable of driving stakeholders and the industry to a sustainable market success, in California and nationally, will accelerate the common goals and objectives of all CaFCP members and society as it undergoes a transformation of its transportation energy system. Confirming the foundational Vision, Mission, and Objectives in this proposal, and providing feedback on the necessary structural elements to complete a full organizational proposal in October, will facilitate the transition of this organization into a more effective and capable one capable of achieving our objectives faster.

**RECOMMENDATIONS:**

- Confirm Core Principles, Vision, Mission, Objectives & Activities developed by members
- Review, discuss & provide guidance on the structural elements required to finish the new organization proposal, including Organizational Design, Financial Model & Governance.
- Authorize the solicitation and securement of any additional resources required to complete the process, with oversight by the steering team as needed.

# True Today and Foundational for Phoenix Project...

## Core Principles

### **Leadership:**

We passionately lead our organization for stakeholders to navigate the electrification of transportation, unify implementation efforts, and help everyone fall in love with fuel cell electric vehicles.

### **Credibility:**

We are a team of thought leaders and experts, dedicated to be a reliable source of hydrogen and fuel cell data and information, that promotes discussion and informs decision makers to win hearts and minds and fulfill the drive to electric.

### **Collaboration:**

The Partnership is a crucial platform, facilitating transformational change among the thought leaders of Industry, Government, NGOs, and Academia across Society.

### **Inclusion:**

Transitioning to a robust, zero emission electrified transportation system has a duty to benefit everyone while minimizing disruptions.

# True Today and Foundational for Phoenix Project...

## Vision

Hydrogen and fuel cells answers the rally cry for zero emission electrification of transportation and energy systems.

## Mission

To establish a thriving hydrogen and fuel cell vehicle market, fulfilling the drive to electric!

# Principles, Vision, Mission, and Objectives

**Core Principles: Leadership, Credibility, Collaboration, and Inclusion**

**Vision: Hydrogen and fuel cells answers the rally cry for electrification of transportation and energy systems**

**Mission: To establish a thriving hydrogen and fuel cell vehicle market, fulfilling the drive to electric!**

## Objectives

### **Drive Market Success**

**Establish the market conditions** to build an expanding and robust hydrogen fuel cell transportation market.

### **Win Hearts and Minds**

Demonstrate, build support and win over **Customers'** and **Decision Makers'** to the value and benefit of hydrogen and fuel cells

### **Be a Trusted Expert Resource**

**Bring together** thought leaders and experts to share all aspects of transforming our transportation systems.

**Produce and distribute** high-quality data and tools to help inform policy and stakeholder investment decisions.

### **Develop and Operate a Sustainable Organization**

**Create and maintain a mission lead organization** that lives by its core principles and is sustainable and robust and financially secure.

# Today and Expanding to Phoenix: Objectives and Activities (*External*)

## External Objectives

### Drive Market Success

Establish the market conditions to build an expanding and robust hydrogen fuel cell transportation market

### Win Hearts & Minds

Demonstrate, build support and win over **Customers'** and **Influencers'** to the value and benefit of hydrogen and fuel cells

### Be a Trusted Expert Resource

Bring together thought leaders and experts to share all aspects of transforming transportation systems

Produce & distribute high-quality data & tools to help inform policy & stakeholder investment decisions

## Strategic Activities

### Shaping Market Conditions

- Identify and promote winning strategies for market growth and happy customers
- Strong members with aligned message
- Facilitate market-based policy development and expanded private investment towards rally cry tipping point
- Continue technical expertise from codes and standards to customer interface & infrastructure

### Problem Solving

- Discover and identify challenges and barriers that inhibit market growth & deploy initiatives to confront and overcome them
- Cascade solutions to other stakeholder groups

### Collaborate Nationally and Internationally

- Supporting our mission and market expansion
- Facilitating stakeholder communication, collaboration, and engagement

### Facilitate Communication, Collaboration and Engagement for Decision Makers and Market Builders

- Provide forums that facilitate engagement, open communication, encourage varied points of view, and steps to move forward building EV customer/user acceptance.

### Build Coalition of the Willing and Open-Minded Stakeholders thru Education & Outreach Campaigns

- Target #1: Policy Makers, Decision Makers, NGOs, Investment Groups, Media
- Target #2: Businesses, Public & Private end-users of vehicles with fuel cell vehicle & meet regulation.

### Harness and Leverage Customer Enthusiasm

- Create FCV Club: to gather enthusiasts, provide social events, keep them informed, and rally them for grassroots-type efforts

### Stakeholder-Expert Created Materials

- Develop vision, roadmap and strategy plans to achieve 2030 vision and show success

### Continue to Improve & Share our Knowledge

- SOSS
- Education and outreach campaigns: policy makers, decision makers, non-government organizations, trade associations. Influencers, media, standards development organizations, investment groups, general public
- Social Media Campaign
- Publish documents created by our stakeholder experts:
  - Studies
  - Reports
  - Objective materials
  - Common definitions

High Level Draft -- For Discussion Only

# Today and Expanding to Phoenix: Objectives & Activities *(Internal)*

## Internal Objectives

### Develop and Operate a Sustainable Organization

Create and maintain a mission led organization that lives by its core principles and is sustainable and robust and financially secure

## Strategic Activities

### Building on the Strengths of the CaFCP

#### Member Composition

- Member Levels
- Sector Representation

#### Collaboration Forum

- Meetings
- Project/Breakout Teams

#### Operational Activities

- Public Education and Outreach
- Internal Stakeholder Alignment
- Strategic Planning
- Project Initiatives

#### Financial Inputs

- Dues levels
- Project and Activity Sponsorships
- Additional Member Contributions

### Develop and Launch Expanded Organization

#### Phase 1: Aligning a Strong Foundation

- ✓ Investigation and Discovery
- ✓ Steering Team Socialization and Review
- ✓ Recommended Organizational Foundations

#### Confirm Org Foundation & Board Direction

- Board presentation, and feedback

#### Phase 2: Presented at October Board Mrg

- Develop Participation Structure: Framework, Structure, and Governance
- Develop Strategic and Operational Plans
- Develop a Financial Model
- Develop the Transition Plan

#### Phase 3: Launch the New Organization

### Operate a Sustainable Organization

#### Active Planning and Management

- Living Strategic Business Plan
- Attract Strategic Members/Partners
- Match Resources and Staffing to Business Needs

#### Business Development

- Grow Influence
- Expand Geographic Presence
- Improve Effectiveness/ Continuous Improvement

#### Financial Health

- Identify and Attract New Members
- Identify and Implement New and Non-traditional Opportunities for Sustainable Revenue Streams

# Structural Concepts -- *for discussion*

## Organizational Design

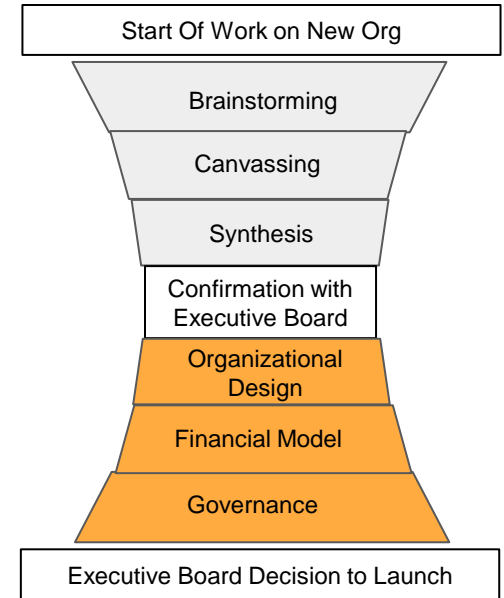
- *Formal structure options*
- *Multiple levels of participation*
- *Public and private leaders engage across organization*
- *Transition towards traditional stakeholder roles*
- *Staffing models*

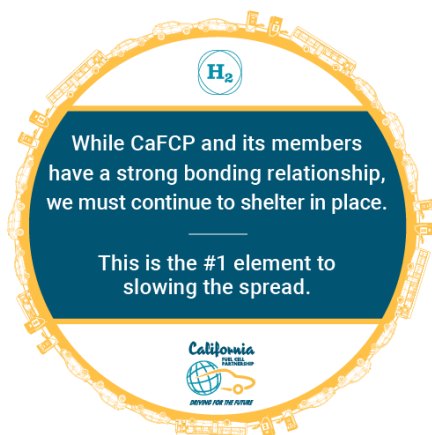
## Financial Model

- *“Skin in” commitment for all participants*
- *Multiple and expanding revenue and support options*

## Governance

- *Create governance structure that supports organizational design and financial model that effectively achieves the mission statement*





The California Fuel Cell Partnership and its members continue to advance the market for fuel cell electric vehicles and the hydrogen infrastructure network, collaborating in the ideas and actions that will create a sustainable future for zero-emission cars, trucks and buses. [The California Fuel Cell Revolution](#) continues to be a leading guide towards achieving the state objective of 200 stations by 2025 and laying the foundations to achieve 1,000 stations by 2030 to support the state's objective of 5 million ZEVs by 2030. Members can access the related slide deck and other materials on Member Resources or the CaFCP website<sup>1</sup>.

## SECTOR GROUP UPDATES

### AUTOMOTIVE GROUP | Member Lead: M McClory | Staff Lead: D Park

- Submitted CaFCP industry member comment letter to CEC [18-HYD-04 docket](#), Draft Solicitation Concepts for Light-Duty Hydrogen Refueling Infrastructure, "California Fuel Cell Partnership Comments - CaFCP Stakeholder Response to 18-HYD-04 HySCapE Workshop."
- Organized a CaFCP hosted webinar for CARB to present their AB8 report findings. Staff coordinated and presented the OEM perspective to counterbalance CARB report findings. (<https://cafcpc.org/content/ab-8-webinar-2019-annual-evaluation-fcev-deployment-hydrogen-station-network-development>)
- Coordinated joint OEM and SDO member review of CEC [19-TRAN-02](#) MD/HD ZEV and Infrastructure solicitation concepts; Staff consolidated comments and submitted to the docket.
- Staff presented SOSS Topics:
  - Station Status Criteria—updated terminology and definitions for OEM discussion and consensus
  - SOSS Icons, including "refresh"
- Initiated decoupling of retail hydrogen station count and CaFCP Station count from the station map.
- The 2019 hydrogen supply disruption topic was discussed and a methodology for developing messaging around Station Network Health was initiated and communication developed
- Burbank outreach efforts initiated including meeting with Burbank Public Works Fleet & Facility manager

<sup>1</sup> [http://cafcpcmembers.org/system/files/documents/CAFCR\\_Vision2030-Presentation-Final.zip](http://cafcpcmembers.org/system/files/documents/CAFCR_Vision2030-Presentation-Final.zip)



**GOVERNMENT GROUP** | Member Lead: G Vacin | Staff Lead: B Xiong

- Data gathering by CARB for their Hydrogen Station & Dispensing Regulatory efforts continue
- The Station Confirmation Group discussed next steps to complete commissioning of the Woodside, and Burbank stations. Please refer to the Go-Biz SmartSheet for details.
- The group discussed processes and methods to remove stations from the [CaFCP Station Map](#). Staff developing a strawman to be proposed to OEM, SDO and Station Confirmation Groups for review.
- 3 stations were set to Open-retail: San Francisco – 3<sup>rd</sup> Street; San Francisco – Harrison Street; San Francisco – Mission Street
- The Cal State LA station was moved from commissioning to Legacy Retail
- 15 stations are expected to open in 2020; 2 stations are to open in 2021; the Burbank station is currently Under Review

**STATION DEVELOPER/OPERATOR GROUP** | Member Lead: A Harris | Staff Lead: D Park

- Submitted CaFCP industry member comment letter to CEC [18-HYD-04 docket](#), Draft Solicitation Concepts for Light-Duty Hydrogen Refueling Infrastructure, “California Fuel Cell Partnership Comments - CaFCP Stakeholder Response to 18-HYD-04 HyScapE Workshop.”
- Staff coordinated joint SDO and OEM member review of CEC [19-TRAN-02](#) MD/HD ZEV and Infrastructure solicitation concepts; Staff consolidated comments and submitted to the docket.
- Staff coordinated SDO discussion of SOSS Topics, including Station Status Criteria-updated terminology and definitions, and LCFS topics (Standardization of SOSS reporting)
- Staff coordinated methodology for developing messaging around Station Network Health and communication developed, in response to 2019 hydrogen supply disruptions



**MHD GROUP (FCET & FCEB)** | Member Lead: Shell | Staff Lead: N Bouwkamp

- Actively emphasized need for dedicated funding to implement HD H2 ZEV fueling infrastructure at CARB & CEC HD funding meetings, both for buses and trucks.
- Conveyed balanced message that efforts should include HD FCEVs while continuing to support LD FCEVs and infrastructure.
- Staff continued the drafting of an HD H2 infrastructure fact sheet for outreach purposes to decision makers based on industry input submitted for this purpose.
- FCET group continues to meet regularly to advance activities overall and towards FCET strategy document for 2020.
- FCEB tour on pause for now, for future consideration

## PROJECT TEAMS

**SAFETY CODES & STANDARDS** | Member Lead: A Harris | Staff Lead: J Hamilton

- **CSA Group:** Aaron and Jennifer are Chair and Vice-Chair (respectively) of the CSA Hydrogen Transportation Technical Committee; Jennifer is Bill Elrick's voting member for the Transportation Strategic Steering Committee; a member of the B51/NGV2/HGV2 Harmonization Combined TF, on the Transportation Executive Synchronization Committee, and is in the Technical Sub Committees for a number of the documents listed below.

### Active Projects

- **HGV 4.9 – Hydrogen fueling stations** – The Technical Committee ballot closed. The standard is being finalized and will be published in February/ March 2020.
- **HGV 4.1 – Hydrogen dispensing systems** – All TSC / Public Review comments have been dispositioned and the draft has been finalized for the Technical Committee ballot. It is posted and closes February 21, 2020.
- **SPE 2.1.3 – Best practices for defueling, decommissioning, and disposal of compressed hydrogen gas vehicle fuel containers** – Work is completed and expected publication in February 2020.
- **HGV 2 – Containers** – The TSC continues to meet for content development.
- **HPRD 1 – Thermally activated pressure relief devices** –TSC continues to meet for content development.
- **HGV 4.4 – Breakaway Devices, HGV 4.6 Manual Valves, and HGV 4.7 Automatic Valves** – The TSC continues to meet for content development.
- **HGV 4.10 – Fittings** – The TSC continues to meet for content development
- **FC 1 – Stationary fuel cell power systems** – The TSC continues to meet for content development

### Projects Launching Soon

- **HGV 5.1 – Hydrogen Refueling Appliances**
- **HGV 4.2 – Hoses for compressed hydrogen fuel stations**
- **HGV 3.1 – Fuel system components for compressed hydrogen gas powered vehicles**

### Recently Published

- **HGV 4.3 – Fueling parameter evaluation** published in July 2019. Work on the next edition of HGV 4.3 will be to align with definitions in the upcoming edition of SAE J2601.
- **CHMC 2 – Chemical compatibility (Non-Metals)** published in August 2019.
  - **NFPA 2:**
    - Public comments for the 2023 version open until June 30, 2020 Task Groups active and reporting to the Technical Committee ahead of the Pre-First Draft meeting
      - Meeting originally scheduled for April 22-23 being rescheduled TBD
  - **IFC/CFC:**
    - 2019 Intervening Code Cycle adopting 2020 NFPA 2 (as was done for previous versions)
  - **ISO/TC 197:**
    - **WG 24:** ISO/DIS 19880-1, *Gaseous hydrogen — Fueling stations — Part 1: General requirements*-. published; WG 24 disbanded
    - **WG 27:** Hydrogen Fuel Quality- ISO 14687 – published
    - **WG 28:** Hydrogen Quality Control- ISO 19880-8 is in FDIS stage; the WG will continue with H. Tomioka as the convener.

- **JWG 7: Analytical methods for hydrogen fuel — Proton exchange membrane (PEM) fuel cell applications for road vehicles**-ISO 21087 published; WG disbanded
- **New WG 29- Basic considerations for the safety of hydrogen systems:** WG formed February; kickoff meeting TBD (Convener, Jay Keller)
- **ASTM D03.14 Subcommittee on Hydrogen and Fuel Cells:**
  - ILS's on FTIR and Cavity Ring Down Spectroscopy are in process; updates to the corresponding documents will occur upon completion (ASTM D7653 and ASTM D7941/D7941M, respectively)
  - Planning for the June in person meeting and Hydrogen Sampling Workshop underway.
- **SAE International:**
  - **SAE J2600 (Fueling Hardware):** open for revision to add in HD fueling hardware; harmonize with ISO 17268; plan to publish in 2020
  - **SAE J2601 (Fueling Protocol):** Publication of the 2020 version in April.
  - **SAE J2719 (Fuel Quality):** published
  - **SAE J2579 (Fuel Systems):** updating for HD storage cylinders and harmonizing with ISO and GTR #13 for material compatibility, performance-based stress rupture, permeation/leak requirement; localized/engulfing fire test
  - **SAE J2990/1 (First and Second Responder Recommended Practice):** open for revision; harmonization with other FC safety documents, the parent document J2990, UN GTR, and new proposals. Target ballot timeframe- fall, 2020.
- **FCHEA Regulatory Matrix** (as of December 31, 2019):  
<https://static1.squarespace.com/static/53ab1feee4b0bef0179a1563/t/5e3afea43ac8e451d6e713d2/1580924580760/FCHEA+Regulatory+Matrix+markup+Dec+31+2019.pdf>

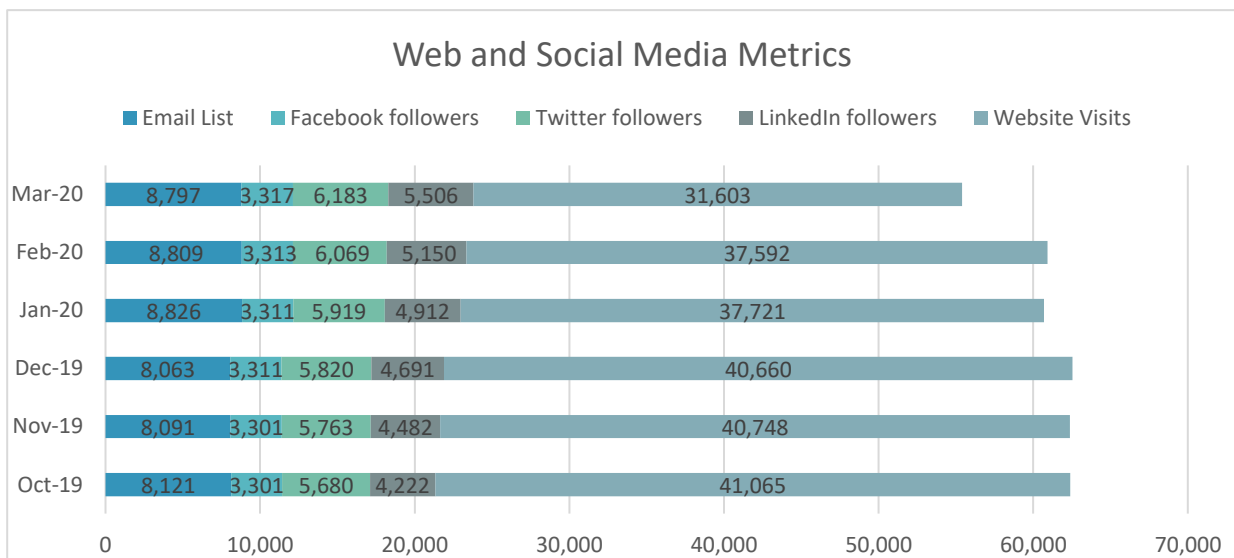
#### ORGANIZATIONAL AND MEMBERSHIP ACTIVITIES | Staff Lead: B Elrick

- Work continues on the board directive of CaFCP reorganization to meet the next 20 years of market development, with a board-level workshop held FEB 26 at CaFCP. The workshop focused on identifying the vision, core principles and objectives for an improved organization and is being reviewed and discussed across Steering Team meetings. These consensus foundations will be presented to the board during their next meeting for review and feedback.
- In March 2020 the Steering Team approved SETS as a new Associate member and recommended Toyota Tsusho to be proposed to the Executive Board as a new potential Full member. Chevron and City of San Francisco have submitted membership request letters and are currently in process.
- The April 29<sup>th</sup> CaFCP Board meeting is being rescheduled as a remote-only meeting, tentatively scheduled for May 20<sup>th</sup>.
- As a member of the Clean Transportation Program's new Advisory Committee, CaFCP submitted feedback comments on the [2020-2023 Investment Plan](#) for AB8 funding.

#### OUTREACH/EDUCATION | Member Lead: TBD | Staff Lead: K Malone/ Juan Contreras

- Staff periodically receive calls and emails from news media. Recent inquiries and engagement via email and Twitter have included Calmatters, Washington Post, etc.
- Staff frequently interact with drivers and others (CARB board member Dean Florez, for example) with questions via email, social media (Facebook) and in-person moments (lunch, H2 station, etc.).
- Staff regularly participating in DOE's monthly meetup with organizations across the U.S.

- Met with SANDAG staff, along Tim Sasseen of Ballard, to talk about FCEVs and station development. SANDAG and stakeholders may pursue a sales tax in support of transportation projects, including transit and ZEV infrastructure (charging and H2).
- Met with Jacques Chirazi, business development director of the City of San Diego, to discuss station development and the state of FCEVs in California.
- Class presentation to Santa Monica College.
- OCTA ribbon cutting for new station and 10 buses.
- SCAQMD Clean Fuels Advisory Committee participation (alternates between Keith and Dave)
- Initial conversations with Colorado Hydrogen Network, newly formed group.
- Presenter at SCAG (So Cal Assn of Govts) and GO-Biz seminar/webinar on permitting.



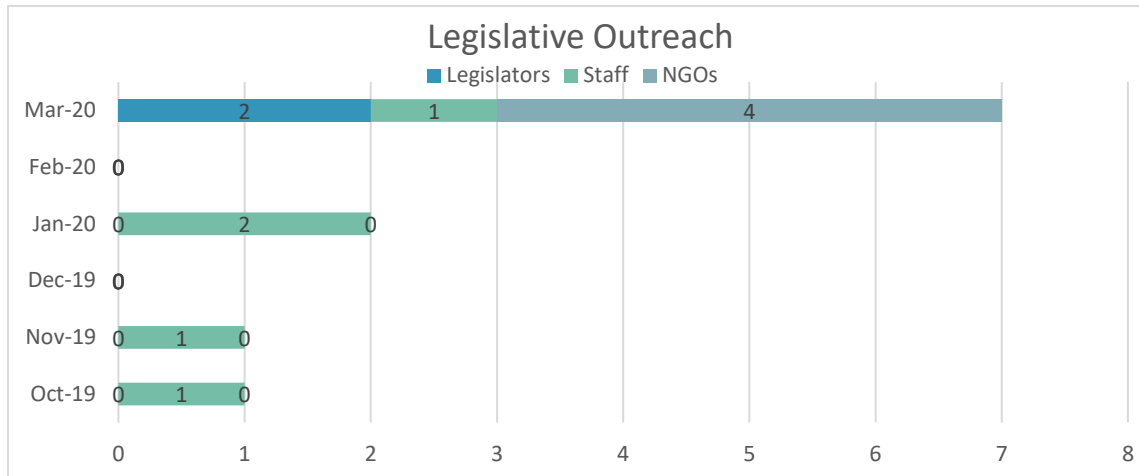
#### SOSS | MEMBER LEAD: J BIRDSALL | STAFF LEAD: B XIONG

- Working with OEM and SDO groups to define SOSS station status definitions
- Worked with SDO members to review their data log for any anomalies and identify solutions
- Working with CARB and station developers and operators on integrating SOSS and LCFS activities, ongoing. Investigating long term needs and direction for SOSS.
- 4 new HRS were added to SOSS (SF 3<sup>rd</sup> St, SF Harrison St, SF Mission St, Cal State LA)
- \*Cal State LA was added to SOSS as a Legacy Retail station.
- Additional SOSS work identified in the SDO and OEM groups above
- Total SOSS accounts to date: 5,230

#### GOVERNMENT AFFAIRS | Member Lead: S Baker | Staff Lead: K Malone

- Request from office of Congressman Jim Costa (D-Fresno) for a FCEV display on National Hydrogen Day. Request came too late to make arrangements. Alerted FCHEA to inform their outreach efforts.
- Coincidental interaction with Tyler Madary, district director of State Senator Richard Roth (D-Riverside), at the L.A. Auto Show. Mr. Madary recognized Keith Malone from previous interactions.

- Informal meeting with Southern California Edison public affairs staff.
- Informal meeting with staff of State Treasurer Fiona Ma.
- Staff consult with colleagues at California Hydrogen Coalition to ensure coordination of messaging and complementary activities in legislative education and outreach.
- Developing project to organize 100-electeds (city council, county supervisor) in letter of support of hydrogen fueling infrastructure. For discussion at next Government Relations/Comms meeting.



## EVENTS/ACTIVITIES | Staff Lead: J Contreras

### Quarter 4, 2019

10/15/19	Center for H2 Safety Conf – Ride & Drive (J. Contreras, K. Malone & J. Hamilton), Sacramento
10/15/19	CaFCP HD Strategy Meeting (N. Bouwkamp), CaFCP HQ
10/16/19	CaFCP Executive Board Meeting – Static Display (J. Contreras & K. Malone), Sacramento
10/16/19	California Fuel Cell Partnership 20th Anniversary – Static Display (CaFCP staff), Sacramento
10/17/19	GO-Biz Renewable H2 Roundtable–Static Display (J. Contreras, K. Malone & B. Elrick), Sacramento
10/22/19	Regional Meeting on Implementing the Innovative Clean Transit & Zero-Emission Airport Shuttle Regulations - (J. Hamilton), Sacramento
10/25/19	CEC Staff Workshop for Medium- and Heavy-Duty Zero-Emission Vehicles and Infrastructure solicitation concepts (D. Park), Sacramento
10/28-29/19	2019 Philomathia Forum: Zero Emission Ports & Freight (N. Bouwkamp), Berkeley
10/30-31/19	UC Davis ITS STEPS+ workshop: Oct 30: ZEV Truck Uptake, Markets and Policies; Oct 31: Transitioning to a Large Scale H2/FCEV System – Presenter/participant (N. Bouwkamp), Davis
10/30/19	AB8 Webinar 2019 – Annual Evaluation of FCEV Deployment & Hydrogen Station Network Development - co-host (B. Elrick and D. Park), CaFCP, HQ
11/4/19	HTAC Meeting (B. Elrick), Long Beach
11/5/19	H2@Scale Workshop (B. Elrick), Long Beach
11/6/19	UCLA Summit on State and Local Progress Toward 100% Clean Energy (B. Elrick & N. Bouwkamp), Los Angeles
11/13-15/19	California Transit Association - 54th Annual Fall Conference & Expo (N. Bouwkamp), Monterey
12/4/19	Californian Hydrogen Developments – Webinar (B Elrick)
12/10/19	STEPS + Fall 2019 Research Symposium (B. Elrick), Davis
12/12/19	CARB Board hearing (N. Bouwkamp), Sacramento

12/13/19	Japanese Gas Assoc Delegation Visit – Presenter (B. Elrick & J. Hamilton), CaFCP HQ
12/17/19	H2B2 USA Visitor - Meeting (B. Elrick), CaFCP HQ
1/6/20	Korean Auto Manufacturing Group (B. Elrick), CaFCP HQ
1/9/20	Shell future dispenser demo at Torrance H2 Station (K. Malone), Torrance
1/9/20	USDRIIVE Hydrogen Delivery Tech Team Meeting (N. Bouwkamp), ANL, Lemont, IL
1/20/20	MLK 365 Season of Change – The Diversity Expo (J. Contreras), Sacramento
1/21/20	Stanford - San Francisco Energy Dialogues (B. Elrick), Palo Alto
1/22/20	CARB Work Group Meeting for Heavy-Duty Demonstrations, Pilots, and Clean Truck and Bus Vouchers from FY (N. Bouwkamp), Sacramento
1/23/20	Renewable Gas 360 (J. Contreras and N. Bouwkamp), Sacramento
1/23/20	CARB Board meeting - Policy Recommendations Increase Use ZEVs SB 498 (N. Bouwkamp)
1/23/20	SANDAG Regional Energy Working Group: H2 & FCEV 101 Presentation (K. Malone) San Diego
1/24/20	CEC Pre-Application Workshop #3 - GFO-19-602 H2 Refueling Infra (B. Elrick) Sacramento
1/29/20	Tokyo Metropolitan Government meeting with CaFCP staff (J. Contreras & B. Elrick) CaFCP HQ
1/30/20	MSU Center for Railway Research and Education - Railway Motive Power and Alternative Propulsion workshop – presenter (N. Bouwkamp & J. Hamilton), Long Beach
1/31/20	OCTA Grand Opening Station (K. Malone & N. Bouwkamp), Orange
2/4/20	Fuel cell & H2 presentation at Woodbury University (K. Malone), Santa Monica
2/6/20	Clean Fuels Advisory Group, SCAQMD (K. Malone), Diamond Bar
2/12/20	CARB Workshop to Discuss A Potential M/HD Zero-Emission Fleet Regulation (D. Park & N. Bouwkamp), Diamond Bar
2/18-19/20	Drive to Zero: Decarbonizing Transportation (B. Elrick), San Francisco
2/20/20	CARB Workshop on changes to Advanced Clean Truck regulation (N. Bouwkamp), Sacramento
2/25/20	7th International Hydrogen Infrastructure Workshop (N. Bouwkamp), WebEx
2/26/20	Coalition for Clean Air Toast to Clearing the Air (J. Contreras & B. Elrick & Hyundai), Sacramento
3/3/20	Clean Transportation Program Advisory Committee Meeting (B. Elrick), Sacramento
3/4/20	VELOZ - Electric Transportation 2030 – Policy, Power & Plugs (J. Hamilton), Sacramento
3/6-7/20	7 <sup>th</sup> California Hydrogen and Fuel Cell Summit (J. Contreras & B. Elrick), Sacramento
3/10/20	Zero Emission Vehicle Permit Streamlining Workshop (K. Malone), Los Angeles
3/12/20	CARB Workshop on Development FY2020-21 Funding Plan for Clean Transportation Incentives (N. Bouwkamp), Sacramento
<b>UPCOMING EVENTS</b>	<b><i>**due to the COVID-19 the events below have been postponed or cancelled**</i></b>
3/25/20	CALSTART 2030 Policy Summit, Sacramento
3/25/20	World Hydrogen Congress 2020
4/13-15/20	Green Transportation Summit 2020, Tacoma, WA
5/4/20	ACT Expo 2020 – Advanced Clean Transportation Expo – Long Beach
5/15/20	Solar, Storage and Smart Energy Expo – San Diego
6/9/20	f-cell HFC Vancouver, Vancouver, B.C.

[↑ Back to Agenda](#)

BOARD MEETING DATE: August 7, 2020

AGENDA NO. 18

REPORT: Report to Legislature and CARB on South Coast AQMD's Regulatory Activities for Calendar Year 2019

SYNOPSIS: The South Coast AQMD is required by law to submit a report to the Legislature and CARB on its regulatory activities for the preceding calendar year. The report is to include a summary of each rule and rule amendment adopted by South Coast AQMD, number of permits issued, denied, or cancelled, emission offset transactions, budget and forecast, and an update on the Clean Fuels program. Also included is the Annual RECLAIM Audit Report, as required by RECLAIM Rule 2015 - Backstop Provisions.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:

Receive and file the attached report and direct staff to forward the final report to the Legislature and CARB.

Wayne Natri  
Executive Officer

DA: FW: HC

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**Background**

South Coast AQMD is subject to several internal and external reviews of its air quality programs.

In 1990, the Legislature directed South Coast AQMD to provide an annual review of its regulatory activities (SB 1928, Presley) and specified the type of information required (Health and Safety Code §40452). Many of the required elements overlap with other

requirements of separate legislation. For example, information on South Coast AQMD's Clean Fuels Program is a requirement of this report but it is also a separate requirement under legislation passed in 1999 (SB 98, Alarcón). The purpose of this report is to compile a comprehensive regulatory overview. Most of the information included in this report is not new but is simply a compilation of information previously seen by the Board. For example, Chapter I lists all the rules and rule amendments adopted by the Board during 2019. The Annual RECLAIM Audit Report, which the Board approved on March 6, 2020, is also required to be submitted to the Legislature by Rule 2015 - Backstop Provisions.

The specific requirements of this report include:

- A summary of each major rule and rule amendment adopted by the Board;
- The number of permits to operate or permits to construct that were issued, denied, cancelled or not renewed;
- Data on emission offset transactions and applications during the previous year;
- The budget and forecast of staff increases or decreases for the following fiscal year;
- An identification of all sources of revenue used to finance South Coast AQMD activities;
- An update on the South Coast AQMD's Clean Fuels program; and
- The annual RECLAIM Audit Report.

### **Attachment**

Report to the Legislature on the Regulatory Activities of the South Coast AQMD for Calendar Year 2019<sup>1</sup>

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<sup>1</sup> Due to the bulk of these materials, chapters III, IV and V of the report can be found online at [www.aqmd.gov](http://www.aqmd.gov). Anyone who would like to obtain a hard copy of these materials may do so by contacting South Coast AQMD's Public Information Center at (909) 396-2001.



REPORT TO THE LEGISLATURE ON THE  
REGULATORY ACTIVITIES OF THE  
SOUTH COAST  
AIR QUALITY MANAGEMENT DISTRICT

Pursuant to  
Chapter 1702, Statutes of 1990 (SB 1928)



August 2020  
Cleaning the Air that We Breathe...

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
GOVERNING BOARD**

---

Chairman: Dr. William A. Burke  
Speaker of the Assembly Appointee

Vice Chairman: Ben Benoit  
Council Member, Wildomar  
Cities of Riverside County

Members:

Kathryn Barger  
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Cities of Orange County Representative

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County of San Bernardino

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Wayne Nastri  
Executive Officer

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# EXECUTIVE SUMMARY

## Introduction

The South Coast Air Quality Management District (South Coast AQMD) is subject to internal and external reviews of its air quality programs. These include annual reviews of the South Coast AQMD's budget, forecast and proposed operating budget for the upcoming fiscal year, and compliance program audits. In addition, the South Coast AQMD is required to submit to the California Air Resources Board (CARB) and State Legislature an annual review of its regulatory activities for the preceding calendar year (CY). The attached report satisfies this latter requirement, which is mandated pursuant to Chapter 1702, Statutes of 1990 (SB 1928, Presley), Section 40452 of the California Health and Safety Code.

## Rule Development and Other Projects Approved in 2019 and CEQA Alternatives

This section contains a summary of each rule adoption, amendment, rescission, and other projects approved by the South Coast AQMD Governing Board in the preceding CY (e.g., 2019). Each summary contains detailed information about the estimated emission reductions, cost-effectiveness, alternatives considered pursuant to the requirements in the California Environmental Quality Act (CEQA), socioeconomic impacts, and sources of funding.

Projects undertaken by public agencies are subject to CEQA, so rules and regulations promulgated by South Coast AQMD must first be reviewed to determine if they are considered to be a "project" as defined by CEQA. For any proposal that is either not a "project" or determined to be exempt from CEQA, no further action is required. If the project has the potential to create significant or less than significant adverse effects on the environment, then an environmental analysis is necessary. New rules being adopted, or existing rules being amended or rescinded typically require a comprehensive CEQA document that contains an environmental impact analysis which includes the following:

- \* identification of potentially significant adverse environmental impacts evaluated based on environmental checklist topics;
- \* identification of feasible measures, if any, to mitigate significant adverse environmental impacts to the greatest extent feasible;
- \* if necessary, a discussion and comparison of the relative merits of feasible project alternatives that generally achieve the goals of the project, but may generate fewer or less severe adverse environmental impacts; and,
- \* identification of environmental topics not significantly adversely affected by the project.

If significant adverse environmental impacts are identified, feasible mitigation measures, if any, and alternatives must be identified and an analysis of the relative merits of each alternative is required. However, if the CEQA document concludes that no significant adverse environmental impacts would be generated by a proposed project, neither the identification of feasible mitigation measures nor an analysis of CEQA alternatives to the project is required. However, even if a project is determined not to have significant environmental impacts, the CEQA document will

contain a focused analysis of the potential environmental impacts. South Coast AQMD operates under a regulatory program certified by the Secretary for Resources pursuant to Public Resources Code Section 21080.5 and CEQA Guidelines Section 15251(l). The adoption, amendment or rescission of South Coast AQMD rules and regulations are subject to South Coast AQMD's certified CEQA program, while the adoption, amendment or rescission of plans such as the AQMP are not. Having a certified regulatory program means that the South Coast AQMD can incorporate its environmental analyses into CEQA documents other than environmental impact reports (EIRs), negative declarations (NDs), or mitigated NDs (MNDs) without being subject to a limited number of specific CEQA requirements identified in Public Resources Code Section 21080.5. Instead, all CEQA documents prepared by South Coast AQMD pursuant to its certified regulatory program are either called an Environmental Assessment (EA), or some variant of an EA such as a Subsequent or Supplemental EA, or Addendum to an EA.

In 2019, the South Coast AQMD adopted two new rules (Rules 1118.1 and 1480), amended 27 rules (Rules 110, 209, 212, 301, 303, 306, 307.1, 309, 315, 518.2, 1100, 1100.2, 1106, 1111, 1134, 1310, 1325, 1407, 1605, 1610, 1612, 1620, 1623, 1710, 1714, 2001, and 3006) and three regulations (Regulations III, IX, and X), and rescinded one rule (Rule 1106.1). Also, in 2019, South Coast AQMD amended the BACT Guidelines and approved six other projects for which a CEQA analysis was conducted, as follows: Request for Reclassification of Coachella Valley for 1997 8-Hour Ozone Standard; three Community Emissions Reduction Plans for three Year One Communities in accordance with Assembly Bill 617; Facility-Based Mobile Source Measures for five commercial Airports; and Contingency Measure Plan for the 1997 8-Hour Ozone Standard. Of these projects, analyses of CEQA alternatives were required and conducted for Rules 1100, 1110.2, and 1134. Refer to Chapter 1 for the details regarding these approved projects.

Refer to Chapter 1 for the details regarding rule adoptions, rule amendments, and CEQA alternatives.

### **CEQA Lead Agency Projects**

South Coast AQMD also acts as the Lead Agency under CEQA for non-South Coast AQMD projects where South Coast AQMD typically has primary approval (i.e., discretionary permitting authority). Under CEQA, the Lead Agency is responsible for determining whether an EIR, ND, or other type of CEQA document is necessary for any proposal considered to be a "project" as defined by CEQA. Further, the Lead Agency is responsible for preparing the environmental analysis, complying with all procedural requirements of CEQA, and approving the environmental documents. All documents prepared by South Coast AQMD for permit projects are subject to the standard CEQA requirements. South Coast AQMD staff is responsible for preparing or reviewing prepared CEQA documents for stationary source permit projects.

In 2019, the South Coast AQMD approved two lead agency projects: 1) Addendum to the April 2007 Final Mitigated Negative Declaration for Southern California Edison: Mira Loma Peaker Project, Ontario; and 2) Addendum to the May 2017 Final Environmental Impact Report for Tesoro: Los Angeles Refinery Integration and Compliance Project. Refer to Chapter 1 for details regarding these lead agency projects.

Refer to Chapter 1 for details regarding this lead agency project.

## **Socioeconomic Impact Assessments**

California Health and Safety Code Section 40440.8 requires that South Coast AQMD perform socioeconomic impact assessments for its rules and regulations that will significantly affect air quality or emissions limitations. Prior to the requirements of Section 40440.8, South Coast AQMD staff had been evaluating the socioeconomic impacts of its actions pursuant to a 1989 Governing Board Resolution. Additionally, South Coast AQMD staff assesses socioeconomic impacts of CEQA alternatives analyzed for rules with significant cost and emission reduction impacts.

The elements of socioeconomic impact assessments include direct effects on various types of affected industries in terms of control costs and cost-effectiveness as well as public health benefits associated with AQMPs. Additionally, South Coast AQMD staff uses an economic model developed by Regional Economic Models, Inc. (REMI) to analyze the potential direct and indirect socioeconomic impacts of South Coast AQMD rules on Los Angeles, Riverside, Orange, and San Bernardino Counties. These impacts include, but are not limited to, employment and competitiveness.

In 2019, the South Coast AQMD identified and analyzed new socioeconomic impacts for six projects which include two newly adopted rules (Rules 1118.1 and 1480) and four amended rules (Rule 1110.2 with Rule 1100, and Rules 1134 and 1407). The South Coast AQMD also identified and analyzed ongoing socioeconomic impacts for one amended regulation (Regulation III) and two amended rules (Rule 209 and 320). No socioeconomic impacts were identified for projects which included amendments to twenty-two rules (Rules 110, 212, 303, 306, 307.1, 309, 315, 518.2, 1100, 1106, 1111, 1310, 1325, 1605, 1610, 1612, 1620, 1623, 1710, 1714, 2001, and 3006). The BACT Guidelines were also amended in 2019 but no significant socioeconomic impacts were created because the amendments did not result in more stringent requirements than would otherwise occur. Additionally, six other projects were approved: Request for Reclassification of Coachella Valley for 1997 8-Hour Ozone Standard; three Community Emissions Reduction Plans for three Year One communities in accordance with Assembly Bill 617; Facility-Based Mobile Source Measures for five commercial airports; and Contingency Measure Plan for the 1997 8-Hour Ozone Standard. A socioeconomic analysis was not conducted for any of these projects as it is not required by statute or South Coast AQMD Governing Board resolution. Refer to Chapter 1 for details regarding the socioeconomic impact assessments.

Refer to Chapter 1 for details regarding the socioeconomic impact assessments.

## **Engineering and Permitting**

### Background

Section 40452 of the California Health and Safety Code requires that the South Coast AQMD (SCAQMD) submit an annual report to both the state board and Legislature that summarizes its regulatory activities for the preceding calendar year. Paragraph (b) of Section 40452 requires that the annual report include data on “the number of permits to operate or to construct, by type of industry, that are issued and denied, and the number of permits to operate that are not renewed.” Paragraph (c) of section 40452 requires that the annual report also includes data on emission offset transactions and applications during the previous fiscal year, including an accounting of the

number of applications for permits for new or modified sources that were denied because of the unavailability of emission offsets. In addition, SCAQMD Rule 2015 requires submittal of the annual Regional Clean Air Incentives Market (RECLAIM) Audit Report for the 2018 Compliance Year to the Legislature.

The following paragraphs provide a brief summary for each report.

#### Permitting Data – Calendar Year 2019

During calendar year 2019, SCAQMD dispositioned a total of 7,426 applications. The majority of these applications were for Permits to Operate (3,002), Area Sources & Certified/ Registrations (1,060), and Changes of Operators (918). Also, 889 permits were not renewed. This data, broken down into nine different categories, is summarized in Table 1 of Attachment A.

Table 2 in Attachment A contains a breakdown of permits dispositioned (in the nine categories) and permits not renewed, by type of industry. The type of industry was based on North American Industry Classification System (NAICS) codes, which were provided by the applicant at the time of application filing. The top four NAICS codes were 447110/447190 – Gasoline Service Stations, 811121 - Automotive Body, Paint, and Interior Repair and Maintenance, 324110 - Petroleum Refineries, and 812320 – Dry Cleaning and Laundry Services (except Coin-Operated).

#### Emission Offset Transactions Data – Fiscal Year 2018/2019

During fiscal year 2018-19, a total of 43 emission offset transactions were completed, which include 37 transactions for reactive organic gases (ROG), five transactions for oxides of nitrogen (NOx), and one transaction for particulate matter with an aerodynamic diameter less than 10 microns (PM10). There were no transactions for oxides of sulfur (SOx) and carbon monoxide (CO). The amounts of emissions offsets transferred, by pollutant, include 981 pounds per day of ROG, 26 pounds per day of NOx, and three pounds of PM10 (see Table 3 of Attachment B). Seven banking applications were processed resulting in the issuance of new emission offsets for 77 pounds per day of ROG and 513 pounds per day of PM10. Additionally, no applications were denied for a permit for a new source for the reason of failure to provide the required emission offsets. (See Attachment B for details)

#### RECLAIM Audit Report

The REgional CLean Air Incentives Market (RECLAIM) program was adopted in 1993 to provide facilities with flexibility in achieving the same emissions reduction goals as would have achieved under the traditional command and control approach, while lowering the cost of compliance. To ensure RECLAIM is achieving its goal, South Coast AQMD Rule 2015 - Backstop Provisions, requires preparation of an annual audit report on the program. This Annual RECLAIM Audit Report assesses emission reductions, availability of RECLAIM Trading Credits (RTCs) and their average annual prices, job impacts, compliance issues, and other measures of performance for the twenty-fourth year of this program. The results of the annual audit show that RECLAIM continues to meet its aggregate emission goals and all other specified objectives.

As discussed in more detail in the audit report (see Chapter V), a total of 253 facilities were in the RECLAIM program at the end of Compliance Year 2018. Total NOx emissions from RECLAIM facilities were 22 percent less than the aggregate NOx allocations, and SOx emissions were 14 percent less than the aggregate SOx allocations for the program. The vast majority of RECLAIM facilities complied with their allocations during the 2018 compliance year (94 percent of NOx facilities and 97 percent of SOx facilities).

A total of over \$1.52 billion in RTCs has been traded since the adoption of RECLAIM, of which \$34.2 million occurred in calendar year 2019 (compared to \$3.9 million in calendar year 2018), excluding swaps. The annual average prices of discrete-year NOx and SOx RTCs and infinite-year block (IYB – trades that involve blocks of RTCs with a specified start year and continuing in perpetuity) NOx and SOx RTCs traded in calendar years 2018 and 2019 were all below the applicable review thresholds for initiating program review.

In Compliance Year 2018, RECLAIM facilities reported a net gain of 326 jobs, representing 0.32 percent of their total employment. The RECLAIM program also met other applicable requirements including meeting the applicable federal offset ratio under New Source Review and having no significant seasonal fluctuation in emissions. Additionally, there is no evidence that RECLAIM resulted in any increase in health impacts due to emissions of air toxics.

Refer to Chapter V for the “Annual RECLAIM Audit Report for 2018 Compliance Year.”

### **Budget and Work Program**

Refer to Chapter III for the Fiscal Year 2020-2021 Budget Report.

### **Clean Fuels Programs**

#### **2019 Annual Report**

In CY 2019, the South Coast AQMD Clean Fuels Program executed 68 new contracts, projects or studies and modified four continuing project adding dollars toward research, development, demonstration and deployment projects as well as technology assessment and transfer of alternative fuel and clean fuel technologies. The South Coast AQMD Clean Fuels Program contributed nearly \$11.9 million in partnership with other governmental organizations, private industry, academia and research institutes, and interested parties, with total project costs of approximately \$134 million. The \$11.9 million includes \$3.12 million recognized into the Clean Fuels Fund as pass-through funds from United States Environmental Protection Agency (U.S. EPA) Airshed Grant funds for a battery-electric shuttle bus replacement project. Additionally, in CY 2019, the Clean Fuels Program continued to leverage other outside funding opportunities, securing new awards totaling \$19.9 million from federal, state and local funding opportunities.

Like the last couple of years, the significant project scope of a few key contracts executed in 2019 resulted in higher than average leveraging of Clean Fuels dollars. Typical historical leveraging is \$4 for every \$1 in Clean Fuels funding. In 2019, South Coast AQMD continued this upward trend with more than \$14 leveraged for every \$1 in Clean Fuels funds. Leveraging dollars and



aggressively pursuing funding opportunities is critical given the magnitude of needed funding identified in the 2016 AQMP to achieve federal ozone air quality standards.

The projects or studies executed in 2019 included a diverse mix of advanced technologies. The following core areas of technology advancement for 2019 executed contracts (in order of funding percentage) include:

1. Electric and Hybrid Vehicle Technologies and Related Infrastructure (emphasizing electric and hybrid electric trucks developed by OEMs and container transport technologies with zero emission operations);
2. Health Impacts Studies (including MATES V);
3. Technology Assessment and Transfer/Outreach;
4. Hydrogen and Mobile Fuel Cell Technologies and Infrastructure;
5. Fuel/Emissions Studies; and
6. Engine Systems/Technologies (emphasizing alternative and renewable fuels for truck and rail applications).

During CY 2019, the South Coast AQMD supported a variety of projects and technologies, ranging from near- term to long-term research, development, demonstration and deployment activities. This “technology portfolio” strategy provides the South Coast AQMD the ability and flexibility to leverage state and federal funding while also addressing the specific needs of the Basin. Projects included significant electric and hybrid electric technologies and infrastructure to develop and demonstrate medium- and heavy-duty vehicles in support of transitioning to a near-zero and zero emissions goods movement industry; development, demonstration and deployment of large displacement natural gas and ultra-low emissions engines; and demonstration of emissions control technologies for heavy-duty engines; and natural gas and renewable natural gas deployment and support.

In addition to the 72 executed contracts and projects, 15 research, development, demonstration and deployment projects or studies and 18 technology assessment and transfer contracts were completed in 2019. As of January 1, 2020, there were 128 open contracts in the Clean Fuels Program.

In accordance with California H&SC Section 40448.5.1(d), this annual report must be submitted to the state legislature by March 31, 2020, after approval by the South Coast AQMD Board.

### **2020 Plan Update**

Staff’s re-evaluation of the Clean Fuels Program to develop the annual Plan Update is based on a reassessment of the technology progress and direction for the agency. The Program continually seeks to support the development and deployment of lower-emitting technologies with increased collaboration with OEMs in order to get to large scale deployment. The design and implementation of the Clean Fuels Program Plan must balance the needs in the various technology sectors with technology readiness on the path to commercialization, emissions reduction potential and cofunding opportunities. For several years, the state has continued to focus a great deal of its attention on climate change and petroleum reduction goals, but the South Coast AQMD has necessarily remained committed to developing, demonstrating and commercializing technologies that reduce criteria pollutants, specifically NOx and toxic air contaminants (TACs). Fortunately,

many, if not the majority, of these technologies that address the Basin's need for NOx and TAC reductions also garner reductions in greenhouse gases (GHG) and petroleum use. Due to these "co-benefits," the South Coast AQMD has been successful in partnering with the state, which allows the Clean Fuels Program to leverage its funding extensively.

To identify technology and project opportunities where funding can make a significant difference in deploying progressively cleaner technologies in the Basin, the South Coast AQMD employs several outreach and networking activities. These activities range from close involvement with state and federal collaboratives, partnerships and industrial coalitions, to the issuance of Program Opportunity Notices (PONs) to solicit project ideas and concepts as well as issuance of Requests for Information (RFIs) to determine the state of various technologies and the development and commercialization challenges faced by those technologies. Additionally, unsolicited proposals from OEMs and other clean fuel technology developers are regularly received and reviewed. Potential development, demonstration and certification projects resulting from these outreach and networking activities are included conceptually within the Draft 2020 Plan Update. On a related side note, because of Assembly Bill (AB) 6171, which requires reduced exposure to communities most impacted by air pollution. TAO conducted additional outreach to AB 617 communities regarding available zero and near-zero emission technologies as well as the incentives to accelerate those cleaner technologies into their communities.

The Plan Update includes projects to develop, demonstrate and commercialize a variety of technologies, from near-term to long-term commercialization, that are intended to provide solutions to the emission control needs identified in the 2016 AQMP. Given the need for significant reductions over the next five to ten years, near-zero and zero emission technologies are emphasized. Areas of focus include:

- reducing emissions from port-related activities, such as cargo handling and container movement other technologies, including demonstration and deployment of zero emission drayage trucks;
- developing and demonstrating ultra-low emission, liquid fuel, larger displacement engines and zero emission heavy-duty vehicles;
- developing, demonstrating and deploying advanced natural gas engines and vehicles as well as near-zero and zero emission technologies for high horsepower applications;
- mitigating criteria pollutant emissions from renewable fuels, such as renewable natural gas, diesel and hydrogen as well as other renewable fuels and waste streams;
- producing transportation fuels and energy from renewable and waste stream sources;
- developing and demonstrating electric-drive (fuel cell, battery, plug-in hybrid and hybrid) technologies across light-, medium- and heavy-duty platforms;
- establishing large-scale hydrogen refueling and EV charging infrastructure to accelerate introduction of zero emission vehicles into the market; and
- developing and demonstrating advanced zero emission microgrids for energy storage and demand.

Potential projects across nine core technologies by funding priority:

1. Hydrogen/Mobile Fuel Cell Technologies and Infrastructure (especially large-scale refueling facilities);

2. Engine Systems/Technologies (emphasizing alternative and renewable fuels for truck and rail applications);
3. Electric/Hybrid Vehicle Technologies and Related Infrastructure (emphasizing electric and hybrid electric trucks and container transport technologies with zero emission operations);
4. Fueling Infrastructure and Deployment (predominantly natural gas and renewable fuels);
5. Stationary Clean Fuel Technologies (including microgrids and renewables);
6. Fuel and Emission Studies;
7. Emission Control Technologies;
8. Health Impact Studies; and
9. Technology Transfer/Assessment and Outreach.

These potential projects for 2020 total \$16.1 million, with anticipated leveraging of more than \$4 for every \$1 of Clean Fuels funding for total project costs of \$81.86 million. Some of the proposed projects may also be funded by revenue sources other than the Clean Fuels Program, especially VOC and NOx mitigation and incentive projects.

**CHAPTER I**  
**RULE DEVELOPMENT, CEQA, and SOCIOECONOMIC IMPACT ANALYSES**

## **RULE DEVELOPMENT AND OTHER PROJECTS APPROVED IN 2019 AND CEQA ALTERNATIVES**

This section contains a summary of each rule adoption, amendment, rescission, and other projects approved by the South Coast AQMD Governing Board in the preceding calendar year (e.g., 2019). Each summary provides detailed information about the estimated emission reductions, cost-effectiveness, alternatives considered pursuant to the requirements in the California Environmental Quality Act (CEQA), socioeconomic impacts, and sources of funding.

Projects undertaken by public agencies are subject to CEQA, so rules and regulations promulgated by South Coast AQMD must first be reviewed to determine if they are considered to be a “project” as defined by CEQA. For any proposal that is either not a “project” or determined to be exempt from CEQA, no further action is required. If the project has the potential to create significant or less than significant adverse effects on the environment, then an environmental analysis is necessary. New rules being adopted, or existing rules being amended or rescinded typically require a comprehensive CEQA document that contains an environmental impact analysis which includes the following:

- identification of potentially significant adverse environmental impacts evaluated based on environmental checklist topics;
- identification of feasible measures, if any, to mitigate significant adverse environmental impacts to the greatest extent feasible;
- if necessary, a discussion and comparison of the relative merits of feasible project alternatives that generally achieve the goals of the project, but may generate fewer or less severe adverse environmental impacts; and,
- identification of environmental topics not significantly adversely affected by the project.

If significant adverse environmental impacts are identified, feasible mitigation measures, if any, and alternatives must be identified and an analysis of the relative merits of each alternative is required. However, if the CEQA document concludes that no significant adverse environmental impacts would be generated by a proposed project, neither the identification of feasible mitigation measures nor an analysis of CEQA alternatives to the project is required. However, even if a project is determined not to have significant environmental impacts, the CEQA document will contain a focused analysis of the potential environmental impacts.

South Coast AQMD operates under a regulatory program certified by the Secretary for Resources pursuant to Public Resources Code Section 21080.5 and CEQA Guidelines Section 15251(l). The adoption, amendment or rescission of South Coast AQMD rules and regulations are subject to South Coast AQMD’s certified CEQA program, while the adoption, amendment or rescission of plans such as the AQMP are not. Having a certified regulatory program means that the South Coast AQMD can incorporate its environmental analyses into CEQA documents other than environmental impact reports (EIRs), negative declarations (NDs), or mitigated NDs (MNDs) without being subject to a limited number of specific CEQA requirements identified in Public Resources Code Section 21080.5. Instead, all CEQA documents prepared by South Coast AQMD pursuant to its certified regulatory program are either called an Environmental Assessment (EA), or some variant of an EA such as a Subsequent or Supplemental EA, or Addendum to an EA.

The following section identifies all new and amended rules that were adopted by the South Coast AQMD Governing Board in 2019, in sequential order according to the month of project approval. One rule was rescinded in 2019. This section also summarizes other projects requiring a CEQA analysis were approved by the South Coast AQMD Governing Board in 2019. The type of CEQA document (including projects that were determined to be exempt from CEQA) is described for each project. Alternatives are summarized only for those projects identified as having potentially significant impacts requiring an alternatives analysis pursuant to CEQA.

#### **JANUARY 4, 2019**

Two projects were approved by the South Coast AQMD Governing Board in January:

- 1. Adopted Rule 1118.1 – Control of Emissions From Non-Refinery Flares:** Rule 1118.1 was adopted to reduce oxides of nitrogen (NO<sub>x</sub>) and volatile organic compound (VOC) emissions from non-refinery flares, and to encourage alternatives to flaring. The rule implements, in part, the 2016 Air Quality Management Plan (AQMP) Control Measure CMB-03 – Emission Reductions from Non-Refinery Flares, and facilitates the transition of the NO<sub>x</sub> RECLAIM program to a command-and-control regulatory structure to assist implementation of Control Measure CMB-05 – NO<sub>x</sub> Reduction from RECLAIM Assessment. Rule 1118.1 establishes emission limits for NO<sub>x</sub>, VOC, and carbon monoxide (CO) for new, replaced, or relocated flares and a capacity threshold for existing flares. Flares that surpass the capacity threshold are required to either reduce flaring below the threshold or replace the flare with a unit complying with the NO<sub>x</sub> emission limits. Replaced and new flares with emissions high enough to require monitoring and reporting under Annual Emissions Reporting (AER) have additional flare gas throughput limitations. In particular, replaced flares will be limited to a flare gas throughput of 110 percent of the average annual throughput for the two calendar years preceding the submittal of the flare application, and new flares will be limited a flare gas throughput of no more than 45 million standard cubic feet per year (MMscf/year). Lastly, source test provisions have been established to ensure that emission limits or the low-emission exemption are being met. Rule 1118.1 was submitted to CARB for inclusion into the State Implementation Plan (SIP). A Final EA was prepared for the project and the analysis concluded that there would be no significant adverse environmental impacts. Since no significant adverse environmental impacts were identified, no alternatives analysis and no mitigation measures were required. The South Coast AQMD Governing Board certified the Final EA and approved the project. Since mitigation measures were not made a condition of project approval, a Mitigation Monitoring and Reporting Plan pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097 was not adopted. Findings pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091, and a Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093, were also not required and therefore, not adopted. A Notice of Decision, prepared pursuant to Public Resources Code Section 21080.5(d)(2)(E), CEQA Guidelines Sections 15252(b) and 15094(b), and South Coast AQMD Rule 110(f), was filed with and posted by the California Natural Resources Agency.

*Estimated Emission Reductions:* 0.18 ton per day of NO<sub>x</sub> and 0.014 ton per day of VOC from 2024 and onward. *Cost Effectiveness:* \$45,000 per ton of NO<sub>x</sub> reduced. *CEQA*

*Alternatives:* None, not required. *Socioeconomic Impact:* Yes, see Socioeconomic Impact Assessments section. *Source(s) of Funding:* Permit Fees, Emission Fees, and Annual Operating Fees.

- 2. Amended Rule 1325 – Federal PM2.5, New Source Review Program:** Rule 1325 was amended to correct a deficiency identified by the United States Environmental Protection Agency (U.S. EPA) relative to the definition of the term “regulated NSR (New Source Review) pollutant” by including a reference to PM2.5 and its precursors, including VOC and ammonia, to be consistent with the existing definition of “precursors”. Rule 1325 was submitted to CARB for inclusion into the SIP. The South Coast AQMD Governing Board determined that the project was exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Activities Covered by General Rule<sup>1</sup>, CEQA Guidelines Section 15268 – Ministerial Projects, and CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment. and no exceptions to the application of the categorical exemption set forth in CEQA Guidelines Section 15300.2 – Exceptions, including the “unusual circumstances” exception, applied to the project. Because this project was determined to be exempt from CEQA, consideration of a range of CEQA alternatives was not applicable. The South Coast AQMD Governing Board approved the project and a Notice of Exemption, prepared pursuant to CEQA Guidelines Section 15062, was filed with and posted by the counties of Los Angeles, Orange, Riverside and San Bernardino.

*Estimated Emission Reductions:* None. *Cost-Effectiveness:* Not applicable. *CEQA Alternatives:* None, not required. *Socioeconomic Impact:* Not applicable. *Source(s) of Funding:* Emission Fees.

## **FEBRUARY 1, 2019**

One project was approved by the South Coast AQMD Governing Board in February:

**Amended Best Available Control Technology (BACT) Guidelines:** Amendments to the BACT Guidelines added new or updated determinations and/or policy to reflect the most current achieved-in-practice air pollution control equipment and processes. In particular, the revisions added new and amended listings to Part B: Lowest Achievable Emission Rate (LAER) Determinations for Major Polluting Facilities, Part D: BACT Determinations for Non-Major Polluting Facilities and updated Parts A and C, Policy for Major and Non-Major Polluting Facilities, respectively. Additionally, revisions were made to reflect current South Coast AQMD practices in permitting and to make administrative amendments to the Charter for the BACT Scientific Review Committee. The South Coast AQMD Governing Board determined that the project was exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Activities Covered by General Rule<sup>2</sup> and CEQA Guidelines Section 15308 –

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<sup>1</sup> The phrase “Activities Covered by General Rule” describes this CEQA exemption at the time the amendment to Rule 1325 was adopted. However, the 2019 edition of the CEQA Guidelines reworded this description as “Common Sense Exemption.” Both phrases may be used interchangeably when referring to CEQA Guidelines Section 15061(b)(3).

<sup>2</sup> The phrase “Activities Covered by General Rule” describes this CEQA exemption at the time the amendment to Rule 1325 was adopted. However, the 2019 edition of the CEQA Guidelines reworded this description as “Common

Actions by Regulatory Agencies for Protection of the Environment and no exceptions to the application of the categorical exemption set forth in CEQA Guidelines Section 15300.2 – Exceptions, including the “unusual circumstances” exception, applied to the project. Because this project was determined to be exempt from CEQA, consideration of a range of CEQA alternatives was not applicable. The South Coast AQMD Governing Board approved the project and a Notice of Exemption, prepared pursuant to CEQA Guidelines Section 15062, was filed with and posted by the counties of Los Angeles, Orange, Riverside and San Bernardino.

*Estimated Emission Reductions:* None. *Cost-Effectiveness:* Not applicable. *CEQA Alternatives:* None, not required. *Socioeconomic Impact:* Not applicable. *Source(s) of Funding:* Permit Fees, Emission Fees and Annual Operating Fees.

### **MARCH 1, 2019**

One project was approved by the South Coast AQMD Governing Board in March:

**Amended Rules: 110 – Rule Adoption Procedures to Assure Protection and Enhancement of the Environment; 212 – Standards for Approving Permits and Issuing Public Notice; 301 – Permitting and Associated Fees; 303 – Hearing Board Fees; 306 – Plan Fees; 307.1 – Alternative Fees for Air Toxics Emissions Inventory; 309 – Fees for Regulation XVI and Regulation XXV; 315 – Fees for Training Classes and License Renewal; 518.2 – Federal Alternative Operating Conditions; 1310 – Analysis and Reporting; 1605 – Credits For The Voluntary Repair of On-Road Motor Vehicles Identified Through Remote Sensing Devices; 1610 – Old-Vehicle Scrapping; 1612 – Credits for Clean On-Road Vehicles; 1620 – Credits for Clean Off-Road Mobile Equipment; 1623 – Credits for Clean Lawn and Garden Equipment; 1710 – Analysis, Notice, and Reporting; 1714 – Prevention of Significant Deterioration for Greenhouse Gases; and 3006 – Public Participation:** To modernize communications, streamline public notification, and implement requirements in California Senate Bill (SB) 1502 and U.S. EPA revisions for public noticing of certain permitting programs, 18 rules were grouped into the following four categories and amended: 1) Public Notifications for New Source Review and Federal Permit Programs; 2) Public Notifications for Rulemaking Activities; 3) Communications for Implementing Fee Rules; and 4) Public Notifications for Offset Program Rules. Relative to the category of Public Notifications for New Source Review and Federal Permit Programs, amendments to Rules 212, 518.2, 1710, 1714, and 3006 removed the requirement for public notification by newspaper, and added requirements to post draft permits and public notices for permit actions on the South Coast AQMD website. Relative to the category of Public Notifications for Rulemaking Activities, Rule 110 was amended in accordance with SB 1502 to allow the South Coast AQMD to send certain public notices by email for those electing to receive public notices by email. Relative to the category of Communications for Implementing Fee Rules, Rules 301, 303, 306, 307.1, 309, and 315 were amended to allow certain fee invoices to be emailed and to expand payment options for these invoices to include electronic payment. Relative to the category of Public Notifications for Offset Program Rules, to have rules procedures comparable to those for

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Sense Exemption.” Both phrases may be used interchangeably when referring to CEQA Guidelines Section 15061(b)(3).



processing permits with e-noticing, Rules 1310, 1605, 1610, 1612, 1620, and 1623 were amended to replace the requirement for conducting public notice via newspaper publication with posting public notices on the South Coast AQMD website. The South Coast AQMD Governing Board determined that the project was exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Activities Covered by General Rule<sup>3</sup>. Because this project was determined to be exempt from CEQA, consideration of a range of CEQA alternatives was not applicable. The South Coast AQMD Governing Board approved the project and Notice of Exemption, prepared pursuant to CEQA Guidelines Section 15062, was filed with and posted by the counties of Los Angeles, Orange, Riverside and San Bernardino.

*Estimated Emission Reductions:* None. *Cost-Effectiveness:* Not applicable. *CEQA Alternatives:* None, not required. *Socioeconomic Impact:* Not applicable. *Source(s) of Funding:* Emission Fees and Annual Operating Fees.

#### **APRIL 5, 2019**

One project was approved by the South Coast AQMD Governing Board in April:

##### **Amended Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines:**

To update NOx emission limits for stationary gas turbines and facilitate the transition of the NOx RECLAIM program to a command-and-control regulatory structure in accordance with 2016 Air Quality Management Plan (AQMP) Control Measure CMB-05 – Further NOx Reductions from RECLAIM Assessment, amendments to Rule 1134: 1) expanded rule applicability to include stationary gas turbines that were not previously required to comply; 2) updated the NOx and ammonia emission limits for stationary gas turbines to comply with Best Available Retrofit Control Technology (BARCT); 3) established new exemptions for low-use equipment, certain existing combined cycle gas turbines, and emergency standby gas turbines; 4) provided relief from having to comply with ammonia requirements for turbines that do not use ammonia for controlling NOx emissions; and 5) revised existing exemptions to remove obsolete provisions. Rule 1134 was submitted to CARB for inclusion into the SIP. A Final Subsequent Environmental Assessment (SEA) was prepared for the project and the analysis concluded that while the project will reduce NOx emissions, complying with Rule 1134 may cause some facility operators to make physical modifications to their equipment in order to achieve compliance, and these activities may create secondary adverse environmental impacts. The storage and use of aqueous ammonia resulting from the installation of selective catalytic reduction (SCR) systems were identified as having potentially significant adverse impacts in the topic of hazards and hazardous materials. Mitigation measures were required although none were identified that would eliminate or reduce the significant adverse hazards and hazardous materials impacts to less than significant levels. An analysis of project alternatives was also required and the following three alternatives were analyzed, but none were chosen:

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<sup>3</sup> The phrase “Activities Covered by General Rule” describes this CEQA exemption at the time the amendment to Rule 1325 was adopted. However, the 2019 edition of the CEQA Guidelines reworded this description as “Common Sense Exemption.” Both phrases may be used interchangeably when referring to CEQA Guidelines Section 15061(b)(3).

**Alternative A – No Project:** Alternative A, the no project alternative, means instead of implementing the proposed amendments to Rule 1134, the August 1997 version of Rule 1134 would remain in effect such that stationary gas turbines at RECLAIM facilities would not have to comply with the more stringent NOx emission limits and affected equipment would remain in the NOx RECLAIM program. Under this alternative, no NOx emission reductions will be achieved, no ammonia use would occur, and the stationary gas turbines at RECLAIM and non-RECLAIM facilities would not achieve BARCT level equivalency.

**Alternative B – Earlier Compliance Date 12/31/2022:** Alternative B analyzed the same NOx and ammonia emission limits contained in the proposed amendments to Rule 1134 but with a compliance date for meeting the NOx and ammonia emission limits occurring one year earlier, December 31, 2022, whereby allowing three years to achieve compliance. The earlier compliance date under Alternative B was more stringent than the amendments proposed to Rule 1134.

**Alternative C – Phased Compliance Dates:** Alternative C analyzed the same NOx and ammonia emission limits contained in the proposed amendments to Rule 1134, but with varying compliance dates depending on fuel type, as follows: 1) Liquid Fuel – Outer Continental Shelf: December 31, 2023, 2) Natural Gas – Combined Cycle: June 30, 2023; 3) Natural Gas – Compressor Gas Turbine: December 31, 2023; 4) Natural Gas – Simple Cycle: December 31, 2022; 5) Produced Gas: December 31, 2023; 6) Produced Gas – Outer Continental Shelf: December 31, 2023; and 7) Other: December 31, 2023. The earlier compliance dates for the Natural Gas – Combined Cycle and Natural Gas – Simple Cycle categories under Alternative C were more stringent than the amendments proposed to Rule 1134 but less stringent than Alternative B for the Natural Gas – Combined Cycle category.

The South Coast AQMD Governing Board certified the Final SEA and approved the project, as proposed. A Mitigation Monitoring and Reporting Plan pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097, a Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093, and Findings pursuant to CEQA Guidelines Section 15091 were also adopted. A Notice of Decision, prepared pursuant to Public Resources Code Section 21080.5(d)(2)(E), CEQA Guidelines Sections 15252(b) and 15094(b), and South Coast AQMD Rule 110(f), was filed with and posted by the California Natural Resources Agency.

*Estimated Emission Reductions:* 2.8 tons per day of NOx after implementation of the BARCT limits. *Cost-Effectiveness:* Cost-effectiveness was evaluated for five types of equipment: 1) \$11,500 per ton of NOx reduced for combined cycle turbines; 2) \$8,400 per ton of NOx reduced for simple cycle turbines; 3) \$3,600 per ton of NOx reduced for outer continental shelf gas turbines; and 4) \$4,900 per ton of NOx reduced for compressor gas turbines. *CEQA Alternatives:* Three alternatives were analyzed, see alternatives described above. *Socioeconomic Impact:* Yes, see Socioeconomic Impact Assessments section. *Source(s) of Funding:* Permit Fees, Emission Fees and Annual Operating Fees.

**MAY 3, 2019**

Two projects were approved by the South Coast AQMD Governing Board in May:

**1. Amended Regulation III – Fees and Rule 209 – Transfer and Voiding of Permits:**

Amendments to the following Regulation III rules (Rules 301 – Permitting and Associated Fees, 303 – Hearing Board Fees, 304 – Equipment, Materials, and Ambient Air Analyses, 304.1 – Analyses Fees, 306 – Plan Fees, 307.1 – Alternative Fees for Air Toxics Emissions Inventory, 308 – On-Road Motor Vehicle Mitigation Options Fees, 309 – Fees for Regulation XVI and Regulation XXV, 311 – Air Quality Investment Program (AQIP) Fees, 313 – Authority to Adjust Fees and Due Dates, 314 – Fees for Architectural Coatings, and 315 – Fees for Training Classes and License Renewal) were combined with amendments to Rule 209. The amendments to Rules 301, 303, 304, 304.1, 306, 307.1, 308, 309, 311, 313, 314, and 315 included the following: 1) an increase in fees for consistency with the increase in the California Consumer Price Index (pursuant to Rule 320 – Automatic Adjustment Based on Consumer Price Index for Regulation III Fees); 2) new and increased fees to meet the requirements of recently adopted rules and state mandates; 3) new or increased fees for cost recovery; and 4) administrative changes that include clarifications, deletions, or corrections to existing rule language. Amendments to Rule 209 clarified how permit transfers are considered when there is a change of owner/operator. All of the amended rules were submitted to CARB for inclusion into the SIP to the extent necessary to satisfy Clean Air Act Section 182(a)(3)(B). The South Coast AQMD Governing Board determined that the project was exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption; CEQA Guidelines Section 15273 – Rates, Tolls, Fares, and Charges; and CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment, and no exceptions to the application of the categorical exemption set forth in CEQA Guidelines Section 15300.2 – Exceptions, including the “unusual circumstances” exception, applied to the project. Because this project was determined to be exempt from CEQA, consideration of a range of CEQA alternatives was not applicable. The South Coast AQMD Governing Board approved the project and a Notice of Exemption, prepared pursuant to CEQA Guidelines Section 15062, was filed with and posted by the counties of Los Angeles, Orange, Riverside and San Bernardino.

*Estimated Emission Reductions:* None. *Cost-Effectiveness:* Not applicable. *CEQA Alternatives:* None, not required. *Socioeconomic Impact:* Yes, see Socioeconomic Impact Assessments section. *Source(s) of Funding:* Emission Fees and Annual Operating Fees.

**2. Amended Rule 1106 – Marine and Pleasure Craft Coating, and Rescinded Rule 1106.1 – Pleasure Craft Coating Operations:**

The project was comprised of amending Rule 1106 to incorporate the requirements of Rule 1106.1 and simultaneously rescind Rule 1106.1. Rule 1106 was also amended to align VOC content limits with U.S. EPA Control Techniques Guidelines (CTGs) and other California air districts, and promote consistency with other VOC-related rules contained in South Coast AQMD Regulation XI – Source Specific Standards. A Revised Final EA was prepared for the project and the analysis concluded that there would be no significant adverse environmental impacts. Since no significant adverse environmental impacts were identified, no alternatives

analysis and no mitigation measures were required. The South Coast AQMD Governing Board certified the Revised Final EA and approved the project. Since mitigation measures were not made a condition of project approval, a Mitigation Monitoring and Reporting Plan pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097 was not adopted. Findings pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091, and a Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093, were also not required and therefore, not adopted. A Notice of Decision, prepared pursuant to Public Resources Code Section 21080.5(d)(2)(E), CEQA Guidelines Sections 15252(b) and 15094(b), and South Coast AQMD Rule 110(f), was filed with and posted by the California Natural Resources Agency.

*Estimated Emission Reductions:* None. *Cost-Effectiveness:* Not applicable. *CEQA Alternatives:* None, not required. *Socioeconomic Impact:* No, see Socioeconomic Impact Assessments section. *Source(s) of Funding:* Permit Fees, Emission Fees, and Annual Operating Fees.

## **JUNE 7, 2019**

Three projects were approved by the South Coast AQMD Governing Board in June:

- 1. Submission of Amended Rule 1106 – Marine and Pleasure Craft Coatings, for Inclusion into the SIP and Withdrawal of Rescinded Rule 1106.1 – Pleasure Craft Coating Operations, form the SIP:** This project submitted the May 3, 2019 version of Rule 1106 to CARB for inclusion into the SIP as well as sought withdrawal of Rule 1106.1 as rescinded on May 3, 2019 from the SIP. The South Coast AQMD Governing Board determined that the project was exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption, and CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment, and no exceptions to the application of the categorical exemption set forth in CEQA Guidelines Section 15300.2 – Exceptions, including the “unusual circumstances” exception, applied to the project. Because this project was determined to be exempt from CEQA, consideration of a range of CEQA alternatives was not applicable. The South Coast AQMD Governing Board approved the project and a Notice of Exemption, prepared pursuant to CEQA Guidelines Section 15062, was filed with and posted by the counties of Los Angeles, Orange, Riverside and San Bernardino.

*Estimated Emission Reductions:* None. *Cost-Effectiveness:* Not applicable. *CEQA Alternatives:* None, not required. *Socioeconomic Impact:* Not applicable. *Source(s) of Funding:* Permit Fees, Emission Fees, and Annual Operating Fees.

- 2. Request for Reclassification of Coachella Valley for 1997 8-Hour Ozone Standard:** Due to higher ozone levels experienced in the Coachella Valley in 2017 and 2018 which caused exceedances of the 1997 8-hour ozone standard, the South Coast AQMD submitted a request to the U.S. EPA to reclassify the Coachella Valley from Severe to Extreme nonattainment for the 1997 8-hour ozone standard. The reclassification also sought to establish a new attainment date of June 15, 2024 to provide additional time to

bring the Coachella Valley into attainment with this standard. The South Coast AQMD Governing Board determined that the project was exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption and CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment, and no exceptions to the application of the categorical exemption set forth in CEQA Guidelines Section 15300.2 – Exceptions, including the “unusual circumstances” exception, applied to the project. Because this project was determined to be exempt from CEQA, consideration of a range of CEQA alternatives was not applicable. The South Coast AQMD Governing Board approved the project and a Notice of Exemption, prepared pursuant to CEQA Guidelines Section 15062, was filed with and posted by the counties of Los Angeles, Orange, Riverside and San Bernardino.

*Estimated Emission Reductions:* None. *Cost-Effectiveness:* Not applicable. *CEQA Alternatives:* None, not required. *Socioeconomic Impact:* Not applicable. *Source(s) of Funding:* Emission Fees and Annual Operating Fees.

- 3. Amended Rule 301 – Permitting and Associated Fees:** Rule 301 was amended to: 1) restructure how toxics emissions fees are collected from facilities; and 2) increase toxics emissions fees to provide cost recovery for recent state mandates and other regulatory actions taken by the South Coast AQMD. Amended Rule 301 was submitted to CARB for inclusion into the SIP to the extent necessary to satisfy Clean Air Act Section 182(a)(3)(B). The South Coast AQMD Governing Board determined that the project was exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption; CEQA Guidelines Section 15273 – Rates, Tolls, Fares, and Charges; and CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment, and no exceptions to the application of the categorical exemption set forth in CEQA Guidelines Section 15300.2 – Exceptions, including the “unusual circumstances” exception, applied to the project. Because this project was determined to be exempt from CEQA, consideration of a range of CEQA alternatives was not applicable. The South Coast AQMD Governing Board approved the project and Notice of Exemption, prepared pursuant to CEQA Guidelines Section 15062, was filed with and posted by the counties of Los Angeles, Orange, Riverside and San Bernardino.

*Estimated Emission Reductions:* None. *Cost-Effectiveness:* Not applicable. *CEQA Alternatives:* None, not required. *Socioeconomic Impact:* Yes, see Socioeconomic Impact Assessments section. *Source(s) of Funding:* Emission Fees and Annual Operating Fees.

## **JULY 12, 2019**

Three projects were approved by the South Coast AQMD Governing Board in July:

- 1. Amended Rule 301 – Permitting and Associated Fees:** Rule 301 was amended to require facilities certify that information contained within the annual emission reports is accurate to the best knowledge of the official certifying the report to implement Section 182(a)(3)(B) of the Clean Air Act and to memorialize current practice. Subparagraphs (e)(1)(A) and (e)(1)(B) and paragraphs (e)(2), (e)(5), and (e)(8) of Rule 301 were submitted to CARB for inclusion into the SIP. The South Coast AQMD Governing Board determined

that the project was exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption; CEQA Guidelines Section 15273 – Rates, Tolls, Fares, and Charges; and CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment, and no exceptions to the application of the categorical exemption set forth in CEQA Guidelines Section 15300.2 – Exceptions, including the “unusual circumstances” exception, applied to the project. Because this project was determined to be exempt from CEQA, consideration of a range of CEQA alternatives was not applicable. The South Coast AQMD Governing Board approved the project and a Notice of Exemption, prepared pursuant to CEQA Guidelines Section 15062, was filed with and posted by the counties of Los Angeles, Orange, Riverside and San Bernardino.

*Estimated Emission Reductions:* None. *Cost-Effectiveness:* Not applicable. *CEQA Alternatives:* None, not required. *Socioeconomic Impact:* Not applicable. *Source(s) of Funding:* Emission Fees and Annual Operating Fees.

**2. Amended Regulation IX – Standards of Performance for New Stationary Sources, and Amended Regulation X – National Standards for Hazardous Air Pollutants:**

Regulation IX was amended to incorporate Standards of Performance for New Stationary Sources (NSPS) by reference to reflect final actions by the U.S. EPA in the Federal Register relative to 40 Code of Federal Regulations (CFR) Part 60. Regulation X was amended to incorporate National Emission Standards for Hazardous Air Pollutants (NESHAP) by reference to reflect final actions by the U.S. EPA in the Federal Register relative to 40 CFR Part 61. The South Coast AQMD Governing Board determined that the project was exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption, and CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment, and no exceptions to the application of the categorical exemption set forth in CEQA Guidelines Section 15300.2 – Exceptions, including the “unusual circumstances” exception, applied to the project. Because this project was determined to be exempt from CEQA, consideration of a range of CEQA alternatives was not applicable. The South Coast AQMD Governing Board approved the project and a Notice of Exemption, prepared pursuant to CEQA Guidelines Section 15062, was filed with and posted by the counties of Los Angeles, Orange, Riverside and San Bernardino.

*Estimated Emission Reductions:* None. *Cost-Effectiveness:* Not applicable. *CEQA Alternatives:* None, not required. *Socioeconomic Impact:* Not applicable *Source(s) of Funding:* Permit Fees, Emission Fees and Annual Operating Fees.

**3. Amended Rule 2001 – Applicability:** In response to U.S. EPA’s direction to remove the opt-out provision that was previously added in the October 5, 2018 version, Rule 2001 was amended accordingly to prevent facilities from exiting the RECLAIM program until all rules that need to be updated in accordance with the transition to a command-and-control regulatory structure are adopted and approved into the SIP. The South Coast AQMD Governing Board determined that the project was exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption, and CEQA

Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment, and no exceptions to the application of the categorical exemption set forth in CEQA Guidelines Section 15300.2 – Exceptions, including the “unusual circumstances” exception, applied to the project. Because this project was determined to be exempt from CEQA, consideration of a range of CEQA alternatives was not applicable. The South Coast AQMD Governing Board approved the project and a Notice of Exemption, prepared pursuant to CEQA Guidelines Section 15062, was filed with and posted by the counties of Los Angeles, Orange, Riverside and San Bernardino.

*Estimated Emission Reductions:* None. *Cost-Effectiveness:* Not applicable. *CEQA Alternatives:* None, not required. *Socioeconomic Impact:* Not applicable. *Source(s) of Funding:* Permit Fees, Emission Fees and Annual Operating Fees.

## **SEPTEMBER 6, 2019**

Three projects were approved by the South Coast AQMD Governing Board in September:

- 1. Adopted Community Emissions Reduction Plan for San Bernardino and Muscoy Community per Assembly Bill 617:** In accordance with California Assembly Bill (AB) 617, the San Bernardino and Muscoy (SBM) Community was one of three high priority areas selected by CARB as being a disadvantaged community with a high cumulative exposure burden for criteria pollutants and toxic air contaminants. A Community Emissions Reduction Plan (CERP) for the SBM community was developed to address the following key areas of environmental concern: truck idling and warehouse truck traffic; Burlington Northern Santa Fe (BNSF) railyard; warehousing; the Omnitrans bus yard; concrete batch plants; and schools, hospitals, parks, and community centers. The CERP includes actions to reduce emissions and exposures, an implementation schedule, an enforcement plan, and a description of the process and outreach conducted to develop the CERP. The South Coast AQMD Governing Board determined that the project was exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption, CEQA Guidelines Section 15262 – Feasibility and Planning Studies, CEQA Guidelines Section 15303 – New Construction or Conversion of Small Structure, CEQA Guidelines Section 15306 – Information Collection, CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment, CEQA Guidelines Section 15309 – Inspections, and CEQA Guidelines Section 15321 – Enforcement Actions by Regulator Agencies, and no exceptions to the application of the categorical exemptions set forth in CEQA Guidelines Section 15300.2 – Exceptions, including the “unusual circumstances” exception, applied to the project. Because this project was determined to be exempt from CEQA, consideration of a range of CEQA alternatives was not applicable. The South Coast AQMD Governing Board approved the project and a Notice of Exemption, prepared pursuant to CEQA Guidelines Section 15062, was filed with and posted by the counties of Los Angeles, Orange, Riverside and San Bernardino.

*Estimated Emission Reductions:* 127.9 tons per year of NOx and 0.91 ton per year of diesel particulate matter (DPM). *Cost-Effectiveness:* Not applicable. *CEQA Alternatives:* None, not required. *Socioeconomic Impact:* Not applicable. *Source(s) of Funding:* State grant (AB 617).

- 2. Adopted Community Emissions Reduction Plan for East Los Angeles, Boyle Heights, and West Commerce Community per Assembly Bill 617:** In accordance with California Assembly Bill (AB) 617, the East Los Angeles, Boyle Heights, and West Commerce (ELABHWC) Community was one of three high priority areas selected by CARB as being a disadvantaged community with a high cumulative exposure burden for criteria pollutants and toxic air contaminants. A Community Emissions Reduction Plan (CERP) for the ELABHWC community was developed to address the following key areas of environmental concern: truck and automobile traffic (including trucks from railyards and warehouses); rail; metal processing; rendering facilities; auto body shops; and schools, hospitals, parks, and community centers. The CERP includes actions to reduce emissions and exposures, an implementation schedule, an enforcement plan, and a description of the process and outreach conducted to develop the CERP. The South Coast AQMD Governing Board determined that the project was exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption, CEQA Guidelines Section 15262 – Feasibility and Planning Studies, CEQA Guidelines Section 15303 – New Construction or Conversion of Small Structure, CEQA Guidelines Section 15306 – Information Collection, CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment, CEQA Guidelines Section 15309 – Inspections, and CEQA Guidelines Section 15321 – Enforcement Actions by Regulator Agencies, and no exceptions to the application of the categorical exemptions set forth in CEQA Guidelines Section 15300.2 – Exceptions, including the “unusual circumstances” exception, applied to the project. Because this project was determined to be exempt from CEQA, consideration of a range of CEQA alternatives was not applicable. The South Coast AQMD Governing Board approved the project and a Notice of Exemption, prepared pursuant to CEQA Guidelines Section 15062, was filed with and posted by the counties of Los Angeles, Orange, Riverside and San Bernardino.

*Estimated Emission Reductions:* 377.1 tons per year of NOx and 1.5 tons per year of DPM.  
*Cost-Effectiveness:* Not applicable. *CEQA Alternatives:* None, not required.  
*Socioeconomic Impact:* Not applicable. *Source(s) of Funding:* State grant (AB 617).

- 3. Adopted Community Emissions Reduction Plans for Wilmington, Carson, and West Long Beach Community per Assembly Bill 617:** The Wilmington, Carson, and West Long Beach (WCWLB) Community was one of three high priority areas selected by CARB as being a disadvantaged community with a high cumulative exposure burden for criteria pollutants and toxic air contaminants. A Community Emissions Reduction Plan (CERP) for the WCWLB community was developed to address the following key areas of environmental concern: refineries (including flaring and the public notification process, refinery equipment, and storage tanks/refinery leaks); ports; trucks; oil drilling and production wells (including leaks and odors); rail; and schools. The CERP includes actions to reduce emissions and exposures, an implementation schedule, an enforcement plan, and a description of the process and outreach conducted to develop the CERP. The South Coast AQMD Governing Board determined that the project was exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption, CEQA Guidelines Section 15262 – Feasibility and Planning Studies, CEQA Guidelines Section 15303 – New Construction or Conversion of Small Structure, CEQA Guidelines Section 15306 –



Information Collection, CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment. Projects, CEQA Guidelines Section 15309 – Inspections, and CEQA Guidelines Section 15321 – Enforcement Actions by Regulator Agencies, and no exceptions to the application of the categorical exemptions set forth in CEQA Guidelines Section 15300.2 – Exceptions, including the “unusual circumstances” exception, applied to the project. Because this project was determined to be exempt from CEQA, consideration of a range of CEQA alternatives was not applicable. The South Coast AQMD Governing Board approved the project and a Notice of Exemption, prepared pursuant to CEQA Guidelines Section 15062, was filed with and posted by the counties of Los Angeles, Orange, Riverside and San Bernardino.

*Estimated Emission Reductions:* 3,207 tons per year of NOx, 64 tons per year of VOC, 11 tons per year of SOx, and 20 tons per year of DPM. *Cost-Effectiveness:* Not applicable. *CEQA Alternatives:* None, not required. *Socioeconomic Impact:* Not applicable. *Source(s) of Funding:* State grant (AB 617).

#### **OCTOBER 4, 2019**

One project was approved by the South Coast AQMD Governing Board in October:

**Amended Rule 1407 – Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Chromium Metal Melting Operations:** In accordance with 2016 AQMP Control Measure TXM-06 – Control of Toxic Emissions from Metal Melting Facilities, Rule 1407 was amended to: establish control efficiency requirements, mass emission limits, and emission control device monitoring requirements to control point source emissions; add housekeeping and building enclosure provisions to limit fugitive emissions; add source testing and recordkeeping requirements; and revise and/or delete a majority of exemptions that were overly broad and did not consider facility throughput and concentrations of arsenic, cadmium, and nickel and instead establish a throughput limit to qualify for an exemption. A Final EA was prepared for the project and the analysis concluded that there would be no significant adverse environmental impacts. Since no significant adverse environmental impacts were identified, no alternatives analysis and no mitigation measures were required. The South Coast AQMD Governing Board certified the Final EA and approved the project. Since mitigation measures were not made a condition of project approval, a Mitigation Monitoring and Reporting Plan pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097 was not adopted. Findings pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091, and a Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093, were also not required and therefore, not adopted. A Notice of Decision, prepared pursuant to Public Resources Code Section 21080.5(d)(2)(E), CEQA Guidelines Sections 15252(b) and 15094(b), and South Coast AQMD Rule 110(f), was filed with and posted by the California Natural Resources Agency.

*Estimated Emission Reductions:* Emission reductions of arsenic, cadmium, and nickel were not quantified but reduced exposure to these toxic air contaminants is expected. *Cost-Effectiveness:* Not applicable. *CEQA Alternatives:* None, not required. *Socioeconomic*

*Impact:* Yes, see Socioeconomic Impact Assessments section. *Source(s) of Funding:* Permit Fees, Emission Fees and Annual Operating Fees.

## **NOVEMBER 1, 2019**

One project was approved by the South Coast AQMD Governing Board in November:

**Amended Rule 1110.2 – Emissions from Gaseous- and Liquid-Fueled Engines, and Amended Rule 1100 – Implementation Schedule for NO<sub>x</sub> Facilities:** Rule 1110.2 was amended to remove the exemption that previously allowed stationary engines greater than 50 brake horsepower at RECLAIM, former RECLAIM, and non-RECLAIM facilities from having to achieve the NO<sub>x</sub> emission limits in order to facilitate the transition to facilitate the transition of the NO<sub>x</sub> RECLAIM program to a command-and-control regulatory structure in accordance with implementing 2016 AQMP Control Measure CMB-05 – NO<sub>x</sub> Reduction from RECLAIM Assessment. Rule 1110.2 was also amended to: 1) provide options for averaging times to demonstrate compliance with the NO<sub>x</sub> concentration limits; 2) revise CEMS requirements for engines at essential public services; 3) include interim VOC concentration limits for linear generators; 4) exempt diesel crane engines operated offshore from NO<sub>x</sub>, VOC, and CO emission limits and periodic source testing provisions provided the engines meet specific criteria and an Inspection and Monitoring Plan is prepared and implemented for those engines; 5) exempt remote radio transmission towers to be consistent with Rules 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II and 222 – Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II; and 6) remove obsolete provisions, update monitoring, reporting, and recordkeeping requirements, and provide clarifications. Rule 1100 was also amended to establish the implementation schedule for NO<sub>x</sub> RECLAIM facilities affected by Rule 1110.2. Both amended rules were submitted to CARB for inclusion into the SIP. A Final SEA was prepared for the project and the analysis concluded that while the project will reduce NO<sub>x</sub> emissions, some facility operators may need to make physical modifications to their equipment in order to achieve compliance, and these activities may create secondary adverse environmental impacts. In particular, the storage and use of aqueous ammonia resulting from the installation of SCR systems were identified as activities that may create potentially significant adverse hazards and hazardous materials impacts. Mitigation measures were required although none were identified that would eliminate or reduce the potentially significant adverse hazards and hazardous materials impacts to less than significant levels. An analysis of project alternatives was also required; the following four alternatives were analyzed, but none were chosen:

**Alternative A – No Project:** Alternative A, the no project alternative, means that instead of implementing the proposed amendments to Rule 1110.2, the June 2016 version of Rule 1110.2 and the December 2018 version of Rule 1100 would remain in effect such that qualifying engines at RECLAIM facilities would not have to comply with the NO<sub>x</sub> emission limits in set forth in the proposal and they would not be required to transition out of the NO<sub>x</sub> RECLAIM program. Under this alternative, no NO<sub>x</sub> emission reductions will be achieved, no ammonia use would occur, and the stationary engines at RECLAIM and non-RECLAIM facilities would not achieve BARCT level equivalency. Further, under this alternative, linear

generator engines will continue to be required to meet the Distributed Generation (DG) limits which means that there will be no increase in VOC emissions because linear generator engines will not have the option of comply with an interim VOC limit of 25 parts per million by volume (ppmv). Alternative A is less stringent than the proposal with no air quality benefits and no adverse hazards and hazardous materials impacts.

**Alternative B – Distributed Generation Limits:** While the timeline for the facilities transitioning out of RECLAIM would be the same as the proposal, Alternative B analyzed engines that would be required to meet the NO<sub>x</sub>, VOC, and CO emission limits listed in Table IV of Rule 1110.2 which are lower than the NO<sub>x</sub> emission limits in the proposal such that more NO<sub>x</sub> emission reductions would occur by December 31, 2023 (within four years). However, to meet the emission limits under Alternative B, both RECLAIM and non-RECLAIM facilities would be affected and increased construction and operation impacts would be expected (e.g., installation of new SCR systems and modifications or replacement of existing SCR systems, increased use and delivery of ammonia or urea). Alternative B would be expected to result in greater emission reductions of VOC and CO emissions relative to the proposal. Further, under Alternative B, linear generator engines will continue to be required to meet the DG limits which means that there will be no increase in VOC emissions because linear generator engines will not have the option of comply with an interim VOC limit of 25 ppmv. While the emission limits for NO<sub>x</sub>, CO, and VOC under Alternative B are more stringent than the proposal, the adverse environmental impacts would be greater than the proposal due to more facilities undergoing construction within the same compliance schedule.

**Alternative C – Stricter Limits:** Alternative C analyzed the same requirements as the proposal with the same timeline for the facilities transitioning out of RECLAIM but with the affected engines complying with a more stringent NO<sub>x</sub> emission limit resulting in greater NO<sub>x</sub> emission reductions. However, to meet the emission limits under Alternative C, both RECLAIM and non-RECLAIM facilities would be affected and increased construction and operation impacts would be expected (e.g., installation of new SCR systems and modifications or replacement of existing SCR systems, increased use and delivery of ammonia or urea). Further, under Alternative C, linear generator engines will continue to be required to meet the DG limits which means that there will be no increase in VOC emissions because linear generator engines will not have the option of comply with an interim VOC limit of 25 ppmv. Alternative C is more stringent than the proposal, but less stringent than Alternative B.

**Alternative D – Phased in Compliance Dates:** While the requirements and the timeline for the facilities transitioning out of RECLAIM would be the same as the proposal, Alternative D analyzed a delayed compliance date of December 31, 2030 for achieving the NO<sub>x</sub> and ammonia emission limits for engines used for natural gas compression and pipeline transmission operated at RECLAIM and former

RECLAIM facilities. The same number of facilities and equipment would be affected under Alternative D but a portion of the NOx emissions reductions would be delayed. Additionally, the delayed compliance date for engines used for natural gas compression and pipeline transmission will have the effect of fewer facilities with overlapping construction activities since some facilities will have an additional four years to comply with the NOx and ammonia emission limits. Further, under Alternative D, linear generator engines will continue to be required to meet the DG limits which means that there will be no increase in VOC emissions because linear generator engines will not have the option of comply with an interim VOC limit of 25 ppmv. Therefore, Alternative D is less stringent than the proposal but would result in fewer impacts from construction activities on a peak daily basis.

The South Coast AQMD Governing Board certified the Final SEA and approved the project, as proposed. A Mitigation Monitoring and Reporting Plan pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097, a Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093, and Findings pursuant to CEQA Guidelines Section 15091 were also adopted for this project. A Notice of Decision, prepared pursuant to Public Resources Code Section 21080.5(d)(2)(E), CEQA Guidelines Sections 15252(b) and 15094(b), and South Coast AQMD Rule 110(f), was filed with and posted by the California Natural Resources Agency.

*Estimated Emission Reductions:* 0.29 ton per day of NOx for Rule 1110.2; no emission reductions were estimated for Rule 1100. *Cost-Effectiveness:* Cost-effectiveness was estimated at up to \$41,000 per ton of NOx reduced. *CEQA Alternatives:* Four alternatives were analyzed, see alternatives described above. *Socioeconomic Impact:* Yes, see Socioeconomic Impact Assessments section. *Source(s) of Funding:* Permit Fees, Emission Fees and Annual Operating Fees.

## **DECEMBER 6, 2019**

Four projects were approved by the South Coast AQMD Governing Board in December:

- 1. Amended Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces:** Rule 1111 was amended to add an exemption to manufacture, distribute, sell, and install condensing or non-condensing natural gas furnaces that emit no more than 40 nanograms of NOx per Joule (ng/J) in lieu of the NOx emission limit of 14 ng/J in areas with altitudes at or higher than 4,200 feet above sea level until October 1, 2020. Recordkeeping requirements were also added for the manufacturer, distributor, and installer to track the distribution, sales, and installations of these furnaces; and the verification of the elevation will be based on U.S. Geological Survey data. Amended Rule 1111 was submitted to CARB for inclusion into the SIP. The South Coast AQMD Governing Board determined that the project was exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. Because this project was determined to be exempt from CEQA, consideration of a range of CEQA alternatives was not applicable. The South Coast AQMD Governing Board approved the project and a Notice of Exemption, prepared pursuant to CEQA Guidelines Section 15062, was filed with and posted by the counties of Los Angeles, Orange, Riverside and San Bernardino.

*Estimated Emission Reductions:* Minimal and temporary foregone NOx emission reductions of 1.35 pounds per day. *Cost-Effectiveness:* Not applicable. *CEQA Alternatives:* None, not required. *Socioeconomic Impact:* Not applicable. *Source(s) of Funding:* Permit Fees, Emission Fees, and Annual Operating Fees.

- 2. Adopted Rule 1480 – Ambient Monitoring and Sampling of Metal Toxic Air Contaminants:** Rule 1480 was adopted to establish a process to require a facility to conduct ambient monitoring and sampling of metal toxic air contaminants provided that specific criteria are met. The process includes an initial notice, request for information, notice of findings, and notice to designate the facility. A facility that is designated will be required to submit a Monitoring and Sampling Plan and conduct ambient monitoring and sampling. Rule 1480 also includes an alternative monitoring and sampling provision where the facility can elect to have the South Coast AQMD conduct ambient monitoring and sampling for a fee. Rule 1480 also has monitoring, reporting, and recordkeeping requirements, and provisions to reduce and cease monitoring and sampling provided certain criteria are met. The South Coast AQMD Governing Board determined that the project was exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption; CEQA Guidelines Section 15306 – Information Collection; and CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment, and no exceptions to the application of the categorical exemptions set forth in CEQA Guidelines Section 15300.2 – Exceptions, including the “unusual circumstances” exception, applied to the project. Because this project was determined to be exempt from CEQA, consideration of a range of CEQA alternatives was not applicable. The South Coast AQMD Governing Board approved the project and a Notice of Exemption, prepared pursuant to CEQA Guidelines Section 15062, was filed with and posted by the counties of Los Angeles, Orange, Riverside and San Bernardino.

*Estimated Emission Reductions:* None. *Cost-Effectiveness:* Not applicable. *CEQA Alternatives:* None, not required. *Socioeconomic Impact:* Yes, see Socioeconomic Impact Assessments section. *Source(s) of Funding:* Emission Fees, and Annual Operating Fees.

- 3. Approved Facility-Based Mobile Source Measure for Commercial Airports:** The Facility-Based Mobile Source Measure (FBMSM) implements 2016 AQMP Control Measure MOB-04 – Emission Reductions at Commercial Airports, and applies to the following five airports: Los Angeles International Airport (LAX); Hollywood Burbank Airport (BUR); John Wayne Orange County Airport (JWA); Long Beach Airport (LGB); and Ontario International Airport (ONT). South Coast AQMD entered into a separate Memorandum of Understanding (MOU) with each airport. Each MOU is comprised of: 1) a voluntary agreement related to specified activities that each airport agreed to implement to reduce emissions from non-aircraft mobile sources in accordance with the respective airport’s Air Quality Improvement Measures (AQIM) or Air Quality Improvement Plan (AQIP); and 2) South Coast AQMD’s enforceable commitment to the U.S. EPA to achieve overall NOx emission reductions to which each airport MOU will contribute a portion.

**MOU Between the South Coast AQMD and the City of Los Angeles Department of Airports:** The MOU for LAX specifies the following measures from the LAX AQIM that are capable of achieving SIP creditable emission reductions: 1) the ground support equipment emission reduction policy; 2) the LAX alternative fuel vehicle incentive program; and 3) the zero emission bus program.

**MOU Between South Coast AQMD and Burbank-Glendale-Pasadena Airport Authority Regarding Hollywood Burbank Airport's Air Quality Improvement Plan:** The MOU for BUR specifies the following measures from the BUR AQIP that are capable of achieving SIP creditable emission reductions: 1) ground support equipment emission reduction policy; and 2) the zero-emission shuttle bus program.

**MOU Between the South Coast AQMD and John Wayne Airport, Orange County Regarding John Wayne Airport's Air Quality Improvement Plan:** The MOU for JWA specifies the following measures from the JWA AQIP that are capable of achieving SIP creditable emission reductions: 1) ground support equipment emission reduction policy; 2) jet fuel pipeline to replace delivery trucks; and 3) parking shuttle bus electrification.

**MOU Between the South Coast AQMD and the City of Long Beach Regarding Long Beach Airport's Air Quality Improvement Plan:** The MOU for LGB specifies the ground support equipment emission reduction policy measure from the LGB AQIP that is capable of achieving SIP creditable emission reductions.

**MOU Between the South Coast AQMD and Ontario International Airport Regarding Ontario International Airport's Air Quality Improvement Plan:** The MOU for ONT specifies the ground support equipment emission reduction policy measure from the ONT AQIP that is capable of achieving SIP creditable emission reductions.

The South Coast AQMD Governing Board determined that the FBMSM as implemented in each airport MOU was exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption; CEQA Guidelines Section 15306 – Information Collection; and CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment, and no exceptions to the application of the categorical exemptions set forth in CEQA Guidelines Section 15300.2 – Exceptions, including the “unusual circumstances” exception, applied to the project. Because this project was determined to be exempt from CEQA, consideration of a range of CEQA alternatives was not applicable. The South Coast AQMD Governing Board approved the project and a Notice of Exemption for each airport MOU, prepared pursuant to CEQA Guidelines Section 15062, was filed with and posted by the counties of Los Angeles, Orange, Riverside and San Bernardino.

*Estimated Emission Reductions:* 0.52 ton per day of NOx in 2023 and 0.37 ton per day in 2031. *Cost-Effectiveness:* Not applicable. *CEQA Alternatives:* None, not required. *Socioeconomic Impact:* Not applicable. *Source(s) of Funding:* Mobile Source revenue.

- 4. Approved Contingency Measure Plan for the 1997 8-Hour Ozone Standard:** In a joint strategy between the South Coast AQMD and CARB, the Contingency Measure Plan was developed to address the contingency measure requirements for meeting the 1997 8-hour ozone NAAQS for the Basin, including achieving 108 tons per day of NOx emission reductions allocated to Clean Air Act section 182(e)(5) measures designed to attain the NAAQS by 2023. The Contingency Measure Plan: 1) identifies new emission reduction strategies designed to achieve approximately 24 to 26 tons per day of NOx emission reductions towards the Clean Air Act section 182(e)(5) commitment; 2) describes how pursuing additional incentive funding can help advance the development of zero or near-zero technologies into full commercialization and accelerate turnover to cleaner engines (e.g., 15 tons per day of NOx emission reductions could be achieved by 2023 with \$1.4 billion of funding); and 3) identifies approximately 67 to 69 tons per day of potential NOx emission reductions needed by 2023 from sources under federal jurisdiction through federal regulatory action and/or federal incentive funding. The South Coast AQMD Governing Board determined that the Contingency Measure Plan is a later activity within the scope of the project covered by the March 2017 Final Program Environmental Impact Report (PEIR) for the 2016 AQMP because no substantial changes or revisions to the project are necessary and no new significant environmental effects and no substantial increase in the severity of previously identified significant effects will occur as result of this later activity. As such, in accordance with CEQA Guidelines Section 15168(e)(2), the March 2017 Final PEIR for the 2016 AQMP adequately describes and analyzes the environmental effects of the project for the purposes of CEQA. Thus, no new environmental document is required pursuant to CEQA Guidelines Section 15168(c) and no subsequent CEQA document is required pursuant to CEQA Guidelines Section 15162. While the March 2017 Final PEIR included an alternatives analysis, this later activity did not require any new or modified alternatives. Similarly, while mitigation measures were included in the March 2017 Final PEIR, and a Mitigation, Monitoring, and Reporting Plan, pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097, was required and adopted for the 2016 AQMP, no new or modified mitigation measures will be made as a condition of the approval of this later activity. However, the mitigation measures that were made a condition of approval of the 2016 AQMP as analyzed in the March 2017 Final PEIR and the corresponding Mitigation, Monitoring, and Reporting Plan that was adopted at that time will remain in effect. In addition, Findings pursuant to CEQA Guidelines Section 15091 and a Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093 which were required and adopted for the 2016 AQMP, will remain in effect.

*Estimated Emission Reductions:* No new NOx emission reductions but the Contingency Measure Plan further defines the strategies for achieving 108 tons per day of NOx emission reductions by 2023 per the commitment in the 2016 AQMP. *Cost-Effectiveness:* Not yet determined. *CEQA Alternatives:* None, not required. *Socioeconomic Impact:* Not applicable. *Source(s) of Funding:* Annual Operating Fees, Federal Grants, Mobile Source revenue, CARB Subvention/State Grants

## CEQA LEAD AGENCY PROJECTS

South Coast AQMD also acts as the Lead Agency under CEQA for non-South Coast AQMD projects where South Coast AQMD typically has primary approval (i.e., discretionary permitting authority). Under CEQA, the Lead Agency is responsible for determining whether an EIR, ND, or other type of CEQA document is necessary for any proposal considered to be a “project” as defined by CEQA. Further, the Lead Agency is responsible for preparing the environmental analysis, complying with all procedural requirements of CEQA, and approving the environmental documents. All documents prepared by South Coast AQMD for permit projects are subject to the standard CEQA requirements. South Coast AQMD staff is responsible for preparing or reviewing prepared CEQA documents for stationary source permit projects.

In 2019, two lead agency projects with corresponding CEQA documents were approved by the South Coast AQMD’s Executive Officer, as summarized below.

- 1. Addendum to the April 2007 Final Mitigated Negative Declaration for Southern California Edison: Mira Loma Peaker Project, Ontario (project approved May 17, 2019):** Southern California Edison operators proposed additional changes to their project that was previously evaluated and adopted in the Final Mitigated Negative Declaration (MND) for the Southern California Edison Mira Loma Peaker Project in Ontario, CA on April 3, 2007, referred to herein as the April 2007 Final MND. The April 2007 Final MND evaluated the installation of a General Electric natural gas-fired turbine generator, also referred to as a “peaker” unit, plus an air pollution control system comprised of a SCR unit and oxidation catalyst to reduce emissions to levels that meet all applicable local air quality emission standards. The peaker is capable of producing up to 45 megawatts (MW) of electricity on short notice during periods when the local electrical system needs power and local voltage support.

After the adoption of the April 2007 Final MND, SCE operators proposed to modify the peaker’s turbine air pollution control system to: 1) decrease the water-injection rate into the turbine’s combustor by up to 54 percent; 2) replace the SCR catalyst and increase the cross-sectional area (by nearly three times) and the pitch (i.e., angle) of the SCR catalyst beds to maximize the contact area and time the turbine’s exhaust gas moves across the catalyst, without increasing the size (outside dimensions) of the SCR enclosure; 3) replace the oxidation catalyst with an updated design and higher conversion rate, which provides functionally equivalent emissions control; 4) modify the exhaust flow distribution design and ammonia injection grid design to improve the deliverability of ammonia to the catalyst; and; 5) increase the concentration of aqueous ammonia delivered to the facility, stored on-site, and injected into the SCR from 19 percent to 29 percent. In addition, to increase the operating flexibility of the peaker so that it can provide reliable power to the grid when dispatched by the California Independent System Operator (CAISO) during peak times when renewable energy resources are not available, SCE proposed to revise its South Coast AQMD Title V Operating Permit to allow the turbine to generate power over its full operating range, from less than one MW to full load, while continuing to meet the emission limits in the current permit without increasing: 1) utilization of the Mira Loma Peaker for power generation; 2) fuel-input limits, generation capacity, or the heat rate of the turbine; and, 3) the potential to emit of criteria pollutants, greenhouse gases ,



or toxic air contaminants. The Addendum to the April 2007 Final MND concluded that the modifications to the original project previously analyzed in the April 2007 Final MND would not create any new significant adverse environmental impacts or substantially increase the severity of the significant effects previously identified. The mitigation measures that were made a condition of approval of the original project analyzed in the April 2007 Final MND and the corresponding Mitigation, Monitoring, and Reporting Plan that was adopted at that time will remain in effect. No new or modified mitigation measures were made as a condition of the approval of this project. Since there were no significant impacts that could not be mitigated to less than significant levels in the April 2007 Final MND and there were no new significant impacts in the Addendum to the April 2007 Final MND, no alternatives analysis was required under CEQA. Findings were not made and a Statement of Overriding Considerations was not required or adopted for the original project analyzed in the April 2007 Final MND since no significant adverse impacts were identified that could not be mitigated to less than significant levels. Further, because there were no new significant impacts as a result of the modified project analyzed in the Addendum to the April 2007 Final MND, neither Findings nor a Statement of Overriding Considerations were required nor adopted.

- 2. Addendum to the May 2017 Final Environmental Impact Report for Tesoro: Los Angeles Refinery Integration and Compliance Project (project approved November 5, 2019):** Tesoro Refining and Marketing Company LLC (Tesoro) operators proposed modifications to the Los Angeles Refinery Integration and Compliance (LARIC) Project that was previously evaluated in the May 2017 Final Environmental Impact Report (EIR), referred to herein as the May 2017 Final EIR, which was certified on XX date. The project evaluated in the May 2017 Final EIR was comprised of modifications necessary to more fully integrate the Tesoro Los Angeles Refinery – Wilmington Operations with the Carson Operations to form the Tesoro Los Angeles Refinery. The Refinery includes: 1) the Wilmington Operations located at 2101 East Pacific Coast Highway in the Wilmington District of the City of Los Angeles; and 2) the Carson Operations, which is the former BP Carson Refinery located at 2350 East 223rd Street in the City of Carson.

After the certification the May 2017 Final EIR, Tesoro operators proposed to revise the original project by: 1) relocating the propane recovery project component from the Carson Operations Naphtha Isomerization Unit to the Carson Operations C3 Splitter Unit; 2) increasing the throughput of the Carson Operations Tank 35; 3) updating the toxic air contaminant speciation for the six crude oil storage tanks at the Carson Crude Terminal with additional data; and 4) updating the construction schedule. The revisions to the original project were for components that were evaluated in the certified May 2017 Final EIR, but South Coast AQMD permits to construct were not issued.

The South Coast AQMD, as lead agency, evaluated the potential for significant adverse environmental effects of the revisions to the original project pursuant to the provisions of CEQA and determined that the revisions to the original project: 1) were minor technical changes and additions necessary to make the May 2017 Final EIR adequate; 2) met all the conditions for the preparation of an addendum pursuant to CEQA Guidelines 15164; 3) were not outside of the scope of the analyses already contained in the previously certified

May 2017 Final EIR; and 4) did not create any new significant adverse environmental impacts or make existing significant adverse environmental impacts substantially worse; and 5) none of the conditions that would require the preparation of a subsequent EIR pursuant to CEQA Guidelines Section 15162 were met. The mitigation measures that were made a condition of approval of the original project analyzed in the May 2017 Final EIR and the corresponding Mitigation, Monitoring, and Reporting Plan that was adopted at that time will remain in effect. No new or modified mitigation measures were made as a condition of the approval of the revised project. Since there were no new significant impacts in the Addendum to the May 2017 Final EIR, no alternatives analysis was required under CEQA. Since significant adverse impacts were identified that could not be mitigated to less than significant levels for the original project analyzed in the May 2017 Final EIR Findings were made and a Statement of Overriding Considerations was adopted. Because there were no new significant impacts identified as a result of the revised project analyzed in the Addendum to the May 2017 Final EIR, the previous Findings and Statement of Overriding Considerations will remain in effect.

## **SOCIOECONOMIC IMPACT ASSESSMENTS**

California Health and Safety Code Section 40440.8 requires that South Coast AQMD perform socioeconomic impact assessments for its rules and regulations that will significantly affect air quality or emissions. Prior to the requirements of Section 40440.8, South Coast AQMD staff had been evaluating the socioeconomic impacts of its actions pursuant to a 1989 resolution of its Governing Board. Additionally, South Coast AQMD staff assesses socioeconomic impacts of CEQA alternatives to those rules with significant cost and emission reduction impacts.

The elements of socioeconomic impact assessments include direct effects on various types of affected industries in terms of control costs and cost-effectiveness as well as public health benefits associated with Air Quality Management Plans (AQMPs). Additionally, South Coast AQMD staff uses a state-of-the-art economic model developed by Regional Economic Models, Inc. (REMI) to analyze the potential direct and indirect socioeconomic impacts of South Coast AQMD rules on Los Angeles, Riverside, Orange, and San Bernardino Counties. These impacts include, but are not limited to, employment and competitiveness.

Of the projects considered and approved by the South Coast AQMD Governing Board in 2019, Socioeconomic Impact Assessments were required and prepared for six rule projects. Additionally, this section includes a summary of the associated socioeconomic impacts of Rule 320 because it contains a requirement for an automatic annual California Consumer Price Index (CPI) adjustment that has associated socioeconomic impacts even though no amendments to this rule were considered and approved by the South Coast AQMD Governing Board in 2019.

## **RULE DEVELOPMENT PROJECTS WITH SOCIOECONOMIC IMPACTS**

### **Rule 1118.1 – Control of Emissions from Non-Refinery Flares (Adopted January 4, 2019)**

Rule 1118.1 was adopted on January 4, 2019 to reduce NO<sub>x</sub> and VOC emissions from non-refinery flares and to encourage alternatives to flaring (e.g., beneficial use of the combustible gases and vapors). Rule 1118.1 is one of several rule development projects that facilitates the transition of the NO<sub>x</sub> RECLAIM program to a command-and-control regulatory structure. Rule 1118.1 contains emission limits for NO<sub>x</sub>, VOC and CO for new, replaced, or relocated flares and a capacity threshold for existing flares, along with implementation timeframes. Requirements for conducting source tests, installing fuel meters, and conducting monitoring, reporting, and recordkeeping are also included in the rule. Implementation of Rule 1118.1 was estimated to achieve emission reductions of 0.18 ton per day of NO<sub>x</sub> and 0.014 ton per day of VOC by 2024 and onward.

Rule 1118.1 was projected to apply to 295 flares at 153 facilities at the time of adoption, with the majority in Crude Petroleum and Natural Gas Extraction (NAICS 211111) and others in Sewage Treatment Facilities (NAICS 221320) and Solid Waste Landfills (NAICS 562212). The resulting compliance costs associated with Rule 1118.1 were projected to range from \$74,054,000 to \$97,478,000 in total (2018 dollars), or \$4.2 million to \$4.7 million annually between 2019 and 2045. Overall cost-effectiveness of Rule 1118.1 was found to be \$45,000 per ton of NO<sub>x</sub> reduced. Job impacts resulting from Rule 1118.1 were estimated at 35 to 39 jobs foregone annually, on average between 2019 and 2045 throughout the four-county region.

### **Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines (Amended April 2019)**

Rule 1134 was amended on April 5, 2019 to update NO<sub>x</sub> emission limits from RECLAIM and non-RECLAIM stationary gas turbines operating at Electrical Generating Facilities, petroleum refineries, landfills, and publicly-owned treatment works. The main provisions of the amendments expanded the applicability of the emission limits to stationary gas turbines that were not previously subject to Rule 1134 requirements, and updated emission limits for NO<sub>x</sub> and ammonia to reflect current BARCT. Full implementation of Rule 1134 was estimated to reduce 2.8 tons per day of NO<sub>x</sub> emissions by 2023.

Rule 1134 was projected to apply to 73 turbines at 35 facilities, with an estimated 33 turbines at 19 facilities expected to incur compliance costs through replacement, repowering, or retrofit. Most of the impacts from compliance costs were expected to affect the coal gasification at mine site sector (NAICS 211111) and fossil fuel sector (NAICS 211112). The main costs associated with emission control equipment were attributed to SCR retrofits and installations, and recurring costs for electricity and purchase of reagent for the SCR equipment. The resulting compliance costs associated with Rule 1134 were projected to range from \$103 million to \$133 million, with an average annual compliance cost between \$5.5 to 6.7 million (2018 dollars) from 2019 to 2045. Job impacts across the four-county region were estimated as a range of 33 to 46 jobs foregone, on average annually between 2019 and 2045.

Three CEQA alternatives were analyzed for this project. Alternative A, the “no project” alternative, means that the August 1997 version of Rule 1134 would remain in effect. Alternative

B analyzed the same NO<sub>x</sub> and ammonia emission limits contained in the proposed amendments to Rule 1134 but with a compliance date for meeting the NO<sub>x</sub> and ammonia emission limits occurring one year earlier, December 31, 2022, whereby allowing three years to achieve compliance. Alternative C analyzed the same NO<sub>x</sub> and ammonia emission limits contained in the proposed amendments to Rule 1134, but with varying compliance dates depending on fuel type, as follows: 1) Liquid Fuel – Outer Continental Shelf: December 31, 2023, 2) Natural Gas – Combined Cycle: June 30, 2023; 3) Natural Gas – Compressor Gas Turbine: December 31, 2023; 4) Natural Gas – Simple Cycle: December 31, 2022; 5) Produced Gas: December 31, 2023; 6) Produced Gas – Outer Continental Shelf: December 31, 2023; and 7) Other: December 31, 2023. The socioeconomic analyses of the CEQA alternatives estimated that overall cost-effectiveness for the CEQA Alternative B (faster implementation schedule) and Alternative C (phased implementation) were the same as the proposed amendments - \$7,975 per ton of NO<sub>x</sub> reduced. The CEQA alternatives were projected to result in 40 to 42 jobs foregone on average, annually between 2019 and 2045.

#### **Rule 1407 – Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Chromium Metal Melting Operations (Amended October 4, 2019)**

Rule 1407 was amended on October 4, 2019 to establish arsenic, cadmium, and nickel control efficiency requirements from metal melting operations, while allowing an option to meet arsenic, cadmium, and nickel mass emission limits in place of meeting control efficiency requirements. Rule 1407 requires non-chromium metal melting facilities to demonstrate compliance with the requirements of control efficiency and mass emission limits by conducting source testing. To reduce fugitive emissions from metal melting operations, facilities are required to close openings located at opposite ends of a building. Housekeeping, maintenance, and recordkeeping requirement were also established to uphold best practices that ensure proper mitigation of non-chromium emissions. Emission reductions of arsenic, cadmium, and nickel were not quantified but reduced exposure to these toxic air contaminants is expected.

Rule 1407 was projected to apply to 60 facilities classified in a variety of industries, primarily steel product manufacturing from purchased steel (NAICS 3313), alumina and aluminum production and processing (NAICS 3313), and foundries (NAICS 3315), with 40 facilities located in Los Angeles county, 12 facilities located in San Bernardino County, and four facilities each located in Riverside and Orange Counties. The compliance costs associated with implementing Rule 1407 are attributed to baghouse emission controls for which the purchase and installation cost is estimated at \$256,000 (one-time), and annual operation and maintenance cost is estimated to be \$275,000. Major building enclosures at four affected facilities were estimated to cost \$151,000 (one-time) each, while minor enclosure modifications at 17 affected facilities of up to \$60,000 (one-time) each. Annual compliance cost estimates for Rule 1407 were projected to range between \$3.0 million to 3.1 million, or \$43.4 million to \$59.6 million total (2019 dollars) from 2019 to 2040. The projected job impacts associated with implementing Rule 1407 were estimated as a range of 90 to 92 jobs foregone, on average annually from 2019 to 2040.

#### **Rule 1110.2 – Emissions from Gaseous- and Liquid-Fueled Engines and Rule 1100 – Implementation Schedule for NO<sub>x</sub> Facilities (Amended November 2019)**

Rules 1110.2 and 1100 were amended on November 1, 2019. Rule 1110.2 was amended to remove the exemption that previously allowed stationary engines greater than 50 brake horsepower at RECLAIM, former RECLAIM, and non-RECLAIM facilities from having to achieve the NO<sub>x</sub>

emission limits in order to facilitate the transition to facilitate the transition of the NO<sub>x</sub> RECLAIM program to a command-and-control regulatory structure. Rule 1110.2 included other amendments that: 1) provide options for averaging times to demonstrate compliance with the NO<sub>x</sub> concentration limits; 2) revise CEMS requirements for engines at essential public services; 3) include interim VOC concentration limits for linear generators; 4) exempt diesel crane engines operated offshore from NO<sub>x</sub>, VOC, and CO emission limits and periodic source testing provisions provided the engines meet specific criteria and an Inspection and Monitoring Plan is prepared and implemented for those engines; 5) exempt remote radio transmission towers to be consistent with Rules 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II and 222 – Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II; and 6) remove obsolete provisions, update monitoring, reporting, and recordkeeping requirements, and provide clarifications. Rule 1100 was also amended to establish the implementation schedule for NO<sub>x</sub> RECLAIM facilities affected by Rule 1110.2. PAR 1100 is an administrative rule and does not impose additional costs to affected facilities, as such, no additional costs or socioeconomic impacts were assumed. Implementation of Rule 1110.2 was estimated to achieve 0.29 ton per day of NO<sub>x</sub> emission reductions. No emission reductions were estimated for Rule 1100. Of the 76 engines subject to Rule 1110.2, 21 were shown to achieve the emission limits and eight were identified as ready to be phased out (e.g., no longer operational due to being abandoned in place and dismantled or removed), resulting in compliance costs for 47 engines with 25 located in Los Angeles County, 10 located in Orange County, and six each located in Riverside and San Bernardino Counties. Most compliance costs associated with implementing Rule 1110.2 were shown to impact facilities classified in the following industries: Pipeline Transportation (NAICS 4862), and smaller portions of the costs affect Oil and Gas Extraction (NAICS 2111), Natural Gas Distribution (NAICS 2212), Beverage Manufacturing (NAICS 3121), and Amusement, Gambling and Recreation Industries (NAICS 7139).

The majority of compliance costs for Rule 1110.2 engines involves the retrofit or replacement and installation of SCR emission controls, while others would achieve the emission limits via tuning existing emission controls. Most engines were projected to achieve the 11 ppmv NO<sub>x</sub> emission limit without engine replacement, retrofit, or repowering; for this reason, costs associated with total engine replacement were not considered in the socioeconomic analysis.

The majority of the one-time costs were associated with the purchase and installation of SCR controls or the retrofit of existing SCR equipment. The total cost of SCRs including installation was estimated at \$33.8 million or approximately \$2.1 million average annual cost across 10 affected facilities. The largest recurring cost associated with SCR technology is for the replacement of catalyst, which totals almost \$30.6 million or \$1.9 million average annual cost across 10 affected facilities. Total costs of compliance with Rule 1110.2 range from \$87.6 million to \$113 million, or \$4.6 million to \$5.4 million annually. Cost-effectiveness for the projected NO<sub>x</sub> emission reductions was estimated from \$32,000 to \$41,000 per ton of NO<sub>x</sub> reduced. The projected job impacts associated with implementing Rule 1110.2 averaged 76 to 175 jobs foregone, annually, from 2021 to 2046 in the four-county region. No compliance costs associated with implementing the administrative changes in Rule 1100 were expected.

Four CEQA alternatives were analyzed for this project. Alternative A, the “no project” alternative, means that the June 2016 version of Rule 1110.2 would remain in effect. Alternative B analyzed engines that would be required to meet the NO<sub>x</sub>, VOC, and CO emission limits listed in Table IV of Rule 1110.2 which are lower than the NO<sub>x</sub> emission limits in the proposal such that more NO<sub>x</sub> emission reductions would occur by December 31, 2023 (within four years) but with the timeline for the facilities transitioning out of RECLAIM remaining the same as the proposal. Alternative C analyzed the same requirements as the proposal with the same timeline for the facilities transitioning out of RECLAIM but with the affected engines complying with a more stringent NO<sub>x</sub> emission limit resulting in greater NO<sub>x</sub> emission reductions. However, to meet the emission limits under Alternative C, both RECLAIM and non-RECLAIM facilities would be affected and increased construction and operation impacts would be expected (e.g., installation of new SCR systems and modifications or replacement of existing SCR systems, increased use and delivery of ammonia or urea. Further, under Alternative C, linear generator engines will continue to be required to meet the DG limits which means that there will be no increase in VOC emissions because linear generator engines will not have the option of comply with an interim VOC limit of 25 ppmv. Alternative D analyzed the same requirements as the proposal with the same timeline for the facilities transitioning out of RECLAIM but analyzed a delayed compliance date of December 31, 2030 for achieving the NO<sub>x</sub> and ammonia emission limits for engines used for natural gas compression and pipeline transmission operated at RECLAIM and former RECLAIM facilities. The socioeconomic analyses of the CEQA alternatives found overall cost-effectiveness for Alternative B (stricter emission limits/total engine replacement) was \$136,000 per ton of NO<sub>x</sub> reduced, Alternative C (faster implementation schedule) was \$78,000 per ton, and Alternative D (slower implementation schedule) was \$22,000 per ton. The analysis of the CEQA alternatives projected 118 to 722 jobs foregone on average, annually between 2021 and 2046.

**Rule 1480 – Ambient Monitoring and Sampling of Metal Toxic Air Contaminants  
(Adopted December 2019)**

Rule 1480 was adopted on December 6, 2019 to establish a process to require a facility to conduct ambient monitoring and sampling of metal TACs (e.g., which include arsenic, cadmium, hexavalent chromium, lead, manganese, nickel, and selenium) provided that specific criteria are met. The process includes an initial notice, request for information, notice of findings, and notice to designate the facility. A facility that is designated will be required to submit a Monitoring and Sampling Plan and conduct ambient monitoring and sampling. Rule 1480 also includes an alternative monitoring and sampling provision where the facility can elect to have the South Coast AQMD conduct ambient monitoring and sampling for a fee. Rule 1480 also has monitoring, reporting, and recordkeeping requirements, and provisions to reduce and cease monitoring and sampling provided certain criteria are met. According to Economic Modeling International (Emsi), nearly 1,350 facilities operate in industry categories that conduct activities with various metal TACs in the four-county region. Only those facilities that meet the designation criteria specified in Rule 1480 would be subject to ambient monitoring and sampling.

Based on the rule requirements and sampling frequencies determined for each facility used in the cost estimate, the compliance cost of implementing Rule 1480 ranged between \$135,000 and \$246,000 annually until each facility becomes eligible to cease monitoring, which is usually between two and three years to implement an approved Rule 1402 Risk Reduction Plan. Due to lack of information about affected facilities that would trigger the monitoring and sampling

requirements in the future, a historical assessment of facilities that met that criteria was used to estimate costs once a facility is designated and must carry out the monitoring and sampling until it completes an approved Rule 1402 Risk Reduction Plan. Only three facilities met Rule 1480 designation criteria prior to its adoption in 2019, but the number of facilities that may be designated in the future cannot be predicted. Designation into Rule 1480 monitoring and sampling requirements is a function of South Coast AQMD ambient air monitoring, compliance inspections, source test data, and response to public reporting and complaints. Before being designated by the South Coast AQMD as a facility required to conduct monitoring and sampling, extensive criteria must be met, and facilities also have multiple options available to correct problems to avoid being designated and subsequently incurring compliance costs associated with conducting monitoring and sampling. Due to lack of information about individual affected facilities and locations of those facilities, a macroeconomic analysis impacts, including job impacts could not be performed for this rule making.

### **Regulation III – Fees, and Rule 209 - Transfer and Voiding of Permits (Amended June 2019)**

An amendment to Rule 301 – Fees, was adopted on June 7, 2019<sup>4</sup> which substantially altered the method for assessing fees for toxic air contaminants (TACs) emissions. In recent years, South Coast AQMD’s rule development efforts have trended towards increasing monitoring and enforcement of rules for toxic air contaminants (TACs) causing increased staff time for monitoring, inspecting, and auditing facilities’ TAC emission inventories. Due to the recent increased workload and expected continuation into the future, estimates of the amount of work the South Coast AQMD is currently conducting annually associated with toxics emissions were compared to the amount of fees collected from toxics emissions. Facilities paid approximately \$19.5 million in fees for emissions that occurred in calendar year 2017, of which about \$0.5 million was attributed to TAC emissions. The cost of South Coast AQMD work annually for which toxics emissions fees could be applied is about \$20 million with approximately half associated with AB 617-related work and half from other ongoing work related to TAC emissions from stationary sources. Additional work conducted as part of implementing the AB 2588 Toxic Hot Spots program and evaluating TAC emissions from mobile sources is not reflected in this fee adjustment. The difference between the amount of revenues collected and the amount of staff resources expended is paid from a variety of sources, including emissions fees from criteria pollutants (because toxics emissions fees are a component of all emissions fees), one-time penalties, and most recently from portions of one-time allocations from the state legislature of about \$31 million for the implementation of the first two years of AB 617. There is no guarantee that these one-time revenues will continue to be funded by the State into the future.

A macroeconomic impact analysis was conducted which considered all amendments to Regulation III in 2019 with the most substantial increase attributable to the TAC Fees adjustment. Under the proposed three-year TAC fee implementation schedule, fee increases were estimated to be \$0.30 million in Fiscal Year (FY) 2019-2020, \$1.76 million in FY 2020-2021, and \$4.12 million in FY 2021-2022. However, at the June 2020 Public Hearing, the South Coast AQMD Governing Board instead approved an expedited two-year implementation timeline, with the TAC fee phase-in beginning in FY 2019-2020. Full implementation of all amended Regulation III fees in 2019 resulted in an estimated annual cost of \$4.42 million, primarily affecting the manufacturing sector

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<sup>4</sup> The toxics fees amendments to Regulation III and Rule 209 were initially presented in the May 9, 2019 Governing Board Meeting of the South Coast AQMD but were continued and ultimately adopted in the June 7, 2019 meeting.

with an average annual increase of \$1.96 million (57 percent) between 2019 and 2028. The macroeconomic impact estimated a job impact of 21 jobs gained in the four-county region, on average annually, between 2019 and 2028.

## **RULE DEVELOPMENT PROJECTS WITHOUT SOCIOECONOMIC IMPACTS**

### **Rule 1106 – Marine and Pleasure Craft Coatings (Amended May 2019) and Rule 1106.1 – Pleasure Craft Coating Operations (Rescinded May 2019)**

Rule 1106 was amended on May 3, 2019 to: 1) incorporate the requirements of Rule 1106.1 and simultaneously rescind Rule 1106.1 so that there would be a single rule covering both marine and pleasure craft coatings; 2) align VOC content limits with U.S. EPA Control Techniques Guidelines (CTGs) and other California air districts; and 3) promote consistency with other VOC-related rules contained in South Coast AQMD Regulation XI – Source Specific Standards. Amended Rule 1106 added new categories for coatings and sealants and required the most restrictive VOC content limit for products that may be marketed for both marine and pleasure craft coatings use. Since available coating products are currently being used which meet the VOC requirements in Rule 1106 with similar costs, no increased compliance costs to the affected facilities beyond what is currently required were expected. As such, no additional costs or other socioeconomic impacts were anticipated as a result of implementing amended Rule 1106.

## **EXISTING RULES WITH ONGOING SOCIOECONOMIC IMPACTS**

### **Ongoing Implementation of Rule 320 - Automatic Adjustment Based on Consumer Price Index (CPI) for Regulation III Fees**

Pursuant to the October 29, 2010 South Coast AQMD Governing Board Resolution, Rule 320 is required to undergo an annual assessment of the increase in fee rates based on the previous year's CPI by March 15. Rule 320 does not affect air quality or emission limits and as such no socioeconomic and cost-effectiveness analyses are required by statute. However, a socioeconomic impact assessment was conducted in order to assess the cost impacts of the fee increase and to provide background information, such as historical trends of South Coast AQMD revenues from various fees and sectoral distributions of these fees. The 2019 annual assessment of Rule 320 resulted in an across-the-board 3.5-percent increase in fee rates (equivalent to the change in the California CPI from December 2017 to December 2018) which went into effect on July 1, 2019. The fee increase was applied to most fees in Rules 301, 303, 304, 304.1, 306, 307.1, 308, 309, 311, 313, 314, and 315.

Nearly all the facilities regulated by the South Coast AQMD would be affected by the fee increases and these facilities belong to every sector of the economy. The fees examined included emissions fees, permit processing fees, annual permit renewal fees, toxic hot spot fees, source testing fees, and a portion of fees under Rule 2202 – On-Road Motor Vehicle Mitigation Options.

The across-the-board CPI-based fee rate increase was estimated to bring additional revenue totaling \$2.85 million to the South Coast AQMD. Based on the fee categories examined in the analysis, the manufacturing sector as a whole was shown to experience the largest increase in fees (approximately \$1.20 million for about 3,600 facilities), followed by the services sector (approximately \$0.53 million for about 10,600 facilities) and the retail trade sector (approximately



\$0.41 million for about 4,000 facilities). Within the manufacturing sector, the petroleum and coal products manufacturing industry, mostly comprised of refineries, was estimated to experience an increase of approximately \$0.49 million.

**CHAPTER II**  
**ENGINEERING AND PERMITTING ACTIVITIES**

## Engineering and Permitting

During calendar year 2019, SCAQMD dispositioned a total of 7,426 applications. The majority of these applications were for Permits to Operate (3,002), Area Sources & Certified/ Registrations (1,060), and Changes of Operators (918). Also, 889 permits were not renewed. This data, broken down into nine different categories, is summarized in Table 1 below.

<b>TABLE - 1</b>	
<b>Permit Applications Completed During Calendar Year 2019</b>	
<b>Type</b>	<b>Count</b>
Permits to Construct	441
Permits to Operate	3,002*
Changes of Operator	918
Denials	36
Cancellations	449
ERCs	65
Plans	1,250
TV/RECLAIM	205
Area Sources & Certified/Registrations	1,060
<b>Total</b>	<b>7,426</b>
<i>Permits Not Renewed</i>	889

\*This includes 1,842 applications for Permit to Construct that were issued as Permits to Construct/Operate.

Table 2 on the following page contains a breakdown of permits dispositioned (in the nine categories) and permits not renewed, by type of industry. The type of industry was based on North American Industry Classification System (NAICS) codes, which were provided by the applicant at the time of application filing. The top four NAICS codes were 447110/447190 – Gasoline Service Stations, 811121 - Automotive Body, Paint, and Interior Repair and Maintenance, 324110 - Petroleum Refineries, and 812320 – Dry Cleaning and Laundry Services (except Coin-Operated).

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
111199	All Other Grain Farming		4									4
111332	Grape Vineyards							14				14
111339	Other Noncitrus Fruit Farming			1								1
111910	Tobacco Farming		1									1
111920	Cotton Farming							1				1
111998	All Other Miscellaneous Crop Farming	10	3			10	2	6	1	6	3	41
112111	Beef Cattle Ranching and Farming										1	1
112120	Dairy Cattle and Milk Production		3	1				3		1		8
112990	All Other Animal Production		1								1	2
115114	Postharvest Crop Activities (except Cotton Ginning)	6				5	2	1				14
115210	Support Activities for Animal Production		1	1				1				3
211111	Unclassified		1					1				2
211120	Crude Petroleum Extraction		22	6		4		7	4	2	6	51
211130	Natural Gas Extraction		3			2						5
212210	Iron Ore Mining		2	1								3
212319	Other Crushed and Broken Stone Mining and Quarrying			1								1
212321	Construction Sand and Gravel Mining		1						1			2
212324	Kaolin and Ball Clay Mining		1						1			2
213112	Support Activities for Oil and Gas Operations		5								3	8
221111	Hydroelectric Power Generation	2	19	3		11	2	5	14	7		63
221112	Fossil Fuel Electric Power Generation										12	12
221118	Other Electric Power Generation	22	2			5		5	4	5		43
221122	Electric Power Distribution		1					1				2

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
221210	Natural Gas Distribution		4	1		6		5	3	24		43
221310	Water Supply and Irrigation Systems		48	6		2		8	2	6		72
221320	Sewage Treatment Facilities	2	26			3		6	1	3	2	43
221330	Steam and Air-Conditioning Supply		4					2	1			7
236115	New Single-Family Housing Construction (except For-Sale Builders)		7	4		1				47	4	63
236116	New Multifamily Housing Construction (except For-Sale Builders)		1								6	7
236117	New Housing For-Sale Builders		1	1							1	3
236118	Residential Remodelers									8		8
236210	Industrial Building Construction		2									2
236220	Commercial and Institutional Building Construction		53	5		1		1	1	53	13	127
237110	Water and Sewer Line and Related Structures Construction		5					1			1	7
237120	Oil and Gas Pipeline and Related Structures Construction		1		1							2
237210	Land Subdivision	1	9	1	3			17		2	3	36
237310	Highway, Street, and Bridge Construction		7			1		1		1	2	12
237990	Other Heavy and Civil Engineering Construction										4	4
238110	Poured Concrete Foundation and Structure Contractors		1	1				1			4	7
238120	Structural Steel and Precast Concrete Contractors		1									1
238130	Framing Contractors										1	1
238140	Masonry Contractors										1	1

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
238160	Roofing Contractors		4							10	6	20
238190	Other Foundation, Structure, and Building Exterior Contractors		1								1	2
238210	Electrical Contractors and Other Wiring Installation Contractors	1	3	2			3			15	4	28
238220	Plumbing, Heating, and Air-Conditioning Contractors		2	1				5		1	2	11
238310	Drywall and Insulation Contractors									3		3
238320	Painting and Wall Covering Contractors		5							2	2	9
238330	Flooring Contractors		1									1
238340	Tile and Terrazzo Contractors		1									1
238910	Site Preparation Contractors		25							73	36	134
238990	All Other Specialty Trade Contractors	2	21	2				1		43	5	74
311111	Dog and Cat Food Manufacturing					2						2
311211	Flour Milling		11									11
311224	Soybean and Other Oilseed Processing		2									2
311340	Nonchocolate Confectionery Manufacturing		1									1
311352	Confectionery Manufacturing from Purchased Chocolate		1									1
311412	Frozen Specialty Food Manufacturing	1	2									3
311422	Specialty Canning									2	1	3
311511	Fluid Milk Manufacturing		1			3		1				5
311513	Cheese Manufacturing							1				1
311514	Dry, Condensed, and Evaporated Dairy Product Manufacturing							1				1

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
311611	Animal (except Poultry) Slaughtering	19	4						2	13	1	39
311612	Meat Processed from Carcasses							1		2		3
311613	Rendering and Meat Byproduct Processing	6	3						4			13
311710	Seafood Product Preparation and Packaging							5				5
311812	Commercial Bakeries		13		2	2		1				18
311821	Cookie and Cracker Manufacturing										1	1
311824	Dry Pasta, Dough, and Flour Mixes Manufacturing from Purchased Flour							2				2
311830	Tortilla Manufacturing							1				1
311919	Other Snack Food Manufacturing	2	2			2			2	8		16
311920	Coffee and Tea Manufacturing		3					1		1		5
311930	Flavoring Syrup and Concentrate Manufacturing		3									3
311999	All Other Miscellaneous Food Manufacturing		3	12				6	1	1	9	32
312111	Soft Drink Manufacturing							4				4
312112	Bottled Water Manufacturing		5									5
312120	Breweries		5					2	2			9
312230	Tobacco Manufacturing		1							1		2
313110	Fiber, Yarn, and Thread Mills		1									1
313210	Broadwoven Fabric Mills		1						1			2
313240	Knit Fabric Mills										1	1
313310	Textile and Fabric Finishing Mills	4	6			2		2	4		3	21
313320	Fabric Coating Mills		2								3	5
314999	All Other Miscellaneous Textile Product Mills										1	1

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
315190	Other Apparel Knitting Mills										1	1
315210	Cut and Sew Apparel Contractors		1									1
315220	Men's and Boys' Cut and Sew Apparel Manufacturing									2		2
316110	Leather and Hide Tanning and Finishing										1	1
321114	Wood Preservation			1								1
321911	Wood Window and Door Manufacturing		3									3
321912	Cut Stock, Resawing Lumber, and Planing		1								1	2
321920	Wood Container and Pallet Manufacturing		5			1					4	10
321991	Manufactured Home (Mobile Home) Manufacturing			9								9
321999	All Other Miscellaneous Wood Product Manufacturing		1								2	3
322121	Paper (except Newsprint) Mills							1		2		3
322130	Paperboard Mills								2			2
322211	Corrugated and Solid Fiber Box Manufacturing	1	8		1					7		17
322212	Folding Paperboard Box Manufacturing		1					2				3
322220	Paper Bag and Coated and Treated Paper Manufacturing	6	11			2		1	2			22
322291	Sanitary Paper Product Manufacturing							8		1		9
322299	All Other Converted Paper Product Manufacturing		1									1
323111	Commercial Printing (except Screen and Books)	4	27	13		9		3	3	5	10	74
323113	Commercial Screen Printing		2			2				1		5



**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
324110	Petroleum Refineries	27	59	2		30	2	12	27			159
324121	Asphalt Paving Mixture and Block Manufacturing		8						4		2	14
324122	Asphalt Shingle and Coating Materials Manufacturing	4	22			3	1	1	7			38
324191	Petroleum Lubricating Oil and Grease Manufacturing	1	6	28			1		3	2		41
324199	All Other Petroleum and Coal Products Manufacturing		14			6		1	5		1	27
325110	Petrochemical Manufacturing		8	1				1		8		18
325120	Industrial Gas Manufacturing		1						1	3		5
325180	Other Basic Inorganic Chemical Manufacturing	2	7			4			5			18
325199	All Other Basic Organic Chemical Manufacturing		6									6
325211	Plastics Material and Resin Manufacturing	2	20	34		16		4	1			77
325212	Synthetic Rubber Manufacturing		3						1		2	6
325311	Nitrogenous Fertilizer Manufacturing		4					1				5
325314	Fertilizer (Mixing Only) Manufacturing		4									4
325411	Medicinal and Botanical Manufacturing										1	1
325412	Pharmaceutical Preparation Manufacturing	3	28	3		7		6	3		2	52
325414	Biological Product (except Diagnostic) Manufacturing	1	4	2				6	1			14
325510	Paint and Coating Manufacturing	1	19	19	2	1		2			2	46
325520	Adhesive Manufacturing	4	9				1	1	1			16

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
325612	Polish and Other Sanitation Good Manufacturing		12									12
325620	Toilet Preparation Manufacturing		6					2				8
325910	Printing Ink Manufacturing		2			2						4
325991	Custom Compounding of Purchased Resins		4	27		2		1				34
325998	All Other Miscellaneous Chemical Product and Preparation Manufacturing		2									2
326113	Unlaminated Plastics Film and Sheet (except Packaging) Manufacturing	11	10			1		1				23
326121	Unlaminated Plastics Profile Shape Manufacturing	2	9	9		1		2	3		6	32
326130	Laminated Plastics Plate, Sheet (except Packaging), and Shape Manufacturing							1				1
326140	Polystyrene Foam Product Manufacturing			5						1		6
326160	Plastics Bottle Manufacturing										1	1
326199	All Other Plastics Product Manufacturing	6	19		3	3	19		1	3	2	56
326211	Tire Manufacturing (except Retreading)		1									1
326212	Tire Retreading		5					1				6
326291	Rubber Product Manufacturing for Mechanical Use			1								1
326299	All Other Rubber Product Manufacturing	2						1				3
327110	Pottery, Ceramics, and Plumbing Fixture Manufacturing										4	4

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
327120	Clay Building Material and Refractories Manufacturing		1			4					6	11
327212	Other Pressed and Blown Glass and Glassware Manufacturing										1	1
327213	Glass Container Manufacturing					1						1
327215	Glass Product Manufacturing Made of Purchased Glass	1	4									5
327310	Cement Manufacturing		9			2			8			19
327320	Ready-Mix Concrete Manufacturing		18			1						19
327331	Concrete Block and Brick Manufacturing	14	3			8						25
327332	Concrete Pipe Manufacturing		12						1	1		14
327390	Other Concrete Product Manufacturing		9									9
327420	Gypsum Product Manufacturing		4						1			5
327910	Abrasive Product Manufacturing								1			1
331110	Iron and Steel Mills and Ferroalloy Manufacturing		3			1					16	20
331210	Iron and Steel Pipe and Tube Manufacturing from Purchased Steel	1				4		1				6
331222	Steel Wire Drawing					1						1
331314	Secondary Smelting and Alloying of Aluminum		7			2			2			11
331318	Other Aluminum Rolling, Drawing, and Extruding		2			2			5	1		10
331410	Nonferrous Metal (except Aluminum) Smelting and Refining		2					1		6		9
331491	Nonferrous Metal (except Copper and Aluminum) Rolling, Drawing, and Extruding		3									3

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
331492	Secondary Smelting, Refining, and Alloying of Nonferrous Metal (except Copper and Aluminum)	2	10			2			3	1		18
331512	Steel Investment Foundries		3									3
331513	Steel Foundries (except Investment)		5	9								14
331523	Nonferrous Metal Die-Casting Foundries		1								1	2
331524	Aluminum Foundries (except Die-Casting)		7			1						8
331529	Other Nonferrous Metal Foundries (except Die-Casting)		1								2	3
332111	Iron and Steel Forging		1			1						2
332112	Nonferrous Forging	24	25			19		6	8	1		83
332114	Custom Roll Forming		2	1								3
332117	Powder Metallurgy Part Manufacturing		2									2
332215	Metal Kitchen Cookware, Utensil, Cutlery, and Flatware (except Precious) Manufacturing		2	1				2				5
332216	Saw Blade and Handtool Manufacturing			8		8			1			17
332312	Fabricated Structural Metal Manufacturing		3					1			5	9
332313	Plate Work Manufacturing		1	5		1						7
332321	Metal Window and Door Manufacturing		4									4
332322	Sheet Metal Work Manufacturing		2									2
332323	Ornamental and Architectural Metal Work Manufacturing		1									1

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
332410	Power Boiler and Heat Exchanger Manufacturing		1									1
332431	Metal Can Manufacturing	2	1			1	1	1	1	1		8
332439	Other Metal Container Manufacturing		5					2				7
332510	Hardware Manufacturing		2								2	4
332613	Spring Manufacturing		1									1
332618	Other Fabricated Wire Product Manufacturing		1									1
332710	Machine Shops		22			1					2	25
332721	Precision Turned Product Manufacturing		1									1
332722	Bolt, Nut, Screw, Rivet, and Washer Manufacturing	4	30			4		2	1	2	7	50
332811	Metal Heat Treating		2			5						7
332812	Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers	4	31	10		7		2			6	60
332813	Electroplating, Plating, Polishing, Anodizing, and Coloring	15	44	11		11		4			6	91
332911	Industrial Valve Manufacturing		5									5
332912	Fluid Power Valve and Hose Fitting Manufacturing	6	29	4		5		1		1	1	47
332919	Other Metal Valve and Pipe Fitting Manufacturing					1						1
332994	Small Arms, Ordnance, and Ordnance Accessories Manufacturing		8	2				5	1	1		17
332996	Fabricated Pipe and Pipe Fitting Manufacturing		3									3

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing		6								1	7
333112	Lawn and Garden Tractor and Home Lawn and Garden Equipment Manufacturing		1									1
333120	Construction Machinery Manufacturing			1								1
333314	Optical Instrument and Lens Manufacturing		5					2				7
333316	Photographic and Photocopying Equipment Manufacturing							2				2
333318	Other Commercial and Service Industry Machinery Manufacturing	1	5			1						7
333414	Heating Equipment (except Warm Air Furnaces) Manufacturing										1	1
333415	Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing		2					4				6
333514	Special Die and Tool, Die Set, Jig, and Fixture Manufacturing					1						1
333611	Turbine and Turbine Generator Set Units Manufacturing							1				1
333613	Mechanical Power Transmission Equipment Manufacturing										2	2
333912	Air and Gas Compressor Manufacturing		4									4
333924	Industrial Truck, Tractor, Trailer, and Stacker Machinery Manufacturing			1								1

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
333992	Welding and Soldering Equipment Manufacturing		1									1
333999	All Other Miscellaneous General Purpose Machinery Manufacturing		1									1
334111	Electronic Computer Manufacturing		2									2
334112	Computer Storage Device Manufacturing										1	1
334118	Computer Terminal and Other Computer Peripheral Equipment Manufacturing							3				3
334210	Telephone Apparatus Manufacturing		6									6
334220	Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing	1	7			3			1			12
334290	Other Communications Equipment Manufacturing		2					1			8	11
334310	Audio and Video Equipment Manufacturing					1						1
334412	Bare Printed Circuit Board Manufacturing		1	11				1				13
334413	Semiconductor and Related Device Manufacturing	20	8			4		12				44
334417	Electronic Connector Manufacturing							1				1
334418	Printed Circuit Assembly (Electronic Assembly) Manufacturing		4	8			1				1	14
334419	Other Electronic Component Manufacturing		1	4				3			2	10

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
334510	Electromedical and Electrotherapeutic Apparatus Manufacturing		7	1		4		4		1		17
334511	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrument Manufacturing		3					3				6
334513	Instruments and Related Products Manufacturing for Measuring, Displaying, and Controlling Industrial Process Variables	1	1									2
334514	Totalizing Fluid Meter and Counting Device Manufacturing		1									1
334515	Instrument Manufacturing for Measuring and Testing Electricity and Electrical Signals							1				1
334516	Analytical Laboratory Instrument Manufacturing		16					4				20
334519	Other Measuring and Controlling Device Manufacturing					1						1
335121	Residential Electric Lighting Fixture Manufacturing					3						3
335122	Commercial, Industrial, and Institutional Electric Lighting Fixture Manufacturing	1	2									3
335311	Power, Distribution, and Specialty Transformer Manufacturing							1				1
335312	Motor and Generator Manufacturing			17								17
335314	Relay and Industrial Control Manufacturing							1				1



**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
335911	Storage Battery Manufacturing		51		1	5		3				60
335931	Current-Carrying Wiring Device Manufacturing		9							1		10
335999	All Other Miscellaneous Electrical Equipment and Component Manufacturing		8								2	10
336111	Automobile Manufacturing		3					1			2	6
336211	Motor Vehicle Body Manufacturing		7	15					1			23
336310	Motor Vehicle Gasoline Engine and Engine Parts Manufacturing		1								3	4
336320	Motor Vehicle Electrical and Electronic Equipment Manufacturing					5						5
336390	Other Motor Vehicle Parts Manufacturing		1			2						3
336411	Aircraft Manufacturing	2	3					2	1			8
336412	Aircraft Engine and Engine Parts Manufacturing	2	7					1	1	9		20
336413	Other Aircraft Parts and Auxiliary Equipment Manufacturing		10	5		4		4	2			25
336414	Guided Missile and Space Vehicle Manufacturing		6			6		1		4		17
336415	Guided Missile and Space Vehicle Propulsion Unit and Propulsion Unit Parts Manufacturing	2			1							3
336612	Boat Building		1	4					1			6
337110	Wood Kitchen Cabinet and Countertop Manufacturing		3	2				1			1	7
337121	Upholstered Household Furniture Manufacturing										6	6

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
337122	Nonupholstered Wood Household Furniture Manufacturing		5	3							2	10
337127	Institutional Furniture Manufacturing										2	2
337211	Wood Office Furniture Manufacturing	1	1								1	3
337212	Custom Architectural Woodwork and Millwork Manufacturing		1								1	2
337214	Office Furniture (except Wood) Manufacturing		1						1		1	3
337215	Showcase, Partition, Shelving, and Locker Manufacturing	2										2
339112	Surgical and Medical Instrument Manufacturing		11			3		3		4		21
339113	Surgical Appliance and Supplies Manufacturing		2								1	3
339114	Dental Equipment and Supplies Manufacturing										3	3
339910	Jewelry and Silverware Manufacturing										1	1
339920	Sporting and Athletic Goods Manufacturing		1					1			2	4
339950	Sign Manufacturing		4	1								5
339991	Gasket, Packing, and Sealing Device Manufacturing		1									1
339992	Musical Instrument Manufacturing	1	2									3
339999	All Other Miscellaneous Manufacturing		3							6	8	17
423110	Automobile and Other Motor Vehicle Merchant Wholesalers	7	20								2	29

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
423120	Motor Vehicle Supplies and New Parts Merchant Wholesalers		5	1		1					4	11
423130	Tire and Tube Merchant Wholesalers		1	15				2				18
423140	Motor Vehicle Parts (Used) Merchant Wholesalers		2									2
423210	Furniture Merchant Wholesalers							1			1	2
423310	Lumber, Plywood, Millwork, and Wood Panel Merchant Wholesalers		5									5
423320	Brick, Stone, and Related Construction Material Merchant Wholesalers		5								5	10
423390	Other Construction Material Merchant Wholesalers		1									1
423410	Photographic Equipment and Supplies Merchant Wholesalers							1				1
423430	Computer and Computer Peripheral Equipment and Software Merchant Wholesalers		1									1
423440	Other Commercial Equipment Merchant Wholesalers		1			1						2
423450	Medical, Dental, and Hospital Equipment and Supplies Merchant Wholesalers		4	1		1		3		2		11
423510	Metal Service Centers and Other Metal Merchant Wholesalers	1	3							1		5
423610	Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers		1									1

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
423690	Other Electronic Parts and Equipment Merchant Wholesalers									1		1
423710	Hardware Merchant Wholesalers		2			1	1					4
423720	Plumbing and Heating Equipment and Supplies (Hydronics) Merchant Wholesalers		5									5
423730	Warm Air Heating and Air-Conditioning Equipment and Supplies Merchant Wholesalers							1				1
423810	Construction and Mining (except Oil Well) Machinery and Equipment Merchant Wholesalers		1			3				29		33
423820	Farm and Garden Machinery and Equipment Merchant Wholesalers		2									2
423830	Industrial Machinery and Equipment Merchant Wholesalers	1	10					2		5	2	20
423840	Industrial Supplies Merchant Wholesalers	2	4			1		1				8
423850	Service Establishment Equipment and Supplies Merchant Wholesalers							1				1
423860	Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers							1				1
423910	Sporting and Recreational Goods and Supplies Merchant Wholesalers		1									1
423920	Toy and Hobby Goods and Supplies Merchant Wholesalers							1				1

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
423930	Recyclable Material Merchant Wholesalers		5					1		2	1	9
423990	Other Miscellaneous Durable Goods Merchant Wholesalers		3								4	7
424120	Stationery and Office Supplies Merchant Wholesalers										1	1
424130	Industrial and Personal Service Paper Merchant Wholesalers		1	1								2
424210	Drugs and Druggists' Sundries Merchant Wholesalers		4	1				2				7
424410	General Line Grocery Merchant Wholesalers							1		1	1	3
424420	Packaged Frozen Food Merchant Wholesalers	2		2				1				5
424440	Poultry and Poultry Product Merchant Wholesalers							1				1
424460	Fish and Seafood Merchant Wholesalers							1			1	2
424470	Meat and Meat Product Merchant Wholesalers		1									1
424480	Fresh Fruit and Vegetable Merchant Wholesalers		13	8								21
424490	Other Grocery and Related Products Merchant Wholesalers	1					1	4		17	4	27
424510	Grain and Field Bean Merchant Wholesalers									1		1
424590	Other Farm Product Raw Material Merchant Wholesalers	1	6									7
424610	Plastics Materials and Basic Forms and Shapes Merchant Wholesalers		2							1		3

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
424690	Other Chemical and Allied Products Merchant Wholesalers		41	27				2			5	75
424710	Petroleum Bulk Stations and Terminals	4	34			7	1	4	3		1	54
424720	Petroleum and Petroleum Products Merchant Wholesalers (except Bulk Stations and Terminals)	1	15	9		1	2				1	29
424810	Beer and Ale Merchant Wholesalers		2									2
424820	Wine and Distilled Alcoholic Beverage Merchant Wholesalers										1	1
424910	Farm Supplies Merchant Wholesalers		1									1
424930	Flower, Nursery Stock, and Florists' Supplies Merchant Wholesalers									1		1
424950	Paint, Varnish, and Supplies Merchant Wholesalers		2			1						3
424990	Other Miscellaneous Nondurable Goods Merchant Wholesalers		3	2		2				3		10
441110	New Car Dealers		14	9		1		3		1	4	32
441120	Used Car Dealers	2	10	1		6		6			2	27
441210	Recreational Vehicle Dealers										1	1
441310	Automotive Parts and Accessories Stores		10	8	2							20
441320	Tire Dealers		1	3								4
442110	Furniture Stores		2									2
442210	Floor Covering Stores										1	1
442299	All Other Home Furnishings Stores		1								3	4
443141	Household Appliance Stores		1									1

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
443142	Electronics Stores		1					3		2		6
444110	Home Centers		2					1				3
444120	Paint and Wallpaper Stores	1	4	2							1	8
444130	Hardware Stores			1								1
444190	Other Building Material Dealers		1									1
444220	Nursery, Garden Center, and Farm Supply Stores		2			2				1		5
445110	Supermarkets and Other Grocery (except Convenience) Stores	1	12			1		71		12	3	100
445120	Convenience Stores	4	27		1	1					2	35
445291	Baked Goods Stores					1						1
445292	Confectionery and Nut Stores										1	1
445299	All Other Specialty Food Stores		5	1		1		1				8
446110	Pharmacies and Drug Stores		6					19			1	26
446120	Cosmetics, Beauty Supplies, and Perfume Stores		6					1				7
446130	Optical Goods Stores							1				1
446191	Food (Health) Supplement Stores									2		2
446199	All Other Health and Personal Care Stores		1					2				3
447100	Unclassified		2									2
447110	Gasoline Stations with Convenience Stores	45	124	71		8	2				4	254
447190	Other Gasoline Stations	33	177	8	2	9	1	4	2		2	238
448110	Men's Clothing Stores	1						1				2
448120	Women's Clothing Stores							5				5
448130	Children's and Infants' Clothing Stores										2	2
448140	Family Clothing Stores		2					1		1	2	6
448310	Jewelry Stores							2				2
451110	Sporting Goods Stores			1								1

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Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
451120	Hobby, Toy, and Game Stores			3				1			12	16
451211	Book Stores		1					1				2
451212	News Dealers and Newsstands			1								1
452111	Unclassified		1					9		1		11
452112	Unclassified		1					30				31
452210	Department Stores		2	1				4				7
452311	Warehouse Clubs and Supercenters		1				3	1				5
452319	All Other General Merchandise Stores		1									1
452910	Unclassified		6			2	1	12				21
452990	Unclassified							21				21
453110	Florists		1					7				8
453220	Gift, Novelty, and Souvenir Stores		1					1				2
453310	Used Merchandise Stores		1							1		2
453998	All Other Miscellaneous Store Retailers (except Tobacco Stores)		2	1				8			1	12
454310	Fuel Dealers	1	4	2								7
454390	Other Direct Selling Establishments		3							8		11
481111	Scheduled Passenger Air Transportation		10			4		1	2			17
481112	Scheduled Freight Air Transportation		2									2
481211	Nonscheduled Chartered Passenger Air Transportation		5									5
481219	Other Nonscheduled Air Transportation									1	2	3
484110	General Freight Trucking, Local		6	3				2		1	1	13
484121	General Freight Trucking, Long-Distance, Truckload		19									19



**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
484230	Specialized Freight (except Used Goods) Trucking, Long-Distance										1	1
485111	Mixed Mode Transit Systems		3					1		1		5
485113	Bus and Other Motor Vehicle Transit Systems		4							2		6
485210	Interurban and Rural Bus Transportation		2					1				3
485310	Taxi Service									3	7	10
485410	School and Employee Bus Transportation			1								1
486110	Pipeline Transportation of Crude Oil		1						1			2
486210	Pipeline Transportation of Natural Gas		1					1	3	9		14
487110	Scenic and Sightseeing Transportation, Land		1									1
488111	Air Traffic Control		24	1				2	5	3	1	36
488119	Other Airport Operations	1	12	1	3			3	1	35	1	57
488190	Other Support Activities for Air Transportation		4					3				7
488210	Support Activities for Rail Transportation		2					1		1		4
488310	Port and Harbor Operations	1						2				3
488320	Marine Cargo Handling		3									3
488410	Motor Vehicle Towing		2					2			1	5
488510	Freight Transportation Arrangement			1							3	4
488991	Packing and Crating		7									7
488999	All Other Support Activities for Transportation		3	1								4
491110	Postal Service							2				2

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Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
492110	Couriers and Express Delivery Services		1									1
493110	General Warehousing and Storage		29	6			1	6	5	1	2	50
493190	Other Warehousing and Storage		2						1		2	5
511110	Newspaper Publishers		4					3			1	8
511120	Periodical Publishers					1						1
511210	Software Publishers										1	1
512110	Motion Picture and Video Production		2	1				3	1	3	2	12
512120	Motion Picture and Video Distribution							1		1	1	3
512131	Motion Picture Theaters (except Drive-Ins)							1				1
512191	Teleproduction and Other Postproduction Services		2					2				4
512199	Other Motion Picture and Video Industries							1				1
512250	Record Production and Distribution			1							1	2
515111	Radio Networks		3	2								5
515120	Television Broadcasting							2		1	2	5
515210	Cable and Other Subscription Programming		1	1				2		4	2	10
517110	Unclassified		1									1
517311	Wired Telecommunications Carriers		1					3		1		5
517312	Wireless Telecommunications Carriers (except Satellite)		2			2						4
517911	Telecommunications Resellers		1					3		1		5
517919	All Other Telecommunications		2					2		2		6
518210	Data Processing, Hosting, and Related Services										1	1

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
519120	Libraries and Archives		2					10				12
519130	Internet Publishing and Broadcasting and Web Search Portals							1				1
522110	Commercial Banking		2	1				7		1		11
522130	Credit Unions		3					1		1	2	7
522292	Real Estate Credit							1				1
522293	International Trade Financing							1				1
522298	All Other Nondepository Credit Intermediation	1										1
522320	Financial Transactions Processing, Reserve, and Clearinghouse Activities			1								1
523120	Securities Brokerage		1									1
523130	Commodity Contracts Dealing		1									1
523910	Miscellaneous Intermediation	3	6	3				5			3	20
523920	Portfolio Management			2				1				3
523930	Investment Advice		1	1				6				8
523991	Trust, Fiduciary, and Custody Activities			1								1
524113	Direct Life Insurance Carriers							2				2
524114	Direct Health and Medical Insurance Carriers		2					9		3	1	15
524126	Direct Property and Casualty Insurance Carriers		2					4				6
524127	Direct Title Insurance Carriers										1	1
524210	Insurance Agencies and Brokerages		1	1							1	3
525920	Trusts, Estates, and Agency Accounts							1				1
525990	Other Financial Vehicles		1							1	2	4

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
531110	Lessors of Residential Buildings and Dwellings		3	7				14		1	11	36
531120	Lessors of Nonresidential Buildings (except Miniwarehouses)	1	11					25			2	39
531130	Lessors of Miniwarehouses and Self-Storage Units									1		1
531190	Lessors of Other Real Estate Property							1		3		4
531210	Offices of Real Estate Agents and Brokers		34	14	4	4		47		4	5	112
531312	Nonresidential Property Managers	3	7	8				8			1	27
532111	Passenger Car Rental		3									3
532120	Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing	1									1	2
532210	Consumer Electronics and Appliances Rental			18							1	19
532289	All Other Consumer Goods Rental		4					3				7
532299	Unclassified										1	1
532310	General Rental Centers										1	1
532412	Construction, Mining, and Forestry Machinery and Equipment Rental and Leasing		4									4
532490	Other Commercial and Industrial Machinery and Equipment Rental and Leasing		1	1						3	1	6
541110	Offices of Lawyers		4	3				3			1	11
541191	Title Abstract and Settlement Offices							2		1		3
541211	Offices of Certified Public Accountants									1		1

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
541213	Tax Preparation Services					1						1
541310	Architectural Services		1	1							1	3
541330	Engineering Services	3	14	16			2	12	2	1	7	57
541380	Testing Laboratories		3		1			1				5
541430	Graphic Design Services		2					2				4
541511	Custom Computer Programming Services		1	2						2		5
541512	Computer Systems Design Services		2					3				5
541611	Administrative Management and General Management Consulting Services	1	6	3		1	2	8	1	3		25
541612	Human Resources Consulting Services		1							1		2
541613	Marketing Consulting Services		2				1					3
541618	Other Management Consulting Services		2			1		1		4	40	48
541620	Environmental Consulting Services		19	1						17	6	43
541690	Other Scientific and Technical Consulting Services		2	3						1	2	8
541711	Unclassified		3									3
541712	Unclassified							1		5		6
541713	Research and Development in Nanotechnology		5					2				7
541714	Research and Development in Biotechnology (except Nanobiotechnology)									1		1
541715	Research and Development in the Physical, Engineering, and Life Sciences (except Nanotechnology and Biotechnology)			4				1				5

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
541720	Research and Development in the Social Sciences and Humanities							2				2
541810	Advertising Agencies		2			2						4
541860	Direct Mail Advertising		2									2
541890	Other Services Related to Advertising		2									2
541910	Marketing Research and Public Opinion Polling							1				1
541921	Photography Studios, Portrait										2	2
541940	Veterinary Services							1				1
541990	All Other Professional, Scientific, and Technical Services		6				3	3		15	31	58
551112	Offices of Other Holding Companies		2	1				2			3	8
561110	Office Administrative Services	2	15	5		2		17	1		4	46
561210	Facilities Support Services		5							64	2	71
561311	Employment Placement Agencies	1	1					2				4
561320	Temporary Help Services									11		11
561421	Telephone Answering Services										1	1
561431	Private Mail Centers			1								1
561450	Credit Bureaus							1				1
561491	Repossession Services									1		1
561499	All Other Business Support Services	2	14	4		4		8		4	1	37
561599	All Other Travel Arrangement and Reservation Services		1					1				2
561622	Locksmiths									1		1
561720	Janitorial Services		4			1		3		18	13	39
561730	Landscaping Services		1			4		1			1	7

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
561790	Other Services to Buildings and Dwellings		5	1							2	8
561910	Packaging and Labeling Services		1			1						2
561920	Convention and Trade Show Organizers							1			1	2
561990	All Other Support Services	3	23	1	2			6		3	4	42
562111	Solid Waste Collection		3									3
562112	Hazardous Waste Collection										2	2
562211	Hazardous Waste Treatment and Disposal	2	28			2		6			2	40
562212	Solid Waste Landfill		13			8	4	5		2		32
562219	Other Nonhazardous Waste Treatment and Disposal		8			1						9
562910	Remediation Services		26							51	29	106
562920	Materials Recovery Facilities		14			6						20
562998	All Other Miscellaneous Waste Management Services		1								4	5
611110	Elementary and Secondary Schools		13				1	37		5	1	57
611210	Junior Colleges		4			1		14		4		23
611310	Colleges, Universities, and Professional Schools		18	5		6		32	1	7	1	70
611610	Fine Arts Schools							2				2
611620	Sports and Recreation Instruction		1								1	2
611691	Exam Preparation and Tutoring		1									1
611699	All Other Miscellaneous Schools and Instruction									1	2	3
611710	Educational Support Services		1									1
621111	Offices of Physicians (except Mental Health Specialists)		2	2				18		2	3	27

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
621112	Offices of Physicians, Mental Health Specialists		1	1				1				3
621210	Offices of Dentists		3	1				2			2	8
621391	Offices of Podiatrists		1									1
621399	Offices of All Other Miscellaneous Health Practitioners									1		1
621410	Family Planning Centers									1		1
621491	HMO Medical Centers							5				5
621498	All Other Outpatient Care Centers		3					4				7
621511	Medical Laboratories		2					5			1	8
621512	Diagnostic Imaging Centers							1				1
621610	Home Health Care Services									1		1
621910	Ambulance Services							2				2
621991	Blood and Organ Banks							1			2	3
621999	All Other Miscellaneous Ambulatory Health Care Services		10	1				5				16
622110	General Medical and Surgical Hospitals		25	10		1		37	2	8	2	85
622210	Psychiatric and Substance Abuse Hospitals		5			1		2		1		9
622310	Specialty (except Psychiatric and Substance Abuse) Hospitals		1					2				3
623110	Nursing Care Facilities (Skilled Nursing Facilities)		4	1							2	7
623312	Assisted Living Facilities for the Elderly									2		2
623990	Other Residential Care Facilities		2	3				3				8
624110	Child and Youth Services		1					2				3



**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
624120	Services for the Elderly and Persons with Disabilities							1				1
624190	Other Individual and Family Services	2	1							16		19
624310	Vocational Rehabilitation Services		3							1		4
624410	Child Day Care Services				1			1				2
711110	Theater Companies and Dinner Theaters		2							1	18	21
711190	Other Performing Arts Companies		1					2				3
711211	Sports Teams and Clubs							3				3
711310	Promoters of Performing Arts, Sports, and Similar Events with Facilities		1					3				4
711410	Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures		2					1				3
711510	Independent Artists, Writers, and Performers		1									1
712110	Museums							7		3		10
713110	Amusement and Theme Parks	11	12			4		2	4	3		36
713910	Golf Courses and Country Clubs		5							2	2	9
713930	Marinas		1									1
713940	Fitness and Recreational Sports Centers		4					5				9
713990	All Other Amusement and Recreation Industries		1							1		2
721110	Hotels (except Casino Hotels) and Motels		8	6				54		15	13	96
721191	Bed-and-Breakfast Inns							3				3
721214	Recreational and Vacation Camps (except Campgrounds)										1	1

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
722320	Caterers							1		2	2	5
722330	Mobile Food Services									1	1	2
722410	Drinking Places (Alcoholic Beverages)	1	2							4	5	12
722511	Full-Service Restaurants	1	3					3		76	42	125
722513	Limited-Service Restaurants	4	4	1		4		1		28	45	87
811111	General Automotive Repair		36	18	1	20		4			14	93
811112	Automotive Exhaust System Repair		1									1
811118	Other Automotive Mechanical and Electrical Repair and Maintenance		4	2							2	8
811121	Automotive Body, Paint, and Interior Repair and Maintenance	6	111	158		8		4			48	335
811191	Automotive Oil Change and Lubrication Shops		1									1
811192	Car Washes	2	4	1							1	8
811198	All Other Automotive Repair and Maintenance		4									4
811211	Consumer Electronics Repair and Maintenance	1	1									2
811213	Communication Equipment Repair and Maintenance		6									6
811219	Other Electronic and Precision Equipment Repair and Maintenance		3					3		1		7
811310	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance		2								1	3
811412	Appliance Repair and Maintenance		3					21			2	26

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
811420	Reupholstery and Furniture Repair	2									1	3
811490	Other Personal and Household Goods Repair and Maintenance		2	1								3
812112	Beauty Salons		2					1				3
812113	Nail Salons		1									1
812199	Other Personal Care Services					1					1	2
812210	Funeral Homes and Funeral Services		2					1			2	5
812220	Cemeteries and Crematories		8			2						10
812300	Unclassified		1					1				2
812310	Coin-Operated Laundries and Drycleaners		1								2	3
812320	Drycleaning and Laundry Services (except Coin-Operated)		67	29	1	2		8			42	149
812331	Linen Supply		19				3					22
812332	Industrial Launderers							8				8
812930	Parking Lots and Garages		3	3					2			8
812990	All Other Personal Services		1									1
813110	Religious Organizations		6	2				11			1	20
813212	Voluntary Health Organizations							1				1
813319	Other Social Advocacy Organizations									1	6	7
813410	Civic and Social Organizations							4		1	2	7
813930	Labor Unions and Similar Labor Organizations		1									1
813990	Other Similar Organizations (except Business, Professional, Labor, and Political Organizations)		2	3	3			1			3	12
921110	Executive Offices		7			1		14		10	1	33
921130	Public Finance Activities							4				4

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

Compiled NAICS Codes	Compiled NAICS Description	Permit to Construct	Permit to Operate	Change of Operator	Denial	Cancelled	ERC	Plans	RECLAIM/TV	Area Source/Registration	Permit Not Renewed	Grand Total
921190	Other General Government Support	3	13			1		14	1	30	3	65
922110	Courts							3			4	7
922120	Police Protection		4					15				19
922140	Correctional Institutions		2					14		2		18
922160	Fire Protection		4	1				3		7		15
922190	Other Justice, Public Order, and Safety Activities							2				2
923120	Administration of Public Health Programs		1					1				2
923130	Administration of Human Resource Programs (except Education, Public Health, and Veterans' Affairs Programs)							3				3
924110	Administration of Air and Water Resource and Solid Waste Management Programs		2					2		1		5
924120	Administration of Conservation Programs		3									3
925120	Administration of Urban Planning and Community and Rural Development							1			1	2
926120	Regulation and Administration of Transportation Programs		7					2		1		10
926130	Regulation and Administration of Communications, Electric, Gas, and Other Utilities					5		1	2			8
926150	Regulation, Licensing, and Inspection of Miscellaneous Commercial Sectors										1	1
927110	Space Research and Technology		6			2		3	2			13
928110	National Security	4	11			4			3			22
928120	International Affairs		2			1						3

**Table 2 - Permits Dispositioned by NAICS Code - CY 2019**

<b>Compiled NAICS Codes</b>	<b>Compiled NAICS Description</b>	<b>Permit to Construct</b>	<b>Permit to Operate</b>	<b>Change of Operator</b>	<b>Denial</b>	<b>Cancelled</b>	<b>ERC</b>	<b>Plans</b>	<b>RECLAIM/TV</b>	<b>Area Source/Registration</b>	<b>Permit Not Renewed</b>	<b>Grand Total</b>
<b>999990</b>	Unclassified	9	47	12		1	1	24		5	11	110
<b>999999</b>	Unclassified		27	26	1			5		12		71
<b>Grand Total</b>		<b>441</b>	<b>3002</b>	<b>918</b>	<b>36</b>	<b>449</b>	<b>65</b>	<b>1250</b>	<b>205</b>	<b>1060</b>	<b>889</b>	<b>8315</b>

\*Numbers with asterisks represent steps made in the Permit Process that were done in Calendar Year 2019 but was not the last step completed that year.

**Annualized Publication of Emission Reduction Credit (ERC)  
And Short Term Emission Reduction Credit (STERC)  
Transactions for Fiscal Year 2018-19<sup>5</sup>  
(California Health and Safety Code Section 40452)**

Pursuant to paragraph (c) of Section 40452 of the California Health and Safety Code, this report summarizes data on emission offset transactions and applications, by pollutant, during the previous fiscal year. Note that during Fiscal Year 2018-19, no applications were denied for a permit for a new source for the reason of failure to provide the required emission offsets.

Table 2 summarizes privately held Emission Reduction Credit (ERC) and Short Term Emission Reduction Credit (STERC) transactions for Fiscal Year 2018-19, including totals, by pollutant, of the number of emission offset transactions and the quantity of emission offsets transferred in units of pounds per day and tons per year. Table 2 summarizes ERC banking applications processed during Fiscal Year 2018-19, including the number of newly generated STERCs by pollutant in units of pounds per day and tons per year.

Tables 3 and 4 provide details on the amount of each emission offset transaction and processed ERC banking application, respectively.

**Table 2: Emission Offset Transactions – Fiscal Year 2018-19**

Criteria Pollutant	Number of Emission Offset Transfer Transactions <sup>6</sup>				Quantity of Emission Offsets Transferred <sup>7</sup> (lb/day)				Annualized Quantity of Emission Offsets Transferred <sup>3</sup> (ton/year <sup>8</sup> )			
	ERC	STERC <sup>9</sup>	STERC <sup>10</sup>	TOTAL	ERC	STERC <sup>5</sup>	STERC <sup>6</sup>	TOTAL	ERC	STERC <sup>5</sup>	STERC <sup>6</sup>	TOTAL
ROG	27	10	0	37	740	241	0	981	135.2	43.8	0	179
NOX	4	1	0	5	25	1	0	26	4.5	0.2	0	4.7
SOX	0	0	0	0	0	0	0	0	0	0	0	0
CO	0	0	0	0	0	0	0	0	0	0	0	0
PM10	1	0	0	1	3	0	0	3	0.5	0	0	0.5

**Table 3: Emission Offset Applications – Fiscal Year 2018-19**

Criteria Pollutant	Number of Banking Applications Resulting in the Issuance of New STERCs <sup>11</sup>	Quantity of Emission Reductions Achieved (STERCs) <sup>12</sup> (lb/day)	Annualized Quantity of Emission Reductions Achieved <sup>8</sup> (ton/year <sup>13</sup> )
ROG	2	77	14.0
NOX	0	0	0
SOX	0	0	0
CO	0	0	0

<sup>5</sup> This report does not include RECLAIM Trading Credit (RTC) transactions.

<sup>6</sup> Includes all emission offset certificates that transferred ownership.

<sup>7</sup> Includes the total amount of emission offsets transferred.

<sup>8</sup> Sum of individual transactions in Table 3.

<sup>9</sup> STERC transfer transactions including the long term emission offset, those that have an ending year of 9999.

<sup>10</sup> STERC transfer transactions not including the long term emission offset in which the emission offset with the greatest year is treated like a long term emission offset.

<sup>11</sup> Includes all emission offset applications resulting in the generation of new certificates.

<sup>12</sup> Includes the total amount of emission offsets generated.

<sup>13</sup> Sum of individual transactions in Table 4.

**Annual Publication of Emission Reduction Credit (ERC) and Short Term Emission Reduction Credit (STERC) Transactions and Applications for Fiscal Year 2018-19**

Criteria Pollutant	Number of Banking Applications Resulting in the Issuance of New STERCs <sup>11</sup>	Quantity of Emission Reductions Achieved (STERCs) <sup>12</sup> (lb/day)	Annualized Quantity of Emission Reductions Achieved <sup>8</sup> (ton/year <sup>13</sup> )
PM10	7	513	93.8

**Table 4: Emission Offset Transaction Summary – Fiscal Year 2018-19  
Sorted by Pollutant and Amount**

SCAQMD NO.	POLLUTANT	AMOUNT (LB/DAY)	AMOUNT (TON/YR)	TYPE	START YEAR	END YEAR
SC1819-001	ROG	6	1.1	ERC	N/A	N/A
SC1819-002	ROG	18	3.3	ERC	N/A	N/A
SC1819-003	ROG	13	2.4	ERC	N/A	N/A
SC1819-004	ROG	500	91.3	ERC	N/A	N/A
SC1819-005	ROG	1	0.2	ERC	N/A	N/A
SC1819-006	ROG	2	0.4	ERC	N/A	N/A
SC1819-007	ROG	3	0.5	ERC	N/A	N/A
SC1819-008	ROG	3	0.5	ERC	N/A	N/A
SC1819-009	ROG	2	0.4	ERC	N/A	N/A
SC1819-010	ROG	12	2.2	ERC	N/A	N/A
SC1819-011	ROG	23	4.2	ERC	N/A	N/A
SC1819-012	ROG	3	0.5	STERC	2018	9999
SC1819-013	ROG	0	0	STERC	2019	2019
SC1819-014	ROG	0	0	STERC	2020	2020
SC1819-015	ROG	15	2.7	STERC	2021	9999
SC1819-016	ROG	0	0	STERC	2019	2019
SC1819-017	ROG	0	0	STERC	2020	2020
SC1819-018	ROG	21	3.8	STERC	2021	9999
SC1819-019	ROG	0	0	STERC	2019	2019
SC1819-020	ROG	0	0	STERC	2020	2020
SC1819-021	ROG	72	13.1	STERC	2021	9999
SC1819-022	ROG	0	0	STERC	2019	2019
SC1819-023	ROG	0	0	STERC	2020	2020
SC1819-024	ROG	7	1.3	STERC	2021	9999
SC1819-025	ROG	0	0	STERC	2019	2019
SC1819-026	ROG	0	0	STERC	2020	2020
SC1819-027	ROG	4	0.7	STERC	2021	9999
SC1819-028	ROG	0	0	STERC	2019	2019
SC1819-029	ROG	0	0	STERC	2020	2020
SC1819-030	ROG	25	4.6	STERC	2021	9999
SC1819-031	ROG	0	0	STERC	2019	2019
SC1819-032	ROG	0	0	STERC	2020	2020
SC1819-033	ROG	85	15.5	STERC	2021	9999
SC1819-034	ROG	0	0	STERC	2019	2019
SC1819-035	ROG	0	0	STERC	2020	2020
SC1819-036	ROG	4	0.7	STERC	2021	9999
SC1819-037	ROG	6	1.1	ERC	N/A	N/A
SC1819-038	ROG	1	0.2	ERC	N/A	N/A
SC1819-039	ROG	11	2	ERC	N/A	N/A

**Annual Publication of Emission Reduction Credit (ERC) and Short Term Emission Reduction Credit (STERC) Transactions and Applications for Fiscal Year 2018-19**

SCAQMD NO.	POLLUTANT	AMOUNT (LB/DAY)	AMOUNT (TON/YR)	TYPE	START YEAR	END YEAR
SC1819-040	ROG	1	0.2	ERC	N/A	N/A
SC1819-041	ROG	10	1.8	ERC	N/A	N/A
SC1819-042	ROG	3	0.5	ERC	N/A	N/A
SC1819-043	ROG	14	2.6	ERC	N/A	N/A
SC1819-044	ROG	38	6.9	ERC	N/A	N/A
SC1819-045	ROG	12	2.2	ERC	N/A	N/A
SC1819-046	ROG	5	0.9	STERC	2019	9999
SC1819-047	ROG	1	0.2	ERC	N/A	N/A
SC1819-048	ROG	15	2.7	ERC	N/A	N/A
SC1819-049	ROG	14	2.6	ERC	N/A	N/A
SC1819-050	ROG	2	0.4	ERC	N/A	N/A
SC1819-051	ROG	2	0.4	ERC	N/A	N/A
SC1819-052	ROG	1	0.2	ERC	N/A	N/A
SC1819-053	ROG	26	4.7	ERC	N/A	N/A
<b>Total</b>		<b>981</b>	<b>179</b>		<b>N/A</b>	

SCAQMD NO.	POLLUTANT	AMOUNT (LB/DAY)	AMOUNT (TON/YR)	TYPE	START YEAR	END YEAR
SC1819-054	NOX	1	0.2	STERC	2016	9999
SC1819-055	NOX	1	0.2	ERC	N/A	N/A
SC1819-056	NOX	5	0.9	ERC	N/A	N/A
SC1819-057	NOX	15	2.7	ERC	N/A	N/A
SC1819-058	NOX	4	0.7	ERC	N/A	N/A
<b>Total</b>		<b>26</b>	<b>4.7</b>		<b>N/A</b>	

SCAQMD NO.	POLLUTANT	AMOUNT (LB/DAY)	AMOUNT (TON/YR)	TYPE	START YEAR	END YEAR	
N/A	SOX	No Records					
<b>Total</b>		<b>0</b>	<b>0</b>		<b>N/A</b>		

SCAQMD NO.	POLLUTANT	AMOUNT (LB/DAY)	AMOUNT (TON/YR)	TYPE	START YEAR	END YEAR	
N/A	CO	No Records					
<b>Total</b>		<b>0</b>	<b>0</b>		<b>N/A</b>		

SCAQMD NO.	POLLUTANT	AMOUNT (LB/DAY)	AMOUNT (TON/YR)	TYPE	START YEAR	END YEAR
SC1819-059	PM10	3	0.5	ERC	N/A	N/A
<b>Total</b>		<b>3</b>	<b>0.5</b>		<b>N/A</b>	



**Annual Publication of Emission Reduction Credit (ERC) and Short Term Emission Reduction Credit (STERC) Transactions and Applications for Fiscal Year 2018-19**

**Table 5: Emission Offset Application Summary – Fiscal Year 2018-19  
Sorted by Pollutant and Amount**

SCAQMD NO.	POLLUTANT	AMOUNT <sup>10</sup> (LB/DAY)	AMOUNT <sup>10</sup> (TON/YR)	TYPE	START YEAR	END YEAR
SC1819-060	ROG	0	0	STERC	2018	2018
SC1819-061	ROG	0	0	STERC	2019	2019
SC1819-062	ROG	0	0	STERC	2020	2020
SC1819-063	ROG	0	0	STERC	2021	2021
SC1819-064	ROG	0	0	STERC	2022	2022
SC1819-065	ROG	0	0	STERC	2023	2023
SC1819-066	ROG	0	0	STERC	2024	2024
SC1819-067	ROG	56	10.2	STERC	2025	9999
SC1819-068	ROG	0	0	STERC	2018	2018
SC1819-069	ROG	0	0	STERC	2019	2019
SC1819-070	ROG	0	0	STERC	2020	2020
SC1819-071	ROG	0	0	STERC	2021	2021
SC1819-072	ROG	0	0	STERC	2022	2022
SC1819-073	ROG	0	0	STERC	2023	2023
SC1819-074	ROG	0	0	STERC	2024	2024
SC1819-075	ROG	21	3.8	STERC	2025	9999
<b>Total</b>		<b>77</b>	<b>14.0</b>		<b>N/A</b>	

SCAQMD NO.	POLLUTANT	AMOUNT <sup>10</sup> (LB/DAY)	AMOUNT <sup>10</sup> (TON/YR)	TYPE	START YEAR	END YEAR
SC1819-076	PM10	0	0	STERC	2018	2018
SC1819-077	PM10	0	0	STERC	2019	2019
SC1819-078	PM10	0	0	STERC	2020	2020
SC1819-079	PM10	0	0	STERC	2021	2021
SC1819-080	PM10	0	0	STERC	2022	2022
SC1819-081	PM10	0	0	STERC	2023	2023
SC1819-082	PM10	0	0	STERC	2024	2024
SC1819-083	PM10	144	26.3	STERC	2025	9999
SC1819-084	PM10	0	0	STERC	2018	2018
SC1819-085	PM10	0	0	STERC	2019	2019
SC1819-086	PM10	0	0	STERC	2020	2020
SC1819-087	PM10	0	0	STERC	2021	2021
SC1819-088	PM10	0	0	STERC	2022	2022
SC1819-089	PM10	0	0	STERC	2023	2023
SC1819-090	PM10	0	0	STERC	2024	2024
SC1819-091	PM10	168	30.7	STERC	2025	9999
SC1819-092	PM10	0	0	STERC	2018	2018
SC1819-093	PM10	0	0	STERC	2019	2019
SC1819-094	PM10	0	0	STERC	2020	2020
SC1819-095	PM10	0	0	STERC	2021	2021
SC1819-096	PM10	0	0	STERC	2022	2022

**Annual Publication of Emission Reduction Credit (ERC) and Short Term Emission Reduction Credit (STERC) Transactions and Applications for Fiscal Year 2018-19**

SCAQMD NO.	POLLUTANT	AMOUNT <sup>10</sup> (LB/DAY)	AMOUNT <sup>10</sup> (TON/YR)	TYPE	START YEAR	END YEAR
SC1819-097	PM10	0	0	STERC	2023	2023
SC1819-098	PM10	0	0	STERC	2024	2024
SC1819-099	PM10	116	21.2	STERC	2025	9999
SC1819-100	PM10	0	0	STERC	2018	2018
SC1819-101	PM10	0	0	STERC	2019	2019
SC1819-102	PM10	0	0	STERC	2020	2020
SC1819-103	PM10	0	0	STERC	2021	2021
SC1819-104	PM10	0	0	STERC	2022	2022
SC1819-105	PM10	0	0	STERC	2023	2023
SC1819-106	PM10	0	0	STERC	2024	2024
SC1819-107	PM10	1	0.2	STERC	2025	9999
SC1819-108	PM10	0	0	STERC	2018	2018
SC1819-109	PM10	0	0	STERC	2019	2019
SC1819-110	PM10	0	0	STERC	2020	2020
SC1819-111	PM10	0	0	STERC	2021	2021
SC1819-112	PM10	0	0	STERC	2022	2022
SC1819-113	PM10	0	0	STERC	2023	2023
SC1819-114	PM10	0	0	STERC	2024	2024
SC1819-115	PM10	60	11	STERC	2025	9999
SC1819-116	PM10	4	0.7	STERC	2018	2018
SC1819-117	PM10	0	0	STERC	2019	2019
SC1819-118	PM10	0	0	STERC	2020	2020
SC1819-119	PM10	0	0	STERC	2021	2021
SC1819-120	PM10	0	0	STERC	2022	2022
SC1819-121	PM10	0	0	STERC	2023	2023
SC1819-122	PM10	0	0	STERC	2024	2024
SC1819-123	PM10	4	0.7	STERC	2025	9999
SC1819-124	PM10	0	0	STERC	2018	2018
SC1819-125	PM10	0	0	STERC	2019	2019
SC1819-126	PM10	0	0	STERC	2020	2020
SC1819-127	PM10	0	0	STERC	2021	2021
SC1819-128	PM10	0	0	STERC	2022	2022
SC1819-129	PM10	0	0	STERC	2023	2023
SC1819-130	PM10	0	0	STERC	2024	2024
SC1819-131	PM10	20	3.7	STERC	2025	9999
<b>Total</b>		<b>513</b>	<b>93.8</b>	<b>N/A</b>		

<sup>10</sup> Only long term emission offsets, those that have an ending year of 9999, are quantified to avoid over counting.

**CHAPTER III**  
**FISCAL YEAR 2020-2021 BUDGET**

*Due to the bulk of these material, Chapter III is available online at <http://www.aqmd.gov/docs/default-source/finance-budgets/fy-2020-21/fy-2020-21-budget-5-6-2020.pdf>. Anyone who would like to obtain a hard copy may do so by contacting South Coast AQMD's Public Information Center at (909)396-2001.*

**CHAPTER IV**  
**CLEAN FUELS PROGRAM 2019 ANNUAL REPORT AND 2020 PLAN UPDATE**

*Due to the bulk of these material, Chapter IV is available online at <https://www.aqmd.gov/docs/default-source/technology-research/annual-reports-and-plan-updates/2019-annual-report-2020-plan-update.pdf> Anyone who would like to obtain a hard copy may do so by contacting South Coast AQMD's Public Information Center at (909)396-2001.*

**CHAPTER V  
ANNUAL RECLAIM AUDIT REPORT  
FOR 2018 COMPLIANCE YEAR**

*Due to the bulk of these material, Chapter V is available online at <http://www.aqmd.gov/docs/default-source/reclaim/reclaim-annual-report/2018-reclaim-report.pdf>. Anyone who would like to obtain a hard copy may do so by contacting South Coast AQMD's Public Information Center at (909)396-2001.*

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BOARD MEETING DATE: August 7, 2020

AGENDA NO. 20

REPORT: Administrative Committee

SYNOPSIS: The Administrative Committee held a meeting remotely on Friday, June 12, 2020. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Dr. William A. Burke, Chair  
Administrative Committee

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### **Committee Members**

Present: Dr. William A. Burke/Chair  
Council Member Ben Benoit/Vice Chair  
Council Member Judith Mitchell  
Council Member Michael Cacciotti

Absent: None

### **Call to Order**

Chair Burke called the meeting to order at 10:00 a.m.

### **DISCUSSION ITEMS:**

1. **Board Members' Concerns:** None to report.
2. **Chairman's Report of Approved Travel:** None to report.
3. **Report of Approved Out-of-Country Travel:** None to report.
4. **Review August 7, 2020 Governing Board Agenda:** There were no comments.

5. **Approval of Compensation for Board Member Assistant(s)/Consultant(s):** Barbara Baird, Chief Deputy Counsel, reported that Legal has approved all Board Assistant/Consultant proposals for FY 2020-21, and that the new Board Consultant, Jose Zavala, meets the qualifications for a Board Consultant.

Moved by Mitchell; seconded by Benoit, unanimously approved.

Ayes: Benoit, Burke, Cacciotti, Mitchell  
Noes: None  
Absent: None

This item was taken out of order:

7. **Pre-Audit Conference:** Helen Chu, Quality Control Partner for BCA, Watson & Rice, reported that the auditors will issue an opinion on the financial statements for the year ending June 30, 2020. The audit will begin on August 4, 2020 to plan and develop the interim audit, and to test internal controls. In addition, a single audit will be conducted on August 11, 2020, which is in compliance with the Office of Management & Budget supplement on each of the major federal programs of the South Coast AQMD. On August 18, 2020, substantive testing on the financial audit aspects will be done, and audit field work will be completed on September 30, 2020. At the end of the audit, the auditors will notify the Administrative Committee if adjustments were made or if there were any other issues encountered during the audit. Council Member Cacciotti asked when will the final audit be presented to the Board. Ms. Jain responded that the auditors will present their draft audit report at the November Administrative Committee. If there are no concerns at the November Administrative Committee, the draft audit report becomes final at the December Board meeting. Council Member Benoit asked if the Audit Committee is still active. Ms. Baird recalled that the Administrative Committee was appointed to serve as the Audit Committee.
6. **Budget and Economic Outlook Update:** Jill Whynot, Chief Operating Officer, provided a Budget and Economic Outlook update and provided responses to questions that arose at the June Board meeting. The current overall vacancy rate is 15.2%, but it is not evenly distributed by division. Dr. Burke asked why Human Resources' vacancy rate is lower than other departments. Ms. Whynot responded that Human Resources has 43 positions. There are 12 positions related to hiring and benefits and employee-related functions. Additional responsibilities include running the building, fleet maintenance, Print Shop, Subscription Services and their vacancy rate is skewed low because it includes career development interns even if they work in other departments. Dr. Burke asked about the career development intern program. John Olvera responded there are

six interns, and the program hires and trains foster youth. Dr. Burke requested that after the quarantine is over, that he would like to have breakfast with the career development interns. Mr. Olvera responded that he would be happy to make the arrangements. Mr. Bill La Marr, Executive Director/California Small Business Alliance, would like to have a copy of the staff presentation and commented that he agreed with Council Member Mitchell's recommendation to suspend the 50% reinstatement surcharge for small businesses. He would also like a Fee Review Committee tutorial, such as how decisions are made and if there are payment plans. Council Member Mitchell requested that staff evaluate the reinstatement fee to possibly reduce it, and to look at payment plan options. Ms. Whynot responded that the Fee Review Committee's purview is to correct errors and approve customized payment plans for up to 6 months.

8. **Status Report on Major Ongoing and Upcoming Projects for Information Management:** Ron Moskowitz, Chief Information Officer/Information Management reported that the Legal web-based management system is going live the weekend of June 13, 2020. Training for Legal staff has been finalized and there has been positive feedback. As part of the Office 365 strategy, Microsoft Teams is being deployed. Teams is a collaboration hub for workplace chats, video conferencing and file storage, and provides seamless integration with Microsoft Suite. Dr. Burke asked if there was an economic impact. Mr. Moskowitz responded there were no additional costs. Council Member Benoit asked which legal system was previously used. Mr. Moskowitz responded JWorks from Courtview, but since the system did not meet the needs of the business, it was decided to develop an in-house system. Council Member Benoit asked about costs if we had gone outside for a tracking system. Mr. Moskowitz responded it would have been more costly than an in-house developed system. Council Member Benoit praised staff for developing software internally. Harvey Eder, Public Power Solar Coalition, commented that the public needs training to learn how to participate in the Zoom meetings.

#### **ACTION ITEMS:**

9. **Establish a List of Prequalified Counsel to Represent and Advise South Coast AQMD on Legal Matters Related to Environmental Law and to Represent and Advise South Coast AQMD Hearing Board:** Bayron Gilchrist, General Counsel, reported that this is item is to establish a list of prequalified counsel to represent and advise the South Coast AQMD on environmental law matters, including CEQA, rulemaking and planning procedures, administrative law and related issues for both the South Coast AQMD and its Hearing Board. The evaluation panel has recommended three firms for the South Coast AQMD, and one firm who is currently representing the Hearing Board. Dr. Burke asked if any minorities are involved in the firms. Mr. Gilchrist responded not as much as he would have hoped for, but that the RFP could be re-opened and additional



outreach could be done. One of the firms was previously a minority firm. Council Member Mitchell commented that minority firms used to be given extra points. Mr. Gilchrist responded that no longer applies and Ms. Baird explained that Proposition 209 was enacted in the 1990s to prevent giving extra points based on ethnicity to contract employment on the basis of race or sex. Dr. Burke stated that there was a Bill introduced in the Senate recently which would bring a reversal to the vote of the people. Council Member Mitchell stated that we need to look on how we incorporate minorities, promote the hiring and training of the minority. Mr. Nastri reported that a number of efforts are underway. He spoke with CARB about the Government Alliance for Race and Equity program and we are looking at bringing outside firms to assist in race and equity issues and speakers. Council Member Mitchell asked that if staff could apprise the Administrative Committee about the progress of policy changes at upcoming Administrative Committees. Mr. Nastri responded that staff will do so on a monthly basis. Council Member Benoit asked if there will be policy changes in time to proceed with this item. Mr. Gilchrist stated that it would be acceptable to wait on this item in order to conduct additional outreach. Council Member Mitchell agreed and stated that outreach should be conducted at law schools. Dr. Burke stated we should do internships for law students so that they can become familiar with the work of the South Coast AQMD. Dr. Burke continued this item to allow for outreach. Council Member Cacciotti asked if the firm for the Hearing Board should be approved. Mr. Gilchrist responded that he recommends the approval of the existing contractor for the Hearing Board. Mr. Eder commented that this should also be extended to the disadvantaged population, and that there are structural problems that should be reevaluated.

Moved by Mitchell to approve the staff recommendation for the Hearing Board portion of this item only; seconded by Benoit, unanimously approved.

Ayes: Benoit, Burke, Cacciotti, Mitchell  
Noes: None  
Absent: None

- 10. Amend Contract to Clarify Ownership of Equipment Funded by South Coast AQMD in High Efficiency and Low-NOx Combo Ribbon Burner Combustion System Demonstration:** Phil Fine, Deputy Executive Officer/Planning, Rule Development and Area Sources, reported that a project was started last year to demonstrate low NOx burners in commercial cooking applications, but the existing contract didn't specify who owns the equipment after the end of the project. This item is to ensure that once the equipment is installed that the South Coast AQMD can claim the emission reduction benefits and at the conclusion of the project, the contractor will retain ownership of the burners.

Moved by Mitchell; seconded by Benoit, unanimously approved.

Ayes: Benoit, Burke, Cacciotti, Mitchell  
Noes: None  
Absent: None

- 11. Recognize Revenue, Appropriate Funds, and Issue Solicitations and Purchase Orders for Air Monitoring:** Jason Low, Deputy Executive Officer/Science & Technology Advancement, reported that this is a routine annual item to recognize up to \$247,416 in revenue from U.S. EPA for the NAATS program and to appropriate up to \$164,416 of those funds to the Science and Technology Advancement budget. In addition, this item is to appropriate remaining NAATS and PAMS funds to issue solicitations and purchase orders for air monitoring equipment and utility vans. Council Member Cacciotti asked if the committee be briefed on electric van technology prior to the purchase of electric vehicles. Mr. Nastri confirmed that Dr. Matt Miyasato will provide a technology briefing of existing technologies. Council Member Mitchell asked if this will cause a delay or is there an urgent need to move forward. Dr. Low responded that we would like to carry over the funds from this fiscal year to the next fiscal year to continue to support the programs. Council Member Benoit asked if there are any grants for small particulate sensors for neighborhoods that have complaints for dust and what are the options. Dr. Low responded that there are grants that are available through the STAR program that allow for communities to apply for outreach and sensor evaluations of their neighborhoods. Staff is developing a loan program that will assist with this in the future.

Moved by Mitchell; seconded by Cacciotti, unanimously approved.

Ayes: Benoit, Burke, Cacciotti, Mitchell  
Noes: None  
Absent: None

### **WRITTEN REPORT**

- 12. Local Government & Small Business Assistance Advisory Group Minutes for the February 14, 2020 Meeting:** Mr. Derrick Alatorre, Deputy Executive Officer/Legislative, Public Affairs & Media reported that this item is a written report.

**OTHER MATTERS:**

13. **Other Business:** None.
  
14. **Public Comment:** Mr. Eder commented that the Solar plan has not been implemented and the South Coast AQMD needs to address it. He also expressed concerns about COVID-19 and homelessness.
  
15. **Next Meeting Date:** The next regular Administrative Committee meeting is scheduled for August 14, 2020 at 10:00 a.m.

**Adjournment**

The meeting adjourned at 11:14 a.m.

**Attachment**

Local Government & Small Business Assistance Advisory Group Meeting Minutes,  
February 14, 2020



# South Coast Air Quality Management District

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

## LOCAL GOVERNMENT & SMALL BUSINESS ASSISTANCE ADVISORY GROUP FRIDAY, FEBRUARY 14, 2020 MEETING MINUTES

### MEMBERS PRESENT:

Council Member Ben Benoit, LGSBA Chairman (Board Member)  
Supervisor V. Manuel Perez (Board Member)  
Felipe Aguirre  
Mayor Pro Tempore Rachelle Arizmendi, City of Sierra Madre  
Paul Avila, P.B.A. & Associates  
Geoffrey Blake, Metal Finishers of Southern California  
Todd Campbell, Clean Energy  
LaVaughn Daniel, DancoEN  
John DeWitt, JE DeWitt, Inc.  
Bill LaMarr, California Small Business Alliance  
Rita Loof, RadTech International  
Eddie Marquez, Roofing Contractors Association  
David Rothbart, Los Angeles County Sanitation Districts

### MEMBERS ABSENT:

Supervisor Janice Rutherford (Board Member)

### OTHERS PRESENT:

Tom Gross, Board Member Consultant (*Benoit*)  
Andy Silva, San Bernardino County  
Harvey Eder, Public Solar Power Coalition

### SCAQMD STAFF:

Derrick Alatorre, Deputy Executive Officer  
Philip Fine, Ph.D., Deputy Executive Officer  
Fabian Wesson, Assistant Deputy Executive Officer  
Naveen Berry, Assistant Deputy Executive Officer  
Sarah Rees, Ph.D., Assistant Deputy Executive Officer  
Nancy Feldman, Principal Deputy District Counsel  
Joseph Impullitti, Planning and Rules Manager  
Lisa Mirisola, Program Supervisor  
Elaine-Joy Hills, Air Quality Specialist  
Van Doan, Air Quality Specialist

### **Agenda Item #1 - Call to Order/Opening Remarks**

Mr. Derrick Alatorre called the meeting to order at 11:34 a.m.

### **Agenda Item #2 – Approval of January 17, 2020 Meeting Minutes/Review of Follow-Up/Action Items**

Mr. Bill LaMarr indicated, under Action Item #2 on the December minutes provided at the Administrative Committee meeting, that he was commenting on the retrospective analysis on various rules and Mr. Alatorre responded regarding the severe nonattainment of the South Coast basin, which were two separate items. Mr. Alatorre agreed and recalled that he would ask staff about studies on rules that were implemented and their cost-effectiveness.

Chair Benoit called for approval of the January 17, 2020 meeting minutes. The minutes were approved with one abstention due to absence.

### **Agenda Item #3 – Review of Follow Up/Action Items**

Mr. Alatorre provided a response to an action item from the previous meeting and indicated that staff coordinated with Mr. David Rothbart regarding the LGSBA Goals and Objectives. Mr. Rothbart reiterated that the language has been clarified and addressed.

### **Agenda Item #4 – Information on Available Clean Air Vehicles**

Ms. Lisa Mirisola presented on near- and zero-emission vehicles, as well as the infrastructure.

Mr. John DeWitt inquired on what the criteria is when choosing a plug-in hybrid, battery electric or fuel cell; if there is a standard that needs to be reached before being considered. Ms. Mirisola replied that we are looking to advance the technology over time, so each year staff looks at the new ones available and which get the most range. We started at plug-in hybrids that had a ten-mile range, but when the leases were done, we went to the next that had 30 to 40 miles. Ms. Mirisola further indicated that we are trying to cover four counties with our fleet. Although our goal is to get to zero emissions, staff has been seeing the ranges with the battery electric and more fueling infrastructure for the fuel cell vehicles, but the plug-in hybrids are a great transition. Therefore, each entity or each fleet will have different ways to evaluate what fits their needs, as well as each individual.

Mr. Paul Avila asked if buyers are required to purchase a warranty in the event of a malfunction. Ms. Mirisola indicated that the State of California requires an emission control warranty in order to get State incentives, which is more stringent than Federal requirements. Ms. Mirisola pointed out that there are optional warranties available at dealerships for different purposes. For plug-in hybrids, a 15-year warranty is required to receive all the incentives.

Mr. Todd Campbell commented that he thought, under the Blumenfield legislation, even though it was three years, there was a possibility of extensions on the carpool stickers. Ms. Mirisola replied she was not aware of any extension for individual stickers. Mr. Campbell asked if there is an increase in leases as opposed to purchases. Ms. Mirisola indicated that staff is not tracking that; our demonstration fleet has been leased since 2017 and our regular fleet is purchased.

Mr. Avila commented that it has been about six years since hybrids came out and asked if South Coast Air Quality Management District (South Coast AQMD) is tracking the sale of used vehicles that are five years and older. Ms. Mirisola specified that we are monitoring the vehicles and not measuring them and indicated that there are more vehicles coming off lease, which are seen in the used market. She further

stated that Replace Your Ride program allows low income families to replace used vehicles with newer used vehicles that are six years old or newer. Mr. Avila asked if the tax incentives stay the same or depreciate over time. Ms. Mirisola responded that the Federal tax credit is only for the first purchase.

Mr. DeWitt asked if Ms. Mirisola is the contact person for a prospective purchase of a car that may qualify for a rebate. Ms. Mirisola indicated that there are different staff that handle different parts of the incentive programs and she focuses on the technology portion and evaluates what to add to the demonstration fleet.

Mr. LaMarr referenced a Google search on electric cars, which indicated that, to date, 570,000 electric cars have been sold in California since 2011, approximately eight to nine years and about 60,000 cars per year. Mr. LaMarr asked what the secondary market is for electric or alternative vehicles and stated that the typical cost of a new car is arguably way out of reach for many people such as those in AB 617 communities. Mr. LaMarr commented that if South Coast AQMD and the State's objective is to lower pollution from mobile sources, then there should be facts as to what the secondary market is, what the trade-in values are, what incentives or warranties are available, and what the ideal mileage is to trade in the car. Ms. Mirisola replied that there are cost calculators for any kind of used cars and mentioned that there was proposed legislation to provide more incentives for used vehicles, which resulted in the Replace Your Ride program for low income individuals to purchase new or used cars. Mr. LaMarr stated that monetary incentives are one thing, but was concerned about the availability of mechanical help with maintenance and repairs for these types of vehicles. Mr. Naveen Berry provided feedback on the AB 617 communities and indicated that staff has done extensive outreach on the availability of programs such as Replace Your Ride. Some vehicles are available for \$9,500 or less for low-income residents who qualify, which covers the full cost of the car, and a lot of the used Nissan Leafs are well under \$10,000 and are more readily available now. Mr. Berry referenced Mr. LaMarr's search on over half a million of electric vehicles being sold, and stated that as that market is growing, the aftermarket support and non-dealer repair technicians are also growing. Mr. LaMarr stated that his thoughts are for the buying public who may pose questions such as "should I do this, am I getting a good bargain, am I doing this for clean air, how long will the car last?" Mr. Berry responded that we get two reasons for the Replace Your Program - the carpool lane stickers and the fuel cost savings, which is maintained over the life of the vehicle. In terms of warranty, anything that has an auxiliary, hybrid or full battery, has a seven year or 150,000 miles warranty required by the California Air Resources Board (CARB), as opposed to 36,000 or 50,000 miles for traditional internal combustion engines. Mr. Berry stated that there is a protection in the system for the higher cost components, such as battery packs.

Ms. Rita Loof indicated the carpool stickers are now expiring and asked if they are for people who purchase a new vehicle, what happens after three years when they expire, and how it works for people purchasing used vehicles. Ms. Mirisola replied, even though a vehicle was purchased new, if they did not get a carpool sticker, it would be available for the second owner. However, once a sticker has been issued, it is only good for three years. Ms. Mirisola further stated that there is a possibility that if you are low income, you may be able to get another sticker. The Department of Motor Vehicles (DMV) screens for qualifications, but Ms. Mirisola is not aware if the DMV is implementing that part of the legislation yet.

Mr. Eddie Marquez referenced slide #9 on California Hydrogen Stations and asked how this syncs with CARB's electrification rules. Ms. Mirisola responded that the buses are now making plans to transition to zero-emission buses, and many of them are adding battery electric buses. However, for the larger fleets, they are considering the hydrogen fuel cell as well. The station development is supporting some

of this role-out, but there are also some private investments that need to go with this. Ms. Mirisola indicated that these are co-funded and not entirely publicly funded. Mr. Marquez commented that in terms of upgrades with natural gas, hydrogen and other alternative sources of energy, there is a big electrification push. Mr. Marquez asked, with all the money already invested in these sources of energy, if it will all be electric at one point and what happens to the money invested in these alternative sources. Ms. Mirisola replied that we take a portfolio approach and try not to predict the market too strongly. We still see a role, especially for hydrogen in medium and heavy-duty trucks, other applications, as well as in seasonal and large storage. Mr. Joseph Impullitti stated that South Coast AQMD tries to be technology agnostic, we support both electric and hydrogen fuel cell technologies, and a lot of it depends on the transit authorities. Some are going the electric path, and some are going to hydrogen. The Orange County Transportation Authority (OCTA) is going both ways, which we deployed ten fuel cell buses and a fuel cell hydrogen station in Santa Ana, and they also ordered some electric buses to determine which fits their duty cycles before deciding which path to go down. It all depends on how it works with their situation and there are advantages to both.

Mr. Avila asked how much a hydrogen bus cost. Mr. Impullitti responded that they are more expensive than battery electric and cost about \$1.1 million per bus. Mr. Campbell commented that when they (Clean Energy) first developed CARB's first transit bus that moved away from diesel fuel, Ballard promised that the buses would be down to \$500,000 in 2008. Mr. Berry indicated that it is dependent on volumes and scale, and as Mr. Impullitti and Ms. Mirisola explained, transit authorities are going different pathways, testing them all out. Mr. Berry further explained that one of the analysis that staff is currently doing is looking at volumes from both perspectives, and as we get a better handle on pricing, volume and scale, we will be able to better address, in more detail, these questions. Mr. Campbell indicated that Los Angeles (LA) County is doing a progressive plan to switch over from natural gas to electric, and their preliminary estimates in the operations plan is approximately \$100 million for charging infrastructure per division for 12 divisions, which is about \$1.2 billion. This is a forecast that does not include the upstream power that needs to be delivered to each division, what must be spent on the utility side for repair, and the buses still have to be purchased. Mr. Berry stated that staff work closely with transit authorities and that is certainly a concern for them, which is why they are looking at alternatives. Mr. Impullitti added that staff is investigating to support electric and hydrogen infrastructures with microgrids.

Mr. LaMarr asked if there is any data on electric trucks, zero- or near-zero emission trucks that manufacturers might have. Ms. Mirisola responded that we are more in the demonstration phase and are accumulating mileage. However, they can make predictions before commercializing something and determine what type of warranties will be offered and what services will be required. Our demonstration data can help show what the life will be for the new products. Mr. Berry stated that the 8.9-Liter engines started rolling out in 2015/2016 and did not have any issues with engine durability. The 12-Liter engines rolled out of production about 18 months ago, and we did not receive any feedback. The one minor area of concern was specific to one manufacturer, and it was not related to the engine or power plant itself. We have not seen the long-term durability analysis yet, but we have put them through accelerated testing before the certification of the engines, showing strong performance in terms of grades, reliability and availability equal to today's diesel engines.

Mr. Campbell asked what the range was on Daimler battery electric trucks. Mr. Impullitti responded that their targeted range is 150 miles, but depending on load and duty cycle, going uphill or downhill, it could be greater. Mr. Campbell expressed concerns about the Federal implementation plan being a risk. He explained that when looking at a \$31 million demonstration project that covers 20 trucks, including

infrastructure, and did the same thing with a low NOx truck, which is equivalent to a zero-emission truck with upstream emissions, in terms of carbon emissions, it could be better with low NOx truck powered by renewable natural gas. Mr. Campbell further stated that you can get 130 trucks with a \$5 million station, and mentioned that when Metro went to CNG, they paid about \$60 million, and now will pay about \$1.2 billion to go electric. Mr. Campbell provided information on a conference in Napa Valley, discussion on the Carl Moyer program, and a workshop held by CARB regarding their concept on additional zero emission fleet regulations. Mr. Campbell recommended representation from South Coast AQMD at CARB's Mobile Source Strategy meeting. Mr. Berry indicated that staff has provided detailed comments to CARB on their advanced clean truck regulation, and that they have to do a regulatory approach to lower the emissions standards sooner than later. South Coast AQMD has been actively and closely working with CARB on a lot of different fronts. Mr. Campbell clarified his statement and complemented staff for advocating in Sacramento. Mr. DeWitt asked Mr. Campbell if this goes back to having people measure the cost and the results. Mr. Campbell agreed.

Mr. Harvey Eder provided information about the history of the zero-emissions program and money taken from solar power.

Mr. Campbell commented that under the low carbon fuel standard, renewable natural gas is the lowest carbon fuel, and if you put it towards electricity, the carbon benefits go from negative 380 carbon intensity to negative 600 to 700 carbon intensity towards electricity. Mr. Eder responded that the numbers are wrong.

#### **Agenda Item #5 – Updates on 2016 Air Quality Management Plan (AQMP)**

Dr. Sarah Rees provided an update on the 2016 AQMP and the development of the 2022 AQMP. She also provided information on meeting the 2023 attainment deadline and contingency plan adopted by the Governing Board (GB).

Mr. Avila asked what percentage of ocean-going vessels will impact or influence South Coast AQMD's plan. Dr. Rees responded that it is a significant amount. Currently, heavy duty trucks are the biggest source of NOx emissions, but by 2023, we expect that ocean-going vessels will be the single biggest source of NOx emissions in the South Coast basin because of the busy port complex.

Ms. Loof requested for elaboration on the regional vehicle miles travel (VMT) reductions and how they would play out. Dr. Rees explained that CARB has some strategies looking at VMT reduction. If you have less VMT, we would expect there would be some co-benefit of NOx emissions reductions associated with that. Dr. Rees indicated that it would be a relatively small amount, but that is one strategy that CARB is working on with regional transportation authorities.

Mr. LaMarr referenced slide #17 regarding contingency measures and reductions prior to 2023 and asked how optimistic is staff that the Environmental Protection Agency (EPA) will approve these measures. Dr. Rees responded that staff has worked hard with EPA, who has six months from the time of submittal to issue a completeness determination. For example, if all the required elements have been submitted and they do not act within six months, then it becomes complete by operation of law. Dr. Rees further explained that they will have time to take action to either approve, partially approve, or disapprove, but effectively we have between now and an 18-month window by which EPA could take action. If they are disapproving or partially approving, there could be some sanction clocks associated with that. Mr. LaMarr asked if the sanction clock starts at the end of the 18 months. Dr. Rees replied



that the sanction clock starts after the EPA takes action so anything less than a full approval, there could be a sanction clock started at that point, which could be within the next six months.

Mr. David Rothbart commented that all stationary sources would agree that South Coast AQMD has done everything that can possibly be done; there is nothing more that can be done within South Coast AQMD's regulatory control to get to attainment; EPA has not stepped up with the on-road, heavy duty standard needed to get to attainment; and CARB is focused on electrification, slowing down progress. He further stated that when there are penalties, stationary sources are in the "cross-hairs" of paying the penalty. Mr. Rothbart asked how this can be avoided or shift the paradigm and say that we are not responsible, it is other entities. Mr. Rothbart expressed he wanted a dialogue started up with Washington D.C. earlier to keep stationary sources from paying the penalty. Dr. Rees indicated that we are in a little bit of uncharted territory in terms of being in an area that has not triggered some of these actions in the Clean Air Act. Likely, in a different administration, EPA would probably work out a reasonable approach, it is unclear where that would unfold today, but we continue to work with Region 9 and in Washington D.C. to alert them of the issues that we face.

Mr. LaMarr commented that, in the past, we have been hearing terms like all reasonable measures, and staff goes through great lengths on building a case every time we come into situations like these. An obvious reasonable case is that we have done everything here with the sources under your jurisdiction, and no matter what we do, such as shutting down all sources, we still would not reach attainment. When you say negotiate with EPA, we get another 20 years going through the same issues. Dr. Rees responded that when you are in ozone nonattainment, there are multiple levels. If you start off far out of attainment, you are given a long time. The Clean Air Act never anticipated that the 20 years will not be enough time to reach attainment. It is focused on the districts putting regulations in place, take those actions, and it works out. We are faced with statutory provisions that have very hard deadlines and consequences associated with them. Mr. LaMarr commented that he recalls a conversation with Representative Henry Waxman, who indicated that his legislation had unintended consequences. Dr. Philip Fine responded that with a cooperative administration, there would be a way to work through it. However, today's administration, it is not just not being able to work through it, they will use it against California. Staff have visited Washington D.C. many times and provide the same message. Mr. Rothbart suggested working with other air pollution districts to find creative ways to focus the attention on our problems. Dr. Fine indicated that our legal staff is also looking at all possible options.

Ms. Loof requested for an explanation regarding the 128 tons per day of NOx reduction to meet the attainment and the contingency plan that mentions 108 tons per day, which has a difference of 20 tons per day. Dr. Rees explained that the 108 tons per day was for the further deployment of measures, which is the black box provision. We have 27 tons per day of defined measures on top of that, and with some accounting it adds up to 128 tons per day.

#### **Agenda Item #6 –Monthly Report on Small Business Assistance Activities**

No comments.

#### **Agenda Item #7 - Other Business**

Mr. Rothbart asked if there is a policy as far as public comment. Ms. Nancy Feldman indicated that this is a Brown Act meeting, and we do provide for public comment, which can be limited by the Chair as needed.

#### **Agenda Item #8- Public Comment**

Mr. Eder commented on solar power.

**Agenda Item #9 – Next Meeting Date**

The next regular Local Government & Small Business Assistance Advisory Group meeting is scheduled for Friday, March 13, 2020 at 11:30 a.m.

**Adjournment**

The meeting adjourned at 1:24 p.m.

BOARD MEETING DATE: August 7, 2020

AGENDA NO. 21

REPORT: Legislative Committee

SYNOPSIS: The Legislative Committee held a meeting remotely on Friday, June 12, 2020. The following is a summary of the meeting.

<b>Agenda Items</b>	<b>Recommendation/Action</b>
AB 2882 (Chu) Hazardous emissions and substances: schoolsites: private and charter schools	Support
AB 3256 (E. Garcia) Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020	Support if Amended
SB 895 (Archuleta) Energy: zero-emission fuel, infrastructure, and transportation technologies	Support

**RECOMMENDED ACTIONS:**

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

Judith Mitchell, Chair  
Legislative Committee

DJA:FW:LTO:PFC:sd:lam:ar

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**Committee Members**

Present: Council Member Judith Mitchell/Chair  
Dr. William A. Burke  
Council Member Joe Buscaino/Vice Chair  
Senator Vanessa Delgado (Ret.)  
Supervisor V. Manuel Perez  
Supervisor Janice Rutherford

Absent: None

**Call to Order**

Chair Mitchell called the meeting to order at 9:06 a.m.

## **DISCUSSION ITEMS:**

### **1. Update on Federal Legislative Issues**

South Coast AQMD's federal legislative consultants (Carmen Group, Cassidy & Associates, and Kadesh & Associates) each provided a written report on various key Washington, D.C. issues.

Mr. Gary Hoitsma of Carmen Group reported that the Surface Transportation bill could be a vehicle for clean energy and air quality provisions that would be of interest to South Coast AQMD. The Senate Environment and Public Works Committee passed a bi-partisan version of the bill which contains provisions to address to climate change, clean energy and air quality. The House has introduced its own much larger version of the bill which contains more expansive provisions related to climate, clean energy, zero emission buses, resiliency and alternative fuel infrastructure. The House Transportation and Infrastructure Committee is scheduled to mark-up their bill next week with the possibility of House floor consideration during the week of July 1, 2020. He added that there are indications that the Trump Administration will also release a version of a comprehensive Surface Transportation bill. An Administration bill would likely undermine the viability of the bi-partisan Senate bill. It is likely that there will be a short-term Surface Transportation Reauthorization bill, with the larger package decided after the November general election.

Ms. Amelia Jenkins of Cassidy & Associates informed the Committee that Congress is working the Fiscal Year (FY) 2021 Appropriations bills with a target date of September 30, 2020. She reported that the House Appropriations Committee is scheduled to mark-up their bills in the first two-weeks of July and is trying to complete their version of the bills before the August recess. The Senate will begin to work on their Appropriations bills in mid to late June, but will not focus on the Interior and Related Agencies bill which funds the Environmental Protection Agency.

Mr. Mark Kadesh of Kadesh & Associates reported on issues specific to South Coast AQMD in relation to Appropriations, Surface Transportation and COVID-19. He added that South Coast AQMD has partnered with the Bay Area AQMD and San Joaquin Valley APCD on FY 2021 Appropriations for Targeted Airshed Grants and DERA, which led to a letter from Members of the California Congressional Delegation to both the House and Senate Appropriations Committees. The House Transportation and Infrastructure Committee had included H.R. 2626, the "Clean Corridors Act," into their version of the Surface Transportation bill known as the "Invest in America Act." He added that South Coast AQMD and Bay Area AQMD will continue to work with Representatives DeSaulnier and Lowenthal's offices to offer amendments to address goods movement and environmental justice issues.

With regard to future COVID relief related legislation, South Coast AQMD has supported Representative Garamendi's bill, H.R. 7073, the "Special Districts Provide Essential Services Act" to provide direct federal grants to special districts like South Coast AQMD.

Mr. Harvey Eder, Public Solar Power Coalition, made comments regarding homelessness, solar programs and urged for legislation to help homeless people.

## **2. Update on State Legislative Issues**

South Coast AQMD's state legislative consultants (Resolute, California Advisors, LLC, and Joe A. Gonsalves & Son) provided written reports on various key issues in Sacramento.

Mr. David Quintana of Resolute informed the Committee that the state Legislature submitted their budget proposal, which includes \$50 million in AB 617 implementation funding that South Coast AQMD has been working for. Assemblymembers Eduardo Garcia and Cristina Garcia were two strong champions in this effort.

The Legislature is required to pass a budget by the state constitutional deadline of June 15, and state legislators are committed to meet this deadline. The Governor and state legislature continue to try to work through their differences as part of budget negotiations. However, since no agreement has been reached, and to meet the budget deadline, the State Senate and Assembly will pass their version of the budget. The Senate and Assembly will continue to negotiate with the Governor to pass a mutually agreeable budget, possibly in July or August after state tax return revenue and possible federal relief funding has been received. There are two budget bills, SB 808 (Mitchell) and SB 74 (Mitchell). SB 74 is going to be the budget bill in chief that gets passed by the June 15 deadline, and SB 808 will be the budget bill that gets used for the subsequent version that will be worked out with the Senate, Assembly and Governor.

Mr. Ross Buckley of California Advisors, LLC reported to the Committee regarding SB 1185 (Moorlach) and SB 1099 (Dodd and Glazer), both relating to the usage of backup generators. South Coast AQMD staff and lobbyists met with legislative staff to express the opposition to SB 1099. Additionally, South Coast AQMD Executive Officer Wayne Nastri and CAPCOA provided testimony at a recent Senate policy committee hearing of the bill. Efforts, including additional meetings with legislative offices, will continue in order to continue to communicate South Coast AQMD's opposition to SB 1099.

Mr. Buckley reported that the Legislature has been back at work over the last four to five weeks and has been able to get a lot done. Policy committee hearings were held,

and bills have been sent on to the appropriations committees. The Chairs of the appropriations committees indicated earlier that given the current fiscal strain on the state, these committees would be especially mindful of avoiding new state spending proposed by legislation this year. Overall, there was a dramatic decrease in the amount of bills set to be considered by the appropriations committees as compared to previous years. There were numerous bills held in appropriations, but also some bills were amended to be contingent on future budget action or appropriation. This shows support for the bills' policies, but acknowledges that in the current fiscal downturn it is unclear whether sufficient funding would be available to pay for the bills' provisions.

Mr. Paul Gonsalves of Joe A. Gonsalves & Son commented that the State Assembly and State Senate have adjusted their current legislative calendars due to the COVID-19 pandemic, which resulted in the Legislature taking about a two-month break in the middle of their legislative session. Currently, the two houses' legislative schedules differ from each other. However, the schedules will sync up after their respective summer recesses end on July 13.

Mr. Gonsalves also informed the Committee that special legislative sessions are likely, if California does not receive federal relief funding and more budget cuts are needed.

Mr. Harvey Eder advocated for the use of solar power and the need to act now to prevent global climate change.

**3. Update on Legislation Regarding Voting District Authorization for Clean Air**

Mr. Derrick Alatorre, Deputy Executive Officer of Legislative, Public Affairs & Media provided an update on South Coast AQMD-sponsored legislation for the authorization of a voting district within the South Coast region to allow for potential ballot funding measures within the District.

Mr. Alatorre stated that the spot bill is dead, but it is possible to seek another legislative vehicle to reintroduce it. South Coast AQMD will continue to look for other avenues for air quality funding.

**ACTION ITEM:**

**4. Recommend Position on State Bills:**

**AB 2882 (Chu) Hazardous emissions and substances: schoolsites: private and charter schools**

Mr. Philip Crabbe III, Public Affairs Manager, presented AB 2882 to the Committee. This bill, sponsored by the Bay Area AQMD, would require charter and private schools to follow the same requirements as public schools for evaluating a

schoolsites for potential hazardous substances, emissions, or waste. The bill would require the evaluation of potential charter schoolsites to follow the same CEQA process used for a public school. This bill is consistent with South Coast AQMD policy priorities to protect public health, especially within disadvantaged communities, and to promote environmental justice.

The bill does not require private or charter schoolsites that involve leased property to abide by the applicable public school siting and CEQA requirements. Staff recommended that the bill be amended to clarify that the same siting and CEQA requirements that apply to public schools, should apply to private and charter schools located on leased sites.

**Overall, staff recommended a “SUPPORT” position on this bill.**

Moved by Burke; seconded by Delgado; unanimously approved

Ayes: Burke, Buscaino, Delgado, Mitchell, Perez, Rutherford

Noes: None

Abstain: None

Absent: None

**AB 3256 (E. Garcia) Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020**

Mr. Crabbe presented AB 3256 to the Committee. This bill proposes the issuance of a \$6.98 billion general obligation bond to implement its provisions. This bond would be subject to voter approval at the November 3, 2020 statewide general election.

This bill represents an opportunity to generate much needed air quality incentive funding that could help reduce criteria pollutant and toxic air contaminant emissions, protect public health, and facilitate attainment of federal air quality standards within the South Coast region.

Staff recommended amendments to the bill to propose that \$500 million be made available to fund local air district administered projects to mitigate the impacts of climate change on air quality, by reducing greenhouse gas, toxic, and criteria pollutant emissions. Air districts would use the funding generated for projects pursuant to programs, including the Carl Moyer Program, clean truck incentives per Prop. 1B Guidelines, and other incentive programs that reduce air pollution, with priority given to projects in disadvantaged communities.

Chair Mitchell inquired about the possibility of including, within the suggested amendments to this bill/bond language, the specific allocations of funding to be provided for air districts. Mr. Crabbe responded that this has been done in a previous state budget regarding allocations of monies to air districts. Committee Members discussed and reached consensus to include, as part of staff’s recommended

amendment language, specific funding allocation language that provides that at least 43 percent of the proposed \$500 million in new bond funding for air quality be directed to the South Coast AQMD.

**Staff recommended a “SUPPORT IF AMENDED” position on this bill. The proposed amendments were modified based on Committee Member discussion as described above.**

Moved by Burke; seconded by Delgado; approved as recommended by the following vote:

Ayes: Burke, Buscaino, Delgado, Mitchell, Perez

Noes: Rutherford

Abstain: None

Absent: None

**SB 895 (Archuleta) Energy: zero-emission fuel, infrastructure, and transportation technologies**

Mr. Crabbe presented SB 895 to the Committee. This bill would require the California Energy Commission (CEC), within the limits of available funds, to provide technical assistance and support for the development of zero-emission fuels, zero-emission fueling infrastructure, and zero-emission fuel transportation technologies.

SB 895 would allow CEC to allocate funds in the Diesel Emission Reduction Fund, currently just under \$5 million, to zero-emission fuel projects, rather than to the originally authorized clean diesel projects. Since the CEC no longer funds clean diesel development as a policy, the change would allow the CEC to utilize these funds for their intended purpose of spurring development of emission-reducing transportation fuel and technologies.

This bill is in line with South Coast AQMD’s policy priorities to protect public health and reduce mobile sources of pollution by promoting clean vehicle technology and would help with efforts to attain federal air quality standards.

Mr. Harvey Eder expressed concerns about the use of natural gas and the need to act to prevent global climate change.

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

Moved by Buscaino; seconded by Delgado; unanimously approved

Ayes: Burke, Buscaino, Delgado, Mitchell, Perez, Rutherford

Noes: None

Abstain: None

Absent: None



**OTHER MATTERS:**

**5. Other Business**

There was no other business.

**6. Public Comment Period**

Mr. Eder provided public comment on homelessness and the need for low income housing, especially those living near freeways, and roads to reduce the negative health impacts of air pollution.

**7. Next Meeting Date**

The next regular Legislative Committee meeting is scheduled for Friday, August 14, 2020 at 9:00 a.m.

**Adjournment**

The meeting adjourned at 9:58 a.m.

**Attachments**

1. Attendance Record
2. Update on Federal Legislative Issues – Written Reports
3. Update on State Legislative Issues – Written Reports
4. Recommend Position on State Bills

# ATTACHMENT 1

## SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT LEGISLATIVE COMMITTEE MEETING (VIA ZOOM) ATTENDANCE RECORD – June 12, 2020

Dr. William A. Burke.....	South Coast AQMD Board Member
Council Member Joe Buscaino .....	South Coast AQMD Board Member
Senator Vanessa Delgado (Ret.) .....	South Coast AQMD Board Member
Council Member Judith Mitchell .....	South Coast AQMD Board Member
Supervisor V. Manuel Perez .....	South Coast AQMD Board Member
Supervisor Janice Rutherford.....	South Coast AQMD Board Member
Teresa Acosta .....	Board Consultant (Delgado)
Thomas Gross .....	Board Consultant (Benoit)
Jacob Haik.....	Board Consultant (Buscaino)
Fred Minassian.....	Board Consultant (Mitchell)
Marisa Perez.....	Board Consultant (Mitchell)
Andrew Silva .....	Board Consultant (Rutherford)
Mark Taylor .....	Deputy Chief of Staff (Rutherford)
Ross Buckley .....	California Advisors, LLC
Mark Kadash.....	Kadash & Associates
Gary Hoitsma .....	Carmen Group, Inc.
Amelia Jenkins.....	Cassidy & Associates
Paul Gonsalves .....	Joe A. Gonsalves & Son
David Quintana .....	Resolute
Mark Abramowitz	
Betsy Brien	
Curtis Coleman .....	Southern California Air Quality Alliance
Harvey Eder .....	Public Solar Power Coalition
Thomas Jelenic .....	Pacific Merchant Shipping Association
Bill LaMarr .....	California Small Business Alliance
Erick Martell	
Patty Senecal	
Louis Vidaure	
Peter Whittingham .....	Whittingham Public Affairs Advisors
Derrick Alatorre .....	South Coast AQMD Staff
Jason Aspell .....	South Coast AQMD Staff
Barbara Baird.....	South Coast AQMD Staff
Naveen Berry .....	South Coast AQMD Staff
Danietra Brown .....	South Coast AQMD Staff
Philip Crabbe .....	South Coast AQMD Staff
Stacy Day .....	South Coast AQMD Staff
Amir Dejbakhsh.....	South Coast AQMD Staff
Philip Fine.....	South Coast AQMD Staff
Sheri Hanizavareh.....	South Coast AQMD Staff
Sujata Jain .....	South Coast AQMD Staff
Matt Miyasato .....	South Coast AQMD Staff
Ron Moskowitz.....	South Coast AQMD Staff

Wayne Nastri ..... South Coast AQMD Staff  
Denise Peralta-Gailey ..... South Coast AQMD Staff  
Stacey Pruitt ..... South Coast AQMD Staff  
Sarah Rees ..... South Coast AQMD Staff  
Mary Reichert ..... South Coast AQMD Staff  
Aisha Reyes ..... South Coast AQMD Staff  
Denny Shaw ..... South Coast AQMD Staff  
Lisa Tanaka O'Malley ..... South Coast AQMD Staff  
Fabian Wesson ..... South Coast AQMD Staff  
Jill Whynot ..... South Coast AQMD Staff  
William Wong ..... South Coast AQMD Staff  
Paul Wright ..... South Coast AQMD Staff

# ATTACHMENT 2



**Carmen Group**  
I N C O R P O R A T E D

**To:** South Coast AQMD Legislative Committee

**From:** Carmen Group

**Date:** May 28, 2020

**Re:** Federal Update -- Executive Branch

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**Legislative Outlook in Flux: Truck Business Groups Eye Future Opportunities:**

Amid the disruptions caused by the COVID-19 crisis, Congress and the Administration continue to dance around the possible next big steps on the federal legislative front that might include major new clean energy initiatives. Truck-related business groups including the U.S. Chamber, truck dealers and truck manufacturers have an array of proposed tax and other clean energy incentives and programs they would like to see included in legislation this year that would align neatly with South Coast AQMD federal goals, but they are now looking at the surface transportation reauthorization bill later in the year as the most likely legislative vehicle to carry them. While the House passed a giant COVID 4 relief bill in May on a partyline vote, it was immediately rejected by the Administration. Meanwhile, a much smaller COVID relief bill is said to be likely by the end of June, and the House just passed a standalone bill providing more flexibility for small businesses in the CARES Act loan programs which the Administration generally supports. But visions of any new multi-trillion-dollar bill providing for big infrastructure and related clean energy components have largely dissipated over the past few weeks.

**Wheeler Responds to Senators at EPA Oversight Hearing:** On May 20, EPA Administrator Andrew Wheeler testified and answered questions before the Senate Environment & Public Works Committee. Clean air issues were among many topics that were covered. He vigorously defended the SAFE Rule and other recent EPA air regulations, touted the importance of the Cleaner Trucks Initiative, and also vigorously refuted charges that EPA's COVID 19 "enforcement discretion" policy had allowed increased pollution.

**EPA Awards \$4.1 Million TAG Grant to South Coast AQMD:** The EPA announced in May that it had awarded SCAQMD \$4,177,083 under EPA's Targeted Airshed Grant program to improve air quality in the South Coast Air Basin. The EPA funds will be combined with support from other sources for a total of \$12.5 million for a project to deploy 15 medium-duty and 20 heavy-duty zero-emission battery-electric trucks. The funding will also support charging infrastructure for the trucks. EPA said the project -- a partnership led by the Daimler Trucks North America (DTNA) E-Mobility Group with US Foods, EPA and South Coast AQMD -- shows concrete progress towards a large-scale shift of commercial truck fleets from diesel fuel to zero-emissions electric powertrain technology.

**Proven Process. Proven Results.™**

901 F Street, NW Suite 600 Washington, DC 20004 T 202.785.0500 F 202.478.1734 [carmengroup.com](http://carmengroup.com)

**23 States Sue Trump Administration Over SAFE Rule:** On May 27, a coalition of 23 state attorneys general, led by California, sued the Trump Administration over the recently finalized NHTSA/EPA rulemaking on automobile fuel efficiency standards. The suit says the rule conflicts with laws requiring the government to set the maximum possible standard for automakers.

**IRS Provides Relief for Taxpayers that Develop Certain Renewable Energy**

**Projects:** On May 27, the Internal Revenue Service announced that, due to supply chain delays and the loss of certain tax credits caused by COVID-19, it was providing special safe harbor tax relief for taxpayers that develop renewable energy projects that produce electricity from sources such as wind, biomass, geothermal, landfill gas, trash, and hydropower, and use technologies such as solar panels, fuel cells, microturbines, and combined heat and power systems.

**EPA Announces Grant Funding Available for Environmental Justice Communities:**

EPA announced it is making \$1 million in grant funding available to help local environmental justice communities address COVID-19 concerns faced by low-income and minority communities. EPA anticipates awarding five grants of approximately \$200,000 each. Proposals are due by June 30, 2020.

**USDOT Announces \$500 Million TIFIA Loan for the Port of Long Beach:** The US Department of Transportation announced in May that it will provide a loan of \$500 million under the Transportation Infrastructure Finance and Innovation Act (TIFIA) to the Port of Long Beach. The loan will help finance construction of the Gerald Desmond Bridge Replacement Project.

**EPA Highlights Enforcement Actions Involving “Defeat Devices”:** EPA announced it resolved three recent cases (among 50 resolved since 2015) where it had identified companies who had manufactured or sold hardware/software specifically designed to defeat required emissions controls on vehicles and engines. It said these cases resulted in significant penalties for violations of the Clean Air Act. EPA noted that “illegally modified engines contribute substantial excess pollution that harms public health and impedes efforts by EPA...and local agencies to plan for and attain air quality standards.”

**EPA Advisory Panel Comments Favorably on Science Transparency Rule:**

The EPA’s Science Advisory Board (SAB) transmitted its comments on the Agency’s Strengthening Transparency in Regulatory Science proposed rule. The SAB offered its support of the concept behind the rule of sharing accurate data and information to increase credibility, high quality outcomes and public confidence in science. The proposed rule was issued in April 2018 and a supplement notice was issued in March 2020 with its comment period having closed on May 18, 2020.

**Outreach:** Relevant contacts included Sen. James Inhofe on possible infrastructure, transportation and COVID legislation. Additional contacts with multiple members of our business coalition group, including representatives of PACCAR, the U.S. Chamber of Commerce, the American Truck Dealers-National Automobile Dealers Association, the Alliance for Vehicle Efficiency and NGV America on issues related to clean energy priorities being proposed for possible COVID or transportation legislation later this year.



To: South Coast Air Quality Management District  
From: Cassidy & Associates  
Date: May 28, 2020  
Re: May Report

## HOUSE/SENATE

This week the House returned for their historic first vote by proxy after the passage of H. Res. 965 authorizing remote voting last week. The resolution allows remote voting for Members of Congress, and for committees to conduct virtual business and proceedings. Hearings can be held on various pre-approved software platforms. Members can designate their colleagues to vote on their behalf after notifying the chamber and passing written instructions on to their designee. Each Member can serve as a proxy for up to 10 other lawmakers. The new rules require renewal every 45 days and will expire at the end of this session of Congress.

In addition to remote voting the House passed H.R. 6800, the Heroes Act. The Manager's Amendment to the Heroes Act contains a number of individual amendments that clarify certain provisions in the bill and make technical fixes. Key changes include:

- \$309 million for rural housing assistance
- Requires study on COVID-19 disinformation
- Fully ensures DC parity for state and local government aid
- Clarifies inclusion of domestic workers in the Employee Retention Tax Credit

- Creates risk corridor programs for individual, group, and Medicare Advantage health insurance plans during COVID-19 emergency
- Applies anti-discrimination protections to Heroes Act and other coronavirus relief packages
- Restricts use of PPP loans to compensate registered lobbyists
- Makes 501(c)(4) organizations ineligible for PPP if they engage in campaign finance activities
- Clarifies PPE as an eligible use for PPP loans
- Narrows \$10,000 student debt cancellation to economically distressed borrowers (those in default, deferral, forbearance, or at \$0 income-based repayment as of March 12, 2020)
- Includes telecommunications workers as essential workers
- Requires scientific integrity policies for all federal agencies involved in scientific research

It is anticipated there will be another round of negotiations in the coming months for another COVID-19 response package. The Senate has not taken up the House-passed Heroes Act, but it is on their schedule when they return to business in June, as well as the bipartisan Great American Outdoors Act to fully fund the Land and Water Conservation Fund.

Last week, EPA Administrator Andrew Wheeler appeared before the Senate Environment and Public Works Committee to defend his agency amidst their COVID-19 response. Administrator Wheeler was pressed on the EPA decision to roll back Obama-era clean car standards, revoke the justification behind toxic mercury air emissions standards, and the continued sale of less stringent wood stoves. Democrats on the committee accused the EPA of focusing on the opposite of what they should be during this pandemic. Senator Carper questioned Administrator Wheeler on whether increases in air pollution could lead to more people becoming seriously ill when infected with COVID-19 and urged the EPA to take this into account when deliberating future rules.

Senator Carper has also sent a letter to EPA Inspector General Sean O'Donnell urging him to conduct an exhaustive investigation into the administration's rollback of clean car standards. New documents that have surfaced show that both EPA career staff and White House economists raised serious concerns about the technical and legal justification for the rule. After these documents were brought to the attention of Senator Carper's office, the Senator suspected that EPA political appointees had purposely neglected to forward voiced concerns to the Office of Management and Budget in an attempt to shield them from the public eye.

The House is planning to address the Paycheck Protection Flexibility Act, H.R. 6886, this week. The bill would modify sections of the Paycheck Protection Program, extending loan forgiveness for expenses for up to 24 weeks and removing the limitation that restricts non-payroll expenses (rent, utilities) to 25% of the loan, eliminating the 2-year loan repayment restrictions, among other changes.

Cassidy and Associates support in May:

- Streamed information to key Hill and leadership offices on South Coast AQMD funding needs not met by current funding programs.
- Strategized with South Coast AQMD staff on how to craft legislative language that would enable South Coast AQMD to compete for federal funding.
- Collaborated with other consultants on solutions for funding.
- Attended and participated in weekly consultant calls and ad hoc calls as requested.
- Worked to get Republican support for independent special district legislation.

Government funding, major programs up for renewal Sept. 30

- Government funding for fiscal 2021 must be addressed to avoid shutdown
- Annual defense authorization, surface transportation also on deck

Other expirations include:

- Surveillance authorities that lapsed on March 15 (in the House this week)
- Federal health programs, which are now set to expire Nov. 30. Renewal has been targeted for action on surprise billing, drug pricing
- Pandemic response programs, many of which expire at the end of year
- Tax extenders, including for energy and alcohol, which expire Dec. 31

## IMPORTANT LEGISLATIVE DATES

### *June*

House National Defense Authorization Act (NDAA) floor action planned

Senate Armed Services Committee planned fiscal 2021 NDAA markup



## **July**

NDAA conference could start

## **Sept. 30**

Fiscal 2020 funding expires, as well as other major programs:

- National Defense Authorization Act (\$735.8 billion)
- Surface transportation authorization (FAST Act - \$64.1 billion)
- National Flood Insurance Program (\$30.4 billion)
- National Institutes of Health authorization (\$36.5 billion)
- Every Student Succeeds Act (\$26.1 billion, extends automatically for one year if Congress doesn't act)
- Workforce Innovation and Opportunity Act (\$10 billion)
- Childcare and development block grants (\$2.7 billion)
- Federal Communications Commission authorization (\$339.6 million)
- America's Water Infrastructure Act sewer overflow and other grants (\$240 million)
- Runaway and homeless youth programs (\$127.4 million)
- VA authorities, including health care, homelessness (\$69 million)
- Immigration programs, including E-Verify and EB-5 investor visa

## **Nov. 30 – December 31**

Temporary Assistance for Needy Families

Community health centers

Medicare programs

**PANDEMIC RESPONSE PROGRAMS AND AUTHORITIES**

**End Date/Program**

***June 30, 2020***

Paycheck Protection Program – \$349 billion in small business loans

***July 31, 2020***

Additional \$600 per week federal pandemic unemployment benefit

***Sept. 30, 2020***

Student loan repayment and interest accrual suspension

***Dec. 31, 2020***

Treasury Department business, state & local government loan authority

Various temporary tax breaks

Emergency sick and family leave programs

Pandemic unemployment assistance

Medicare sequestration suspension

Changes to banking and accounting rules (could expire sooner if epidemic ends)

***March 27, 2025***

Special Inspector General for Pandemic Recovery

***Sept. 30, 2025***

Pandemic Response Accountability Committee, Congressional Oversight  
Commission

## AGENCY RESOURCES

USA.gov is cataloging all U.S. government activities related to coronavirus. From actions on health and safety to travel, immigration, and transportation to education, find pertinent actions [here](#). Each Federal Agency has also established a dedicated coronavirus website, where you can find important information and guidance. They

include: Health and Human Services (HHS), Centers of Medicare and Medicaid (CMS), Food and Drug Administration (FDA), Department of Education (DoED), Department of Agriculture (USDA), Small Business Administration (SBA), Department of Labor (DOL), Department of Homeland Security (DHS), Department of State (DOS), Department of Veterans Affairs (VA), Environmental Protection Agency (EPA), Department of the Interior (DOI), Department of Energy (DOE), Department of Commerce (DOC), Department of Justice (DOJ), Department of Housing and Urban Development (HUD), Department of the Treasury (USDT), Office of the Director of National Intelligence (ODNI), and U.S. Election Assistance Commission (EAC).

**Helpful Agency Contact Information:**

U.S. Department of Health and Human Services – Darcie Johnston (Office – 202-853-0582 / Cell – 202-690-1058 / Email – [darcie.johnston@hhs.gov](mailto:darcie.johnston@hhs.gov))

U.S. Department of Homeland Security – Cherie Short (Office – 202-441-3101 / Cell – 202-893-2941 / Email – [cherie.short@hq.dhs.gov](mailto:cherie.short@hq.dhs.gov))

U.S. Department of State – Bill Killion (Office – 202-647-7595 / Cell – 202-294-2605 / Email – [killionw@state.gov](mailto:killionw@state.gov))

U.S. Department of Transportation – Sean Poole (Office – 202-597-5109 / Cell – 202-366-3132 / Email – [sean.poole@dot.gov](mailto:sean.poole@dot.gov))

# IMPORTANT DATES: ELECTIONS

# 2020

## ELECTION CALENDAR

**JANUARY**

S	M	T	W	T	F	S	
				1	2	3	4
5	6	7	8	9	10	11	
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**FEBRUARY**

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**MARCH**

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**APRIL**

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**MAY**

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**JUNE**

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**JULY**

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**AUGUST**

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**SEPTEMBER**

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**OCTOBER**

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**NOVEMBER**

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**DECEMBER**

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  Democratic Caucus  
   Democratic Primary  
 ★ Democratic Convention  
   VP Debate  
  Republican Caucus  
   Republican Primary  
 ★ Republican Convention  
   Presidential Debate  
   Election Day

[politicopro.com](http://politicopro.com)

DATE	STATE	DEMOCRAT	REPUBLICAN
February 3	Iowa	Caucus	Caucus
February 11	New Hampshire	Primary	Primary
February 22	Nevada	Caucus	—
February 29	South Carolina	Primary	—
March 3	Alabama	Primary	Primary
	American Samoa	Primary	Primary
	Arkansas	Primary	Primary
	California	Primary	Primary
	Colorado	Primary	Primary
	Democrats Abroad	Primary	—
	Maine	Primary	Primary
	Massachusetts	Primary	Primary
	Minnesota	Primary	Primary
	North Carolina	Primary	Primary
	Oklahoma	Primary	Primary
	Tennessee	Primary	Primary
	Texas	Primary	Primary
	Utah	Primary	Primary
	Vermont	Primary	Primary
	Virginia	Primary	—
March 8	Puerto Rico	—	Primary
March 10	Hawaii	—	Caucus
	Idaho	Primary	Primary
	Michigan	Primary	Primary
	Mississippi	Primary	Primary
	Missouri	Primary	Primary
	North Dakota	Primary	—
	Washington	Primary	Primary
March 16	North Mariana	Caucus	—
March 17	Arizona	Primary	—
	Florida	Primary	Primary
	Illinois	Primary	Primary
	Ohio	Primary	Primary
March 24	Georgia	Primary	Primary
March 29	Puerto Rico	Primary	—
April 4th	Alaska	Primary	—
	Hawaii	Primary	—
	Louisiana	Primary	Primary
	Wyoming	Caucus	—
April 7	Wisconsin	Primary	Primary
April 28	Connecticut	Primary	Primary
	Delaware	Primary	Primary
	Maryland	Primary	Primary
	New York	Caucus	Primary
	Pennsylvania	Primary	Primary
	Rhode Island	Primary	Primary

DATE	STATE	DEMOCRAT	REPUBLICAN
May 2	Guam	Caucus	—
	Kansas	Primary	—
May 5	Indiana	Primary	Primary
May 12	Nebraska	Primary	Primary
	West Virginia	Primary	Primary
May 19	Kentucky	Primary	Primary
	Oregon	Primary	Primary
June 2	District of Columbia	Primary	—
	Montana	Primary	Primary
	New Jersey	Primary	Primary
	New Mexico	Primary	Primary
	South Dakota	Primary	Primary
June 6	Virgin Islands	Caucus	—
July 13 - 16		Democratic Convention (Milwaukee, WI)	—
August 24 - 27		Republican Convention (Charlotte, NC)	—
September 29		First Presidential Debate (South Bend, IN)	—
October 7		Vice Presidential Debate (Salt Lake City, UT)	—
October 15		Second Presidential Debate (Ann Arbor, MI)	—
October 22		Third Presidential Debate (Nashville, TN)	—
November 3		2020 Presidential Election	—



South Coast AQMD Report for the June 2020 Legislative Meeting covering May 2020  
Kadesh & Associates

*May:*

May featured the House largely out of session with the exception of returning to pass the HEROES Act on May 15 and then convening the last week under new, proxy voting procedures. The Senate was in session three of the four weeks of May.

We worked with South Coast AQMD staff on developing a funding request for non-attainment areas for any infrastructure/stimulus legislative vehicle that may develop. We have worked with Representative Garamendi's office on his Special Districts legislation and on removing the prohibition on state and local units of government from using Tax Credits for repayment to employers (i.e. South Coast AQMD) for mandated paid Emergency Sick Leave and Emergency Family Leave. We continue to pursue robust funding levels for programs of interest to South Coast AQMD such as DERA and Targeted Airshed Grants.

We continue to pursue support in the delegation for the Clean Corridors legislation. It was one year ago that Congressman Mark DeSaulnier (CA-11) announced legislation to launch a major federal program to accelerate the transition to clean transportation technology. The Clean Corridors Act (H.R. 2616) would direct \$3 billion in federal dollars over the coming decade to construct and install infrastructure to support technologies like hydrogen fuel cell and electric battery-powered vehicles.

The House passed a bipartisan proposal to make the popular small-business Paycheck Protection Program more flexible and extend the time limit for using the aid. The bill is separate from the \$3 trillion Democratic HEROES Act package (H.R. 6800) combining state aid with new stimulus checks the House passed on May 15 over Republican objections. The Paycheck Protection Flexibility Act (H.R. 6886), introduced by Representatives Dean Phillips (D-Minn.) and Chip Roy (R-Texas), would allow businesses receiving forgivable loans to use the funds on payrolls for more than the eight weeks under the original program and relax a requirement that 75% of the loans be used for payroll expenses. It would also give them more than two years to pay back the loans and allow businesses that receive PPP loans to receive a payroll tax deferment.

**Fiscal Year (FY) 21 Appropriations-**

As COVID-19 issues consume the legislative agenda and complicate committee work on Capitol Hill, House and Senate appropriators are missing their original targets to mark up and pass spending bills. Adding to the challenges is bipartisan interest in moving a popular veterans health fund outside of the budget caps by declaring it "emergency" cash. House Democrats had planned to mark up and pass all 12 appropriations bills by the end of June, but markups will not occur until Congress can agree on the next COVID-19 relief package. Senate appropriators hope to reach an agreement on subcommittee allocations, with plans to mark up several bills toward the end of June and the remainder coming after the July Fourth recess. The Senate had originally planned to mark up almost all of the bills before the July Fourth recess.

The two-year budget deal signed last summer, H.R. 3877, cemented \$632 billion in nondefense funding this fiscal year, with a \$2.5 billion increase for fiscal 2021, which begins on Oct. 1. House and Senate appropriators must figure out how to divvy up that \$634.5 billion, distributing the additional \$2.5 billion to domestic programs across the federal government — many of which are expecting at least a slight funding boost. If appropriators want to provide more money for veterans' health within the caps, it would come at the expense of other domestic programs. Hence, it is increasingly likely

that the caps will be broken, either formally, or by declaring certain expenditures “emergency” and/or COVID-related.

#### CV4: HEROES Act and SMART Fund Act-

On May 15 House Democrats passed an 1,800 page, \$3 trillion coronavirus response package, H.R. 6800, but it's been called DOA in the Senate, where GOP leaders have suggested that the next round of negotiations will commence in the latter part of June. Senate Republican Leader Mitch McConnell points out that half of the CARES Act funding has yet to be distributed, but he concurs that there will be another package. McConnell is seeking liability protection for employers while stating that cases of gross negligence and intentional behavior would still be subject to legal action by employees and/or customers. Another issue for McConnell is to revisit Unemployment Insurance which ends in July and, McConnell believes, is too high.

#### HEROES Act-

Congress has already passed \$3 trillion on four measures in response to the economic downturn caused by the outbreak. House Democrats passed by a vote of 208-199 on May 15 a \$3 trillion coronavirus relief bill (H.R. 6800) combining new relief to state and local governments with direct cash payments, expanded unemployment insurance and food stamp funds, as well as a list of progressive priorities like funds for voting by mail and the U.S. Postal Service.

- Among its key provisions, the bill would provide almost \$1 trillion in aid for state and local governments as well as \$1,200 cash payments to individuals and \$1,200 for dependent children, up to \$6,000 a household. It also would extend a \$600 weekly increase to unemployment insurance into January. *This aid could be used for replacing lost revenues.*
- The bill also provides \$200 billion to fund what it describes as “hazard pay” for essential workers who've had to risk exposure to the virus as they stay on the job while much of the rest of the country has been shut down.
- Another \$75 billion would be allocated for virus testing and contact tracing.
- The bill would greatly expand a tax credit included in the last virus relief bill that gives employers tax breaks for keeping workers paid. The new version would give employers a credit worth up to \$12,000 an employee a quarter, an increase of \$5,000 per worker for the remainder of the year.
- It would suspend the cap on state and local tax, or SALT, deductions for two years. The Republican tax law in 2017 imposed a \$10,000 cap on those tax breaks, which Democrats, particularly those from higher-tax New York and New Jersey, have been seeking to repeal since the law passed.
- The bill would give public transportation systems about \$16 billion in aid to respond to the pandemic. \$11.8 billion would be allocated to urban areas with populations over 3 million, \$4 billion would go to transit agencies that need “significant additional assistance” to maintain basic services.
- Schools would get \$100 billion in the bill, though funding for colleges and K-12 schools in the measure would fall short of the \$250 billion in federal aid education groups have sought.

#### SMART Fund Act-

A bipartisan group of senators introduced legislation Monday, May 18 that would establish a \$500 billion fund to help state and local governments cope with the impact of the coronavirus. Sen. Bob Menendez, a Democrat from New Jersey, and Sen. Bill Cassidy, a Republican from Louisiana, first announced plans for the bill in April. They have added two more Republicans to the effort: Susan Collins of Maine and Cindy Hyde-Smith of Mississippi as well as Democrats Joe Manchin of West

Virginia and Cory Booker of New Jersey. A companion bill has been introduced in the House by Reps. Mikie Sherrill, D-N.J., and Peter King, R-N.Y., along with a group of bipartisan co-sponsors. Details of the measure include:

- The money would be divided into three tranches, distributed according to population size, infection rates and revenue losses;
- The bill does not have a population requirement, meaning municipalities of any size can use the money it makes available; and
- All states, Puerto Rico and the District of Columbia would receive a minimum of \$2 billion under the plan.

#### Proxy Voting-

Speaker Pelosi announced that the House will begin using emergency proxy voting procedures during the last week of May. The change is in effect for 45 days unless another emergency is declared. Lawmakers who stay home because of the health crisis can designate other House Members to vote for them. Lawmakers in attendance may cast votes for as many as 10 of their peers under their colleagues' written instructions.

#### Contacts:

Contacts included staff and House Members throughout the CA delegation, especially Leadership and Appropriators who were targeted.

###



# ATTACHMENT 3

# RESOLUTE<sup>\*</sup>

**To:** South Coast AQMD Board  
**From:** David Quintana  
**Subject:** Monthly Legislative Report  
**Date:** June 2<sup>nd</sup>, 2020

## Meetings

During the last month RESOLUTE met (calls) with the following legislators and staff on behalf of South Coast AQMD:

- Senate Budget Chair, Holly Mitchell
- Senate Natural Resources Chair, Henry Stern
- Senator Ben Hueso
- Assemblyman Ian Calderon
- Senator Steve Bradford (staff)
- Assemblywoman Cristina Garcia (staff)
- Assemblyman Eduardo Garcia (staff)

## Upcoming Schedule

June 5 – Last day for Assembly Appropriations Committee to pass bills to the Assembly floor.  
Last day for non-fiscal bills in the Senate to pass out of policy committee.

June 15 – Budget Bill must be passed by midnight.  
Assembly floor session begins.

June 19 – Assembly floor session ends; last day for the Assembly to pass bills introduced in that house.  
Summer Recess begins for the Assembly.  
Last day for Senate Appropriations Committee to pass bills to the Senate floor.

June 22 – Senate floor session begins.

June 25 – Last day for a legislative measure to qualify for the Nov. 3 General Election ballot.

June 26 – Senate floor session ends; last day for the Senate to pass bills introduced in that house.

## South Coast AQMD Led Fight for “Dear Colleague” Letter to Ensure AB 617 Funding

Led by South Coast AQMD staff, the lobbying team headed up a coalition to get an AB 617 “Dear Colleague” letter drafted, circulated, signed and sent to the Governor and Leadership to ensure adequate funding for AB 617 funding. Letter is attached to report.

## LAO Releases ‘May 2020 Cap-and-Trade Auction Update.’

On May 28, the Legislative Analyst’s Office provided [an update](#) of the May 20 quarterly cap-and-trade auction. The state is estimated to receive only \$25 million from the auction, which is a significant shortfall; in previous quarters the state has received over \$600 million.

This quarterly shortfall will likely impact the budget. If trends continue, the LAO estimates that the total revenue for 2019-20 will be about \$300 million less than assumed in the budget, requiring adjustments to programs funded by this revenue in the budget:

**Figure 2 - 2019-20 Discretionary Spending Potentially Subject to Adjustment**  
In Millions

Program	Department	Total Allocation	Amount Subject to Adjustment
AB 617 incentives to reduce air pollution	Air Resources Board	\$245	\$61
Heavy duty vehicle and off-road equipment programs	Air Resources Board	182	46
Low-income light duty vehicles and school buses	Air Resources Board	65	16
Agricultural diesel engine replacement and upgrades	Air Resources Board	65	16
Transformative Climate Communities	Strategic Growth Council	60	15
Workforce training for a carbon-neutral economy	Workforce Development Board	35	9
Dairy methane reductions	Food and Agriculture	34	9
Waste diversion and recycling	CalRecycle	25	6
Other administrative costs and technical assistance	Various	9	2
<b>Total</b>		<b>\$720</b>	<b>\$180</b>

Notable programs that may be impacted include AB 617 incentives, workforce development and clean job training, and funding for heavy and light duty vehicle programs.

## Senators Urge Governor to Support a Climate Resiliency Bond

On May 22, Senators Stern, Allen, Portantino, Beall, Hill, Hueso, Hurtado, Dodd, Wiener, McGuire, and Mitchell wrote to Governor Newsom and the chairs of the Governor’s Task Force on Business and Jobs Recovery asking for his support and feedback for placing a bond to address climate change impacts on the November 2020 ballot.

This letter—signed by chairs of the Senate Budget, Appropriations, Environmental, and Transportation Committees—comes after the Governor did not include a climate bond in his May Revise of the Budget, as well as the ongoing efforts by members of the Assembly to continue to push for a bond to address climate change and spur green economic development.

## **Senate's Proposed Budget Plan Differs from Newsom's Proposal**

The Senate's Budget Committee will be meeting today to discuss their proposed plan. In draft documents, the Senate reveals that they intend to take a different approach from the Governor in key ways:

- The Senate takes cuts to schools and health and human services “off the table” and substitutes cuts in other areas. The Senate also rejects cuts to housing and childcare.
- The Senate assumes Federal funds will materialize, and provides funding to programs through October 1 as if they will, and triggers cuts only if they fail to do so – the opposite of the Governor's approach.
- The Senate does not draw down the Safety Net Reserve as the Governor proposed.

The Senate budget plan indicates that it intends to move forward on its previously announced economic recovery proposals—the \$25 Billion Economic Recovery Fund and the Rent Stabilization Tax Credits—but that they do not need to be enacted with this budget on June 15.

## **Governor Newsom Signs Executive Order on Upcoming Elections**

Governor Gavin Newsom on June 3<sup>rd</sup> issued a proclamation declaring a statewide General Election on Tuesday, November 3, 2020, and signed an executive order to ensure that Californians can exercise their right to vote in a safe, secure and accessible manner during the upcoming election. The order ensures in-person voting opportunities are available in sufficient numbers to maintain physical distancing. It requires counties to provide three days of early voting starting the Saturday before election day and requires ballot drop-box locations be available between October 6 and November 3, while also allowing counties to consolidate voting locations, with at least one voting location per 10,000 registered voters.

Copy Access Here: <https://www.gov.ca.gov/wp-content/uploads/2020/06/6.3.20-EO-N-67-20-text.pdf>



May 26<sup>th</sup> 2020

The Honorable Gavin Newsom  
Governor of California  
State Capitol, Suite 1173  
Sacramento, CA 95814

The Honorable Toni Atkins  
President Pro Tempore of the California State Senate  
State Capitol, Room 205  
Sacramento, CA 95814

The Honorable Anthony Rendon  
Speaker of the California State Assembly  
State Capitol, Room 219  
Sacramento, CA 95814

**RE: \$50 million for AB 617 Implementation; \$200 million for AB 617 Incentives; \$5 million for AB 617 Community Air Grants**

Dear Governor Newsom, President Pro Tempore Atkins, and Speaker Rendon:

Recent findings have indicated linkages between exposure to air pollution and COVID-19, a respiratory virus by nature, which may result in increased deaths and negative health impacts among Californians. This finding is particularly concerning for people living in low income and disadvantaged communities, especially communities of color, because they often face the challenge of poor air quality. Preliminary data confirms a disproportionate impact of COVID-19 in these communities in both urban and rural environments.

Under AB 617 (C. Garcia, 2017), local air districts are required to address localized air pollution impacts that endanger the health of selected environmental justice communities. Air districts have worked tirelessly with these communities to reduce the disproportionate levels of air pollution they experience. This year, three new communities were added to the ten already in the program. Unfortunately, all of these communities now face more severe health risks due to COVID-19. The May revision to the 2020–21 budget proposes a priority list of programs to be funded from the GGFRF, with a negligible potential for all other programs to be funded proportionally unless excess revenues are realized during the quarterly auctions. We are deeply



concerned that AB 617 implementation funding is not listed as a priority and likely will not receive any funding in the FY 2020-21 budget. Inadequate funding will reduce monitoring, dramatically slow efforts to clean up air pollution and exacerbate negative public health impacts locally. Given the tragic consequences that air quality has already had on the health of these vulnerable communities before the COVID-19 crisis, and the disproportionate deaths resulting from COVID-19, it is especially clear that funding the AB 617 program is more vital than ever.

Local air districts are required to meet federal air quality standards to protect public health. However, in some parts of the state, over 80% of emissions causing poor air quality are due to mobile sources, such as trucks, trains, and ships, which are under state and federal control. Local air districts have limited authority to regulate them, yet current regulations do not provide sufficient emission reductions to meet federal standards. An expansion of incentive programs is needed to meet these federal standards and to provide emissions reductions that directly benefit AB 617 communities. We are grateful that AB 617 incentive funding is considered a priority in the May Revision, with funding of up to \$200 million. Incentive funding reduces stationary and mobile source emissions of criteria air pollutants and toxic air contaminants by accelerating fleet turnover from dirty, heavy-duty diesel trucks, locomotives, ships, construction equipment, and buses to cleaner alternatives, and by building clean fueling and charging infrastructure. This funding brings emissions reductions to disadvantaged communities faster and helps to meet state greenhouse gas emission reduction goals. This funding will save lives now and reduce health risks from potential pandemics in the future.

**The undersigned Members of the Assembly and Senate respectfully request your consideration of a \$50 million budget item for AB 617 implementation, a \$200 million budget item for AB 617 incentives, and \$5 million for AB 617 community grants for local air districts to maintain our commitment to California communities and provide critical funding for the AB 617 Program.**



# California Legislature

Thank you for your consideration of this proposal. If you have any questions about this request, we may be reached at (916) 319-2058 or (916) 319-2056.

Sincerely,



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Cristina Garcia  
Assemblymember, 58<sup>th</sup> District



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Miguel Santiago  
Assemblymember, 53<sup>rd</sup> District



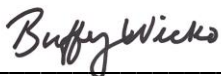
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Rebecca Bauer-Kahan  
Assemblymember, 58<sup>th</sup> District



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Eloise Gómez Reyes  
Assemblymember, 47<sup>th</sup> District



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Buffy Wicks  
Assemblymember, 15<sup>th</sup> District



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Eduardo Garcia  
Assemblymember, 56<sup>th</sup> District



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Ben Hueso  
Senator, 40<sup>th</sup> District



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Bob Archuleta  
Senator, 32<sup>nd</sup> District



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Luz Rivas  
Assemblymember, 39<sup>th</sup> District




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Joaquin Arambula  
Assemblymember, 31<sup>st</sup> District

# California Legislature



 AD 13

 AD 59

 AD 25

 SD 20

cc: Senator Holly Mitchell, Chair, Senate Committee on Budget & Fiscal Review  
Assemblymember Phil Ting, Chair, Assembly Committee on the Budget  
Senator Bob Wieckowski, Chair, Senate Budget Subcommittee 2 on Resources,  
Environmental Protection, Energy and Transportation  
Assemblymember Richard Bloom, Chair, Assembly Budget Subcommittee 3 on  
Resources and Transportation  
Members of Senate Budget Subcommittee 2  
Members of Assembly Budget Subcommittee 3



SENATE  
CALIFORNIA LEGISLATURE

STATE CAPITOL  
SACRAMENTO, CALIFORNIA  
95814

May 22, 2020

The Honorable Gavin Newsom  
Governor, State of California  
State Capitol  
Sacramento, CA 95814

RE: Bonding for Resilience

Dear Governor Newsom:

As the authors of Senate Bill 45, the Senate's proposal for a resilient infrastructure bond, we write seeking your feedback and support for a bold November 2020 ballot measure.

The need for such infrastructure investment through a general obligation bond is warranted and critical in light of the unavoidable risks of near term climate disasters, and the climate of joblessness that threatens to break working families. We recognize that a general obligation bond requires a long term debt service commitment from a General Fund already under pressure, and that our economy also needs immediate infusions of capital to keep Californians from falling off an economic cliff that cannot wait until next year.

However, the liabilities posed by wildfires, mega-droughts, superfloods and other climate catastrophes are not going away. Absent a long term, large scale capital infrastructure investment plan, these costs will compound the crisis brought on by COVID-19 and will far exceed any debt service costs associated with a bond measure. Pivoting through this crisis with a bold bond is critical to creating the kind of durable employment demand we need to fully recover. According to the Bay Area Council Economic Institute, a resilient infrastructure bond like SB 45 would create over 100,000 jobs statewide and generate nearly \$15 billion in total economic activity. Any proposed bond measure should make job creation and economic recovery through both built and natural infrastructure investment a central priority.

Recent polling conducted from April 22-26 shows that California voters continue to strongly support a wildfire prevention, safe drinking water bond measure despite widespread concern about the health and economic impacts of COVID-19. The poll showed 61% support from likely voters, which is the highest level of initial support we have seen from a natural resources bond measure in over 20 years.



The Honorable Gavin Newsom

May 22, 2020

Page 2

We are open to alternative approaches for such investment, as well as other sectors worthy of consideration. But the expertise and leadership of your Administration are indispensable in this moment if we are going to offer voters a chance to say "yes" to a resilient recovery.

Sincerely,



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Henry Stern, Senate District 27



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Ben Allen, Senate District 26



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Anthony Portantino, Senate District 25



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Jim Beall, Senate District 15



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Jerry Hill, Senate District 13



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Ben Hueso, Senate District 40



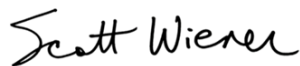
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Melissa Hurtado, Senate District 14



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Bill Dodd, Senate District 3



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Scott Wiener, Senate District 11



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Mike McGuire, Senate District 2



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Holly Mitchell, Senate District 30

Cc: Tom Steyer, Co-Chair, Governor's Task Force on Business and Jobs Recovery  
Ann O'Leary, Chief of Staff & Co-Chair, Governor's Task Force on Business and Jobs Recovery

# Pending Senate Version of the Budget

**DRAFT 5/27**

**2020-21**

## Summary:

After spending months preparing for the challenge of this year's budget as the impacts of the COVID-19 virus ravaged the economy, the Senate Committee on Budget and Fiscal Review worked at break-neck speed and under surreal conditions to craft the Senate Version of the Budget.

The Senate Versions closes the \$54 billion budget shortfall and ends with total reserves of \$11.3 billion, including:

- \$2.0 billion in the Regular Reserve;
- \$900 million in the Safety Net Reserve; and
- \$8.35 billion in the Rainy Day Fund.

These figures are all based on the Department of Finance's revenue forecast, but does not reflect the LAO's caseload forecast for health and human services programs.

The Senate Version builds on the reasonable framework presented by the Governor and follows the guidelines set forth by the Budget Chair prior to the release of the May Revision:

- **Be Responsible.** The Senate Version:
  - Looks beyond just the upcoming budget year and preserves 55% of reserves for future years.
  - Relies on the sober forecast of the Department of Finance, which forecasts lower revenues than even the Legislative Analyst's most pessimistic scenario.
  - Avoids balancing the budget with solutions that may not happen. This includes building in trigger solutions should expected Federal Funds not materialize and not assuming savings from employee pay that need to go through the collective bargaining process.

➤ ***Do Not Become Part of the Problem.*** The Senate Version:

- Protects core education programs rather than past actions that resulted in layoffs of tens of thousands of teachers. In fact, the Senate Version actually provides a slight increase to school funding over the current year, even if additional funds do not materialize and trigger solutions are required.
- Makes use of the historic reserves – rather than draconian cuts – in the event federal funds do not materialize. The Legislature championed the Rainy Day Fund and the Safety Net Reserve precisely to avoid having to immediately resort to deep and harmful cuts that cause ongoing economic harm.
- Avoids cuts to critical safety net programs that cause more long term harm than short term budget gain, including protecting job training programs for struggling Californians, aging programs that avoid costly nursing home costs, and access to health care that would otherwise require lower income seniors to pay a “senior penalty” of several hundred dollars each month.

By following these guidelines, the Senate Version provides a strong budget to keep the state on solid footing as the state enters challenging economic times.

**Different Trigger Approach Between May Revision & Senate Version:**

While both the May Revision and the Senate Version contain a Federal Funds / Trigger Solutions interaction, the two versions differ in the presumed starting point and other key details of trigger solutions.

- The Governor’s May Revision proposes \$14 billion in budget cuts that would take effect, but then be triggered off if Federal Funds materialize to replace the proposed cuts.
- The Senate Version flips the presumption, and instead budgets as though the Federal Funds will come in, but then triggers on the solutions should the Federal Funds not materialize.
  - As discussed in more detail below, under the Senate Version the most draconian cuts – to schools and health and human services – are taken off the table and instead replaced with other solutions that have always been intended to be used prior to draconian cuts being implemented.

- The trigger solutions effective date is October 1, 2020, ensuring there is time for the federal government to act to provide more relief for state and local governments.
- While much attention has been given to the trigger cuts proposed in the May Revision, there is growing confidence that the federal government will act and the trigger solutions contained in the Senate Version will not be implemented.

**Summary of Solutions:**

The Senate Version of the budget follows the same categories of solutions as the Governor’s May Revision, as follows:

<b>Summary of Solutions</b>	
(Preliminary Accounting / In billions)	
<b>Category</b>	<b>Senate Version</b>
Reserves	8.3
Borrowing/Transfers/Deferrals	9.3
Temporary Revenues	4.4
Existing Federal Funds	8.2
Cancellations & Other	6.3
HHS Caseload Savings	3.6
Anticipated Federal Funds	14.0
<b>Totals</b>	<b>54.2</b>
<i>Regular Reserve Under above solutions:</i>	<i>2.0</i>
<i>If Federal Funds Do Not Materialize:</i>	
Reduced Federal Funds	-14.0
Trigger Solutions	13.1
<b>Totals</b>	<b>53.3</b>
<i>Regular Reserve under Trigger Solutions</i>	<i>1.1</i>

## **Major Changes to the Governor's Proposed Solutions:**

- *Reserves:*
  - The Governor's May Revision proposes to draw down \$450 million from the Safety Net Reserve.
  - The Senate Version preserves all \$900 million in the Safety Net Reserve to protect critical programs in future years.
- *Borrowing/Transfers/Deferrals, Temporary Revenues, and Existing Federal Funds are fairly consistent between the May Revision and the Senate Version.*
- *Cancellations of Recent Actions and Other Reductions:*
  - The Senate Version approves the vast majority of the Governor's proposals in this category.
  - The Senate Version rejects proposed cancellations of Legislative priorities, including:
    - Rejects proposal to reinstate the Senior Penalty in Medi-Cal that would result in increased costs of healthcare for lower income seniors by hundreds of dollars per month.
    - Rejects cuts to critical affordable housing funds.
    - Rejects cuts to child care rate increases, which would further restrict access to child care for working families.
    - Protects one time investments for local homelessness programs, clean water programs, enforcing sexual assault laws, and other priorities.
- *Trigger Solutions:*
  - The Senate Version rejects solutions subject to the trigger in the May Revision, and replaces them with alternative trigger solutions.
  - The Senate Version trigger mechanism follows the trigger practice used in 2011 and 2012. Under this trigger mechanism, the federal funds are assumed to arrive and are deposited into the General Fund. But, if by

September 1, 2020 the federal funds have not materialized, the trigger solutions take effect October 1, 2020.

- If the trigger solutions are implemented, the Senate Version's Regular Reserve will be \$1.1 billion. The trigger solutions are as followings:
  - \$1.8 billion by maximizing use of the Rainy Day Fund, the full 50% of the required deposits will still remain in the Rainy Day Fund (about \$6.7 billion).
  - \$900 million by maximizing the Safety Net Reserve, which will protect draconian cuts proposed in the May Revision.
  - \$1.8 billion by reinstating deferral that were in place until the current year. It is unlikely they would have been turned off had the state known these challenging times would come so soon.
  - \$1.1 billion in a Special Fund loan associated with the reinstating of the deferrals.
  - \$5.3 billion in a Prop 98 deferral, which along with the \$2.7 billion funding increase will provide about \$8.1 billion in programmatic spending over what the May Revision contained in its trigger proposal.
  - \$1 billion by adjusting the Managed Care Organizations charge, in lieu of any cut to Prop 56 funds.
  - \$600 million reduction to the Legislative augmentation to county realignment funds.
  - \$400 million reduction to University of California (\$200 million) and the California State University (\$200 million).
  - \$100 million reduction to the Judiciary (Dependency counsel, self help, court interpreters, and Equal Access Fund are not subject to this cut).
  - \$70 million reduction to Corrections to reflect savings in certain programs due to delays caused by COVID-19.
  - Any Collectively bargained changes to state employee compensation will impact the savings total as well. This Senate

does not presume a specific amount of impact while the collective bargaining is in progress.

## **Key Issues Associated with the Senate Version of the Budget:**

### ➤ *Economic Recovery.*

- On May 12<sup>th</sup>, Senate Democrats unveiled two economic recovery proposals stemming from an internal caucus working group on economic recovery.
- The proposals do not necessarily need to be enacted with the budget on June 15, but will be pursued expeditiously to address major economic challenges facing Californians today. The proposals are:
  - *Tenant/Landlord Stabilization.* This proposal address the challenge of Californians struggling due to the COVID-19 crisis being unable to pay their rent and the economic stress it passes along to property owners.

Under this proposal, renters will be forgiven for past due rents and will be protected from eviction. Landlords will be provided transferable future tax credits equal to, or nearly equal to, the value of the missed rent payments. Renters that have the ability to do so, will reimburse the state for the costs of the tax credits over a ten year period beginning in 2024.

- *\$25 Billion Economic Recovery Fund.* This proposal generates \$25 billion over two years for economic stimulus investments to prevent the economy falling further and to assist the economic rebound.

Under this proposals, tax payers and others can prepay future taxes in exchange for future tax vouchers that have a higher face value to reflect inflation and to incentivize participation.

The accelerated revenues will be available for purposes that include but are not limited to, small business assistance, worker retraining, jump starting infrastructure projects, filling gaps in the education system and safety net, and addressing homelessness.

### ➤ *Generating Additional Resources.*

- The Senate Version acknowledges efforts to authorize and regulate sports wagering in California.

While this will not have a direct near term budget impact, tax revenues from bringing sports wagering activities into legal status will have future budget benefits and help provide resources to combat negative impacts of gaming that we know exist today.

## **Major Differences with May Revision, by Subcommittee:**

### **Subcommittee 1 on Education Finance**

Major changes to the Governor's May Revision:

- Rejects \$8.1 billion of proposed cuts to Proposition 98 funding that were contained in the Governor's May Revision trigger proposal, this includes rejecting cuts to:
  - K-12 Local Control Funding Formula;
  - K-12 Categorical programs, including the After School Education Safety Program and Career Technical Education Programs;
  - State Preschool and Child Care reimbursement rates; and
  - Community Colleges, including career technical education.
- Includes no Proposition 98 cuts in the Senate Version trigger solution plan, instead if federal funds do not materialize \$5.3 billion of school and community college funding will be converted to a deferral, which preserves programmatic funding.
- Provides an Average Daily Attendance hold harmless for Local Educational Agencies in the 2020-21 fiscal year and requires distance learning in the event of school closures.
- Amends the Governor's Special Education proposal to provide \$545 million to increase base rates and \$100 million for the low incidence disabilities cost pool.
- Reduces the nearly \$800 million of proposed cuts to the University of California (\$376 million) and the California State University (\$398 million) that were contained in the Governor's May Revision trigger proposal to \$200 million for each the UC and CSU in the Senate Version trigger solution plan.



- Rejects the \$27.5 million proposed cut to the UC Merced-UCSF Fresno Partnership Branch Medical School and the UC Riverside School of Medicine.

## **Subcommittee 2 on Resources, Environmental Protection, and Transportation**

Major changes to the Governor's May Revision:

- ❑ Requires the California Air Resources Board to conduct a rulemaking to consider improvements to the Cap-and-Trade Program.
- ❑ Rejects the Governor's proposal to roll back the sunset on funding to the Habitat Conservation Fund, which will preserve funding for conservation efforts.
- ❑ Rejects a proposed transfer from the State Highway Account and provides an additional \$130 million for transportation projects
- ❑ Provides statutory relief to transit agencies dealing with the fallout of COVID-19 on ridership and revenues

## **Subcommittee 3 on Health and Human Services**

Major Health program changes to the Governor's May Revision:

- Rejects proposal to reinstate the "senior penalty" and preserves the Medicare Part B disregard adopted in the 2019 Budget Act, preserving health coverage for low-income seniors.
- Rejects cuts to previously approved programs, such as the medical interpreters pilot project in Medi-Cal, funding for behavioral health counselors in emergency departments, caregiver resource centers, and the black infant health program.
- Rejects implementation of a maximum inpatient fee schedule in Medi-Cal managed care, which would have resulted in significant cuts in reimbursement for both public and private hospitals.
- Maintains Governor's January proposal to expand Medi-Cal to all seniors 65 and over, regardless of immigration status, but delays the start date to January 1, 2022. The action includes authority for the Governor to further delay implementation based on ability of budget to afford the cost.

- Rejects all proposed “trigger” reductions to health programs proposed by the Administration. For example, the Senate version of the budget:
  - Rejects elimination of Medi-Cal optional benefits, including dental, optometry, optician/optical lab, audiology, incontinence creams/washes, pharmacist-delivered services, speech therapy, podiatry, acupuncture, nurse anesthetists, occupational therapy, physical therapy, and the diabetes prevention program.
  - Rejects elimination of Proposition 56 supplemental payments for Medi-Cal providers including physicians, dentists, women’s health, family planning, developmental screenings, trauma screenings, community-based adult services, non-emergency medical transportation, and hospital-based pediatric physicians.
  - Rejects cancellation of the Proposition 56 Physician and Dentist Loan Repayment Program, which provides loan repayments for providers willing to devote nearly a third of their practice to serving Medi-Cal patients.
  - Rejects elimination of the multipurpose senior services program (MSSP) benefit and community-based adult services (CBAS).
  - Rejects renewed estate recovery provisions from deceased Medi-Cal beneficiaries
  - Rejects elimination of rate carve-outs for community clinics (FQHCs and RHCs).
  - Rejects elimination of General Fund support for the Song-Brown Healthcare Workforce Training Program.
  
- Includes in the Senate Version trigger solution plan an adjustment to the Managed Care Organization charge to generate \$1 billion budget benefit should the anticipated funds not materialize. This proposal replaces the proposed cut to Proposition 56 included in the May Revision trigger.

Major Human Services changes to the Governor’s May Revision:

- Provides \$600 million for counties to backfill lost 1991 realignment revenues, with the expectation these funds will assist child welfare services costs. (This augmentation is subject to being triggered off under the Senate trigger solution plan.)

- Returns the CalWORKs time clock to the historic 60-month time period beginning in 2022, improving access to critical services for struggling Californians working to get back on track.
- Rejects proposed cuts In-Home Supportive Services (IHSS) program that would have caused some recipients to lose services and allowed the contracting out of services currently provided by county staff.
- Rejects proposed cuts to supplemental provider rate adjustments for providers that serve individuals with developmental disabilities. These include infant development programs, independent living programs, and early start specialized therapeutic services.
- Rejects all proposed cuts to human services program that the May Revision includes in their “trigger category.” This includes:
  - \$300 million cut to Developmental Services;
  - Various cuts targeting seniors, such as funding cuts to senior nutrition programs and programs that help keep seniors at home and out of nursing homes;
  - Cut to the federal SSI/SSP COLA; and
  - Cut to IHSS service hours by seven percent.

#### **Subcommittee 4 on General Government**

Major changes to the Governor’s May Revision:

- Adds tax filers with Individual Taxpayer Identification Numbers with at least one child six years of age or younger to the Earned Income Tax Credit and the Young Child tax Credit.
- Defers the proposed, additional, \$1 per 20 mg nicotine-based tax on E-cigarette or vaping products.
- Defers the expansion of Department of Business Oversight into the new Department of Financial Protection and Innovation.
- Includes \$35 million in additional funds to support the November 2020 general elections.

- Preserves nearly \$250 million for affordable housing development in 2020-21.
- Provides \$13 million for transitional housing and housing navigators for foster youth.
- Provides \$250 million in state funds for homelessness programs for local governments.
- Rejects reductions subject to the May Revision proposed trigger, including the proposed closure of the Barstow Veterans Home. Instead requires the California Department of Veteran Affairs to work with the community stakeholders and submit a closure plan to the Legislature.
- Excludes proposed savings related to reduction of employee pay and suspending employee pay increases subject to the May Revision proposed trigger. Any savings achieved through the collective bargaining process will increase the Senate Version's final reserve.

### **Subcommittee 5 on Public Safety**


Major changes to the Governor's May Revision:

- Approves \$146 million in cuts to California Department of Corrections and Rehabilitation that were not proposed in the Governor's May Revision.
- Rejects several proposed cuts to courts and public safety that the May Revision includes in their trigger category, including:
  - \$166 million in cuts for the state-level judiciary, the trial courts, and other Judicial Branch local assistance programs, including indigent defense, Dependency Counsel, Court Interpreters, Court Appointed Special Advocate Program, Model Self-Help Program, Equal Access Fund; Family Law Information Centers, and Civil Case Coordination.
  - \$37 million in cuts to grants that continue to support the warm hand-off and reentry of offenders transitioning from state prison to communities;
  - \$1.8 million in cuts that limit expansion of state prison oversight.
- Includes in the Senate Version trigger solution:

- \$100 million reduction to the Judiciary, but the reduction cannot impact Dependency Counsel, Court Interpreters, Court Appointed Special Advocate Program, Model Self-Help Program, Equal Access Fund; Family Law Information Centers, and Civil Case Coordination.
- \$70 million, one-year reduction to the Integrated Substance Use Disorder Program due to likely delays tied to COVID-19.

Major policy included in the Governor's May Revision:

- Announces the intention to close one state prison beginning in 2021-22 and a second state prison beginning in 2022-23.
  - The closures are estimated to result in savings of \$100 million in 2021-22, \$300 million in 2022-23 and \$400 million ongoing.
- Includes statutory changes that support thoughtful and responsible achievement of Administration's long term budget reduction proposals.
- Permanently stops intake into the state Division of Juvenile Justice on January 1, 2021, and transfers responsibility for all youth commitments to counties.



# 2020-21 Budget Draft Assembly Plan

Assemblymember Phil Ting, Chair

# Overall Assembly Approach

- Builds on Governor's framework
  - Based on administration's pessimistic economic outlook, even as the economy gradually reopens
- Reflects growing likelihood of more federal relief
- Avoids "overcutting" now when future revenues and economic trends are so uncertain
- Helps protect jobs and preserve vital services
- Increases legislative control over COVID-19 spending

# Assembly Budget Architecture

- “Pulls back” \$7 billion of spending approved last year as proposed by Governor in January
- Assumes \$14 billion more in federal funding
- Reflects \$4 billion in caseload savings (generally, as identified by LAO)
- If the federal funds do not materialize...
  - Governor could reduce budgeted amounts in specified programs by a total of about \$8 billion
  - Smaller than Governor’s \$14 billion “trigger”



# Substantial Reserves Would Remain

- Deficits likely in future years under both Governor and legislative budgets
- Assembly plan keeps reserves on hand:
  - COVID-19 disaster reserve
    - Governor's plan: \$2.9 billion "contingency reserve"
    - Assembly plan: Available only if appropriated in the future
    - New process to be negotiated for future virus spending
  - Approx. \$1 billion "SFEU" discretionary reserve
  - Approx. \$7 billion Prop. 2 rainy day fund
    - More reserves would be kept if federal funds materialize

# Differences Between Legislature and the Administration

- Assembly and Senate working closely, using similar budget architectures
- Administration trigger language very different
  - Governor proposed \$14 billions federal funds trigger, where Governor would "restore programs" if those federal funds materialize
  - Legislature aiming for a simpler, smaller trigger
  - Under our framework, Governor would "cut programs," as specified, if federal funds are not approved
- Assembly builds on Governor's approach and aims to provide more to local governments to protect public safety, health, and human services programs if the state receives more than \$14 billion of federal funding

# Key Features of Assembly Plan

- Holds schools at least harmless at their 2019-20 funding levels and provides a state-level COLA for the LCFF
- Protects child care funding rates and increases access for essential workers
- Protects key health and senior programs
- Protects Prop. 56 funding
- Focuses university cuts on segments' bureaucracy
- Defers consideration of many policy or discretionary items until after June 15
- "Economic stimulus" proposals will be considered separately from the June 15 budget package

# Major Revenues

- Includes new revenue proposals including:
  - Suspending net operating loss deductions,
  - Limiting business credits, and
  - Requiring used car dealers to remit sales tax with vehicle registration.

# Education

- Holds every LEA at least harmless at their 19-20 funding levels, and provides a state-level COLA to LCFF.
- Reduces federal trigger cuts to 6% of LCFF through increased deferrals.
- Prioritizes learning loss mitigation for low-income students in all schools, including nutrition and student supports.
- Restores key categorical programs, including after-school, Career Tech, and Adult Education.
- Ensures no children are cut from existing care programs, protects child care funding rates, and increases child care access for essential workers.

# Higher Education

- Protects students by maintaining most financial aid and focusing some cuts (if triggered) on segment bureaucracy (UCOP, CCC categorical administration)
- Restores 5% operational increases for UC (\$169 M) and CSU (\$199 M). Could tie UC increase to reduction in nonresident enrollment
- Restores January proposals for UC Riverside and UCSF/Fresno/Merced medical schools
- Reduces cuts to community college apportionment and CTE by shifting funding from Calbright and other categoricals

# Health and Human Services

- Restores Senior Programs: ADHC/CBAS, MSSP, Caregiver Resource Centers, IHSS, SSI/SSP, Nutrition and Ombudsman.
- Restores Health Programs: Medi-Cal provider rates, dental and all optional benefits, health care workforce support, hearing aids for kids, Black Infant Health and Safe Cosmetics Program.
- Restore DDS and Child Welfare reductions
- Includes Skilled nursing quality assurance fee
- Backfills County Realignment by \$1 billion over two years

# Resources and Transportation

- Rejects \$33.7 million ongoing baseline reduction at Department of Fish and Wildlife.
- Rejects \$30 million ongoing baseline reduction Department of Parks.
- Approves \$50M Air Pollution Control Fund for AB 617 implementation.
- Rejects \$130 million transfer from State Highway Account to General Fund.



# State Administration

- Expands Young Child Tax Credit to ITIN filers.
- Adds \$350 million for additional homelessness funding to continue federal funding in 2021.
- Rejects proposal to begin closure of Barstow Veterans Home.
- Provides \$35 million of additional funding for November's election.
- Reduces the Moderate-Income Housing Production by \$250 million.
- Transfers \$754.2 million from the State Project Infrastructure Fund (SPIF) to the General Fund (which was anticipated to fund the Capitol Annex).
- Withdraws \$721.7 million to reevaluate Office Space needs in the Sacramento Region.

# Public Safety

- Closes 2 state prisons with legislative guidance
- Defers all CDCR capital outlay proposals without prejudice until a timeline for closure and information on the prioritization of capital outlay projects is provided
- Realigns the Division of Juvenile Justice to county probation but maintain state oversight
- Restores Office of Inspector General review and oversight authority of CDCR
- Reductions in the judicial branch trial court operations and suspends additional trial court construction projects

# Process Going Forward

- No actions before June 15 in the Assembly due to logistics, timing
- Senate Adopted Budget on Thursday—already very close to our version
- Working with Senate to have Legislative deal by early next week to get Budget Bill ready for June 15
- Timeline constrained by harder logistics around processing 700 page budget bill, three day in print, and session social distancing constraints
- Working with Administration to get agreement in that window




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# CALIFORNIA ADVISORS, LLC

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South Coast AQMD Report  
 California Advisors, LLC  
 June 12, 2020 Legislative Committee Hearing

## **General Update**

On May 14<sup>th</sup>, Governor Gavin Newsom provided his “May Revision” to his January budget proposal. While the state is now facing over a \$54 billion dollar deficit in the current and upcoming fiscal years, the Governor maintained a defiant stance that the state would not walk away from our values. The Governor compared the stark differences the state is facing between January and now. Earlier this year the state had a record low in unemployment rate, 118 months of consecutive job growth, and a projected budget surplus of \$5.6 billion dollars. Now the COVID-19 recession is projected to be worse than the great recession. The United States GDP is projected to decrease by 26.5% in the spring of 2020. The unemployment rate in California is projected to peak just above 24%.

The Governor laid out his core values that included public education, health, safety, and those Californians hit hardest by COVID-19. He said that the state would spend our entire rainy-day fund over the next 3 years to help alleviate the harsh budget cuts that must be made. One of the biggest announcements was that the state will be working with its bargaining units for all state employees to take a 10% pay decrease.

This has been a unique budget process, on May 26<sup>th</sup>, the California State Assembly convened as a “Committee of the Whole.” This is the first time the Assembly has used this process in almost 30 years. Under the rules, the Committee of the Whole allowed all members to meet as a committee to hear testimony and discuss an issue. Speaker Anthony Rendon said the goal of holding such a hearing was to allow members to discuss the budget freely, without the “limitations” of traditional processes.

As the Senate and the Assembly are continuing their budget committees’ processes, each house will work to craft their version of the budget and then the Legislative leaders and the Governor will work out the final budget deal before the June 15<sup>th</sup> deadline.

## **Elected Officials Contacted on Behalf of South Coast AQMD:**

California Advisors met with the following legislators or their offices on behalf of the South Coast Air Quality Management District:

Senate:

Ben Allen (SB 1099, SB 1185), Toni Atkins (SB 1099, SB 1185, AB 617 funding), Patricia Bates (SB 1099, SB 1185), Brian Dahle (SB 1099, SB 1185), Maria Elena Durazo (AB 617 funding), Lena Gonzalez (AB 617 funding), Jerry Hill (SB 1099, SB 1185), Connie Leyva (AB 617 funding), Holly Mitchell (AB 617 Funding), Nancy Skinner (SB 1099, SB 1185), Henry Stern (SB 1099, SB 1185), Bob Wieckowski (SB 1099, SB 1185, AB 617 funding)

Assembly:

Richard Bloom (AB 617 funding), Wendy Carrillo (AB 617 funding), Laura Friedman (AB 617 funding), Cristina Garcia (AB 617 Funding), Al Muratsuchi (AB 617 funding), Anthony Rendon (AB 617 funding), Eloise Gomez Reyes (AB 617 funding), Luz Rivas (AB 617 funding), Phil Ting (AB 617 funding)



## Joe A. Gonsalves & Son

Anthony D. Gonsalves

Jason A. Gonsalves

Paul A. Gonsalves

PROFESSIONAL LEGISLATIVE REPRESENTATION

925 L ST. · SUITE 250 · SACRAMENTO, CA 95814-3766

916 441-0597 · FAX 916 441-5061

Email: gonsalves@gonsalvi.com

**TO:** South Coast Air Quality Management District

**FROM:** Anthony, Jason & Paul Gonsalves

**SUBJECT:** Legislative Update – May 2020

**DATE:** Thursday, May 28, 2020

The Legislature has been back in session for almost a month now. Given their two-month absence, the Legislature returned with a very full agenda. In order to keep the legislative process moving, the Senate and Assembly have made a number of adjustments. Members have faced a lot of pressure to pare back the number of bills they move in 2020. Some have even chosen to move as few as two bills of the twenty plus that they introduced at the beginning of the year.

Even with the pared down number of bills, the compressed schedule has meant a rapid-fire legislative process. In the Assembly each policy Committee has held one hearing for all of the bills in the Committee, and the Senate has largely followed suit. Given this and social distancing requirements committees have held hearings virtually every day through May. In addition to this workload, a budget crisis was waiting for the Legislature on its return. On May 14, Governor Newsom released his May Revision to the Budget.

The following will provide you with a summary of actions related to the District:

### **MAY REVISE**

On May 14, 2020, Governor Newsom released his May Revision to his January Budget proposal. Prior to COVID-19, the state proposed a \$222 billion budget with an operating surplus of \$21.5 billion. The May Revise proposes a \$203.3 billion budget with a \$54.2 billion operating budget deficit. The Governor projects this recession to be worse than the Great Depression. The U.S. GDP is projected to decrease by 26.5% in the spring of 2020 and the State's General Fund revenues are expected to drop by \$41.2 billion. The State is facing a 27.2% decline in sales tax, 25.5% decline in Personal Income Tax and 22.7% decline in Corporate tax. Additionally, 4.2 million people have filed for unemployment since mid-March with a projected peak of 24.5% unemployment. The

Legislative Analysis office says that personal income will drop by nearly 9% and housing construction will drop by more than 21%. The longer the Stay-at-Home order is in place, the worse it will get.

The Governor's May revise proposes a multi-year approach to address the state's deficit. Of the State's \$16.2 billion rainy day fund, the first year will use \$7.8 billion, the second year will use \$5.4 billion, and the third year will use \$2.3 billion. There are other reserve accounts that will be used to help balance over \$1 billion of the deficit (\$524m from the Proposition 98 reserve account and \$450m from the safety-net reserve account). In addition to using the states reserves, the Governor is proposing 26% in cuts to programs that can be reestablished by the Federal HERO Act should it be passed at the Federal level.

Governor Newsom's proposal also includes \$2.4 billion in cuts to fund CalPERS and CalSTRS and a 10% pay cut for all state workers starting July 1, 2020. The governor's goal is to collectively bargain this cut with state workers, but if not successful, he will implement 2 furlough days per week.

This is the kick-off to negotiations with the Legislature in order for them to meet their June 15 Constitutional Deadline. Please note, only the main budget bill is required to be adopted by June 15th. Budget Trailer bills can and will be passed between now and the August 31, 2020 end of session.

### **HONDA MOTOR COMPANY SETTLEMENT:**

On May 26, 2020, The California Air Resources Board (CARB) announced they have reached a settlement of \$1,927,800 with American Honda Motor Co., Inc. (Honda) to resolve clean-air violations related to the sale of small off-road engines in California.

The violations involved small off-road engines used in generators and lawn and garden equipment. Through extensive tests in its lab CARB discovered that this equipment did not meet the evaporative control emission standards that Honda had originally agreed to during the certification process. Evaporative emissions of raw fuel, which occur both while an engine is being used and at rest, are known as volatile organic compounds and are a significant precursor of smog.

When a manufacturer certifies small off-road engines they can set their emissions limit to meet the current regulation, or choose to demonstrate that they have met standards below those required by the current regulation. In that case, the manufacturer earns what are known as evaporative credits based on the additional reductions that they assert in the certification process. These credits can then be used for certification purposes to offset emissions on future products. Because Honda's engines did not meet the self-selected lower evaporative emission limits, they forfeited the credits they had earned for claiming to meet stricter evaporative emissions standards, and also gave up additional credits to mitigate the environmental harm.

To resolve the violations, Honda agreed to pay a total settlement of \$1,927,800, with \$963,900 going to the California Air Pollution Control Fund.

The remaining funds, roughly \$1 million, will go to the IQAir Foundation, a non-profit that seeks to promote environmental justice by helping to improve environmental health conditions in neighborhoods unfairly affected by pollution as a result of economic, ethnic, or racial factors.

The IQAir Foundation will use these funds to benefit three Supplemental Environmental Projects:

- **The Coachella Schools Flag Program:** The purpose of the Air Quality School Flag Program is to help people with asthma by improving awareness and education about the school environment with outdoor air quality practices. The air quality school flag program uses colored flags based on U.S. EPA's Air Quality Index (AQI) to notify teachers, coaches, students, and others about outdoor air quality conditions.
- **The Oakland Unified School District Project 2019 – 2023:** This project proposes to install and maintain high-performance air filtration systems in schools located in communities impacted by air pollution within Oakland Unified School District. School districts will provide access to schools, and will maintain the air filtration systems after their maintenance staff is trained on maintenance procedures for these systems.
- **The Coachella Valley Mitigation Project Extension 2018 – 2023:** This project will install and maintain high-performance air filtration systems in schools located in communities impacted by air pollution. This will be used in conjunction with the Coachella Schools Flag Program.

## **VEHICLE EMISSIONS ROLLBACK LAWSUIT**

On May 27, 2020, California joined 22 other states and several other jurisdictions to challenge the Trump Administration's plan to roll back vehicle emissions standards. Since these emission rules were enacted, they have reduced air pollution and protected the air we breathe. The California Air Resources Board helped develop the original 2012 rules and is represented in this case by the California Attorney General.

The new, diminished standards set forth by the federal Environmental Protection Agency and the National Highway Traffic Safety Administration drastically reduce the annual emission reductions from nearly five percent a year to just one and a half percent. The state's suit claims the EPA and NHTSA have violated the laws and bypassed congressional requirements in enacting these rollbacks, and that the federal agencies used a faulty and flawed analysis, unfounded assumptions, and made statistical errors to manipulate data in support of their conclusions.

The 2017 decision to maintain the previous vehicle greenhouse gas regulations was the result of several years of in-depth, joint analysis by U.S. EPA, NHTSA and California. Those rules provided motivation for development of cleaner, safer vehicles and fuels, and marked a national shift in efforts to address seriously the impacts of climate change. Transportation is 40% of GHG emissions in California, and the previous emissions standards are critical in our effort to combat climate change, as well as to assist in further development and growth of California's sustainable economy.



## **2020 LEGISLATIVE CALENDAR:**

Given the impacts of COVID-19 on the Legislative process, the following will provide you with the updated Legislative Calendar for the remainder of 2020. Please note, the Assembly and Senate calendars and deadlines are different:

### **ASSEMBLY CALENDAR**

#### **May**

- **May 4** Assembly reconvenes from Joint Recess (A.C.R. 189, Resolution Chapter 15, Statutes of 2020).
- **May 22** Last day for **policy committees** to hear and report to fiscal committees' **fiscal bills** introduced in the Assembly (J.R. 61(b)(5)).
- **May 29** Last day for **policy committees** to hear and report to the floor **non-fiscal** bills introduced in the Assembly (J.R. 61(b)(6)).

#### **June**

- **June 5** Last day for **fiscal committees** to hear and report to the **floor** bills introduced in the Assembly (J.R. 61 (b)(8)).
- **June 15** Budget Bill must be passed by midnight (Art. IV, Sec. 12(c)).
- **June 15 - 19 Assembly Floor session only.** No committee may meet for any purpose except for Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees (J.R. 61(b)(10)).
- **June 19** Last day for the Assembly to pass bills introduced in that house (J.R. 61(b)(11)). **Summer Recess** begins for the Assembly upon adjournment, provided Budget Bill has been passed (J.R. 51(b)(2)).
- **June 25** Last day for a legislative measure to qualify for the Nov. 3 General Election ballot (Elections Code Sec. 9040).

#### **July**

- **July 13** Legislature reconvenes from **Summer Recess** (J.R. 51(b)(2)).
- **July 31** Last day for **policy committees** to hear and report **fiscal bills** to fiscal committees (J.R. 61(b)(13)).

#### **August**

- **Aug. 7** Last day for **policy committees** to meet and report bills (J.R. 61(b)(14)).
- **Aug. 14** Last day for **fiscal committees** to meet and report bills (J.R. 61(b)(15)).
- **Aug. 17-31 Floor session only.** No committee may meet for any purpose except Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees (J.R. 61(b)(16)).
- **Aug. 21** Last day to **amend** bills on the floor (J.R. 61(b)(17)).
- **Aug. 31** Last day for each house to pass bills (Art. IV, Sec 10(c), J.R. 61(b)(18)). **Final Recess** begins upon adjournment (J.R. 51(b)(3)).

## SENATE CALENDAR

### May

- **May 11** Senate Reconvenes
- **May 29** Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house (J.R. 61(b)(5)).

### June

- **June 5** Last day for policy committees to hear and report to the floor non-fiscal bills introduced in their house (J.R. 61(b)(6). Last day for policy committees to meet prior to June 8 (J.R. 61(b)(7)).
- **June 15** Budget Bill must be passed by midnight (Art. IV, Sec. 12(c)(3)).
- **June 19** Last day for fiscal committees to hear and report to the floor bills introduced in their house (J.R. 61(b)(8)). Last day for fiscal committees to meet prior to June 29 (J.R.61(b)(9)).
- **June 22-26** Floor Session Only. No committees, other than conference or Rules committees, may meet for any purpose (J.R. 61(b)(10)).
- **June 25** Last day for a legislative measure to qualify for the November 3 General Election ballot (Election code Sec. 9040).
- **June 26** Last day for each house to pass bills introduced in that house (J.R. 61(b)(11))

### July

- **July 2** Summer Recess begins upon adjournment provided Budget Bill has been passed (J.R. 51(b)(2)).
- **July 13** Legislature reconvenes from Summer Recess (J.R. 51(b)(2)).
- **July 31** Last day for policy committees to hear and report fiscal bills to fiscal committees (J.R. 61(b)(13)).

### August

- **August 7** Last day for policy committees to meet and report bills (J.R. 61(b)(14)).
- **Aug. 14** Last day for fiscal committees to meet and report bills (J.R. 61(b)(15)).
- **Aug. 17 – 31** Floor Session only. No committees, other than conference and Rules committees, may meet for any purpose (J.R. 61(b)(16)).
- **Aug. 21** Last day to amend bills on the Floor (J.R. 61(b)(17)).
- **Aug. 31** Last day for each house to pass bills, except bills that take effect Immediately or bills in Extraordinary Session (Art. IV, Sec. 10(c)), (J.R. 61(b)(18)). Final recess begins upon adjournment (J.R. 51(b)(3)).

# ATTACHMENT 4

South Coast Air Quality Management District  
Legislative Analysis Summary – AB 2882 (Chu)  
Version: As Amended – 5/13/2020  
Analyst: SD

## **AB 2882 (Chu)**

Hazardous emissions and substances: schoolsites: private and charter schools.

**Summary:** This bill would require charter schools and private schools to follow the same siting requirements as public schools for evaluating a schoolsite for potential hazardous substances, hazardous emissions, or hazardous waste. The bill would also require the evaluation of a potential charter school site to follow the same process as public school site evaluations under the California Environmental Quality Act (CEQA).

**Background:** Siting schools is not an easy process. Existing law and state regulations prohibit school districts seeking state bond funds from being located on land that was previously a hazardous waste disposal site, that contains pipelines that carry hazardous substances, or that is near a freeway and other busy traffic corridors and railyards that have the potential to expose students and school staff to hazardous air emissions. Existing law also requires school districts to comply with CEQA requirements, review by DTSC, and approval by the California Department of Education (CDE) to ensure the design plans meet the academic need of the school. School districts must also comply with the Field Act, which ensures that school buildings can withstand earthquakes. School districts must submit all school design plans to the Division of State Architect to ensure that the architectural design plans meet fire, life, and safety requirements, Field Act requirements, and access requirements under the Americans with Disability Act. Charter schools are not required to comply with school siting requirements unless they receive state school bond funds. Private schools are not subject to the requirements in the Education Code unless specified, typically related to health and safety issues.

Existing law requires public schools to follow CEQA requirements before approving and building a new school. These requirements include that the governing board of the school district determines that the property is not a current or former hazardous waste or solid waste disposal site, unless the governing board of the school concludes that the waste sites have been removed; a hazardous substance release site identified by the Department of Toxic Substances Control (DTSC); or a site that contains one or more pipelines that carries hazardous substances.

CEQA requires a lead agency to prepare and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect.

Existing law also requires that the school district consult with the administering agency and any local air district necessary to identify facilities within the air district's authority and

within the vicinity of the school property that might emit hazardous emissions, substances, or waste.

According to the author, there are cases in California where schools have been built in a potentially unsafe location near sources of hazardous emissions, substances, or waste which puts at risk the public health and safety of students and school employees at these schools.

**Status:** 6/02/2020 - In Asm. Approps. committee: Set, first hearing. Referred to APPR. suspense file.

**Specific Provisions:** Specifically, this bill would:

- 1) Require charter schools and private schools to follow the same siting requirements as public schools for evaluating a schoolsite for potential hazardous substances, hazardous emissions, or hazardous waste; and
- 2) Require the evaluation of a potential charter school site to follow the same process as public school site evaluations under CEQA.

**Impacts on South Coast AQMD's Mission, Operations or Initiatives:** According to the author, "Private schools and charter schools need to meet the same health and safety requirements as public schools to prevent schools from being built at unsafe locations. With AB 2882, we will ensure the health and safety of all students and school employees in California by requiring proper assessments and evaluations of potential private and charter school sites."

AB 2882 requires charter schools and private schools to perform the same evaluation for a proposed schoolsite as is required for public schools. It appears reasonable to provide the students of charter schools and private schools with the same protections from potential hazardous chemicals at a potential schoolsite that is afforded to students who attend public schools. In addition, AB 2882 is requiring the lead agency, under CEQA, over a charter school, to complete the same evaluations as is required for a lead agency of a public school. There are thousands of known contaminated sites in California, however, there are estimates of tens of thousands of unknown contaminated sites in the state. A site may have been an industrial site in the early 1900's and been vacant for decades, and it's potential of containing hazardous substances is unknown until there is an environmental assessment of the property. It is important that potential schoolsites, regardless of whether the school is a public school, private school, or charter school, be properly evaluated in order to protect the health and well-being of the future students who will attend that school.

This bill is consistent with the South Coast AQMD’s policy priorities to protect public health, especially within disadvantaged communities, and to promote environmental justice within the South Coast region. By adding extra protections within the school setting, this bill seeks to protect children, who are at even higher risk as sensitive receptors to pollution.

However, the bill does not appear to require private or charter school sites that involve leased property to abide by the applicable public school siting and CEQA requirements. Thus, South Coast AQMD offers a friendly suggestion that the bill be amended to clarify that the same siting and CEQA requirements that apply to public schools, also apply to private and charter schools located at leased sites.

**Recommended Position: SUPPORT**

**Support:**

Bay Area Air Quality Management District (Sponsor)  
California Air Pollution Control Officers Association  
California Association of Private School Organizations (CAPSO)  
California Teachers Association (CTA)

**Opposition:**

None

AMENDED IN ASSEMBLY MAY 13, 2020

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2882**

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**Introduced by Assembly Members Chu and Cristina Garcia**  
**(Coauthors: Assembly Members Kalra, Quirk, and Wicks)**  
(Coauthors: Senators Hill and Wieckowski)

February 21, 2020

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An act to amend Section 17213 of, and to add Article 3 (commencing with Section 17235) to Chapter 1 of Part 10.5 of Division 1 of Title 1 of, the Education Code, and to amend Section 21151.8 of the Public Resources Code, relating to schoolsites.

LEGISLATIVE COUNSEL'S DIGEST

AB 2882, as amended, Chu. Hazardous emissions and substances: schoolsites: private and charter schools.

(1) The California Environmental Quality Act (CEQA) requires a lead agency to prepare, or cause to be prepared by contract, and certify the completion of, an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. CEQA prohibits an environmental impact report or negative declaration from being approved for any project involving the purchase of a schoolsite or the construction of a new elementary or secondary school by a school district unless specified conditions are met, relating to, among other things, whether the property is located on a former hazardous waste disposal site or solid waste disposal site, a hazardous substances release site, or a site that contains a pipeline that carries specified substances, and the property's proximity to facilities that might reasonably be

anticipated to emit hazardous air emissions or handle hazardous or extremely hazardous materials, substances, or waste, as provided.

This bill would additionally prohibit an environmental impact report or negative declaration from being approved for any project involving the purchase of a schoolsite or the construction of a new elementary or secondary school by a charter school, unless those same conditions are met. By imposing new requirements on charter schools, *lead agencies*, cities, and counties, the bill would impose a state-mandated local program.

(2) Existing law prohibits the governing board of a school district from approving a project for the acquisition of a schoolsite, unless specified conditions are met, including, among others, that the school district ~~district~~, *as the lead agency*, determines that the property to be purchased or built upon is not the site of a former hazardous waste disposal site or solid waste disposal site, a hazardous substances release site, or a site that contains a pipeline that carries specified substances, and that the school ~~district~~ *district, as the lead agency*, has not identified specified facilities within one-fourth mile of the proposed schoolsite that might reasonably be anticipated to emit hazardous air emissions or handle hazardous or extremely hazardous materials, substances, or waste, as provided.

This bill would additionally impose that prohibition on the chartering authority for a charter school and *would require the determination and identification described above to be made by the lead agency. The bill* would impose that prohibition, and related requirements, *additionally* on a private school. By imposing new requirements on charter schools, *lead agencies*, cities, and counties, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

1 SECTION 1. Section 17213 of the Education Code is amended  
2 to read:

3 17213. (a) The governing board of a school district or the  
4 chartering authority, as defined in Section 47613, for a charter  
5 school shall not approve a project involving the acquisition of a  
6 schoolsite by a school district or charter school, unless all of the  
7 following occur:

8 (1) ~~The school district, as the lead agency, as defined in Section~~  
9 ~~21067 of the Public Resources Code, or, for a charter school, the~~  
10 ~~city or county,~~ determines that the property purchased or to be  
11 built upon is not any of the following:

12 (A) The site of a current or former hazardous waste disposal  
13 site or solid waste disposal site, unless, if the site was a former  
14 solid waste disposal site, the governing board of the school district  
15 or, for a charter school, the city or county, concludes that the wastes  
16 have been removed.

17 (B) A hazardous substance release site identified by the  
18 Department of Toxic Substances Control in a current list adopted  
19 pursuant to Section 25356 of the Health and Safety Code for  
20 removal or remedial action pursuant to Chapter 6.8 (commencing  
21 with Section 25300) of Division 20 of the Health and Safety Code.

22 (C) A site that contains one or more pipelines, situated  
23 underground or aboveground, that carries hazardous substances,  
24 extremely hazardous substances, or hazardous wastes, unless the  
25 pipeline is a natural gas line that is used only to supply natural gas  
26 to that school or neighborhood.

27 (2) ~~The school district, as the lead agency, as defined in Section~~  
28 ~~21067 of the Public Resources Code, or charter school~~ in preparing  
29 the environmental impact report or negative declaration has  
30 consulted with the administering agency in which the proposed  
31 schoolsite is located, pursuant to Section 2735.3 of Title 19 of the  
32 California Code of Regulations, and with any air pollution control  
33 district or air quality management district having jurisdiction in  
34 the area, to identify both permitted and nonpermitted facilities  
35 within that district's authority, including, but not limited to,  
36 freeways and other busy traffic corridors, large agricultural  
37 operations, and railyards, within one-fourth of a mile of the  
38 proposed schoolsite, that might reasonably be anticipated to emit



1 hazardous air emissions, or to handle hazardous or extremely  
2 hazardous materials, substances, or waste. ~~The school district, as~~  
3 ~~the lead agency, or charter school~~ *lead agency* shall include a list  
4 of the locations for which information is sought.

5 (3) The governing board of the school district or, for a charter  
6 school, the city or county, makes one of the following written  
7 findings:

8 (A) Consultation identified none of the facilities or significant  
9 pollution sources specified in paragraph (2).

10 (B) The facilities or other pollution sources specified in  
11 paragraph (2) exist, but one of the following conditions applies:

12 (i) The health risks from the facilities or other pollution sources  
13 do not and will not constitute an actual or potential endangerment  
14 of public health to persons who would attend or be employed at  
15 the school.

16 (ii) The governing board or, for a charter school, the city or  
17 county, finds that corrective measures required under an existing  
18 order by another governmental entity that has jurisdiction over the  
19 facilities or other pollution sources will, before the school is  
20 occupied, result in the mitigation of all chronic or accidental  
21 hazardous air emissions to levels that do not constitute an actual  
22 or potential endangerment of public health to persons who would  
23 attend or be employed at the proposed school. If the governing  
24 board or city or county makes this finding, the governing board  
25 or city or county shall also make a subsequent finding, before the  
26 occupancy of the school, that the emissions have been mitigated  
27 to these levels.

28 (iii) For a schoolsite with a boundary that is within 500 feet of  
29 the edge of the closest traffic lane of a freeway or other busy traffic  
30 corridor, the governing board of the school district or, for a charter  
31 school, the city or county, determines, through analysis pursuant  
32 to paragraph (2) of subdivision (b) of Section 44360 of the Health  
33 and Safety Code, based on appropriate air dispersion modeling,  
34 and after considering any potential mitigation measures, that the  
35 air quality at the proposed site is such that neither short-term nor  
36 long-term exposure poses significant health risks to pupils.

37 (iv) The governing board or, for a charter school, the city or  
38 county, finds that the conditions set forth in clause (ii) or (iii)  
39 cannot be met, and the school district or charter school is unable  
40 to locate an alternative site that is suitable due to a severe shortage

1 of sites that meet the requirements in subdivision (a). If the  
2 governing board or city or county makes this finding, the governing  
3 board or charter school shall adopt a statement of overriding  
4 considerations pursuant to Section 15093 of Title 14 of the  
5 California Code of Regulations.

6 (b) For purposes of this section, the following definitions apply:

7 (1) “Administering agency” means an agency designated  
8 pursuant to Section 25502 of the Health and Safety Code.

9 (2) “Extremely hazardous substance” means a material defined  
10 pursuant to paragraph (2) of subdivision (j) of Section 25532 of  
11 the Health and Safety Code.

12 (3) “Facilities” means a source with a potential to use, generate,  
13 emit, or discharge hazardous air pollutants, including, but not  
14 limited to, pollutants that meet the definition of a hazardous  
15 substance, and whose process or operation is identified as an  
16 emission source pursuant to the most recent list of source categories  
17 published by the State Air Resources Board.

18 (4) “Freeway or other busy traffic corridor” means those  
19 roadways that, on an average day, have traffic in excess of 50,000  
20 vehicles in a rural area as defined in Section 50101 of the Health  
21 and Safety Code, and 100,000 vehicles in an urban area, as defined  
22 in Section 50104.7 of the Health and Safety Code.

23 (5) “Handle” means handle as defined in Article 1 (commencing  
24 with Section 25500) of Chapter 6.95 of Division 20 of the Health  
25 and Safety Code.

26 (6) “Hazardous air emissions” means emissions into the ambient  
27 air of air contaminants that have been identified as a toxic air  
28 contaminant by the State Air Resources Board or by the air  
29 pollution control officer for the jurisdiction in which the project  
30 is located. As determined by the air pollution control officer,  
31 hazardous air emissions also means emissions into the ambient air  
32 from any substance identified in subdivisions (a) to (f), inclusive,  
33 of Section 44321 of the Health and Safety Code.

34 (7) “Hazardous substance” means a substance defined in Section  
35 25316 of the Health and Safety Code.

36 (8) “Hazardous waste” means a waste defined in Section 25117  
37 of the Health and Safety Code.

38 (9) “Hazardous waste disposal site” means a site defined in  
39 Section 25114 of the Health and Safety Code.

1 SEC. 2. Article 3 (commencing with Section 17235) is added  
2 to Chapter 1 of Part 10.5 of Division 1 of Title 1 of the Education  
3 Code, to read:

4

5

Article 3. Private School Schoolsites

6

7

17235. (a) For purposes of this section, the following  
8 definitions apply:

9

10

(1) “Administering agency” means an agency authorized  
11 pursuant to Section 25502 of the Health and Safety Code to  
12 implement and enforce Chapter 6.95 (commencing with Section  
13 25500) of Division 20 of the Health and Safety Code.

13

14

(2) “Extremely hazardous substances” has the meaning specified  
14 in paragraph (2) of subdivision (j) of Section 25532 of the Health  
15 and Safety Code.

15

16

(3) “Facilities” means any source with a potential to use,  
17 generate, emit, or discharge hazardous air pollutants, including,  
18 but not limited to, pollutants that meet the definition of a hazardous  
19 substance, and whose process or operation is identified as an  
20 emission source pursuant to the most recent list of source categories  
21 published by the State Air Resources Board.

22

23

(4) “Freeway or other busy traffic corridors” means those  
23 roadways that, on an average day, have traffic in excess of 50,000  
24 vehicles in a rural area, as defined in Section 50101 of the Health  
25 and Safety Code, and 100,000 vehicles in an urban area, as defined  
26 in Section 50104.7 of the Health and Safety Code.

27

28

(5) “Handle” has the same meaning specified in Section 25501  
28 of the Health and Safety Code.

29

30

(6) “Hazardous air emissions” means emissions into the ambient  
30 air of air contaminants that have been identified as a toxic air  
31 contaminant by the State Air Resources Board or by the air  
32 pollution control officer for the jurisdiction in which the project  
33 is located. As determined by the air pollution control officer,  
34 hazardous air emissions also means emissions into the ambient air  
35 from any substances identified in subdivisions (a) to (f), inclusive,  
36 of Section 44321 of the Health and Safety Code.

37

38

(7) “Hazardous substance” has the same meaning specified in  
38 Section 25316 of the Health and Safety Code.

39

40

(8) “Hazardous waste” has the same meaning specified in  
40 Section 25117 of the Health and Safety Code.

1 (9) “Hazardous waste disposal site” has the same meaning as  
2 “disposal site,” as defined in Section 25114 of the Health and  
3 Safety Code.

4 (b) The governing board of a private school shall not approve  
5 the acquisition or purchase of a schoolsite, or the construction of  
6 a new elementary or secondary school, by, or for use by, a private  
7 school unless all of the following occur:

8 (1) The city or county determines that the property proposed to  
9 be acquired or purchased, or to be constructed upon, is not any of  
10 the following:

11 (A) The site of a current or former hazardous waste disposal  
12 site or solid waste disposal site, unless, if the site was a former  
13 solid waste disposal site, the city ~~and~~ or county concludes that the  
14 wastes have been removed.

15 (B) A hazardous substance release site identified by the  
16 Department of Toxic Substances Control in a current list adopted  
17 pursuant to Section 25356 of the Health and Safety Code for  
18 removal or remedial action pursuant to Chapter 6.8 (commencing  
19 with Section 25300) of Division 20 of the Health and Safety Code.

20 (C) A site that contains one or more pipelines, situated  
21 underground or aboveground, that carry hazardous substances,  
22 extremely hazardous substances, or hazardous wastes, unless the  
23 pipeline is a natural gas line that is used only to supply natural gas  
24 to that school or neighborhood, or other nearby schools.

25 (D) A site that is within 500 feet of the edge of the closest traffic  
26 lane of a freeway or other busy traffic corridor.

27 (2) (A) The governing board has notified in writing and  
28 consulted with the administering agency in which the proposed  
29 schoolsite is located, and with any air pollution control district or  
30 air quality management district having jurisdiction in the area, to  
31 identify both permitted and nonpermitted facilities within that  
32 district’s authority, including, but not limited to, freeways and  
33 busy traffic corridors, large agricultural operations, and railyards,  
34 within one-fourth of a mile of the proposed schoolsite, that might  
35 reasonably be anticipated to emit hazardous emissions or handle  
36 hazardous or extremely hazardous substances or waste. The  
37 notification by the governing board shall include a list of the  
38 locations for which information is sought.

39 (B) Each administering agency, air pollution control district, or  
40 air quality management district receiving written notification from

1 a governing board to identify facilities pursuant to subparagraph  
2 (A) shall provide the requested information and provide a written  
3 response to the governing board within 30 days of receiving the  
4 notification.

5 (3) The city or county makes one of the following written  
6 findings:

7 (A) Consultation identified no facilities of the type specified in  
8 paragraph (2) or other significant pollution sources.

9 (B) One or more facilities specified in paragraph (2) or other  
10 pollution sources exist, but one of the following conditions applies:

11 (i) The health risks from the facilities or other pollution sources  
12 do not and will not constitute an actual or potential endangerment  
13 of public health to persons who would attend or be employed at  
14 the proposed school.

15 (ii) Corrective measures required under an existing order by  
16 another agency having jurisdiction over the facilities or other  
17 pollution sources will, before the school is occupied, result in the  
18 mitigation of all chronic or accidental hazardous air emissions to  
19 levels that do not constitute an actual or potential endangerment  
20 of public health to persons who would attend or be employed at  
21 the proposed school. If the city or county makes a finding pursuant  
22 to this clause, it shall also make a subsequent finding, before  
23 occupancy of the school, that the emissions have been so mitigated.

24 (iii) For a schoolsite with a boundary that is within 500 feet of  
25 the edge of the closest traffic lane of a freeway or other busy traffic  
26 corridor, the city or county determines, through analysis pursuant  
27 to paragraph (2) of subdivision (b) of Section 44360 of the Health  
28 and Safety Code, based on appropriate air dispersion modeling,  
29 and after considering any potential mitigation measures, that the  
30 air quality at the proposed site is such that neither short-term nor  
31 long-term exposure poses significant health risks to pupils.

32 (C) One or more facilities specified in paragraph (2) or other  
33 pollution sources exist, but conditions in clause (i), (ii), or (iii) of  
34 subparagraph (B) cannot be met, and the private school is unable  
35 to locate an alternative site that is suitable due to a severe shortage  
36 of sites that meet the requirements in this section.

37 SEC. 3. Section 21151.8 of the Public Resources Code is  
38 amended to read:

39 21151.8. (a) An environmental impact report shall not be  
40 certified or a negative declaration shall not be approved for a

1 project involving the purchase of a schoolsite or the construction  
2 of a new elementary or secondary school by a school district or a  
3 charter school unless all of the following occur:

4 (1) The environmental impact report or negative declaration  
5 includes information that is needed to determine if the property  
6 proposed to be purchased, or to be constructed upon, is any of the  
7 following:

8 (A) The site of a current or former hazardous waste disposal  
9 site or solid waste disposal site and, if so, whether the wastes have  
10 been removed.

11 (B) A hazardous substance release site identified by the  
12 Department of Toxic Substances Control in a current list adopted  
13 pursuant to Section 25356 of the Health and Safety Code for  
14 removal or remedial action pursuant to Chapter 6.8 (commencing  
15 with Section 25300) of Division 20 of the Health and Safety Code.

16 (C) A site that contains one or more pipelines, situated  
17 underground or aboveground, that carries hazardous substances,  
18 extremely hazardous substances, or hazardous wastes, unless the  
19 pipeline is a natural gas line that is used only to supply natural gas  
20 to that school or neighborhood, or other nearby schools.

21 (D) A site that is within 500 feet of the edge of the closest traffic  
22 lane of a freeway or other busy traffic corridor.

23 (2) (A) ~~The school district, as the lead agency, or the charter~~  
24 ~~school lead agency~~ in preparing the environmental impact report  
25 or negative declaration has notified in writing and consulted with  
26 the administering agency in which the proposed schoolsite is  
27 located, pursuant to Section 2735.3 of Title 19 of the California  
28 Code of Regulations, and with any air pollution control district or  
29 air quality management district having jurisdiction in the area, to  
30 identify both permitted and nonpermitted facilities within that  
31 district's authority, including, but not limited to, freeways and  
32 busy traffic corridors, large agricultural operations, and railyards,  
33 within one-fourth of a mile of the proposed schoolsite, that might  
34 reasonably be anticipated to emit hazardous emissions or handle  
35 hazardous or extremely hazardous substances or waste. The  
36 notification by the ~~school district, as the lead agency, or the charter~~  
37 ~~school lead agency~~ shall include a list of the locations for which  
38 information is sought.

39 (B) Each administering agency, air pollution control district, or  
40 air quality management district receiving written notification from

1 a lead agency to identify facilities pursuant to subparagraph (A)  
2 shall provide the requested information and provide a written  
3 response to the lead agency within 30 days of receiving the  
4 notification. The environmental impact report or negative  
5 declaration shall be conclusively presumed to comply with  
6 subparagraph (A) as to the area of responsibility of an agency that  
7 does not respond within 30 days.

8 (C) ~~If the school district, as a lead agency, or the charter school~~  
9 ~~lead agency~~ has carried out the consultation required by  
10 subparagraph (A), the environmental impact report or the negative  
11 declaration shall be conclusively presumed to comply with  
12 subparagraph (A), notwithstanding any failure of the consultation  
13 to identify an existing facility or other pollution source specified  
14 in subparagraph (A).

15 (3) The governing board of the school district or, for a charter  
16 school, the city or county makes one of the following written  
17 findings:

18 (A) Consultation identified no facilities of this type or other  
19 significant pollution sources specified in paragraph (2).

20 (B) The facilities or other pollution sources specified in  
21 paragraph (2) exist, but one of the following conditions applies:

22 (i) The health risks from the facilities or other pollution sources  
23 do not and will not constitute an actual or potential endangerment  
24 of public health to persons who would attend or be employed at  
25 the proposed school.

26 (ii) Corrective measures required under an existing order by  
27 another agency having jurisdiction over the facilities or other  
28 pollution sources will, before the school is occupied, result in the  
29 mitigation of all chronic or accidental hazardous air emissions to  
30 levels that do not constitute an actual or potential endangerment  
31 of public health to persons who would attend or be employed at  
32 the proposed school. If the governing board or, for a charter school,  
33 the city or county, makes a finding pursuant to this clause, it shall  
34 also make a subsequent finding, before occupancy of the school,  
35 that the emissions have been so mitigated.

36 (iii) For a schoolsite with a boundary that is within 500 feet of  
37 the edge of the closest traffic lane of a freeway or other busy traffic  
38 corridor, the governing board of the school district or, for a charter  
39 school, the city or county, determines, through analysis pursuant  
40 to paragraph (2) of subdivision (b) of Section 44360 of the Health

1 and Safety Code, based on appropriate air dispersion modeling,  
2 and after considering any potential mitigation measures, that the  
3 air quality at the proposed site is such that neither short-term nor  
4 long-term exposure poses significant health risks to pupils.

5 (C) The facilities or other pollution sources specified in  
6 paragraph (2) exist, but conditions in clause (i), (ii), or (iii) of  
7 subparagraph (B) cannot be met, and the school district or charter  
8 school is unable to locate an alternative site that is suitable due to  
9 a severe shortage of sites that meet the requirements in subdivision  
10 (a) of Section 17213 of the Education Code. If the governing board  
11 or, for a charter school, the city or county, makes this finding, the  
12 governing board or charter school shall adopt a statement of  
13 overriding considerations pursuant to Section 15093 of Title 14  
14 of the California Code of Regulations.

15 (b) For purposes of this section, the following definitions apply:

16 (1) “Administering agency” means an agency authorized  
17 pursuant to Section 25502 of the Health and Safety Code to  
18 implement and enforce Chapter 6.95 (commencing with Section  
19 25500) of Division 20 of the Health and Safety Code.

20 (2) “Extremely hazardous substances” means an extremely  
21 hazardous substance as defined pursuant to paragraph (2) of  
22 subdivision (j) of Section 25532 of the Health and Safety Code.

23 (3) “Facilities” means a source with a potential to use, generate,  
24 emit, or discharge hazardous air pollutants, including, but not  
25 limited to, pollutants that meet the definition of a hazardous  
26 substance, and whose process or operation is identified as an  
27 emission source pursuant to the most recent list of source categories  
28 published by the State Air Resources Board.

29 (4) “Freeway or other busy traffic corridor” means those  
30 roadways that, on an average day, have traffic in excess of 50,000  
31 vehicles in a rural area, as defined in Section 50101 of the Health  
32 and Safety Code, and 100,000 vehicles in an urban area, as defined  
33 in Section 50104.7 of the Health and Safety Code.

34 (5) “Handle” means handle as defined in Article 1 (commencing  
35 with Section 25500) of Chapter 6.95 of Division 20 of the Health  
36 and Safety Code.

37 (6) “Hazardous air emissions” means emissions into the ambient  
38 air of air contaminants that have been identified as a toxic air  
39 contaminant by the State Air Resources Board or by the air  
40 pollution control officer for the jurisdiction in which the project



1 is located. As determined by the air pollution control officer,  
2 hazardous air emissions also means emissions into the ambient air  
3 from any substances identified in subdivisions (a) to (f), inclusive,  
4 of Section 44321 of the Health and Safety Code.

5 (7) "Hazardous substance" means a substance defined in Section  
6 25316 of the Health and Safety Code.

7 (8) "Hazardous waste" means a waste defined in Section 25117  
8 of the Health and Safety Code.

9 (9) "Hazardous waste disposal site" means a site defined in  
10 Section 25114 of the Health and Safety Code.

11 ~~SEC. 4. No reimbursement is required by this act pursuant to~~  
12 ~~Section 6 of Article XIII B of the California Constitution for certain~~  
13 ~~costs that may be incurred by a local agency or school district~~  
14 ~~because, in that regard, this act creates a new crime or infraction,~~  
15 ~~eliminates a crime or infraction, or changes the penalty for a crime~~  
16 ~~or infraction, within the meaning of Section 17556 of the~~  
17 ~~Government Code, or changes the definition of a crime within the~~  
18 ~~meaning of Section 6 of Article XIII B of the California~~  
19 ~~Constitution.~~

20 ~~However, if the Commission on State Mandates determines that~~  
21 ~~this act contains other costs mandated by the state, reimbursement~~  
22 ~~to local agencies and school districts for those costs shall be made~~  
23 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~  
24 ~~4 of Title 2 of the Government Code.~~

25 *SEC. 4. No reimbursement is required by this act pursuant to*  
26 *Section 6 of Article XIII B of the California Constitution because*  
27 *a local agency or school district has the authority to levy service*  
28 *charges, fees, or assessments sufficient to pay for the program or*  
29 *level of service mandated by this act, within the meaning of Section*  
30 *17556 of the Government Code.*

31 *However, if the Commission on State Mandates determines that*  
32 *this act contains costs mandated by the state, reimbursement to*  
33 *local agencies and school districts for those costs shall be made*  
34 *pursuant to Part 7 (commencing with Section 17500) of Division*  
35 *4 of Title 2 of the Government Code.*

South Coast Air Quality Management District  
Legislative Analysis Summary – AB 3256 (E. Garcia)  
Version: As Amended – 6/4/2020  
Analyst: SD

### **AB 3256 (E. Garcia)**

Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.

**Summary:** This bill proposes the Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation and Flood Protection Bond Act of 2020 (Bond), subject to voter approval at the November 3, 2020, statewide general election. This bill proposes the issuance of a \$6.98 billion general obligation bond to implement its provisions. This bill declares that it is to take effect immediately as an urgency statute.

**Background:** According to the Fourth Climate Change Assessment, California is one of the most “climate-challenged” regions of North America and must actively plan and implement strategies to prepare for and adapt to extreme events and shifts in previously “normal” averages. Climate risks in California include sea level rise, changes in precipitation that increase the risk of both drought and flooding, and increases in temperatures that can affect air quality and habitat.

California is responding to these risks through various efforts, including the recently passed parks bond (Proposition 68) and water bond (Proposition 1), which allocated significant resources to adaptation, the SCC’s Climate Ready Program, and the Wildlife Conservation Board’s Climate Adaptation and Resiliency Program. These programs provide funding for planning, preservation, and the creation of natural infrastructure. The use of natural infrastructure such as wetland/estuary restoration, living shorelines, and dune restoration projects offer opportunities to make the coast more resilient, sequester more carbon, and provide important habitat and recreational benefits.

This bill represents what would be the largest investment the state has ever made in adapting to the impacts of climate change. While this bill makes investments in natural resources protection and restoration and in the state’s water supply system, it is substantially different from past resource and water bonds, such as Propositions 68 and 1, because all of the investments in this bill are focused on projects to make California more resilient to climate change. In addition, this bill avoids identifying specific projects and allows administering agencies to select large, transformative projects of statewide or regional significance. The author of this bill has had numerous meetings with experts, the Administration, and the Legislative Analyst’s Office (LAO) on this issue. In January, the Governor proposed a \$4.75 billion climate resiliency bond, which has now been withdrawn, and the Senate passed SB 45, a \$5.51 billion climate resiliency bond. The Assembly’s proposal was ready in early March, but it was delayed by the COVID-19 pandemic.

**Status:** 6/04/2020 - Read second time and amended.

**Specific Provisions:** Specifically, this bill:

- 1) Requires, when expending funds from the Bond, an administering state agency to prioritize projects that leverage private, federal, and local funding or create the greatest public benefit.
- 2) Specifies that not more than 5% of the funds allocated for a program funded by the Bond can be used to pay the administrative costs of the program.
- 3) Requires the Department of Finance to provide for an independent audit of expenditures of the Bond.
- 4) Specifies that any moneys allocated by the Bond that are not encumbered or expended by the recipient entity within the time period specified by the administering agency will revert to the administering agency for allocation consistent with purposes of that portion of the Bond.
- 5) Requires any agency receiving funding to administer a grant program from Bond funding to report to the Legislature annually in the budget on its expenditure of Bond funds and the associated public benefits.
- 6) Authorizes, for grants awarded for projects, the administering state agency to provide advanced payments in the amount of 25% of the grant award to the recipient.
- 7) Establishes the Wildfire Prevention, Safe Drinking Water, Climate Resilience, Drought Preparation and Flood Protection Fund (Fund) and requires proceeds of bonds issued and sold to be deposited into the Fund. Requires the Fund to be available, upon appropriation, for the purposes of the Bond.
- 8) Specifies that proceeds of the \$6.98 billion in bonds issued by this bill be allocated according to the following schedule:
  - a) \$1.625 billion for wildfire prevention and climate risk reduction, as follows;
    - i) \$500 million to the Office of Emergency Services for a pre-hazard mitigation grant program to prevent wildfires and reduce the risk of wildfires to communities by increasing community hardening.
    - ii) \$300 million to the NRA's Regional Fire and Forest Capacity Program to increase regional capacity to prioritize, develop, and implement projects that improve forest health and fire resilience.
    - iii) \$300 million to the Department of Forestry and Fire Protection (CAL FIRE) to support various long-term forest health projects.
    - iv) \$300 million to the NRA for watershed improvement projects that include the use of prescribed fire and improve water supply or water quality.
    - v) \$50 million to CAL FIRE to provide funding to fire safe councils, nongovernmental organizations with demonstrated expertise, and resource conservation districts for the purchase of large equipment necessary to conduct fuel reduction and forest health projects.
    - vi) \$75 million to the Sierra Nevada Conservancy for forest health and watershed improvement.
    - vii) \$50 million to the Air Resources Board to convert forest and other

- vegetation waste removed for wildfire mitigation to beneficial uses that maximize the reductions in GHG emission reductions.
- viii) \$50 million to the Department of Parks and Recreation (State Parks) to plan for and implement projects to reduce the risks of fire and for the fire hardening of infrastructure for units of the state park system.
- b) \$1.1 billion for the protection of coastal lands, bays, and oceans from climate risks, as follows:
- i) \$300 million to the State Coastal Conservancy (SCC) for projects to protect, restore, and increase the resilience of beaches, bays, coastal dunes, wetlands, coastal forests, and coastal watershed resources.
  - ii) \$150 million to the SCC for competitive grants for demonstration and pilot projects that use natural infrastructure to protect critical infrastructure that is vulnerable to sea level rise and flooding.
  - iii) \$100 million to the SCC for grants to remove outdated or obsolete dams and water infrastructure.
  - iv) \$50 million to the California Coastal Commission (CCC) and the San Francisco Bay Conservation and Development Commission for grants for local adaptation planning and updating local coastal programs.
  - v) \$200 million to the Ocean Protection Council (OPC) for the protection of coastal lands, bays, and oceans from climate risks.
  - vi) \$200 million to either the SCC, the Department of Fish and Wildlife (DFW), the State Water Resources Control Board (SWRCB), or the OPC for competitive grants to restore or enhance coastal and ocean ecosystems.
  - vii) \$50 million to State Parks to plan for and implement projects to reduce the risks of sea level rise for units of the state park system.
- c) \$1.355 billion for the protection of California’s water supplies from multiyear droughts, reducing flood risk from extreme events and providing safe drinking water, as follows:
- i) \$395 million to the Department of Water Resources for competitive grants for projects that support sustainable groundwater implementation.
  - ii) \$360 million to the SWRCB for competitive grants or loans to help provide clean, safe, and reliable drinking water to all Californians.
  - iii) \$400 million for the protection and restoration of rivers, lakes, and streams to improve climate resilience, water supplies, water quality, and other benefits.
  - iv) \$150 million for flood management projects that are components of multiple benefit flood management system improvements that reduce risks to public safety and provide improvement to wildlife habitat.
  - v) \$50 million to the Central Valley Flood Protection Board for further development of the State Plan of Flood Control.
- d) \$1.3 billion for the protection of California’s wildlife, biodiversity, fisheries, and

working and agricultural lands from climate risks, as follows:

- i) \$400 million to the Wildlife Conservation Board (WCB) for the protection of California’s fish and wildlife resources in response to changing climate conditions.
  - ii) \$100 million to the WCB for groundwater sustainability projects that provide wildlife habitat.
  - iii) \$100 million to the DFW to improve the climate resilience of fish and wildlife habitat.
  - iv) \$500 million to the NRA for allocation to the state’s 10 conservancies based on each conservancy’s climate resiliency plan.
  - v) \$150 million to the Department of Food and Agriculture (DFA) for improvements in climate resilience of agricultural lands and ecosystem health.
  - vi) \$50 million to the Department of Conservation for projects for the protection, restoration, and enhancement of farmland and rangeland.
- e) \$1.6 billion for climate resilience projects tailored to the state’s unique regions.
- 10) Establishes the Wildfire Prevention, Safe Drinking Water, Climate Resilience, Drought Preparation and Flood Protection committee (Committee) consisting of the Director of Finance, the Treasurer, the Controller, and the Secretary of the NRA.
- 11) Requires the Committee to determine whether or not it is necessary or desirable to issue bonds authorized by this bill and, if so, the amount of bonds to be issued and sold.
- 12) Requires this bill be submitted by the Secretary of State (SOS) to the voters in the November 3, 2020, statewide general election. Suspends the deadline for adoption of this bill to be placed on the November 3, 2020 election.
- 13) Declares that this bill is to take effect immediately as an urgency statute.

**Impacts on South Coast AQMD’s Mission, Operations or Initiatives:** This bill represents an opportunity to generate much needed air quality incentive funding that can help reduce criteria pollutant and toxic air contaminant emissions, protect public health, and facilitate attainment of federal air quality standards within the South Coast region.

**Recommended Position: SUPPORT IF AMENDED**

**South Coast AQMD suggested Amendments:**

Of the funds made available pursuant to Section\_\_\_\_\_, five hundred million dollars (\$500,000,000) shall be made available to the California Air Resources Board to fund local air district administered projects to mitigate the impacts of climate change on air quality by reducing greenhouse gases, toxics, and criteria pollutant emissions. The California Air Resources Board shall provide the funding to local air quality management districts and air pollution control districts (Air Districts). Air Districts shall use the funds to implement projects pursuant to any of the following programs, with priority for projects in disadvantaged communities: the Carl Moyer Memorial Air Quality Standards Attainment

Program (Ch. 9 (commencing with Sec. 44275). Pt. 5, Div. 26, H. & S.C.), incentivizing clean trucks in accordance with the California Air Resources Board’s Proposition 1B Guidelines relative to funding amounts and truck evaluation, and other related incentive programs that reduce air pollution.

AMENDED IN ASSEMBLY JUNE 4, 2020

AMENDED IN ASSEMBLY MAY 18, 2020

AMENDED IN ASSEMBLY MAY 4, 2020

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

**ASSEMBLY BILL**

**No. 3256**

**Introduced by Assembly Members Eduardo Garcia, Bloom, Bonta,  
Friedman, Cristina Garcia, Mullin, Reyes, and Wood  
(Coauthors: Assembly Members Eggman and Robert Rivas)**

February 21, 2020

An act to add Division 47 (commencing with Section 80200) to the Public Resources Code, relating to an economic recovery, wildfire prevention, safe drinking water, drought preparation, and flood protection program, by providing the funds necessary therefor through an election of the issuance and sale of bonds of the State of California and for the handling and disposition of those ~~funds~~ *funds, and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 3256, as amended, Eduardo Garcia. Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.

The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, approved by the voters as Proposition 68 at the June 5, 2018, statewide direct primary election, authorizes the issuance of bonds in the amount of \$4,000,000,000 pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program.

This bill would enact the Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$6,980,000,000 pursuant to the State General Obligation Bond Law to finance projects for an economic recovery, wildfire prevention, safe drinking water, drought preparation, and flood protection program.

This bill would provide for the submission of these provisions to the voters at the November 3, 2020, statewide general election.

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

Vote:  $\frac{2}{3}$ . 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 people of California find and declare all of  
2 the following:

3 (a) The climate crisis presents a significant threat to the health,  
4 safety, and prosperity of the people of California. The changing  
5 climate increases the risk of extreme weather events, biodiversity  
6 loss, catastrophic wildfire, and sea level rise, resulting in harm to  
7 California’s agricultural industry, water supply, unique ecosystems,  
8 and economy.

9 (b) According to the state’s Fourth Climate Change Assessment,  
10 “[e]merging findings for California show that costs associated with  
11 direct climate impacts by 2050 are dominated by human mortality,  
12 damages to coastal properties, and the potential for droughts and  
13 mega-floods.”

14 (c) Improving climate resiliency will require investments in  
15 planning and both capital- and non-capital costs.

16 (d) Strategic restoration and stewardship of California’s natural  
17 infrastructure will increase the state’s resilience to the changing  
18 climate and can prevent or reduce many of the forecasted impacts  
19 of climate change.

20 (e) State investments to improve climate resiliency must reflect  
21 the varying type and severity of climate impacts across the state.  
22 Already vulnerable communities often face greater risks from  
23 climate change.



1 (f) Planning, investment, and action to address current and future  
2 climate change impacts must be guided by the best available  
3 science, including local and traditional knowledge.

4 (g) Investment in transformative, cost-effective, and  
5 evidence-based projects that increase the state’s resilience to  
6 climate change will protect the lives of all Californians, conserve  
7 our unique ecosystems, and save billions of dollars by preventing  
8 or reducing damage that may otherwise occur.

9 (h) Climate risks and impacts vary by region and can overwhelm  
10 the resources of local governments and communities that must  
11 cope with changing conditions and severe climate change-related  
12 events.

13 (i) An integrated statewide investment that prevents wildfires  
14 and other natural disasters, reduces near-term climate change risks,  
15 and increases long-term resilience to climate change will save local  
16 and state agencies and California residents billions of dollars by  
17 preventing or reducing the amount of damage that would otherwise  
18 occur.

19 (j) The investment of public funds pursuant to Division 47  
20 (commencing with Section 80200) of the Public Resources Code  
21 will result in public benefits that will address the most critical  
22 statewide needs and priorities for public funding while saving local  
23 and state agencies billions of dollars.

24 SEC. 2. Division 47 (commencing with Section 80200) is added  
25 to the Public Resources Code, to read:

26  
27 DIVISION 47. ECONOMIC RECOVERY, WILDFIRE  
28 PREVENTION, SAFE DRINKING WATER, DROUGHT  
29 PREPARATION, AND FLOOD PROTECTION BOND ACT OF  
30 2020

31  
32 CHAPTER 1. GENERAL PROVISIONS

33  
34 80200. This division shall be known, and may be cited, as the  
35 Economic Recovery, Wildfire Prevention, Safe Drinking Water,  
36 Drought Preparation, and Flood Protection Bond Act of 2020.

37 80201. (a) In expending funds pursuant to this division, an  
38 administering state agency shall give priority to projects that  
39 leverage private, federal, and local funding or produce the greatest  
40 public benefit.

1 (b) A project funded pursuant to this division shall include  
2 signage informing the public that the project received funding from  
3 the Economic Recovery, Wildfire Prevention, Safe Drinking Water,  
4 Drought Preparation, and Flood Protection Bond Act of 2020.

5 80202. For purposes of this division, the following definitions  
6 apply:

7 (a) “Air board” means the State Air Resources Board.

8 (b) “Committee” means the Economic Recovery, Wildfire  
9 Prevention, Safe Drinking Water, Drought Preparation, and Flood  
10 Protection Bond Finance Committee created pursuant to Section  
11 80282.

12 (c) “Fund” means the Economic Recovery, Wildfire Prevention,  
13 Safe Drinking Water, Drought Preparation, and Flood Protection  
14 Fund created pursuant to Section 80209.

15 (d) “Groundwater sustainability agency” has the same meaning  
16 as defined in Section 10721 of the Water Code.

17 (e) “Interpretation” includes, but is not limited to, a  
18 visitor-serving amenity that enhances the ability to understand and  
19 appreciate the significance and value of natural, historical, and  
20 cultural resources and that may use educational materials in  
21 multiple languages, digital information in multiple languages, and  
22 the expertise of a naturalist or other skilled specialist.

23 (f) “Natural infrastructure” means natural ecological systems  
24 or processes that reduce vulnerability to climate change-related  
25 hazards, or other related climate change effects, while increasing  
26 the long-term adaptive capacity of coastal and inland areas by  
27 perpetuating or restoring ecosystem services. “Natural  
28 infrastructure” includes, but is not limited to, the conservation,  
29 preservation, or sustainable management of any form of aquatic  
30 or terrestrial vegetated open space, such as beaches, dunes, tidal  
31 marshes, reefs, seagrass, parks, rain gardens, and urban tree  
32 canopies. “Natural infrastructure” also includes systems and  
33 practices that use or mimic natural processes, such as permeable  
34 pavements, bioswales, and other engineered systems, such as levees  
35 that are combined with restored natural systems, to provide clean  
36 water, conserve ecosystem values and functions, and provide a  
37 wide array of benefits to people and wildlife.

38 (g) “Nonprofit organization” means a nonprofit corporation  
39 qualified to do business in California and qualified under Section  
40 501(c)(3) of the Internal Revenue Code.

1 (h) “Socially disadvantaged farmers and ranchers” has the same  
2 meaning as defined in Section 512 of the Food and Agricultural  
3 Code.

4 (i) “Tribe” means a California native American tribe that appears  
5 on the California Tribal Consultation List maintained by the Native  
6 American Heritage Commission.

7 (j) “Water board” means the State Water Resources Control  
8 Board.

9 (k) “Water Resilience Portfolio” means a suite of recommended  
10 actions by the Natural Resources Agency, the California  
11 Environmental Protection Agency, and the Department of Food  
12 and Agriculture to help the state cope with more extreme droughts  
13 and floods, rising temperatures, declining fish populations, aging  
14 infrastructure, and other challenges.

15 80203. An amount that equals not more than 5 percent of the  
16 funds allocated for a program funded pursuant to this division may  
17 be used to pay the administrative costs of that program.

18 80204. (a) The Department of Finance shall provide for an  
19 independent audit of expenditures pursuant to this division. The  
20 Secretary of the Natural Resources Agency shall publish a list of  
21 all program and project expenditures pursuant to this division not  
22 less than annually, in written form, and shall post an electronic  
23 form of the list on the agency’s internet website in a downloadable  
24 spreadsheet format. The spreadsheet shall include information  
25 about the location and footprint of each funded project, the  
26 project’s objectives, the status of the project, anticipated outcomes,  
27 any matching moneys provided for the project by the grant  
28 recipient, and the applicable chapter of this division pursuant to  
29 which the grant recipient received moneys.

30 (b) If an audit, required by statute, of any entity that receives  
31 funding authorized by this division is conducted pursuant to state  
32 law and reveals any impropriety, the California State Auditor or  
33 the Controller may conduct a full audit of any or all of the activities  
34 of that entity.

35 (c) The state agency issuing any grant with funding authorized  
36 by this division shall require adequate reporting of the expenditures  
37 of the funding from the grant.

38 (d) The costs associated with the publications, audits, statewide  
39 bond tracking, cash management, and related oversight activities  
40 provided for in this section shall be funded from this division.

1 These costs shall be shared proportionally by each program through  
2 this division. Actual costs incurred to administer nongrant programs  
3 authorized by this division shall be paid from the funds authorized  
4 in this division.

5 80205. If any moneys allocated pursuant to this division are  
6 not encumbered or expended by the recipient entity within the time  
7 period specified by the administering state agency, the unexpended  
8 moneys shall revert to the administering state agency for allocation  
9 consistent with the applicable chapter.

10 80206. A state agency that receives funding to administer a  
11 grant program under this division shall report to the Legislature  
12 annually in the budget on its expenditures pursuant to this division  
13 and the public benefits received from those expenditures.

14 80207. Funds provided pursuant to this division, and any  
15 appropriation or transfer of those funds, shall not be deemed to be  
16 a transfer of funds for the purposes of Chapter 9 (commencing  
17 with Section 2780) of Division 3 of the Fish and Game Code.

18 80208. For grants awarded for projects under this division, the  
19 administering state agency may provide advanced payments in the  
20 amount of 25 percent of the grant award to the recipient, including  
21 state-related entities, to initiate the project in a timely manner. The  
22 administering state agency shall adopt additional requirements for  
23 the recipient of the grant regarding the use of the advanced  
24 payments to ensure that the moneys are used properly.

25 80209. (a) The proceeds of bonds issued and sold pursuant to  
26 this division, exclusive of refunding bonds issued and sold pursuant  
27 to Section 80292, shall be deposited in the Economic Recovery,  
28 Wildfire Prevention, Safe Drinking Water, Drought Preparation,  
29 and Flood Protection Fund, which is hereby created in the State  
30 Treasury. Moneys in the fund shall be available, upon appropriation  
31 by the Legislature, for purposes of this division.

32 (b) Proceeds of bonds issued and sold pursuant to this division  
33 shall be allocated according to the following schedule:

34 (1) One billion six hundred twenty-five million dollars  
35 (\$1,625,000,000) for wildfire prevention and climate risk reduction,  
36 in accordance with Chapter 2 (commencing with Section 80220).

37 (2) One billion one hundred million dollars (\$1,100,000,000)  
38 for the protection of coastal lands, bays, and oceans from climate  
39 risks, in accordance with Chapter 3 (commencing with Section  
40 80230).

1 (3) One billion three hundred fifty-five million dollars  
2 (\$1,355,000,000) for the protection of California’s water supplies  
3 from multiyear droughts, reducing flood risk from extreme events,  
4 and providing safe drinking water, in accordance with Chapter 4  
5 (commencing with Section 80240).

6 (4) One billion three hundred million dollars (\$1,300,000,000)  
7 for the protection of California’s wildlife, biodiversity, fisheries,  
8 and working and agricultural lands from climate risks, in  
9 accordance with Chapter 5 (commencing with Section 80260).

10 (5) One billion six hundred million dollars (\$1,600,000,000)  
11 for regional climate resilience projects that address multiple risks,  
12 in accordance with Chapter 6 (commencing with Section 80270).

13 80210. The Legislature may enact legislation necessary to  
14 implement programs funded by this division.

15  
16 CHAPTER 2. WILDFIRE PREVENTION AND CLIMATE RISK  
17 REDUCTION  
18

19 80220. For purposes of this chapter, the following definitions  
20 apply:

21 (a) “Risk reduction buffer” means community design measures  
22 that integrate greenspaces or open spaces that are managed to  
23 reduce the spread of wildfires, and are located either between the  
24 structures and the wildlands or are strategically interspersed among  
25 the structures in a community to reduce structure vulnerability to  
26 wildfire risks. Risk reduction buffers shall be designed to provide  
27 additional benefits that may include shelter from natural disasters,  
28 recreation, habitat, storm water capture, and active transportation.

29 (b) “Structure hardening” means the installation, replacement,  
30 or retrofitting of building materials, systems, or assemblies used  
31 in the exterior design and construction of existing nonconforming  
32 structures with features that are in compliance with Chapter 7A  
33 (commencing with Section 701A.1) of Title 24 of the California  
34 Code of Regulations, or any appropriate successor regulatory code  
35 with the primary purpose of reducing risk to structures from  
36 wildfire or conforming to the low-cost retrofit list, and updates to  
37 that list, developed pursuant to paragraph (1) of subdivision (c) of  
38 Section 51189 of the Government Code.

39 80220.5. The sum of one billion six hundred twenty-five  
40 million dollars (\$1,625,000,000) shall be available, upon

1 appropriation by the Legislature, for the prevention and reduction  
2 in the risk of wildfires to lives, properties, and natural resources.  
3 The goals of this chapter shall be the following:

4 (a) The creation of risk reduction buffer between communities  
5 and the wildland.

6 (b) The creation of strong local fire safe planning and risk  
7 reduction work to improve community fire resilience.

8 (c) The improvement of forest and other habitat health to reduce  
9 the risk of fire, reduce fire intensity, and restore historic ecosystem  
10 function while improving water supply and water quality.

11 (d) The creation of cost-effective efforts to complete community  
12 and structure hardening projects that target entire neighborhoods  
13 or communities.

14 80221. (a) Of the funds made available by Section 80220.5,  
15 five hundred million dollars (\$500,000,000) shall be available to  
16 the Office of Emergency Services, in coordination and conjunction  
17 with the Department of Forestry and Fire Protection, for a  
18 prehazard mitigation grant program. The grant program shall be  
19 allocated to assist local and state agencies to leverage additional  
20 funds, including matching grants from federal agencies. The grant  
21 program shall fund efforts that include providing loans, rebates,  
22 direct assistance, and matching funds that prevent wildfires and  
23 reduce the risk of wildfires to communities, increasing community  
24 hardening. Eligible projects include, but are not limited to, the  
25 following:

26 (1) Grants to local agencies, state agencies, joint powers  
27 authorities, and tribes for projects that reduce wildfire risks to  
28 people and property consistent with an approved community  
29 wildfire protection plan.

30 (2) Grants to local agencies, state agencies, joint power  
31 authorities, tribes, resource conservation districts, fire safe councils,  
32 and nonprofit organizations for hardening of critical community  
33 infrastructure, evacuation centers, hardening projects that reduce  
34 the risk of wildfire for entire neighborhoods and communities, risk  
35 reduction buffers, and incentives to remove structures that  
36 significantly increase hazard risk.

37 (b) The Office of Emergency Services and the Department of  
38 Forestry and Fire Protection shall prioritize prehazard mitigation  
39 grant funding applications from local agencies based on the “Fire

1 Risk Reduction Community” list, upon development of that list,  
2 pursuant to Section 4290.1.

3 (c) The Office of Emergency Services and the Department of  
4 Forestry and Fire Protection shall provide technical assistance to  
5 disadvantaged communities, vulnerable populations, including  
6 those with access and functional needs, at-risk infrastructure,  
7 socially disadvantaged farmers or ranchers, and economically  
8 distressed areas to ensure the grant program reduces the  
9 vulnerability of those most in need.

10 80222. Of the funds made available by Section 80220.5, one  
11 billion twenty-five million dollars (\$1,025,000,000) shall be made  
12 available to the Natural Resources Agency and to its departments,  
13 boards, and conservancies for projects and grants to improve local  
14 fire prevention capacity, improve forest health and resiliency, and  
15 reduce the risk of wildfire spreading into populated areas from  
16 wildlands. Where appropriate, projects may include activities on  
17 lands owned by the United States. The funding made available by  
18 this section shall be allocated as follows:

19 (a) Three hundred million dollars (\$300,000,000) shall be made  
20 available to the Regional Fire and Forest Capacity Program to  
21 increase regional capacity to prioritize, develop, and implement  
22 projects that improve forest health and fire resilience, facilitate  
23 greenhouse gas emissions reductions, and increase carbon  
24 sequestration in forests throughout California. The funding shall  
25 be allocated based, to the extent feasible, on the findings of the  
26 review of the regional capacity required by Section 4123.7.

27 (b) Three hundred million dollars (\$300,000,000) shall be made  
28 available to the Department of Forestry and Fire Protection to  
29 support various long-term forest health projects, including  
30 reforestation; conservation easements; activities that promote  
31 long-term carbon storage; and upper watershed, riparian, mountain  
32 meadow, and inland wetland restoration. Projects shall reflect the  
33 concurrence of the Department of Fish and Wildlife and the water  
34 board, respectively, when a project may affect their statutory  
35 jurisdiction and shall be consistent with Section 4799.05.

36 (c) Three hundred million dollars (\$300,000,000) shall be made  
37 available to forests and other habitats, including, but not limited  
38 to, redwoods, conifers, oak woodlands, chaparral, deserts, and  
39 coastal forest watershed improvement projects that include the use  
40 of prescribed fire and improve water supply or water quality.

1 Projects shall include the restoration of natural ecosystem functions  
2 in high fire hazard areas and provide multiple benefits including,  
3 but not be limited to, habitat protection, science-based fuel  
4 reduction, watershed protection, carbon sequestration, protection  
5 of older fire-resistant trees, and improved forest health. The Natural  
6 Resources Agency shall require a contribution of matching funds  
7 or in-kind work, as determined appropriate, from beneficiaries of  
8 the watershed, which may include, but not limited to, water  
9 districts, public utilities, local agencies, or private users. As a  
10 condition of funds granted pursuant to this section, the Natural  
11 Resources Agency shall ensure long-term benefits for projects  
12 funded pursuant to this subdivision, including an ongoing  
13 commitment to future maintenance and a commitment to long-term  
14 increases in carbon sequestration.

15 (d) Fifty million dollars (\$50,000,000) shall be made available  
16 to the Department of Forestry and Fire Protection to provide  
17 funding to fire safe councils, nongovernmental organizations with  
18 demonstrated expertise, and resource conservation districts for the  
19 purchase of large equipment necessary to conduct fuel reduction  
20 and forest health projects. The department shall develop funding  
21 guidelines to ensure the equipment purchased receives necessary  
22 maintenance by the owner, is used appropriately by trained  
23 operators, provides public benefits, and is made available for fuel  
24 reduction and forest health projects in a cost-effective manner.  
25 Eligible equipment may include equipment for biomass utilization  
26 and shall have a durability suitable for capital expenditure.

27 (e) Seventy-five million dollars (\$75,000,000) shall be made  
28 available to the Sierra Nevada Conservancy for purposes of  
29 watershed improvement, forest health, biomass utilization, and  
30 forest restoration workforce development. Seventy percent of the  
31 funds made available by this subdivision shall be made available  
32 to the Sierra Nevada Watershed Improvement Program created by  
33 Section 33345.1.

34 80223. Of the funds made available by Section 80220.5, not  
35 less than fifty million dollars (\$50,000,000) shall be allocated to  
36 the air board, in consultation with the Natural Resources Agency  
37 and the Department of Forestry and Fire Protection, to incentivize  
38 new projects in California that provide long-term capital  
39 infrastructure to convert forest and other vegetation waste removed  
40 for wildfire mitigation to beneficial uses that maximize reductions



1 in the emissions of greenhouse gases, provide local benefits for  
2 air quality, and help to increase local community resilience against  
3 climate change impacts.

4 80224. Of the funds made available by Section 80220.5, fifty  
5 million dollars (\$50,000,000) shall be available to the Department  
6 of Parks and Recreation to plan for and implement projects to  
7 reduce the risks of fire and for the fire hardening of infrastructure  
8 for units of the state park system.

9 80225. To the extent feasible, a project whose application  
10 includes the use of services of the California Conservation Corps  
11 or certified community conservation corps, as defined in Section  
12 14507.5, shall be given preference for receipt of a grant under this  
13 division.

14

15 CHAPTER 3. PROTECTING COASTAL LANDS, BAYS, AND OCEANS  
16 FROM SEA LEVEL RISE AND OTHER CLIMATE RISKS

17

18 80230. The sum of one billion one hundred million dollars  
19 (\$1,100,000,000) shall be available, upon appropriation by the  
20 Legislature, for the protection and restoration of coastal and ocean  
21 resources from sea level rise, ocean acidification, and other impacts  
22 of climate change. The goal of this chapter is to provide funding  
23 for projects that slow the impacts of sea level rise, especially in  
24 combination with storm surges, with nature-based solutions;  
25 increase the ability of the ocean and coastal systems to capture  
26 and store carbon dioxide; and support sustainable fisheries.

27 80231. (a) Eligible projects under this chapter include, but are  
28 not limited to, projects to protect, restore, and increase the  
29 resilience of coastal and ocean ecosystems, such as beaches, bluffs,  
30 grasslands, chaparral, shrublands, forests, waters, coastal  
31 watersheds, wetlands, natural resources, fisheries, estuarine habitat,  
32 kelp forests, seagrass and eelgrass habitat, and wildlife in coastal  
33 areas. Projects may address the protection and resilience of public  
34 recreation and public access facilities.

35 (b) The following criteria shall be used for projects under this  
36 chapter:

37 (1) Projects shall leverage local, nonbond state, federal, or  
38 private funding of at least 50 percent for infrastructure projects.

39 (2) Projects should prioritize natural infrastructure. For projects  
40 with multiple benefits to water supply, water quality, wildlife, and

1 biodiversity, a match of at least 25 percent from local, state, federal,  
2 or private funding is required.

3 (3) Projects leveraging ongoing state funding for carbon  
4 sequestration, transportation, general funds shall be given priority.

5 (4) Up to 10 percent of project costs may be used for project  
6 planning.

7 (5) Projects are required to demonstrate ongoing monitoring  
8 and scientific review. Up to 5 percent of project funds may be used  
9 for this purpose.

10 80232. (a) Of the funds made available by Section 80230, the  
11 sum of six hundred million dollars (\$600,000,000) shall be  
12 available to the State Coastal Conservancy, the California Coastal  
13 Commission, and the San Francisco Bay Conservation and  
14 Development Commission.

15 (b) Of the funds made available by subdivision (a), three  
16 hundred million dollars (\$300,000,000) shall be available to the  
17 State Coastal Conservancy for projects to protect, restore, and  
18 increase the resilience of beaches, bays, coastal dunes, wetlands,  
19 coastal forests, and coastal watershed resources pursuant to  
20 Division 21 (commencing with Section 31000), including land  
21 acquisition, or conservation easements on, land in or adjacent to  
22 the California coastal zone with open space, recreational,  
23 biological, cultural, scenic, or agricultural values, or lands adjacent  
24 to marine protected areas, including marine conservation areas,  
25 whose preservation will contribute to the ecological quality of  
26 those marine protected areas.

27 (c) Of the funds made available by subdivision (a), one hundred  
28 fifty million dollars (\$150,000,000) shall be available to the State  
29 Coastal Conservancy for competitive grants for demonstration and  
30 pilot projects that use natural infrastructure to protect critical  
31 infrastructure that is vulnerable to sea level rise and flooding.

32 (d) Of the funds made available by subdivision (a), one hundred  
33 million dollars (\$100,000,000) shall be available to the State  
34 Coastal Conservancy for grants to remove outdated or obsolete  
35 dams and water infrastructure. Up to 25 percent of the funds made  
36 available in this subdivision may be awarded for the public benefits  
37 associated with updating outdated dams and water infrastructure.

38 (e) Of the funds made available by subdivision (a), the sum of  
39 thirty million dollars (\$30,000,000) shall be available to the  
40 California Coastal Commission for grants for local adaptation

1 planning and updating local coastal programs and twenty million  
2 dollars (\$20,000,000) shall be available to the San Francisco Bay  
3 Conservation and Development Commission for coastal planning  
4 and projects within its jurisdiction.

5 80233. (a) Of the funds made available by Section 80230, the  
6 sum of two hundred million dollars (\$200,000,000) shall be  
7 available to the Ocean Protection Council.

8 (b) Of the amount made available by subdivision (a), one  
9 hundred million dollars (\$100,000,000) shall be available for  
10 deposit into the California Ocean Protection Trust Fund for  
11 competitive grants consistent with Section 35650. Priority shall  
12 be given to projects that assist coastal communities, including  
13 those reliant on commercial fisheries, with adaptation to climate  
14 change, including projects that address ocean acidification,  
15 increasing ocean temperatures, sea level rise, and habitat restoration  
16 and protection.

17 (c) Of the funds made available by subdivision (a), fifty million  
18 dollars (\$50,000,000) shall be available for projects that increase  
19 the ability of the ocean and coastal ecosystems to capture,  
20 sequester, and store carbon dioxide.

21 80234. Of the funds made available by Section 80230, two  
22 hundred fifty million dollars (\$250,000,000) shall be available to  
23 the Natural Resources Agency and its departments, boards, and  
24 conservancies or the Ocean Protection Council for competitive  
25 grants to restore or enhance coastal and ocean ecosystems. No less  
26 than 50 percent of the funds allocated by this subdivision shall be  
27 for competitive grants for projects that use nature-based solutions  
28 to address climate change impacts to California's ocean and coastal  
29 ecosystems, including, but not limited to, wetlands, estuarine  
30 habitat, kelp forests, seagrass habitat, eelgrass beds, and the state's  
31 system of marine protected areas. Grant programs may be  
32 administered by the State Coastal Conservancy, the Department  
33 of Fish and Wildlife, the water board, or the Ocean Protection  
34 Council. The administering agency shall coordinate with all  
35 relevant state agencies, and relevant local, regional, and state  
36 conservancies.

37 80235. Of the funds made available by Section 80230, fifty  
38 million dollars (\$50,000,000) shall be available to the Department  
39 of Parks and Recreation to plan for and implement projects to  
40 reduce the risks of sea level rise for units of the state park system.

1 80236. Projects funded pursuant to this chapter shall be  
 2 consistent with climate and sea level rise policies and guidelines  
 3 established by the California Coastal Commission, the Ocean  
 4 Protection Council, the San Francisco Bay Conservation and  
 5 Development Commission, and the State Coastal Conservancy, if  
 6 applicable.

7  
 8 CHAPTER 4. PROTECTING CALIFORNIA’S WATER SUPPLY  
 9 DURING DROUGHT, ENHANCING THE STATE’S FLOOD PROTECTION,  
 10 AND ENSURING SAFE DRINKING WATER  
 11

12 80240. The sum of one billion three hundred fifty-five million  
 13 dollars (\$1,355,000,000) shall be available, upon appropriation by  
 14 the Legislature, for climate resilience related to the delivery of  
 15 water.

16 80241. Projects funded under this chapter shall ensure access  
 17 to safe drinking water and water supply in multiyear droughts, and  
 18 provide for protection from flood risks, especially risks that are  
 19 magnified by sea level rise, storm surges, and increased intensity  
 20 atmospheric rivers.

21 80242. (a) Before disbursing grants under this chapter, each  
 22 state agency that receives funding to administer a competitive grant  
 23 program under this division shall develop and adopt project  
 24 solicitation and evaluation guidelines. The guidelines shall include  
 25 monitoring and reporting requirements and may include a limitation  
 26 on the dollar amount of grants to be awarded. If the state agency  
 27 has previously developed and adopted project solicitation and  
 28 evaluation guidelines that comply with the requirements of this  
 29 section, it may use those guidelines.

30 (b) Guidelines adopted pursuant to subdivision (a) shall  
 31 encourage, where feasible, the inclusion of the following project  
 32 components:

- 33 (1) Efficient use and conservation of water supplies.
- 34 (2) The capture of stormwater to reduce stormwater runoff,  
 35 reduce water pollution, or recharge groundwater supplies, or a  
 36 combination thereof.
- 37 (3) Provision of safe and reliable drinking water supplies to  
 38 park and open-space visitors, and state fairgrounds that serve as  
 39 emergency evacuation facilities.

1 (4) Support to groundwater sustainability agencies for regional  
2 ground water sustainability.

3 (5) Increased climate resilience for wildlife and fish species.

4 80243. (a) Nothing in this chapter determines or alters water  
5 rights or water right priorities.

6 (b) Funds provided by this chapter shall not be used to acquire  
7 land via eminent domain.

8 80244. An eligible applicant under this chapter is a public  
9 agency, joint powers authority, nonprofit organization, public  
10 utility, tribe, or mutual water company. To be eligible for funding  
11 under this chapter, a project proposed by a public utility that is  
12 regulated by the Public Utilities Commission or a mutual water  
13 company shall have a clear and definite public purpose and shall  
14 benefit the customers of the water system and not the investors.

15 80245. Of the funds made available by Section 80240, three  
16 hundred ninety-five million dollars (\$395,000,000) shall be  
17 available to the Department of Water Resources in collaboration  
18 with the water board, upon appropriation by the Legislature, for  
19 competitive grants for projects that support sustainable groundwater  
20 management implementation. These funds are dedicated to  
21 supporting local groundwater sustainability agencies implementing  
22 projects and programs related to the groundwater sustainability  
23 plans for critically overdrafted basins. This includes projects with  
24 multiple benefits that encourage redundancy in the regional water  
25 system, groundwater recharge, including infrastructure projects,  
26 and interties. Funding allocated pursuant to this section shall  
27 support the regional approach identified in the Water Resilience  
28 Portfolio and shall be used for comprehensive regional projects  
29 that include water efficiency, water infrastructure, flood control,  
30 and groundwater recharge. Projects shall demonstrate multiple  
31 water resilience benefits.

32 80246. Of the funds made available by Section 80240, three  
33 hundred sixty million dollars (\$360,000,000) shall be available to  
34 the water board, upon appropriation by the Legislature, for  
35 competitive grants or loans for the purposes described in Chapter  
36 5 (commencing with Section 79720) of Division 26.7 of the Water  
37 Code to help provide clean, safe, and reliable drinking water to all  
38 Californians.

39 80247. Of the funds made available by Section 80240, four  
40 hundred million dollars (\$400,000,000) shall be available to the

1 Natural Resources Agency and its departments, boards, and  
2 conservancies for the protection and restoration of rivers, lakes,  
3 and streams to improve climate resilience, water supplies, water  
4 quality, and other benefits. To the extent feasible, preference shall  
5 be given to natural infrastructure projects. Eligible projects include,  
6 but are not limited to, any of the following:

7 (a) Multiple benefit river and urban stream parkway projects  
8 that protect and restore riparian habitats, improve climate resilience,  
9 enhance natural drainages, protect and restore watersheds, and  
10 provide urban access, including for statewide obligations involving  
11 multistate agreements.

12 (b) At least 60 percent of the funds shall be available to the  
13 Natural Resources Agency for capital outlay projects that provide  
14 air quality and habitat benefits and that implement state obligations  
15 in arid, desert areas of the state.

16 80248. (a) Of the funds made available by Section 80240, one  
17 hundred fifty million dollars (\$150,000,000) shall be available for  
18 flood management projects that are components of multiple benefit  
19 flood management system improvements that reduce risks to public  
20 safety and provide improvement to wildlife habitat. Eligible project  
21 types include, but are not limited to, levee setbacks, projects  
22 connecting rivers with flood plains, enhancement of flood plains  
23 and bypasses, offstream groundwater recharge, and land  
24 acquisitions and easements necessary for these project types. To  
25 the extent feasible, project selection shall be guided by approved  
26 local hazard mitigation plans and preference shall be given to  
27 natural infrastructure projects. Eligible projects include any of the  
28 following:

29 (1) Multiple benefit flood management projects that reduce the  
30 impacts of climate change on inland or coastal infrastructure,  
31 communities, or ecosystems, and provide ecosystem, wildlife, or  
32 groundwater recharge benefits.

33 (2) Natural infrastructure projects to reduce flood intensity and  
34 slow watershed runoff.

35 (3) Projects that capture, clean, or otherwise productively use  
36 stormwater.

37 (4) Projects that provide matching grants for, or otherwise  
38 leverage funding from, the Federal Emergency Management  
39 Agency, the United States Army Corps of Engineers, or other  
40 federal mitigation and resilience funding.

1 (5) Projects that provide benefits to fish, waterfowl, wildlife,  
2 and anadromous and other native fish species along migratory  
3 corridors.

4 (6) Projects that restore streams to a more natural state by  
5 removing drainage obstructions, culverts, and paved channels to  
6 enable more stormwater to be absorbed and gradually released by  
7 soil and plants.

8 (b) Of the funds made available pursuant to this section, at least  
9 fifty million dollars (\$50,000,000) shall be allocated for multiple  
10 benefit flood management projects in urban coastal watersheds.

11 80249. Of the funds made available by Section 80240, fifty  
12 million dollars (\$50,000,000) shall be available to the Central  
13 Valley Flood Protection Board for further development of the State  
14 Plan of Flood Control, including the San Joaquin River and  
15 Sacramento Valley flood risk management plans. The Central  
16 Valley Flood Protection Board shall ensure equitable distribution  
17 of funds.

18 80250. To the extent feasible, a project that includes water  
19 efficiencies, stormwater capture for infiltration or reuse, or carbon  
20 sequestration features in the project design may be given priority  
21 for grant funding under this chapter.

22 80251. Moneys allocated by this chapter shall not be used to  
23 fulfill any environmental mitigation requirements imposed by law,  
24 including paying for the costs of the design, construction, operation,  
25 mitigation, or maintenance of Delta conveyance facilities. Those  
26 costs shall be the responsibility of the water agencies that benefit  
27 from the design, construction, mitigation, or maintenance of those  
28 facilities.

29 80252. To the extent feasible, a project whose application  
30 includes the use of services of the California Conservation Corps  
31 or certified community conservation corps, as defined in Section  
32 14507.5, and resource conservation districts, shall be given  
33 preference for receipt of a grant under this chapter.

34  
35 CHAPTER 5. PROTECTING FISH, WILDLIFE, NATURAL AREAS,  
36 WORKING LANDS, AND AGRICULTURE FROM CLIMATE RISKS  
37

38 80260. The sum of one billion three hundred million dollars  
39 (\$1,300,000,000) shall be available, upon appropriation by the

1 Legislature, for the purposes of this chapter. Projects pursuant to  
2 this chapter shall have the goal to do any of the following:

3 (a) Restore natural lands to better maintain ecosystem benefits  
4 as climate conditions change.

5 (b) Enhance fish and wildlife corridors and habitat linkages to  
6 enhance the ability of wildlife to adapt to changing climate  
7 conditions.

8 (c) Protect our farms, ranches, and working lands from changing  
9 climate conditions.

10 80261. (a) Of the funds made available by Section 80260, four  
11 hundred million dollars (\$400,000,000) shall be available to the  
12 Wildlife Conservation Board for the protection of California's fish  
13 and wildlife resources in response to changing climate conditions,  
14 as well as for restoration and stewardship projects that restore or  
15 manage land or habitat to improve its resilience to climate impacts  
16 and natural disasters. Eligible projects include, but are not limited  
17 to, the following:

18 (1) Salmon and other fishery preservation, enhancement, and  
19 habitat restoration projects.

20 (2) Projects to protect and restore wetlands and other fish and  
21 wildlife habitat, including, but not limited to, habitat used by  
22 migratory birds.

23 (3) Projects for the protection and restoration of fish and wildlife  
24 corridors and habitat linkages, the construction or repair of  
25 corridors, and the removal or modification of barriers. Projects  
26 may include planning, monitoring, and data collection necessary  
27 to track movement of wildlife around and across transportation  
28 facilities and to establish the best locations to construct wildlife  
29 crossing features, including fish passage improvements.

30 (4) Land acquisition projects, including, but not limited to, those  
31 that protect land from development or prevent the conversion of  
32 rangeland, grazing land, or grassland to nonagricultural uses.

33 (5) Projects for conservation actions on private lands, including,  
34 but not limited to, incentives, matching grants, and technical  
35 assistance for private landowners to implement conservation  
36 actions.

37 (6) Projects for the protection of threatened and endangered  
38 species, including projects within natural community conservation  
39 plans adopted pursuant to the Natural Community Conservation  
40 Planning Act (Chapter 10 (commencing with Section 2800) of



1 Division 3 of the Fish and Game Code) or habitat conservation  
2 plans. Projects may include land acquisition through either  
3 easement or fee title.

4 (7) Projects that include acquisition of water or water rights  
5 from willing sellers, acquisition of land that includes water rights  
6 or contractual rights to water, and other projects that provide water  
7 for fish and wildlife or improve aquatic or riparian habitat  
8 conditions.

9 (8) Projects for the development and implementation of regional  
10 conservation investment strategies that include climate resilience  
11 elements and are not otherwise funded by the state pursuant to  
12 Section 800 of the Streets and Highways Code.

13 (9) Restoration activities to control or eradicate invasive plants  
14 or insects that degrade wildlife corridors or habitat linkages, inhibit  
15 the recovery of threatened or endangered species, or reduce the  
16 climate resilience of a natural system and its species.

17 (10) Protection and restoration of redwood forests in order to  
18 accelerate old growth characteristics, maximize carbon  
19 sequestration, improve water quality, and build climate resilience.

20 (11) Protection and restoration of oak woodlands pursuant to  
21 Section 1363 of the Fish and Game Code and grasslands pursuant  
22 to Section 10330 of the Public Resources Code.

23 (b) Funding made available by subdivision (a) shall not be used  
24 to offset mitigation obligations otherwise required, but may be  
25 used as part of a funding partnership to enhance, expand, or  
26 augment conservation efforts required by mitigation.

27 80262. Of the funds made available by Section 80260, one  
28 hundred million dollars (\$100,000,000) shall be available to the  
29 Wildlife Conservation Board for groundwater sustainability  
30 projects that provide wildlife habitat. Projects may support  
31 implementation of the Sustainable Groundwater Management Act  
32 (Part 2.74 (commencing with Section 10720) of Division 6 of the  
33 Water Code). Eligible projects include, but are not limited to, the  
34 following:

35 (a) Projects that create, protect, or restore permanent wildlife  
36 habitat.

37 (b) Projects that permanently create, protect, or restore seasonal  
38 wetland habitat that provides aquifer replenishment.

1 (c) Projects that improve groundwater supply, including  
2 groundwater recharge, improved baseflows in rivers and streams,  
3 and groundwater supply improvement for fish and wildlife habitat.

4 (d) (1) Projects that convert land to lesser water use while  
5 maintaining natural and working lands.

6 (2) Any groundwater recharge achieved under this section shall  
7 remain in the basin to improve groundwater conditions. Payments  
8 shall be linked to achievement and delivery of defined conservation  
9 outcomes, the duration of those outcomes, and the commitment  
10 of matching funds.

11 80263. Of the funds made available by Section 80260, one  
12 hundred million dollars (\$100,000,000) shall be available to the  
13 Department of Fish and Wildlife to improve the climate resilience  
14 of fish and wildlife habitat. Eligible projects include, but are not  
15 limited to, the following:

16 (a) Projects on lands managed by the Department of Fish and  
17 Wildlife to reduce the risks of fire, flood, inundation, sea level  
18 rise, and other risks associated with climate change and for the  
19 protection and restoration of infrastructure and natural resources.

20 (b) Competitive grants for projects that enhance or restore inland  
21 or diadromous native fish species habitat. Projects include, but are  
22 not limited to, enhanced stream flows, improved fish passage,  
23 reconnection of riverine and floodplain habitat, and other actions  
24 to help fish adapt to climate change.

25 80264. To the extent feasible in implementing this chapter, a  
26 state agency receiving funding under this chapter shall seek to  
27 achieve wildlife conservation objectives through projects on public  
28 lands or voluntary projects on private lands. Projects on private  
29 lands shall be evaluated based on the durability of the benefits  
30 created by the investment. Funds may be used for payments for  
31 the protection or creation of measurable habitat improvements or  
32 other improvements to the condition of endangered or threatened  
33 species, including through the development and implementation  
34 of habitat credit exchanges.

35 80265. (a) Of the funds made available pursuant to Section  
36 80260, the sum of five hundred million dollars (\$500,000,000)  
37 shall be available to the Natural Resources Agency for  
38 conservancies specified in subdivision (b). The Natural Resources  
39 Agency shall allocate funds according to each conservancy's  
40 governing statutes and funds shall be for climate resilience and

1 reducing the risks of climate change impacts upon communities,  
2 fish and wildlife, and natural resources.

3 (b) The conservancy that are eligible for these funds include  
4 Baldwin Hills Conservancy, State Coastal Conservancy, California  
5 Tahoe Conservancy, Coachella Valley Mountains Conservancy,  
6 Sacramento-San Joaquin Delta Conservancy, San Diego River  
7 Conservancy, San Gabriel and Lower Los Angeles Rivers and  
8 Mountains Conservancy, San Joaquin River Conservancy, Santa  
9 Monica Mountains Conservancy, Sierra Nevada Conservancy, and  
10 any subsequent conservancies approved by the Legislature,  
11 including changes to those conservancies. The State Coastal  
12 Conservancy's allocation shall include projects for its San  
13 Francisco Bay Area Conservancy Program and the Santa Ana  
14 River Conservancy programs.

15 (c) The Natural Resources Agency, in consultation with the  
16 Wildlife Conservation Board, shall allocate funds based on a review  
17 of the strength of the information outlined in each conservancy's  
18 climate resiliency plan required pursuant to Section 80266. The  
19 Natural Resources Agency shall allocate no less than ten million  
20 dollars (\$10,000,000) of the funds made available pursuant to this  
21 section to each conservancy.

22 (d) When allocating funds pursuant to this section, the Natural  
23 Resources Agency shall give preference to all of the following:

- 24 (1) Projects that use natural infrastructure.
- 25 (2) Projects done jointly by more than one conservancy.
- 26 (3) Projects that maximize greenhouse gas reductions.
- 27 (4) Conservancies that provide technical assistance to  
28 disadvantaged communities, vulnerable populations, including  
29 those with access and functional needs, at-risk infrastructure,  
30 socially disadvantaged farmers or ranchers, and economically  
31 distressed areas.

32 (e) On or before March 1, 2021, the Natural Resources Agency  
33 shall develop and provide guidelines for climate resiliency plans  
34 to each conservancy.

35 (f) The Natural Resources Agency shall hold at least one public  
36 workshop before allocating the funds made available pursuant to  
37 this section and shall make information describing the final  
38 allocation publicly available on its internet website.

39 80266. (a) On or before January 1, 2022, the Baldwin Hills  
40 Conservancy, State Coastal Conservancy, California Tahoe

1 Conservancy, Coachella Valley Mountains Conservancy,  
2 Sacramento-San Joaquin Delta Conservancy, San Diego River  
3 Conservancy, San Gabriel and Lower Los Angeles Rivers and  
4 Mountains Conservancy, San Joaquin River Conservancy, Santa  
5 Monica Mountains Conservancy, and Sierra Nevada Conservancy  
6 shall develop a climate resiliency plan that shall be adopted by  
7 each conservancy’s governing board. Each climate resiliency plan  
8 shall do all of the following:

9 (1) Describe how the impacts of climate change relate to the  
10 conservancy’s mission and how they will affect the lands within  
11 its jurisdiction.

12 (2) Describe the conservancy’s past investment and work  
13 addressing the impacts of climate change, reducing greenhouse  
14 gas emissions, and improving climate resiliency.

15 (3) Outline a list of all projects or programs that the conservancy  
16 would propose to fund with an allocation by the Natural Resources  
17 Agency pursuant to Section 80265.

18 (4) Describe the potential benefits of each project or program  
19 in increasing climate resilience and reducing the risks of climate  
20 change impacts upon communities, fish and wildlife, and natural  
21 resources.

22 (b) Each conservancy shall make the climate resiliency plan  
23 available on its internet website and provide the climate resiliency  
24 plan to the Natural Resources Agency.

25 80267. (a) For purposes of this section, “small- and  
26 medium-sized farms” means farms and ranches of 500 acres or  
27 less.

28 (b) Of the funds made available by Section 80260, two hundred  
29 million dollars (\$200,000,000) shall be available, upon  
30 appropriation by the Legislature, for purposes of protecting  
31 California’s agricultural resources, open spaces, and lands from  
32 climate resilience. Projects pursuant to this chapter shall have  
33 climate resiliency goals including:

34 (1) Improving soil health to allow for better water retention,  
35 carbon sequestration, and reduced soil erosion to improve resiliency  
36 from droughts and floods while improving water quality.

37 (2) Improve on-farm water efficiency to improve resiliency  
38 from multiyear droughts.

39 (3) Improve the state’s ability to respond to risks from invasive  
40 species.

1 (c) Of the funds made available by subdivision (b), one hundred  
2 fifty million dollars (\$150,000,000) shall be available to the  
3 Department of Food and Agriculture for improvements in climate  
4 resilience of agricultural lands and ecosystem health and allocated  
5 to eligible projects as follows:

6 (1) (A) Fifty million dollars (\$50,000,000) for grants to promote  
7 practices on farms and ranches that improve soil health, accelerate  
8 atmospheric carbon removal or soil carbon sequestration, improve  
9 water quality, enhance groundwater recharge and surface water  
10 supplies, or improve fish or wildlife habitat.

11 (B) At least 35 percent of the funds allocated pursuant to this  
12 paragraph shall be allocated to projects that provide direct and  
13 meaningful benefits to farmers and ranchers in disadvantaged  
14 communities.

15 (C) Priority shall be given to small- and medium-sized farms  
16 and socially disadvantaged farmers and ranchers.

17 (2) (A) Forty million dollars (\$40,000,000) for grants to  
18 promote on-farm water use efficiency with a focus on multiple  
19 benefit projects that improve groundwater management, climate  
20 resiliency, water quality, surface water use efficiency, drought and  
21 flood tolerance, or water supply and water quality conditions for  
22 fish and wildlife.

23 (B) At least 35 percent of the funds allocated pursuant to this  
24 paragraph shall be allocated to projects that provide direct and  
25 meaningful benefits to farmers and ranchers in disadvantaged  
26 communities.

27 (C) Priority shall be given to small- and medium-sized farms  
28 and socially disadvantaged farmers and ranchers.

29 (3) Forty million dollars (\$40,000,000) for projects that promote  
30 the reduction of methane emissions from dairy and livestock  
31 operations and improved water quality through alternative manure  
32 management and handling, including, but not limited to, the  
33 creation of composted manure products. Projects shall not include  
34 the funding of anaerobic digesters.

35 (4) Twenty million dollars (\$20,000,000) to be deposited in the  
36 Invasive Species Account established pursuant to Section 7706 of  
37 the Food and Agricultural Code for purposes of funding invasive  
38 species projects and activities recommended by the Invasive  
39 Species Council of California. Priority shall be given to projects  
40 that restore and protect ecosystem health.

1 (d) Of the funds made available by subdivision (b), fifty million  
2 dollars (\$50,000,000) shall be available to the Department of  
3 Conservation for projects for the protection, restoration, and  
4 enhancement of farmland and rangeland, including, but not limited  
5 to, the acquisition of fee titles or easements, that improve climate  
6 resilience, open-space soil health, atmospheric carbon removal,  
7 soil carbon sequestration, erosion control, watershed restoration,  
8 conservation projects, water quality, water retention, and provide  
9 multiple benefits. In awarding funds for farmland and rangeland  
10 projects pursuant to this section, the Department of Conservation  
11 shall give preference to projects for small- and medium-sized farms  
12 At least 35 percent of the funds allocated pursuant to this section  
13 shall be allocated to projects that provide direct and meaningful  
14 benefits to farmers and ranchers in severely disadvantaged  
15 communities.

16 80268. Funds provided by this chapter shall not be expended  
17 to pay the costs of the design, construction, operation, mitigation,  
18 or maintenance of Delta conveyance facilities. Those costs shall  
19 be the responsibility of the water agencies that benefit from the  
20 design, construction, operation, mitigation, or maintenance of those  
21 facilities.

22

23 CHAPTER 6. STRENGTHENING CALIFORNIA'S REGIONAL CLIMATE  
24 RESILIENCE

25

26 80270. The sum of one billion six hundred million dollars  
27 (\$1,600,000,000) shall be made available, upon appropriation by  
28 the Legislature, for the purposes of strengthening California's  
29 climate resilience based on projects tailored to its unique regions.

30 80271. (a) Of the funds made available by Section 80270, one  
31 billion three hundred million dollars (\$1,300,000,000) shall be  
32 available to the Strategic Growth Council for the reduction in the  
33 risk of climate impacts to communities, including, but not limited  
34 to, wildfire, sea level rise, and extreme heat events. The goal of  
35 these funds is to encourage the development and implementation  
36 of multiple-benefit, cross-sector projects that respond to the  
37 region's greatest climate vulnerabilities.

38 (b) Funds made available by this section shall be available to  
39 regional climate networks to implement the highest priority projects  
40 identified in approved regional climate adaptation action plans.

1 (c) Funds made available by this section shall be for public  
2 benefits associated with climate resiliency projects that reduce  
3 climate vulnerabilities.

4 (d) Funds made ~~available~~ *available* by this section shall be  
5 allocated to regional climate networks, as follows:

6 (1) At least 60 percent of funds shall be available to regional  
7 climate networks based on the percentage of the state's population  
8 included in the jurisdiction of the network's regional climate  
9 adaptation action plan, but not less than two million dollars  
10 (\$2,000,000) per network.

11 (2) The remaining funds may be provided to increase the size  
12 of the awards under paragraph (1) to the extent the approved  
13 regional climate adaptation action plan does any of the following:

14 (A) Protects vulnerable populations.

15 (B) Protects natural resources prioritized by the state.

16 (C) Enhances statewide climate adaptation strategies, as  
17 identified by the most recent update of the Safeguarding California  
18 Plan developed by the Natural Resources Agency.

19 (D) Reduces or sequesters carbon emissions.

20 (E) Scales to maximize effectiveness of response.

21 (F) Includes information regarding the regional climate  
22 network's ability to secure matching funds for projects identified  
23 within the plan.

24 80272. Of the funds made available by Section 80270, two  
25 hundred million dollars (\$200,000,000) shall be available to the  
26 Strategic Growth Council for a competitive grant program to reduce  
27 the urban heat island effect. Priority shall be given to projects that  
28 provide multiple benefits, including rainwater capture, reduction  
29 of stormwater pollution, and increased use of natural spaces for  
30 urban vegetation and forestry.

31 80273. Of the funds made available by Section 80270, one  
32 hundred million dollars (\$100,000,000) shall be available, upon  
33 appropriation by the Legislature, to the Department of Food and  
34 Agriculture for grants to fairgrounds operated by the network of  
35 California fairs for modifications or upgrades that do either or both  
36 of the following activities:

37 (a) Enhance the ability of those facilities to serve as multirole  
38 community, staging, and evacuation centers to provide community  
39 resilience benefits during a disaster, state of emergency, local  
40 emergency, or public safety power shutoff event.

1 (b) Deploy communications and broadband infrastructure at  
 2 those facilities to improve their capability to serve as a multirole  
 3 community, staging, and evacuation centers and enhance local  
 4 telecommunications service.

5  
 6 CHAPTER 7. FISCAL PROVISIONS  
 7

8 80280. (a) Bonds in the total amount of six billion nine  
 9 hundred eighty million dollars (\$6,980,000,000), not including the  
 10 amount of any refunding bonds issued in accordance with Section  
 11 80292, may be issued and sold to provide a fund to be used for  
 12 carrying out the purposes expressed in this division and to  
 13 reimburse the General Obligation Bond Expense Revolving Fund  
 14 pursuant to Section 16724.5 of the Government Code. The bonds,  
 15 when sold, issued, and delivered, shall be and constitute a valid  
 16 and binding obligation of the State of California, and the full faith  
 17 and credit of the State of California is hereby pledged for the  
 18 punctual payment of both the principal of, and interest on, the  
 19 bonds as the principal and interest become due and payable.

20 (b) The Treasurer shall cause the issuance and sell the bonds  
 21 authorized by the committee pursuant to this section. The bonds  
 22 shall be issued and sold upon the terms and conditions specified  
 23 in a resolution to be adopted by the committee pursuant to Section  
 24 16731 of the Government Code.

25 80281. The bonds authorized by this division shall be prepared,  
 26 executed, issued, sold, paid, and redeemed as provided in the State  
 27 General Obligation Bond Law (Chapter 4 (commencing with  
 28 Section 16720) of Part 3 of Division 4 of Title 2 of the Government  
 29 Code), as amended from time to time, and all of the provisions of  
 30 that law, except subdivisions (a) and (b) of Section 16727 of the  
 31 Government Code, apply to the bonds and to this division and are  
 32 hereby incorporated in this division as though set forth in full in  
 33 this division.

34 80282. (a) Solely for the purpose of authorizing the issuance  
 35 and sale, pursuant to the State General Obligation Bond Law  
 36 (Chapter 4 (commencing with Section 16720) of Part 3 of Division  
 37 4 of Title 2 of the Government Code), of the bonds authorized by  
 38 this division, the Economic Recovery, Wildfire Prevention, Safe  
 39 Drinking Water, Drought Preparation, and Flood Protection Bond  
 40 Finance Committee is hereby created. For purposes of this division,



1 the Economic Recovery, Wildfire Prevention, Safe Drinking  
2 Water,, Drought Preparation, and Flood Protection Bond Finance  
3 Committee is the “committee,” as that term is used in the State  
4 General Obligation Bond Law.

5 (b) The committee consists of the Director of Finance, the  
6 Treasurer, the Controller, and the Secretary of the Natural  
7 Resources Agency. Notwithstanding any other law, any member  
8 may designate a representative to act as that member in that  
9 member’s place for all purposes, as though the member were  
10 personally present.

11 (c) The Treasurer shall serve as the chairperson of the  
12 committee.

13 (d) A majority of the committee may act for the committee.

14 80283. The committee shall determine whether or not it is  
15 necessary or desirable to issue bonds authorized by this division  
16 in order to carry out the actions specified in this division and, if  
17 so, the amount of bonds to be issued and sold. Successive issues  
18 of bonds may be authorized and sold to carry out those actions  
19 progressively, and it is not necessary that all of the bonds  
20 authorized to be issued be sold at any one time.

21 80284. For purposes of the State General Obligation Bond Law  
22 (Chapter 4 (commencing with Section 16720) of Part 3 of Division  
23 4 of Title 2 of the Government Code), “board,” as defined in  
24 Section 16722 of the Government Code, means the Secretary of  
25 the Natural Resources Agency.

26 80285. There shall be collected each year and in the same  
27 manner and at the same time as other state revenue is collected,  
28 in addition to the ordinary revenues of the state, a sum in an amount  
29 required to pay the principal of, and interest on, the bonds each  
30 year. It is the duty of all officers charged by law with any duty  
31 regarding the collection of the revenue to do and perform each and  
32 every act that is necessary to collect that additional sum.

33 80286. Notwithstanding Section 13340 of the Government  
34 Code, there is hereby continuously appropriated from the General  
35 Fund in the State Treasury, for the purposes of this division, and  
36 without regard to fiscal years, an amount that will equal the total  
37 of the following:

38 (a) The sum annually necessary to pay the principal of, and  
39 interest on, bonds issued and sold pursuant to this division, as the  
40 principal and interest become due and payable.

1 (b) The sum that is necessary to carry out Section 80289.  
2 80287. The board may request the Pooled Money Investment  
3 Board to make a loan from the Pooled Money Investment Account,  
4 including other authorized forms of interim financing that include,  
5 but are not limited to, commercial paper, in accordance with  
6 Section 16312 of the Government Code, for the purpose of carrying  
7 out this division. The amount of the request shall not exceed the  
8 amount of the unsold bonds that the committee has, by resolution,  
9 authorized to be sold for the purpose of carrying out this division,  
10 excluding any refunding bonds authorized pursuant to Section  
11 80292, less any amount loaned and not yet repaid pursuant to this  
12 section and withdrawn from the General Fund pursuant to Section  
13 80289 and not yet returned to the General Fund. The board shall  
14 execute those documents required by the Pooled Money Investment  
15 Board to obtain and repay the loan. Any amounts loaned shall be  
16 deposited in the fund to be allocated in accordance with this  
17 division.  
18 80288. Notwithstanding any other provision of this division,  
19 or of the State General Obligation Bond Law (Chapter 4  
20 (commencing with Section 16720) of Part 3 of Division 4 of Title  
21 2 of the Government Code), if the Treasurer sells bonds pursuant  
22 to this chapter that include a bond counsel opinion to the effect  
23 that the interest on the bonds is excluded from gross income for  
24 federal tax purposes under designated conditions or is otherwise  
25 entitled to any federal tax advantage, the Treasurer may maintain  
26 separate accounts for the bond proceeds invested and for the  
27 investment earnings on those proceeds and may use or direct the  
28 use of those proceeds or earnings to pay any rebate, penalty, or  
29 other payment required under federal law or take any other action  
30 with respect to the investment and use of those bond proceeds, as  
31 may be required or desirable under federal law in order to maintain  
32 the tax-exempt status of those bonds and to obtain any other  
33 advantage under federal law on behalf of the funds of this state.  
34 80289. For purposes of carrying out this division, the Director  
35 of Finance may authorize the withdrawal from the General Fund  
36 of an amount or amounts not to exceed the amount of the unsold  
37 bonds that have been authorized by the committee to be sold for  
38 the purpose of carrying out this division, excluding refunding  
39 bonds authorized pursuant to Section 80292, less any amount  
40 loaned pursuant to Section 80287 and not yet repaid and any

1 amount withdrawn from the General Fund pursuant to this section  
2 and not yet returned to the General Fund. Any amounts withdrawn  
3 shall be deposited in the fund to be allocated in accordance with  
4 this division. Any moneys made available under this section shall  
5 be returned to the General Fund, with interest at the rate earned  
6 by the moneys in the Pooled Money Investment Account, from  
7 proceeds received from the sale of bonds for the purpose of  
8 carrying out this division.

9 80290. All moneys deposited in the fund that are derived from  
10 premiums and accrued interest on bonds sold pursuant to this  
11 division shall be reserved in the fund and shall be available for  
12 transfer to the General Fund as a credit to expenditures for bond  
13 interest, except that amounts derived from premiums may be  
14 reserved and used to pay the cost of bond issuance before any  
15 transfer to the General Fund.

16 80291. Pursuant to the State General Obligation Bond Law  
17 (Chapter 4 (commencing with Section 16720) of Part 3 of Division  
18 4 of Title 2 of the Government Code), the cost of bond issuance  
19 shall be paid or reimbursed out of the bond proceeds, including  
20 premiums, if any. To the extent the cost of bond issuance is not  
21 paid from premiums received from the sale of bonds, these costs  
22 shall be allocated proportionally to each program funded through  
23 this division by the applicable bond sale.

24 80292. The bonds issued and sold pursuant to this division  
25 may be refunded in accordance with Article 6 (commencing with  
26 Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of  
27 the Government Code, which is a part of the State General  
28 Obligation Bond Law. Approval by the voters of the state for the  
29 issuance of the bonds under this division shall include approval  
30 of the issuance of any bonds issued to refund any bonds originally  
31 issued under this division or any previously issued refunding bonds.  
32 Any bond refunded with the proceeds of a refunding bond as  
33 authorized by this section may be legally defeased to the extent  
34 permitted by law in the manner and to the extent set forth in the  
35 resolution, as amended from time to time, authorizing that refunded  
36 bond.

37 80293. Notwithstanding Section 16727 of the Government  
38 Code, funds provided pursuant to this division may be used for  
39 grants and loans to nonprofit organizations to repay financing  
40 described in Section 22064 of the Financial Code related to projects

1 that are consistent with the purpose of the respective provisions  
2 of this division.

3 80294. The proceeds from the sale of bonds authorized by this  
4 division are not “proceeds of taxes” as that term is used in Article  
5 XIII B of the California Constitution, and the disbursement of  
6 these proceeds is not subject to the limitations imposed by that  
7 article.

8 SEC. 3. Section 2 of this act shall take effect upon the approval  
9 by the voters of the Economic Recovery, Wildfire Prevention, Safe  
10 Drinking Water, Drought Preparation, and Flood Protection Bond  
11 Act of 2020, as set forth in Section 2 of this act.

12 SEC. 4. (a) (1) Notwithstanding Sections 9040, 9043, 9044,  
13 9061, and 9082 of the Elections Code, or any other law, Section  
14 2 of this act shall be submitted by the Secretary of State to the  
15 voters at the November 3, 2020, statewide general election.

16 (2) The requirement of Section 9040 of the Elections Code that  
17 a measure submitted to the people by the Legislature appear on  
18 the ballot of the November 3, 2020, statewide general election  
19 occurring at least 131 days after the adoption of the proposal by  
20 the Legislature shall not apply to Section 2 of this act.

21 (b) The Secretary of State shall include in the ballot pamphlets  
22 mailed pursuant to Section 9094 of the Elections Code the  
23 information specified in Section 9084 of the Elections Code  
24 regarding Section 2 of this act. If that inclusion is not possible, the  
25 Secretary of State shall publish a supplemental ballot pamphlet  
26 regarding Section 2 of this act to be mailed with the ballot  
27 pamphlet. If the supplemental ballot pamphlet cannot be mailed  
28 with the ballot pamphlet, the supplemental ballot pamphlet shall  
29 be mailed separately.

30 (c) Notwithstanding Section 9054 of the Elections Code or any  
31 other law, the translations of the ballot title and the condensed  
32 statement of the ballot title required pursuant to Section 9054 of  
33 the Elections Code for Section 2 of this act may be made available  
34 for public examination at a later date than the start of the public  
35 examination period for the ballot pamphlet.

36 (d) Notwithstanding Sections 13115 and 13117 of the Elections  
37 Code, Section 2 of this act and any other measure placed on the  
38 ballot by the Legislature for the November 3, 2020, statewide  
39 general election after the 131-day deadline set forth in Section  
40 9040 of the Elections Code shall be placed on the ballot, following

1 all other ballot measures, in the order in which they qualified as  
2 determined by chapter number.

3 SEC. 5. The provisions of this act are severable. If any  
4 provision of this act or its application is held invalid, that invalidity  
5 shall not affect other provisions or applications that can be given  
6 effect without the invalid provision or application.

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

11 *In order to ensure that the Economic Recovery, Wildfire*  
12 *Prevention, Safe Drinking Water, Drought Preparation, and Flood*  
13 *Protection Bond Act of 2020 is placed on the ballot for the*  
14 *November 3, 2020, statewide general election and that revenues*  
15 *from the sale of bonds authorized under the Economic Recovery,*  
16 *Wildfire Prevention, Safe Drinking Water, Drought Preparation,*  
17 *and Flood Protection Bond Act of 2020, if approved by the voters,*  
18 *are available as soon as possible to fund programs for the*  
19 *economic recovery of the state, it is necessary for this act to take*  
20 *effect immediately.*

South Coast Air Quality Management District  
Legislative Analysis Summary – SB 895 (Archuleta)  
Version: As Introduced 1/28/20  
Analyst: PC

### **SB 895 (Archuleta)**

Energy: zero-emission fuel, infrastructure, and transportation technologies.

**Summary:** This bill would require the California Energy Commission (CEC), within the limits of available funds, to provide technical assistance and support for the development of zero-emission fuels, zero-emission fueling infrastructure, and zero-emission fuel transportation technologies.

**Background:** Existing law deposits a small portion of the fines levied under the Heavy-Duty Diesel Inspection and Periodic Smoke Inspection Program (commonly referred to as the ‘smoke opacity test’) into the Diesel Emission Reduction Fund at the CEC to fund “the development of petroleum diesel fuels which are as clean or cleaner than alternative clean fuels and clean diesel engines.”

Enacted by AB 1107 (Moore, 1989), the current language was intended to spur development of ‘clean diesel’ fuel which, at the time, was an innovative and clean alternative to conventional diesel. After 31 years of further innovation however, the State of California has realized that so-called clean diesel is not a sufficient fuel to achieve our emission reduction goals and is therefore not of value for the State to be investing in. In light of this, the CEC has ceased solicitation of moneys within the fund due to the inflexibility of investment options available under AB 1107 (1989), i.e. the allowance to fund only clean diesel projects and not zero-emission. As a result, the funds have gone unspent by the CEC. Further, with the smoke opacity test, along with the funding source which that program provides, sunseting upon implementation of the recently signed SB 210 (Leyva, 2019) relating to a heavy-duty vehicle smog check program, the author claims that existing funds – currently just under \$5 million – will ultimately be remitted to the General Fund if the current spending authorization is not changed.

**Status:** 6/02/2020 - Sen. Approps. Comm. hearing rescheduled due to Capitol closure. - 6/9/2020 Sen. Approps. Comm. hearing; 9:00 a.m. - John L. Burton Hearing Room (4203)

**Specific Provisions:** Specifically, this bill would require the CEC, within the limits of available funds, to provide technical assistance and support for the development of zero-emission fuels, zero-emission fueling infrastructure, and zero-emission fuel transportation technologies.

**Impacts on South Coast AQMD’s Mission, Operations or Initiatives:** SB 895 will allow the CEC to allocate moneys in the Diesel Emission Reduction Fund – currently just under \$5 million per the author – to zero-emission fuel projects rather than to the originally authorized clean diesel projects. Since the CEC no longer funds clean diesel development as a policy, the change would allow the CEC to utilize these funds for their intended purpose of spurring development of emission-reducing transportation fuel and technologies.

This bill is in line with South Coast AQMD’s mission to protect public health, reduce the impacts of air pollution within the South Coast region, and attain federal air quality standards. The bill is also consistent with the South Coast AQMD policy priority to reduce mobile sources of pollution by promoting clean vehicle technology.

**Recommended Position: SUPPORT**

**Support:**

Ballard Power Systems (Sponsor)  
California Electric Transportation Coalition  
Cruise  
San Diego Gas and Electric  
Southern California Gas Company

**Opposition:**

N/A

**SENATE BILL****No. 895****Introduced by Senator Archuleta**

January 28, 2020

An act to amend Section 25617 of the Public Resources Code, relating to energy.

## LEGISLATIVE COUNSEL'S DIGEST

SB 895, as introduced, Archuleta. Energy: zero-emission fuel, infrastructure, and transportation technologies.

Existing law requires the State Energy Resources Conservation and Development Commission, within the limits of available funds, to provide technical assistance and support for the development of petroleum diesel fuels that are as clean or cleaner than alternative clean fuels and clean diesel engines.

This bill would instead require the commission, within the limits of available funds, to provide technical assistance and support for the development of zero-emission fuels, zero-emission fueling infrastructure, and zero-emission fuel transportation technologies.

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 25617 of the Public Resources Code is
- 2 amended to read:
- 3 25617. (a) It is the intent of the Legislature to preserve
- 4 diversity of *clean* energy resources, including diversity of resources
- 5 used in electric generation facilities, industrial and commercial
- 6 applications, and transportation.



1 (b) The commission shall, within the limits of available funds,  
2 provide technical assistance and support for the development of  
3 ~~petroleum diesel fuels which are as clean or cleaner than alternative~~  
4 ~~clean fuels and clean diesel engines: zero-emission fuels,~~  
5 ~~zero-emission fueling infrastructure, and zero-emission fuel~~  
6 ~~transportation technologies.~~ That technical assistance and support  
7 may include the creation of research, development, and  
8 demonstration programs.

O

[↑ Back to Agenda](#)

BOARD MEETING DATE: August 7, 2020

AGENDA NO. 22

REPORT: Mobile Source Committee

SYNOPSIS: The Mobile Source Committee held a meeting remotely on Friday, June 19, 2020. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Dr. William A. Burke, Chair  
Mobile Source Committee

PF:ak

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### **Committee Members**

Present: Dr. William Burke/Chair  
Supervisor Lisa Bartlett  
Mayor Larry McCallon  
Council Member Judith Mitchell  
Council Member Carlos Rodriguez

Absent: Supervisor V. Manuel Perez

### **Call to Order**

Chair Burke called the meeting to order at 9:00 a.m.

### **INFORMATIONAL ITEM:**

#### **1. Update on Implementation of MOUs with Commercial Airports**

Sarah Rees, Assistant Deputy Executive Officer/Planning, Rules Development and Area Sources, provided introductory remarks and appreciated the airports continued commitment to the implementation of the MOUs despite the drastic impact of COVID pandemic on airport operations. Zorik Pirveysian, Planning and Rules Manager, provided background information on the MOUs with the five commercial

airports, and requested the airport representatives to provide their first 2020 semi-annual progress report on the MOU implementation.

The following representatives from airports presented their reports on the implementation of the MOU and other air quality measures, progress made to date, and their local hire programs:

- Melinda McCoy - John Wayne Airport
- Ryan McMullan - Long Beach Airport
- Chris Waller - Ontario International Airport
- Lisa Trifilleti - Hollywood Burbank Airport
- Tami McCrossen-Orr - Los Angeles International Airport (LAX)

Dr. Burke thanked the airports for their presentations and commended them for their commitments to the MOUs under the current circumstances affected by the COVID pandemic.

Council Member Rodriguez inquired about the estimated NOx emission reductions from ground support equipment (GSE) at LAX.

Tami McCrossen-Orr responded that the NOx reductions from GSE represent the total reductions since the inception of the GSE program at LAX which has resulted in the replacement of older equipment with cleaner units. She also remarked that LAX will continue to work with South Coast AQMD staff to validate the estimated reductions.

Council Member Rodriguez also noted that equating the emission reductions to the number of cars removed is a powerful metric. He requested that staff obtain similar metrics to represent the emission reductions from other airports.

Harvey Eder suggested that low-income community members should own equity in BYD to facilitate the transition to zero emission trucks. He doubted that large investment firms would contribute funds to combat climate change.

Dr. Burke thanked the airports for their first semi-annual reports, looking forward to their next reports in December.

## **WRITTEN REPORTS:**

### **2. Rule 2202 Activity Report: Rule 2202 Summary Status Report**

This item was received and filed.

**3. Monthly Report on Environmental Justice Initiatives: CEQA Document Commenting Update**

This item was received and filed.

**OTHER MATTERS:**

**4. Other Business**

There was no other business.

**5. Public Comment Period**

There were no public comments.

**6. Next Meeting Date:**

The next regular Mobile Source Committee meeting is scheduled for Friday, August 21, 2020.

**Adjournment**

The meeting adjourned at 10:02 a.m.

**Attachments**

1. Attendance Record
2. Rule 2202 Activity Report – Written Report
3. Monthly Report on Environmental Justice Initiatives: CEQA Document Commenting Update – Written Report

# ATTACHMENT 1

## **SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT MOBILE SOURCE COMMITTEE MEETING Attendance – June 19, 2020**

Dr. William Burke .....South Coast AQMD Board Member  
Supervisor Lisa Bartlett.....South Coast AQMD Board Member  
Mayor Larry McCallon .....South Coast AQMD Board Member  
Council Member Judith Mitchell .....South Coast AQMD Board Member  
Council Member Carlos Rodriguez.....South Coast AQMD Board Member

James Dinwiddle .....Board Consultant (Bartlett)  
Matthew Holder.....Board Consultant (Rodriguez)  
Fred Minassian .....Board Consultant (Mitchell)  
Kana Miyamoto.....Board Consultant (Burke)  
Andy Silva.....Board Consultant (Silva)

Mark Abramowitz .....Community Environmental Services  
Curt Coleman .....Southern California Air Quality Alliance  
Frances Keeler.....California Council for Environmental and  
Economic Balance

Rongsheng Luo .....Southern California Association of Governments  
Bridgett McCann .....Chevron  
Melinda McCoy.....John Wayne Airport  
Tami McCrossen-Orr .....Los Angeles International Airport  
Ryan McMullan.....Long Beach Airport  
Bill La Marr.....California Small Business Alliance  
Eric Lu.....Ramboll  
Patty Senecal .....Western States Petroleum Association  
Lisa Trifiletti .....Hollywood Burbank Airport  
David Rothbart .....Los Angeles County Sanitation Districts  
John Ungvasky.....U.S. EPA, Region 9  
Chris Waller .....Ontario International Airport  
Peter Whittingham.....Whittingham Public Affairs Advisors

Derrick Alatorre .....South Coast AQMD Staff  
Jason Aspell.....South Coast AQMD Staff  
Barbara Baird .....South Coast AQMD Staff  
Naveen Berry.....South Coast AQMD Staff  
Amir Dejbakhsh .....South Coast AQMD Staff  
Philip Fine .....South Coast AQMD Staff  
Bay Gilchrist .....South Coast AQMD Staff  
Sheri Hanizavareh .....South Coast AQMD Staff  
Mark Henninger .....South Coast AQMD Staff  
Kathryn Higgins .....South Coast AQMD Staff  
Angela Kim .....South Coast AQMD Staff  
Sang-Mi Lee.....South Coast AQMD Staff  
Wei Li.....South Coast AQMD Staff  
Ian MacMillan .....South Coast AQMD Staff  
Matt Miyasato .....South Coast AQMD Staff

Ron Moskowitz ..... South Coast AQMD Staff  
Wayne Nastro..... South Coast AQMD Staff  
Zorik Pirveysian ..... South Coast AQMD Staff  
Eric Praske..... South Coast AQMD Staff  
Sarah Rees ..... South Coast AQMD Staff  
Fabian Wesson ..... South Coast AQMD Staff  
Jill Whynot ..... South Coast AQMD Staff  
Paul Wright ..... South Coast AQMD Staff



# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182  
(909) 396-2000 • www.aqmd.gov

Item #2

## Rule 2202 Summary Status Report Activity for January 1, 2020 to June 1, 2020

Employee Commute Reduction Program (ECRP)	
# of Submittals:	94

Emission Reduction Strategies (ERS)	
# of Submittals:	176

Air Quality Investment Program (AQIP) Exclusively		
County	# of Facilities	\$ Amount
Los Angeles	31	\$ 104,804
Orange	4	\$ 73,740
Riverside	0	\$ 0
San Bernardino	1	\$ 7,337
<b>TOTAL:</b>	<b>36</b>	<b>\$ 185,881</b>

ECRP w/AQIP Combination		
County	# of Facilities	\$ Amount
Los Angeles	2	\$ 7,103
Orange	0	\$ 0
Riverside	0	\$ 0
San Bernardino	2	\$ 7,103
<b>TOTAL:</b>	<b>4</b>	<b>\$ 14,206</b>

### Total Active Sites as of June 1, 2020

ECRP (AVR Surveys)			TOTAL Submittals w/Surveys	AQIP	ERS	TOTAL
ECRP <sup>1</sup>	AQIP <sup>2</sup>	ERS <sup>3</sup>				
524	14	133	671	102	565	1,338
39.16%	1.05%	9.94%	50.15%	7.62%	42.23%	100% <sup>4</sup>

### Total Peak Window Employees as of June 1, 2020

ECRP (AVR Surveys)			TOTAL Submittals w/Surveys	AQIP	ERS	TOTAL
ECRP <sup>1</sup>	AQIP <sup>2</sup>	ERS <sup>3</sup>				
382,494	5,387	53,413	441,294	16,726	258,664	716,684
53.37%	0.75%	7.45%	61.57%	2.33%	36.09%	100% <sup>4</sup>

- Notes:**
1. ECRP Compliance Option.
  2. ECRP Offset (combines ECRP w/AQIP). AQIP funds are used to supplement the ECRP AVR survey shortfall.
  3. ERS with Employee Survey to get Trip Reduction credits. Emission/Trip Reduction Strategies are used to supplement the ECRP AVR survey shortfall.
  4. Totals may vary slightly due to rounding.

BOARD MEETING DATE: August 7, 2020

AGENDA NO.

REPORT: Lead Agency Projects and Environmental Documents Received

SYNOPSIS: This report provides a listing of CEQA documents received by the South Coast AQMD between May 1, 2020 and May 31, 2020, and those projects for which the South Coast AQMD is acting as lead agency pursuant to CEQA.

COMMITTEE: Mobile Source, June 19, 2020, Reviewed

RECOMMENDED ACTION:  
Receive and file.

Wayne Nastri  
Executive Officer

PF:SN:JW:LS:AM

---

**CEQA Document Receipt and Review Logs (Attachments A and B)** – Each month, the South Coast AQMD receives numerous CEQA documents from other public agencies on projects that could adversely affect air quality. A listing of all documents received during the reporting period May 1, 2020 and May 31, 2020 is included in Attachment A. A list of active projects from previous reporting periods for which South Coast AQMD staff is continuing to evaluate or has prepared comments is included in Attachment B. A total of 64 CEQA documents were received during this reporting period and 14 comment letters were sent.

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 Board's 1997 Environmental Justice Guiding Principles and Environmental Justice Initiative #4. As required by the Environmental Justice Program Enhancements for FY 2002-03, approved by the Board in October 2002, each attachment notes proposed projects where the South Coast AQMD has been contacted regarding potential air quality-related environmental justice concerns. The South Coast AQMD has established an internal central contact to receive information on projects with potential air quality-related environmental justice concerns. The public may contact the



South Coast AQMD about projects of concern by the following means: in writing via fax, email, or standard letters; through telephone communication; and as part of oral comments at South Coast AQMD meetings or other meetings where South Coast AQMD staff is present. The attachments also identify, for each project, the dates of the public comment period and the public hearing date, if applicable. 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; general land use projects, etc. In response to the mitigation component, guidance information on mitigation measures was 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 South Coast AQMD's website at:

<http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies>. Staff will continue compiling tables of mitigation measures for other emission sources.

Staff focuses on reviewing and preparing comments for projects: where the South Coast AQMD is a responsible agency; that may have significant adverse regional air quality impacts (e.g. special event centers, landfills, goods movement); that may have localized or toxic air quality impacts (e.g. warehouse and distribution centers); where environmental justice concerns have been raised; and which a lead or responsible agency has specifically requested South Coast AQMD review. If staff provided written comments to the lead agency as noted in the column "Comment Status," there is a link to the "South Coast AQMD Letter" under the Project Description. In addition, if staff testified at a hearing for the proposed project, a notation is provided under the "Comment Status." If there is no notation, then staff did not provide testimony at a hearing for the proposed project.

During the period May 1, 2020 and May 31, 2020, the South Coast AQMD received 64 CEQA documents. Attachment B lists documents that are ongoing active projects. Of the 72 documents listed in Attachments A and B:

- 14 comment letters were sent;
- 37 documents were reviewed, but no comments were made;
- 8 documents are currently under review;
- 0 document did not require comments (e.g., public notices);
- 0 document were not reviewed; and
- 13 documents were screened without additional review.

(The above statistics are from May 1, 2020 and May 31, 2020, and may not include the most recent “Comment Status” updates in Attachments A and B.)

Copies of all comment letters sent to lead agencies can be found on the South Coast AQMD’s CEQA webpage at the following internet address:

<http://www.aqmd.gov/home/regulations/ceqa/commenting-agency>.

**South Coast AQMD Lead Agency Projects (Attachment C)** – Pursuant to CEQA, the South Coast AQMD 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 for action is considered to be a “project” as defined by CEQA. For example, an Environmental Impact Report (EIR) is prepared when the South Coast AQMD, as lead agency, finds substantial evidence that the project may have significant adverse effects on the environment. Similarly, a Negative Declaration (ND) or Mitigated Negative Declaration (MND) may be prepared if the South Coast AQMD determines that the 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 projects will not have a significant adverse effect on the environment and, therefore, do not require the preparation of an EIR.

Attachments C to this report summarizes the active projects for which the South Coast AQMD is lead agency and is currently preparing or has prepared environmental documentation. As noted in Attachment C, the South Coast AQMD continued working on the CEQA documents for two active projects during February.

### **Attachments**

- A. Incoming CEQA Documents Log
- B. Ongoing Active Projects for Which South Coast AQMD Has or Will Conduct a CEQA Review
- C. Active South Coast AQMD Lead Agency Projects

**ATTACHMENT A\***  
**INCOMING CEQA DOCUMENTS LOG**  
**May 1, 2020 to May 31, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Goods Movement</b> LAC200521-13 Berth 200 Roadway Extension	The proposed project consists of widening of existing roadway eight feet in width and construction of a 3,000-linear-foot roadway. The project is located along Berth 200 roadway between South Avalon Boulevard and State Route 47 within the Port of Los Angeles.  Comment Period: 5/21/2020 - 6/20/2020 Public Hearing: N/A	Notice of Intent to Adopt a Negative Declaration	City of Los Angeles Harbor Department	Document reviewed - No comments sent for this document received
<b>Warehouse &amp; Distribution Centers</b> RVC200501-13 World Logistics Center	The proposed project consists of construction of 40.6 million square feet of warehouses on 2,600 acres. The project is located on the southeast corner of Redlands Boulevard and Eucalyptus Avenue. Reference RVC191217-07, RVC180725-03, RVC150612-04, RVC150430-07, and SBC130206-01  Comment Period: N/A Public Hearing: 5/14/2020	Notice of Completion of Revised Final Environmental Impact Report	City of Moreno Valley	Document reviewed - No comments sent for this document received
<b>Warehouse &amp; Distribution Centers</b> RVC200506-02 Saddle Ranch South Project	The proposed project consists of construction of three warehouses totaling 374,170 square feet on 23.8 acres. The project is located at 3166 Horseless Carriage Drive on the northwest corner of Horseless Carriage Drive and Town and Country Drive.  Comment Period: 5/4/2020 - 5/26/2020 Public Hearing: 6/10/2020	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Norco	Document reviewed - No comments sent for this document received
<b>Warehouse &amp; Distribution Centers</b> SBC200521-01 I-15 Logistics Project	Staff provided comments on the Draft Environmental Impact Report for the proposed project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2019/september/SBC190813-06.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2019/september/SBC190813-06.pdf</a> . The proposed project consists of construction of a 1,175,720-square-foot warehouse on 76 acres. The project is located on the northeast corner of Citrus Avenue and Interstate 15. Reference SBC190813-06 and SBC180109-05  Comment Period: N/A Public Hearing: 6/2/2020	Final Environmental Impact Report	City of Fontana	Document reviewed - No comments sent for this document received

\*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.

\*\* Disposition may change prior to Governing Board Meeting

Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

A-1

**ATTACHMENT A**  
**INCOMING CEQA DOCUMENTS LOG**  
**May 1, 2020 to May 31, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Warehouse &amp; Distribution Centers</b> SBC200521-10 East End Avenue Industrial Project	The proposed project consists of construction of four warehouses totaling 266,860 square feet on 14.5 acres. The project is located near the southeast corner of Mills Street and Union Pacific railroad.  Comment Period: 5/16/2020 - 6/15/2020 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Chino	Document reviewed - No comments sent for this document received
<b>Warehouse &amp; Distribution Centers</b> SBC200522-01 Majestic Chino Heritage Project	The proposed project consists of construction of two warehouses totaling 2,082,750 square feet on 96.9 acres. The project is located on the southwest corner of Mountain Avenue and Bickmore Avenue. Reference SBC190322-09  Comment Period: 5/22/2020 - 7/7/2020 Public Hearing: N/A	Notice of Availability of a Draft Environmental Impact Report	City of Chino	** Under review, may submit written comments
<b>Industrial and Commercial</b> LAC200506-03 1633 26th Street Office Project	The proposed project consists of demolition of 104,469 square feet of existing buildings and construction of 129,265 square feet of office uses on 2.01 acres. The project is located on the southeast corner of Colorado Avenue and 26th Street.  Comment Period: 5/6/2020 - 7/5/2020 Public Hearing: 5/19/2020	Notice of Preparation	City of Santa Monica	** Under review, may submit written comments
<b>Industrial and Commercial</b> LAC200521-02 Sunset Gower Studios Enhancement Plan	The proposed project consists of demolition of 160,500 square feet of existing structures and construction of three office buildings totaling 628,000 square feet with subterranean parking on 15.9 acres. The project is located on the southeast corner of Sunset Boulevard and Gower Street in the community of Hollywood. Reference LAC180227-04  Comment Period: 5/21/2020 - 7/6/2020 Public Hearing: N/A	Draft Environmental Impact Report	City of Los Angeles	** Under review, may submit written comments

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

\*\* Disposition may change prior to Governing Board Meeting

Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

A-2

**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
May 1, 2020 to May 31, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Industrial and Commercial</b> ORC200507-19 Extra Space Storage Facility Expansion	The proposed project consists of construction of five self-storage buildings totaling 63,491 square feet on 5.32 acres. The project is located on the southeast corner of Katella Avenue and State College Boulevard.  Comment Period: 5/7/2020 - 5/27/2020 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Anaheim	Document reviewed - No comments sent for this document received
<b>Industrial and Commercial</b> RVC200507-26 Palomino Business Park	Staff provided comments on the Draft Environmental Impact Report for the proposed project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2019/december/RVC191119-02.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2019/december/RVC191119-02.pdf</a> . The proposed project consists of demolition of 36 existing residential units and warehouses, and construction of 2,050,000 square feet of industrial, commercial, and office uses on 110 acres. The project is located on the southeast corner of Second Street and Pacific Avenue. Reference RVC191231-01, RVC191119-02, and RVC190402-02.  Comment Period: N/A Public Hearing: 6/10/2020	Final Environmental Impact Report	City of Norco	Document reviewed - No comments sent for this document received
<b>Industrial and Commercial</b> RVC200520-02 MAC20075	The proposed project consists of construction of a 25,910-square-foot industrial building on 15.4 acres. The project is located at 5610 Market Street on the southwest corner of Rubidoux Boulevard and Market Street.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/RVC200520-02.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/RVC200520-02.pdf</a>  Comment Period: 5/20/2020 - 6/5/2020 Public Hearing: N/A	Site Plan	City of Jurupa Valley	South Coast AQMD staff commented on 5/21/2020
<b>Industrial and Commercial</b> RVC200521-08 South Campus Specific Plan and Village West Drive Extension Project	The proposed project consists of construction of an 800,000-square-foot industrial building, 61,336 square feet of commercial uses, and roadway improvements on 45.9 acres. The project is located on the southwest corner of Van Buren Boulevard and Village West Drive.  Comment Period: 5/18/2020 - 6/19/2020 Public Hearing: 6/9/2020	Notice of Preparation	March Joint Powers Authority	** Under review, may submit written comments

# - Project has potential environmental justice concerns due to the nature and/or location of the project.  
\*\* Disposition may change prior to Governing Board Meeting  
Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

A-3

**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
May 1, 2020 to May 31, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Waste and Water-related</b> LAC200501-01 Infineon Properties (Former International Rectifier)	The proposed project consists of development of actions to remediate soil and groundwater contaminated with tetrachloroethylene and trichloroethylene and a land use covenant to prohibit future sensitive land uses on 3.25 acres. The project is located on the northeast corner of East Grand Avenue and Kansas Street in the City of El Segundo.	Site Characterization Report	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received
<b>Waste and Water-related</b> LAC200507-03 Castaic Dam High Intake Tower Bridge Retrofit	The proposed project consists of rehabilitation and seismic improvements to an existing bridge. The project is located within the southwestern portion of the Castaic Lake in Los Angeles County.  Comment Period: 4/10/2020 - 5/10/2020 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	California Department of Water Resources	Document reviewed - No comments sent for this document received
<b>Waste and Water-related</b> LAC200507-09 Former Turco-Purex Industrial Division Facility	The proposed project consists of development of remedial actions to clean up contaminated soil and groundwater with total petroleum hydrocarbons, volatile organic compounds, metals, polychlorinated biphenyls, and light non-aqueous phase liquid on 3.5 acres. The project is located at 2601 East Imperial Highway on the northeast corner of Imperial Highway and Alameda Street in the City of Lynwood.  Comment Period: 5/1/2020 - 5/31/2020 Public Hearing: N/A	Draft Response Plan	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received
<b>Waste and Water-related</b> LAC200507-10 CalTrans Witco	The proposed project consists of development of remedial actions to clean up contaminated soil and groundwater with total petroleum hydrocarbons, volatile organic compounds, metals, polychlorinated biphenyls, and light non-aqueous phase liquid on 3.5 acres. The project is located at 2601 East Imperial Highway on the northeast corner of Imperial Highway and Alameda Street in the City of Lynwood.  Comment Period: 4/27/2020 - 5/28/2020 Public Hearing: N/A	Draft Removal Action Workplan	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received

# - Project has potential environmental justice concerns due to the nature and/or location of the project.  
\*\* Disposition may change prior to Governing Board Meeting  
Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

A-4

**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
May 1, 2020 to May 31, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Waste and Water-related</b> LAC200507-25 Silver Lake and Ivanhoe Reservoirs Aeration and Recirculation System	The proposed project consists of construction of water transfer, aeration, and recirculation systems on 127 acres. The project is located on the southwest corner of Tesla Avenue and Armstrong Avenue in the community of Silver Lake.  Comment Period: 5/7/2020 - 6/5/2020      Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Los Angeles Department of Water and Power	Document reviewed - No comments sent for this document received
<b>Waste and Water-related</b> LAC200521-11 Extra Space Storage, Inc.	The proposed project consists of development of remedial actions to clean up contaminated soil and groundwater with volatile organic compounds on 1.2 acres. The project is located at 6527 San Fernando Road near the southwest corner of Western Avenue and San Fernando Road in the City of Glendale.  Comment Period: 5/18/2020 - 6/19/2020      Public Hearing: N/A	Draft Response Plan	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received
<b>Waste and Water-related</b> ORC200514-05 Las Flores Enhanced Water Reliability Project	The proposed project consists of construction of 10,190 linear feet of water pipelines ranging in diameter from eight inches to 16 inches and rehabilitation of a 3,650-linear-foot force main connecting system. The project is located along Meandering Trail Road, Oso Parkway, and Antonio Parkway in the community of Las Flores within Orange County.  Comment Period: 5/13/2020 - 6/11/2020      Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	Santa Margarita Water District	Document reviewed - No comments sent for this document received
<b>Waste and Water-related</b> RVC200501-06 Perris North Groundwater Monitoring Project	The proposed project consists of construction of 10 groundwater monitoring wells ranging in depth from 240 feet to 750 feet. The project is located near the southwest corner of Interstate 215 and Gregory Lane in the cities of Moreno Valley and Perris.  Comment Period: 4/20/2020 - 5/20/2020      Public Hearing: N/A	Mitigated Negative Declaration	Eastern Municipal Water District	Document reviewed - No comments sent for this document received

# - Project has potential environmental justice concerns due to the nature and/or location of the project.  
\*\* Disposition may change prior to Governing Board Meeting  
Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
May 1, 2020 to May 31, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Waste and Water-related</b> SBC200507-17 The DP Etiwanda Site	The proposed project consists of development of cleanup actions to remove soil contaminated with metals and polychlorinated biphenyls and a land use covenant to prohibit future sensitive land uses on 11.82 acres. The project is located at 8822 Etiwanda Avenue on the northwest corner of Burlington Northern Santa Fe railway and Etiwanda Avenue in the City of Rancho Cucamonga. Reference SBC180112-02	Draft Preliminary Endangerment Assessment Report	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received
<b>Waste and Water-related</b> SBC200507-29 Western San Bernardino County Distribution System Infrastructure Protection Program	The proposed project consists of development of criteria, standards, and programs to identify and accommodate surface water supply infrastructure repair and protection needs. The project encompasses 9,106 acres and includes counties of Los Angeles, Orange, Riverside, San Bernardino, and San Diego. Reference SBC141202-03  Comment Period: 5/7/2020 - 6/20/2020      Public Hearing: N/A	Notice of Availability of a Draft Environmental Impact Report	Metropolitan Water District of Southern California	Document reviewed - No comments sent for this document received
<b>Transportation</b> LAC200507-07 Paramount Boulevard/Imperial Highway Intersection Improvement Project	The proposed project consists of construction of roadway improvements to the intersection of Paramount Boulevard and Imperial Highway.  Comment Period: 4/29/2020 - 5/18/2020      Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Downey	Document reviewed - No comments sent for this document received
<b>Transportation</b> LAC200526-01 California High-Speed Rail Project: Burbank to Los Angeles Section	The proposed project consists of construction of a 14-mile rail track for freight and passenger rail services between Hollywood Burbank Airport in Burbank and Los Angeles Union Station in Los Angeles. Reference LAC140729-04  Comment Period: 5/29/2020 - 7/16/2020      Public Hearing: 6/18/2020	Notice of Availability of a Draft Environmental Impact Report/ Draft Environmental Impact Statement	California High-Speed Rail Authority	** Under review, may submit written comments

# - Project has potential environmental justice concerns due to the nature and/or location of the project.  
\*\* Disposition may change prior to Governing Board Meeting  
Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
May 1, 2020 to May 31, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Transportation</b> ORC200514-10 State Route 74 Lower Ortega Highway Widening Project	The proposed project consists of widening a 1.1-mile segment of State Route 74 from two lanes to four lanes 12 feet in width in each direction. The project is located from Calle Entradero [Post Mile (PM) 1.0] to Reata Road (PM 1.9) near the border of City of San Juan Capistrano and unincorporated areas of Orange County. Reference ORC190606-03  Comment Period: N/A Public Hearing: N/A	Finding of No Significant Impact	California Department of Transportation	Document reviewed - No comments sent for this document received
<b>Transportation</b> RVC200501-04 State Route 60/World Logistics Center Parkway Interchange Project	The proposed project consists of construction of two lanes along a two-mile segment of State Route 60 (SR-60) and improvements to the interchange of SR-60 and World Logistics Center Parkway. The project is located between Post Mile (PM) 20.0 and PM 22.0 in the City of Moreno Valley. Reference RVC191122-01  Comment Period: 4/24/2020 - 6/8/2020 Public Hearing: 5/13/2020	Draft Environmental Impact Report/ Environmental Assessment	California Department of Transportation	** Under review, may submit written comments
<b>Transportation</b> SBC200514-03 West Valley Connector Project	The proposed project consists of a 35-mile bus rapid transit corridor with 60 station platforms at 33 locations traversing through the cities of Pomona, Montclair, Ontario, Rancho Cucamonga, and Fontana. Reference SBC190625-01 and SBC160325-02  Comment Period: N/A Public Hearing: 5/6/2020	Notice of Availability of Final Environmental Impact Report	San Bernardino County Transportation Authority	Document reviewed - No comments sent for this document received
<b>Institutional (schools, government, etc.)</b> LAC200507-08 W.M. Keck Science Center Expansion Project	The proposed project consists of construction of a 70,092-square-foot building on 1.16 acres. The project is located at 925 North Mills Avenue on the northeast corner of Amherst Avenue and East Ninth Street.  Comment Period: 4/27/2020 - 5/18/2020 Public Hearing: 5/27/2020	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Claremont	Document reviewed - No comments sent for this document received

# - Project has potential environmental justice concerns due to the nature and/or location of the project.  
\*\* Disposition may change prior to Governing Board Meeting  
Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

A-7

**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
May 1, 2020 to May 31, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Institutional (schools, government, etc.)</b> LAC200507-22 Housing Expansion Phase 1 - Housing Administration and Commons Building Project	The proposed project consists of demolition of a 5,700-square-foot building and construction of two buildings totaling 12,500 square feet on two acres. The project is located on the northwest corner of Beach Drive and Merriam Way in the City of Long Beach.  Comment Period: 5/6/2020 - 6/19/2020 Public Hearing: N/A	Notice of Availability of a Draft Supplemental Environmental Impact Report	California State University	Document reviewed - No comments sent for this document received
<b>Institutional (schools, government, etc.)</b> RVC200501-08 Arlington High School Modernization and New Construction	The proposed project consists of demolition of seven existing structures, expansion of a sports field from 1,250 seats to 2,250 seats, and construction of 21,017 square feet of school facilities on 45 acres. The project is located at 2951 Jackson Street on the northwest corner of Jackson Street and Lincoln Avenue in the City of Riverside. Reference RVC200218-01  Comment Period: 4/29/2020 - 6/15/2020 Public Hearing: 7/21/2020	Notice of Availability of a Draft Environmental Impact Report	Riverside Unified School District	** Under review, may submit written comments
<b>Medical Facility</b> LAC200501-05 Artis Senior Living Care Facility	The proposed project consists of construction of a 44,192-square-foot senior living care facility with 80 rooms on 2.79 acres. The project is located on southeast corner of Colorado Boulevard and Michilinda Street. <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/LAC200501-05.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/LAC200501-05.pdf</a>  Comment Period: 4/23/2020 - 5/22/2020 Public Hearing: 6/23/2020	Mitigated Negative Declaration	City of Arcadia	South Coast AQMD staff commented on 5/5/2020
<b>Medical Facility</b> RVC200507-04 Hazelden Betty Ford Center Preliminary Development Plan	The proposed project consists of demolition of 51,694 square feet of residential buildings with 80 beds, and construction of a 61,870-square-foot building with 92 beds and 29,148 square feet of medical and office uses on 26.22 acres. The project is located near the northwest corner of Vista Del Sol and Country Club Drive. Reference RVC191217-04  Comment Period: 4/24/2020 - 6/8/2020 Public Hearing: N/A	Draft Environmental Impact Report	City of Rancho Mirage	Document reviewed - No comments sent for this document received

# - Project has potential environmental justice concerns due to the nature and/or location of the project.  
\*\* Disposition may change prior to Governing Board Meeting  
Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

A-8

**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
May 1, 2020 to May 31, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Retail</b> LAC200514-09 100 East Ocean Boulevard	The proposed project consists of construction of a 537,075-square-foot hotel with 429 rooms on 1.36 acres. The project is located on the southeast corner of South Pine Avenue and East Ocean Boulevard. Reference LAC190813-05, LAC181207-02, and LAC181009-11  Comment Period: N/A Public Hearing: N/A	Final Environmental Impact Report	City of Long Beach	Document reviewed - No comments sent for this document received
<b>Retail</b> RVC200514-01 PP2018-0119 & CUP2018-0021	The proposed project consists of construction of a 4,000-square-foot restaurant, a 3,800-square-foot convenience store, a 1,500-square-foot car wash facility, a gasoline service station with nine pumps, and a 6,700-square-foot fueling canopy on 3.96 acres. The project is located on the northeast corner of Desert Lawn Drive and Oak Valley Parkway. Reference RVC200402-02 and RVC200124-03  Comment Period: 5/13/2020 - 5/28/2020 Public Hearing: 5/28/2020	Site Plan	City of Beaumont	Document reviewed - No comments sent for this document received
<b>Retail</b> RVC200514-02 CUP2019-0042 and CUP2019-0043	The proposed project consists of construction of a 5,185-square-foot convenience store, a 1,404-square-foot car wash facility, a gasoline service station with 16 pumps, and a 4,310-square-foot fueling canopy on 1.39 acres. The project is located on the southwest corner of Sixth Street and Pennsylvania Avenue. Reference RVC191210-05  Comment Period: 5/13/2020 - 5/21/2020 Public Hearing: 5/21/2020	Site Plan	City of Beaumont	Document reviewed - No comments sent for this document received
<b>General Land Use (residential, etc.)</b> LAC200501-02 Huntington Plaza Mixed-Use Project	The proposed project consists of construction of 139 residential units and 10,200 square feet of commercial uses with subterranean parking on 1.74 acres. The project is located on the southwest corner of Wheeler Avenue and Indiana Street.  Comment Period: 4/23/2020 - 5/22/2020 Public Hearing: 6/23/2020	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Arcadia	Document reviewed - No comments sent for this document received

# - Project has potential environmental justice concerns due to the nature and/or location of the project.  
\*\* Disposition may change prior to Governing Board Meeting  
Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

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**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
May 1, 2020 to May 31, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>General Land Use (residential, etc.)</b> LAC200507-12 The Commons	The proposed project consists of construction of 62 residential units and 5,000 square feet of retail uses on 6.5 acres. The project is located on the northeast corner of Foothill Boulevard and Monte Vista Avenue. Reference LAC191121-03 and LAC180912-03  Comment Period: 4/29/2020 - 6/15/2020 Public Hearing: N/A	Notice of Availability of a Draft Environmental Impact Report	City of Claremont	Document reviewed - No comments sent for this document received
<b>General Land Use (residential, etc.)</b> LAC200507-01 Ocean Avenue Project	The proposed project consists of demolition of 44,450 square feet of existing structures, and construction of a 122,400-square-foot building with 120 hotel rooms and 100 residential units, 36,110 square feet of commercial uses, and 35,500 square feet of public amenities on 1.2 acres. The project is located on the northeast corner of Ocean Avenue and Santa Monica Boulevard. Reference LAC190102-06  Comment Period: 5/17/2020 - 8/17/2020 Public Hearing: N/A	Notice of Availability of a Draft Environmental Impact Report	City of Santa Monica	Document reviewed - No comments sent for this document received
<b>General Land Use (residential, etc.)</b> ORC200501-12 One Metro West Project	Staff provided comments on the Draft Environmental Impact Report for the proposed project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/March/ORC200207-01.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/March/ORC200207-01.pdf</a> . The proposed project consists of demolition of existing structures, and construction of 1,057 residential units, 25,000 square feet of commercial uses, 6,000 square feet of retail uses, and 1.5 acres of open space on 15.23 acres. The project is located at 1683 Sunflower Avenue on the southeast corner of Sunflower Avenue and Cadillac Avenue. Reference ORC200207-01 and ORC190604-04  Comment Period: N/A Public Hearing: N/A	Final Environmental Impact Report	City of Costa Mesa	Document reviewed - No comments sent for this document received
<b>General Land Use (residential, etc.)</b> ORC200507-28 The Bowery Mixed-Use Project	Staff provided comments on the Draft Environmental Impact Report for the proposed project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/February/ORC200109-01.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/February/ORC200109-01.pdf</a> . The proposed project consists of demolition of 212,121 square feet of industrial uses, and construction of 1,150 residential units and 80,000 square feet of commercial, retail, and restaurant uses on 14.58 acres. The project is located on the northwest corner of Red Hill Avenue and East Warner Avenue. Reference ORC200109-01, ORC190808-03, and ORC190801-16  Comment Period: N/A Public Hearing: 5/11/2020	Final Environmental Impact Report	City of Santa Ana	Document reviewed - No comments sent for this document received

# - Project has potential environmental justice concerns due to the nature and/or location of the project.  
\*\* Disposition may change prior to Governing Board Meeting  
Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

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**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
May 1, 2020 to May 31, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>General Land Use (residential, etc.)</b> RVC200501-07 MA20065	The proposed project consists of subdivision of 25.73 acres for future development of 253 residential units. The project is located at 6501 Clay Street on the northwest corner of Clay Street and Van Buren Boulevard.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/RVC200501-07.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/RVC200501-07.pdf</a>  Comment Period: 4/27/2020 - 5/15/2020      Public Hearing: N/A	Site Plan	City of Jurupa Valley	South Coast AQMD staff commented on 5/5/2020
<b>Industrial and Commercial</b> RVC200501-09 Stoneridge Commerce Center	The proposed project consists of development of land use policies, design guidelines, and zoning requirements to guide future development of industrial, commercial, and retail uses, business park, infrastructure improvements, and open space on 582.9 acres. The project is located near the northeast corner of Nuevo Road and Foothill Drive in the communities of Lakeview and Nuevo.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/RVC200501-09.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/RVC200501-09.pdf</a>  Comment Period: 4/28/2020 - 5/28/2020      Public Hearing: 5/11/2020	Notice of Preparation	Riverside County	South Coast AQMD staff commented on 5/5/2020
<b>General Land Use (residential, etc.)</b> RVC200501-10 Tentative Tract Map No. PLN20-0055	The proposed project consists of subdivision of 18.17 acres for future development of 91 residential units. The project is located on the northeast corner of Domenigoni Parkway and Menifee Road.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/RVC200501-10.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/RVC200501-10.pdf</a>  Comment Period: 4/28/2020 - 6/3/2020      Public Hearing: 5/20/2020	Site Plan	City of Menifee	South Coast AQMD staff commented on 5/12/2020
<b>General Land Use (residential, etc.)</b> RVC200501-11 Menifee North Specific Plan 260, Amendment No. 3 (SPA 2010-090) Palomar Crossings	Staff provided comments on the Draft Environmental Impact Report for the proposed project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/January/RVC191203-02.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/January/RVC191203-02.pdf</a> . The proposed project consists of construction of 721 residential units totaling 637,000 square feet and 246,312 square feet of commercial uses on 63.24 acres. The project is located on the northeast corner of Palomar Road and State Route 74. Reference RVC191203-02 and RVC190301-05  Comment Period: N/A      Public Hearing: 5/13/2020	Final Environmental Impact Report	City of Menifee	Document reviewed - No comments sent for this document received

# - Project has potential environmental justice concerns due to the nature and/or location of the project.  
\*\* Disposition may change prior to Governing Board Meeting  
Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.  
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**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
May 1, 2020 to May 31, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>General Land Use (residential, etc.)</b> RVC200507-18 Legado Specific Plan	The proposed project consists of construction of 1,061 residential uses, 225,000 square feet of commercial uses, 14.8 acres of recreational uses, and 6.3 acres of open space on 331 acres. The project is located on the southeast corner of Rouse Road and Encanto Drive. Reference RVC200109-03 and RVC101110-01  Comment Period: N/A      Public Hearing: 5/13/2020	Final Environmental Impact Report	City of Menifee	Document reviewed - No comments sent for this document received
<b>General Land Use (residential, etc.)</b> RVC200521-03 Haun and Holland Mixed Use Center	The proposed project consists of construction of 178,100 square feet of commercial uses, 79,000 square feet of business park, and 47,200 square feet of industrial uses on 37.06 acres. The project is located on the northeast corner of Haun Road and Holland Road.  Comment Period: 5/19/2020 - 6/18/2020      Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Menifee	Document reviewed - No comments sent for this document received
<b>General Land Use (residential, etc.)</b> SBC200507-13 The Standard - Planned Development	The proposed project consists of construction of 282 residential units totaling 133,662 square feet on 9.54 acres. The project is located at 24000 West Lugonia Avenue on the northeast corner of Mountain View Avenue and West Lugonia Avenue. Reference SBC200303-10  Comment Period: 5/4/2020 - 5/24/2020      Public Hearing: N/A	Notice of Intent to Adopt a Negative Declaration	San Bernardino County	Document reviewed - No comments sent for this document received
<b>General Land Use (residential, etc.)</b> SBC200507-21 Tentative Tract Map No. 20336 and Commission Review and Approval No. 922	The proposed project consists of subdivision of 58 acres for future development of 317 residential units. The project is located on the northwest corner of Domestic Avenue and Texas Street.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/SBC200507-21.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/SBC200507-21.pdf</a>  Comment Period: 3/1/2020 - 3/20/2020      Public Hearing: N/A	Site Plan (received after close of comment period)	City of Redlands	South Coast AQMD staff commented on 5/12/2020

# - Project has potential environmental justice concerns due to the nature and/or location of the project.  
\*\* Disposition may change prior to Governing Board Meeting  
Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.  
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**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
May 1, 2020 to May 31, 2020**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>General Land Use (residential, etc.)</b> SBC200521-14 Westbury Residential Project	The proposed project consists of construction of 131 residential units totaling 133,812 square feet on 11.44 acres. The project is located near the northwest corner of Foothill Boulevard and East Avenue.  Comment Period: 5/13/2020 – 6/24/2020      Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Rancho Cucamonga	Document reviewed - No comments sent for this document received
<b>Plans and Regulations</b> LAC200514-08 Los Cerritos Wetlands Restoration Plan	The proposed project consists of development of programs to guide wetland restoration, habitat conservation, and flood management with a planning horizon of 2040. The project encompasses 503 acres and is located in the East Long Beach and North Seal Beach area along the border of Los Angeles County and Orange County. Reference LAC190313-04 <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/LAC200514-08.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/LAC200514-08.pdf</a>  Comment Period: 5/8/2020 – 6/22/2020      Public Hearing: 5/21/2020	Draft Program Environmental Impact Report	Los Cerritos Wetlands Authority	South Coast AQMD staff commented on 5/22/2020
<b>Plans and Regulations</b> RVC200520-01 Lakeland Village (General Plan Amendment No. 1208)	The proposed project consists of changes to land use and zoning designations from residential, commercial, retail, and public facilities uses to mixed uses and light industrial uses. The project encompasses 2,638.82 acres and is bounded by unincorporated areas of Riverside County to the north and east, San Diego County to the south, and City of Menifee to the west.  Comment Period: 5/19/2020 – 6/17/2020      Public Hearing: 6/17/2020	Notice of Intent to Adopt a Mitigated Negative Declaration	Riverside County	Document reviewed - No comments sent for this document received

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

\*\* Disposition may change prior to Governing Board Meeting

Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

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**DRAFT**

**ATTACHMENT B\*  
ONGOING ACTIVE PROJECTS FOR WHICH SOUTH COAST AQMD HAS  
OR IS CONTINUING TO CONDUCT A CEQA REVIEW**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>General Land Use (residential, etc.)</b> LAC200423-05 6220 West Yucca Project (ENV-2014-4706)	The proposed project consists of demolition of 44 existing residential units, and construction of two buildings totaling 316,948 square feet with 210 residential units, a 136-room hotel, and subterranean parking on 1.16 acres. The project is located on the southeast corner of Yucca Street and Argyle Avenue in the community of Hollywood. Reference LAC151201-04  Comment Period: 4/23/2020 – 6/8/2020      Public Hearing: N/A	Notice of Availability of a Draft Environmental Impact Report	City of Los Angeles	**Under review, may submit written comments
<b>Warehouse &amp; Distribution Centers</b> LAC200423-10 13131 Los Angeles Industrial Street Project	The proposed project consists of demolition of two existing buildings and construction of a 528,710-square-foot warehouse on 24.9 acres. The project is located at 13131 Los Angeles Street near the northwest corner of Los Angeles Street and Little John Street. Reference LAC190820-11 <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/LAC200423-10.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/LAC200423-10.pdf</a>  Comment Period: 4/3/2020 – 5/18/2020      Public Hearing: N/A	Notice of Availability of a Draft Environmental Impact Report	City of Irwindale	South Coast AQMD staff commented on 5/14/2020
<b>Warehouse &amp; Distribution Centers</b> RVC200317-05 Veterans Industrial Park 215 Project	The proposed project consists of construction of two warehouses totaling 2,219,852 square feet on 142.5 acres. The project is located on the northeast corner of Interstate 215 and Harley Knox Boulevard in Riverside County. Reference RVC160825-08 <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/RVC200317-05.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/RVC200317-05.pdf</a>  Comment Period: 3/11/2020 – 5/11/2020      Public Hearing: N/A	Notice of Availability of a Draft Environmental Impact Report	March Joint Powers Authority	South Coast AQMD staff commented on 5/5/2020
<b>Industrial and Commercial</b> SBC200423-03 Fontana Foothills Commerce Center and Residential Upzone	The proposed project consists of construction of two industrial buildings totaling 754,408 square feet on 33.6 acres. The project is located on the northeast corner of Juniper Avenue and Jurupa Avenue. <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/SBC200423-03.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/SBC200423-03.pdf</a>  Comment Period: 4/14/2020 – 5/14/2020      Public Hearing: N/A	Notice of Preparation	City of Fontana	South Coast AQMD staff commented on 5/5/2020
<b>Medical Facility</b> RVC200423-01 Baxter Village Mixed-Use Project	The proposed project consists of construction of an 84,000-square-foot medical office and a hotel with 102 rooms on 9.6 acres. The project is located on the northeast corner of Baxter Road and White Street. Reference RVC160518-01 and RVC160105-01 <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/RVC200423-01.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/RVC200423-01.pdf</a>  Comment Period: 4/8/2020 – 5/7/2020      Public Hearing: N/A	Notice of Preparation	City of Wildomar	South Coast AQMD staff commented on 5/5/2020

\*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.

\*\* Disposition may change prior to Governing Board Meeting

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

SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>PROJECT TITLE</b>				
<b>General Land Use (residential, etc.)</b> <b>LAC200416-01</b> Hollywood Center Project (ENV-2018-2116-EIR)	The proposed project consists of construction of four buildings totaling 1,287,150 square feet with 1,005 residential units and subterranean parking on 4.46 acres. The project is located on the southeast corner of Yucca Street and Ivar Avenue in the community of Hollywood. Reference LAC180904-07, LAC180828-12, and LAC180828-09 <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/LAC200416-01.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/LAC200416-01.pdf</a> Comment Period: 4/16/2020 - 6/1/2020 Public Hearing: N/A	Draft Environmental Impact Report	City of Los Angeles	South Coast AQMD staff commented on 5/27/2020
<b>General Land Use (residential, etc.)</b> <b>ORC200423-02</b> Creekside Specific Plan	The proposed project consists of demolition of a 123,000-square-foot building and construction of 188 residential units on 16.9 acres. The project is located on the southwest corner of Malaspina Road and Rancho Viejo Road. <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/ORC200423-02.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/ORC200423-02.pdf</a> Comment Period: 4/14/2020 - 5/14/2020 Public Hearing: 4/22/2020	Notice of Preparation	City of San Juan Capistrano	South Coast AQMD staff commented on 5/5/2020
<b>Plans and Regulations</b> <b>RVC200403-01</b> Northside Specific Plan	The proposed project consists of development of land use policies, development standards, and design guidelines with a planning horizon of 2040 on 2,000 acres. The project is located near the northeast corner of Santa Ana River and State Route 60 and encompasses the cities of Riverside and Colton and unincorporated areas of Riverside County. Reference RVC190404-04 <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/RVC200403-01.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/RVC200403-01.pdf</a> Comment Period: 3/26/2020 - 5/25/2020 Public Hearing: N/A	Draft Environmental Impact Report	City of Riverside	South Coast AQMD staff commented on 5/19/2020

# - Project has potential environmental justice concerns due to the nature and/or location of the project.  
\*\* Disposition may change prior to Governing Board Meeting

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**ATTACHMENT C  
ACTIVE SOUTH COAST AQMD LEAD AGENCY PROJECTS  
THROUGH MAY 31, 2020**

**DRAFT**

PROJECT DESCRIPTION	PROPONENT	TYPE OF DOCUMENT	STATUS	CONSULTANT
Quemetco is proposing to modify existing South Coast AQMD permits to allow the facility to recycle more batteries and to eliminate the existing daily idle time of the furnaces. The proposed project will increase the rotary feed drying furnace feed rate limit from 600 to 750 tons per day and increase the amount of total coke material allowed to be processed. In addition, the project will allow the use of petroleum coke in lieu of or in addition to calcined coke, and remove one existing emergency diesel-fueled internal combustion engine (ICE) and install two new emergency natural gas-fueled ICEs.	Quemetco	Environmental Impact Report (EIR)	A Notice of Preparation/Initial Study (NOP/IS) was released for a 56-day public review and comment period from August 31, 2018 to October 25, 2018, and 154 comment letters were received. Two CEQA scoping meetings were held on September 13, 2018 and October 11, 2018 in the community. South Coast AQMD staff received a preliminary Draft EIR on December 20, 2019 which is undergoing review.	Trinity Consultants

[↑ Back to Agenda](#)

BOARD MEETING DATE: August 7, 2020

AGENDA NO. 23

REPORT: Stationary Source Committee

SYNOPSIS: The Stationary Source Committee held a meeting remotely on Friday, June 19, 2020. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Ben Benoit, Chair  
Stationary Source Committee

AD:cr

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### **Committee Members**

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

Absent: Supervisor Janice Rutherford

### **Call to Order**

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

### **INFORMATIONAL ITEM:**

#### **1. Update on Implementation of Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan Type Central Furnaces**

Ms. Susan Nakamura, Assistant Deputy Executive Officer/Planning, Rule Development and Area Sources, presented an update on Rule 1111 implementation and the staff assessment of dual fuel systems with a 40 ng/J furnace.

Senator Delgado requested clarification on enforcement challenges raised by staff in the presentation. Dr. Philip Fine, Deputy Executive Officer/Planning, Rule Development and Area Sources, explained that enforcement challenges stem from allowing non-compliant 40 ng/J NO<sub>x</sub> furnaces to be available within the district for more widespread use, ensuring their use is in combination with electric heat pump, and the potential to be altered to favor furnace operation, and thus, higher emissions in the region.

Council Member Benoit and Board Member Kracov requested further clarification on the operation of the dual fuel systems in that they can only operate as one unit, but staff identified dual fuel systems as two units functioning as one system, and that there are existing dual fuel systems operating with a 14 ng/J NO<sub>x</sub> furnace. Council Member Benoit and Senator Delgado inquired about the possibility of a third-party study to address issues such as whether the electric pump is used most often, and if dual fuel systems with 40 ng/J furnaces can be made to require a heat pump in order to operate. Dr. Fine added that the rebate program can be offered to help offset the additional cost for 14 ng/J dual fuel systems. Council Member Mitchell asked about the benefits of a 40 ng/J furnace when compared to a 14 ng/J furnace. Dr. Fine provided clarification on the cost differences between 40 ng/J and 14 ng/J furnaces, and the potential for more consumer choice. Council Member Mitchell stated her support for staff's position in not allowing 40 ng/J dual fuel systems in Rule 1111. Senator Delgado clarified the potential emission reduction when comparing 40 ng/J dual fuel systems with 14 ng/J standalone furnaces.

Mr. Rusty Tharp, Goodman, and Mr. Dave Winningham, Lennox, expressed support for staff's position opposing the operation of 40 ng/J NO<sub>x</sub> furnace in a dual fuel system due to enforcement concerns, as well as penalizing those manufacturers that have developed 14 ng/J furnaces and dual fuel systems with 14 ng/J NO<sub>x</sub> furnace.

The following public commenters expressed support for 40 ng/J NO<sub>x</sub> dual fuel systems:

Patricia Chen, PC Law Group on behalf of Trane Technologies

Angus Lemon, Trane Technologies

Kellie Lindenmoyer, Trane Technologies

Doug McLeish, Johnson Controls

Chris Forth, Johnson Controls (submitted written comments)

Kory Griggs, Indoor Weather

Cody Novini

Karen Meyers, Rheem

Marie Carpizo, Air-Conditioning, Heating, and Refrigeration Institute (AHRI)

Allison Skid, Rheem

Kevin and Stephanie

Kevin Cross, Heating and Cooling Supply

Board Member Kracov requested equipment cost information from Mr. Forth. Mr. Forth stated that costs are confidential and cannot be provided.

The following public commenters expressed support for a one-year extension of the mitigation period for weatherized furnaces with a sell through provision and further assessment into 40 ng/J NO<sub>x</sub> dual fuel weatherized furnaces:

Doug McLeish

Tom Kennedy

Laura Orozco, US Air Conditioning

Bruce Fuhrmann, US Air Conditioning

Marie Carpizo

Mr. Harvey Eder, Public Solar Power Coalition, expressed support for solar technologies for heating applications.

Mr. Nelson Dichter, UC Davis Western Cooling Efficiency Center, clarified details in the UC Davis study referenced in the staff presentation and OEM comments.

Ms. Lindenmoyer and Mr. Griggs expressed support to extend the exemption for high altitude installations.

Council Member Benoit requested that staff return to the Stationary Source Committee in August to continue discussions on dual fuel systems. Senator Delgado expressed support on extensions to compliance dates for high altitude and weatherized units, sell through period for weatherized furnaces, and the allowance for 40 ng/J NO<sub>x</sub> dual fuel systems. Council Member Mitchell requested additional information from staff regarding the emission differences and enforcement concerns with dual fuel systems equipped with 40 ng/J NO<sub>x</sub> furnaces. Board Member Kravoc echoed sentiments from Council Member Mitchell and Senator Delgado and requested staff to obtain cost information for all potential options.

### **WRITTEN REPORTS:**

**2. Monthly Update of Staff's Work with U.S. EPA on New Source Review Issues for the Transition of RECLAIM Facilities to a Command and Control Regulatory Program**

The report was acknowledged by the Committee.

**3. Twelve-month and Three month Rolling Average Price RTCs for Compliance Years 2019 and 2020 (April – June)**

The report was acknowledged by the Committee.

**4. Notice of Violation Penalty Summary**

The report was acknowledged by the Committee.

**OTHER MATTERS:**

**5. Other Business**

There was no other business.

**6. Public Comment Period**

Mr. Eder voiced concerns about the numbers reported for methane and CO<sub>2</sub> relating to heat pumps. He also expressed concerns about the use of natural gas and fossil fuels.

**7. Next Meeting Date**

The next regular Stationary Source Committee meeting is scheduled for Friday, August 21, 2020.

**Adjournment**

The meeting was adjourned at 12:15 p.m.

**Attachments**

1. Attendance Record
2. Monthly Update of Staff's Work with U.S. EPA on New Source Review Issues for the RECLAIM Transition
3. Twelve-month and Three month Rolling Average Price of RTCs for Compliance Years 2019 and 2020 (April – June)
4. Draft Notice of Violation Penalty Summary

# ATTACHMENT 1

## **SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT STATIONARY SOURCE COMMITTEE**

**Attendance –June 19, 2020**

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
Tom Gross .....	Board Consultant (Benoit)
Fred Minassian .....	Board Consultant (Mitchell)
Andy Silva .....	Board Consultant (Rutherford)
Mark Taylor.....	Board Consultant (Rutherford)
Ross Zelen .....	Board Consultant (Gideon)
Howard Berman.....	E4 Strategic Solutions
Curtis Coleman.....	Southern California Air Quality Alliance
Marie Carpizo.....	AHRI
Patricia Chen .....	PC Law Group
Kevin Cross .....	Heating and Cooling Supply
Nelson Dichter.....	US Davis
Harvey Eder.....	Public Solar Power Coalition
Chris Forth.....	Johnson Controls
Bruce Fuhrmann .....	US Air Conditioning
Kory Griggs .....	Indoor Weather
Frances Keeler .....	CCEEB
Bill Lamarr .....	California Small Business Alliance
Angus Lemon .....	Trane Technologies
Kellie Lindenmoyer.....	Trane Technologies
Bridget McCann .....	Western States Petroleum Association
Dan McGivney .....	Southern California Gas Co
Doug McLeish.....	Johnson Controls
Karen Meyers .....	Rheem
Noel Muyco .....	Southern California Gas Co
Laura Orozco .....	US Air Conditioning
David Rothbart .....	SCAP
Patty Senecal .....	Western States Petroleum Association
Allison Skid.....	Rheem
Rusty Tharp .....	Goodman

**ATTACHMENT 1**

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
STATIONARY SOURCE COMMITTEE**

**Attendance –June 19, 2020**

Scott Weaver .....	Ramboll
Peter Whittingham.....	Whittingham Public Affairs Advisors
Dave Winningham.....	Lennox
Derrick Alatorre.....	South Coast AQMD staff
Jason Aspell.....	South Coast AQMD staff
Barbara Baird.....	South Coast AQMD staff
Naveen Berry.....	South Coast AQMD staff
Amir Dejbakhsh.....	South Coast AQMD staff
Philip Fine .....	South Coast AQMD staff
Bayron Gilchrist .....	South Coast AQMD staff
Sheri Hanizavareh .....	South Coast AQMD staff
Mark Henninger.....	South Coast AQMD staff
Michael Krause.....	South Coast AQMD staff
Terrence Mann.....	South Coast AQMD staff
Matt Miyasato.....	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
Gary Quinn .....	South Coast AQMD staff
Sarah Rees .....	South Coast AQMD staff
Kathryn Roberts.....	South Coast AQMD staff
Anthony Tang.....	South Coast AQMD staff
William Thompson.....	South Coast AQMD staff
Shawn Wang.....	South Coast AQMD staff
Jill Whynot .....	South Coast AQMD staff
William Wong .....	South Coast AQMD staff
Paul Wright.....	South Coast AQMD staff
Victor Yip.....	South Coast AQMD staff



## June 2020 Update on Work with U.S. EPA on New Source Review Issues for the RECLAIM Transition

At the October 5, 2018 Board meeting, the Board directed staff to provide the Stationary Source Committee with a monthly update of staff's work with U.S. EPA regarding resolving NSR issues for the transition of facilities from RECLAIM to a command and control regulatory structure. The table below summarizes key activities over the past month.

Item	Discussion
Teleconference with U.S. EPA – May 28, 2020	<ul style="list-style-type: none"> <li>• Discussed retaining current NSR applicability test</li> <li>• Discussed alternative NSR applicability test</li> <li>• Discussed issues related to co-pollutant emissions from air pollution control equipment</li> </ul>
Video conference with CARB – June 2, 2020	<ul style="list-style-type: none"> <li>• Discussed the proposed alternative emission calculation method for NSR applicability test</li> </ul>
Teleconference with U.S. EPA – June 4, 2020	<ul style="list-style-type: none"> <li>• Reviewed material for the June RECLAIM and Regulation XIII working group meetings</li> </ul>
RECLAIM and Regulation XIII (New Source Review) Working Group Meeting – June 11, 2020	<ul style="list-style-type: none"> <li>• Provided updates on rulemakings for the RECLAIM transition</li> <li>• Responded to comments received from the Regulatory Flexibility Group, Western States Petroleum Association, and Los Angeles Department of Water and Power</li> </ul>



# South Coast Air Quality Management District

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

## Twelve-Month and Three-Month Rolling Average Price of Compliance Years 2019 and 2020 NOx and SOx RTCs

June 2020 Report to Stationary Source Committee

**Table I**

Twelve-Month Rolling Average Price Data for Compliance Year 2019 NOx RTCs  
(Report to Governing Board if rolling average price greater than \$22,500/ton)

Twelve-Month Rolling Average Price Data for Compliance Year 2019 NOx RTC					
Reporting Month	12-Month Period	Total Volume Traded with Price During Past 12-month (tons)	Total Price of Volume Traded During Past 12-month (\$)	Number of Trades with Price	Rolling Average Price <sup>1</sup> (\$/ton)
Jan-19	Jan-18 to Dec-18	18.2	\$103,000	5	\$5,646
Feb-19	Feb-18 to Jan-19	19.0	\$108,200	6	\$5,682
Mar-19	Mar-18 to Feb-19	19.0	\$108,200	6	\$5,682
Apr-19	Apr-18 to Mar-19	29.6	\$181,921	8	\$6,153
May-19	May-18 to Apr-19	30.2	\$186,852	9	\$6,182
Jun-19	Jun-18 to May-19	31.2	\$195,323	10	\$6,256
Jul-19	Jul-18 to Jun-19	44.3	\$278,708	14	\$6,288
Aug-19	Aug-18 to Jul-19	54.2	\$336,213	18	\$6,200
Sep-19	Sep-18 to Aug-19	57.0	\$352,313	22	\$6,184
Oct-19	Oct-18 to Sep-19	121.2	\$648,018	29	\$5,348
Nov-19	Nov-18 to Oct-19	223.6	\$1,156,517	55	\$5,171
Dec-19	Dec-18 to Nov-19	241.4	\$1,243,747	59	\$5,153
Jan-20	Jan-19 to Dec-19	254.1	\$1,374,563	61	\$5,410
Feb-20	Feb-19 to Jan-20	627.3	\$3,051,736	101	\$4,865
Mar-20	Mar-19 to Feb-20	763.8	\$3,657,124	117	\$4,788
Apr-20	Apr-19 to Mar-20	806.6	\$3,891,993	121	\$4,825
May-20	May-19 to Apr-20	857.5	\$4,163,172	138	\$4,855
Jun-20	Jun-19 to May-20	856.5	\$4,154,702	137	\$4,851

1. District Rule 2015(b)(6) - Backstop Provisions provides additional "evaluation and review of the compliance and enforcement aspects of the RECLAIM program" if the average RTC price exceeds \$15,000 per ton.

**Table II**

Twelve-Month Rolling Average Price Data for Compliance Year 2020 NOx RTCs  
(Report to Governing Board if rolling average price greater than \$22,500/ton)

<b>Twelve-Month Rolling Average Price Data for Compliance Year 2020 NOx RTC</b>					
<b>Reporting Month</b>	<b>12-Month Period</b>	<b>Total Volume Traded with Price During Past 12-month (tons)</b>	<b>Total Price of Volume Traded During Past 12-month (\$)</b>	<b>Number of Trades with Price</b>	<b>Rolling Average Price<sup>1</sup> (\$/ton)</b>
Jan-20	Jan-19 to Dec-19	71.0	\$865,215	11	\$12,190
Feb-20	Feb-19 to Jan-20	111.2	\$1,197,542	14	\$10,770
Mar-20	Mar-19 to Feb-20	200.4	\$1,646,922	19	\$8,220
Apr-20	Apr-19 to Mar-20	202.4	\$1,657,101	21	\$8,186
May-20	May-19 to Apr-20	221.7	\$1,755,883	26	\$7,921
Jun-20	Jun-19 to May-20	227.6	\$1,815,483	27	\$7,975

1. District Rule 2015(b)(6) - Backstop Provisions provides additional "evaluation and review of the compliance and enforcement aspects of the RECLAIM program" if the average RTC price exceeds \$15,000 per ton.

**Table III**

Three-Month Rolling Average Price Data for Compliance Year 2019 NOx RTCs  
(Report to Governing Board if rolling average price greater than \$35,000/ton)

<b>Three-Month Rolling Average Price Data for Compliance Year 2019 NOx RTC</b>					
<b>Reporting Month</b>	<b>3-Month Period</b>	<b>Total Volume Traded with Price During Past 3-month (tons)</b>	<b>Total Price of Volume Traded During Past 3-month (\$)</b>	<b>Number of Trades with Price</b>	<b>Rolling Average Price (\$/ton)</b>
Jan-19	Oct-18 to Dec-18	18.2	\$102,300	4	\$5,621
Feb-19	Nov-18 to Jan-19	19.0	\$107,500	5	\$5,658
Mar-19	Dec-18 to Feb-19	14.0	\$80,000	4	\$5,714
Apr-19	Jan-19 to Mar-19	11.3	\$78,922	3	\$6,969
May-19	Feb-19 to Apr-19	11.2	\$78,653	3	\$7,034
Jun-19	Mar-19 to May-19	12.2	\$87,123	4	\$7,154
Jul-19	Apr-19 to Jun-19	14.8	\$96,787	6	\$6,560
Aug-19	May-19 to Jul-19	24.0	\$150,060	10	\$6,241
Sep-19	Jun-19 to Aug-19	25.8	\$157,690	13	\$6,113
Oct-19	Jul-19 to Sep-19	76.9	\$370,010	16	\$4,812
Nov-19	Aug-19 to Oct-19	169.4	\$820,304	37	\$4,842
Dec-19	Sep-19 to Nov-19	189.4	\$918,934	38	\$4,852
Jan-20	Oct-19 to Dec-19	151.1	\$828,845	36	\$5,485
Feb-20	Nov-19 to Jan-20	422.7	\$2,002,719	51	\$4,738
Mar-20	Dec-19 to Feb-20	536.5	\$2,493,378	62	\$4,648

Three-Month Rolling Average Price Data for Compliance Year 2019 NOx RTC					
Reporting Month	3-Month Period	Total Volume Traded with Price During Past 3-month (tons)	Total Price of Volume Traded During Past 3-month (\$)	Number of Trades with Price	Rolling Average Price (\$/ton)
Apr-20	Jan-20 to Mar-20	563.9	\$2,596,352	63	\$4,605
May-20	Feb-20 to Apr-20	241.4	\$1,190,089	40	\$4,930
Jun-20	Mar-20 to May-20	104.9	\$584,701	24	\$5,574

**Table IV**

Three-Month Rolling Average Price Data for Compliance Year 2020 NOx RTCs  
(Report to Governing Board if rolling average price greater than \$35,000/ton)

Three-Month Rolling Average Price Data for Compliance Year 2020 NOx RTC					
Reporting Month	3-Month Period	Total Volume Traded with Price During Past 3-month (tons)	Total Price of Volume Traded During Past 3-month (\$)	Number of Trades with Price	Rolling Average Price (\$/ton)
Jan-20	Oct-19 to Dec-19	71.0	\$865,215	11	\$12,190
Feb-20	Nov-19 to Jan-20	105.6	\$1,150,163	13	\$10,890
Mar-20	Dec-19 to Feb-20	167.6	\$1,414,218	12	\$8,438
Apr-20	Jan-20 to Mar-20	131.4 <sup>1</sup>	\$791,886 <sup>1</sup>	10	\$6,024 <sup>1</sup>
May-20	Feb-20 to Apr-20	110.5	\$558,341	12	\$5,054
Jun-20	Mar-20 to May-20	27.3	\$168,561	8	\$6,179

1. Revision from the April 2020 RTC Price Report reported values of 132.9 tons (3-month volume traded), \$799,386 (total price of volume traded), and \$6,013/ton (rolling average price).

**Table V**

Twelve-Month Rolling Average Price Data for Compliance Year 2019 SOx RTCs  
(Report to Governing Board if rolling average price greater than \$50,000/ton)

Twelve-Month Rolling Average Price Data for Compliance Year 2019 SOx RTC <sup>1</sup>					
Reporting Month	12-Month Period	Total Volume Traded with Price During Past 12-month (tons)	Total Price of Volume Traded During Past 12-month (\$)	Number of Trades with Price	Rolling Average Price <sup>2</sup> (\$/ton)
Jan-19	Jan-18 to Dec-18	None	-	-	-
Feb-19	Feb-18 to Jan-19	None	-	-	-
Mar-19	Mar-18 to Feb-19	25.0	\$50,000	1	\$2,000
Apr-19	Apr-18 to Mar-19	25.0	\$50,000	1	\$2,000
May-19	May-18 to Apr-19	25.0	\$50,000	1	\$2,000
Jun-19	Jun-18 to May-19	26.4	\$53,376	2	\$2,021
Jul-19	Jul-18 to Jun-19	26.4	\$53,376	2	\$2,021
Aug-19	Aug-18 to Jul-19	78.9	\$263,384	5	\$3,338

<b>Twelve-Month Rolling Average Price Data for Compliance Year 2019 SOx RTC<sup>1</sup></b>					
<b>Reporting Month</b>	<b>12-Month Period</b>	<b>Total Volume Traded with Price During Past 12-month (tons)</b>	<b>Total Price of Volume Traded During Past 12-month (\$)</b>	<b>Number of Trades with Price</b>	<b>Rolling Average Price<sup>2</sup> (\$/ton)</b>
Sep-19	Sep-18 to Aug-19	88.9	\$315,130	7	\$3,544
Oct-19	Oct-18 to Sep-19	88.9	\$315,130	7	\$3,544
Nov-19	Nov-18 to Oct-19	125.7	\$1,003,808	9	\$7,985
Dec-19	Dec-18 to Nov-19	125.7	\$1,003,808	9	\$7,985
Jan-20	Jan-19 to Dec-19	125.7	\$1,003,808	9	\$7,985
Feb-20	Feb-19 to Jan-20	160.7	\$1,191,808	11	\$7,416
Mar-20	Mar-19 to Feb-20	150.2	\$1,170,958	12	\$7,795
Apr-20	Apr-19 to Mar-20	150.2	\$1,170,958	12	\$7,795
May-20	May-19 to Apr-20	150.2	\$1,170,958	12	\$7,795
Jun-20	Jun-19 to May-20	148.8	\$1,167,582	11	\$7,846

1. Pursuant to District Rule 2002(f)(1)(Q), the requirement to report 12-month rolling average SOx RTC price ended February 1, 2020. This table is provided as a courtesy.
2. District Rule 2015(b)(6) - Backstop Provisions provides additional "evaluation and review of the compliance and enforcement aspects of the RECLAIM program" if the average RTC price exceeds \$15,000 per ton.

**Table VI**

Twelve-Month Rolling Average Price Data for Compliance Year 2020 SOx RTCs  
(Report to Governing Board if rolling average price greater than \$50,000/ton)

<b>Twelve-Month Rolling Average Price Data for Compliance Year 2020 SOx RTC<sup>1</sup></b>					
<b>Reporting Month</b>	<b>12-Month Period</b>	<b>Total Volume Traded with Price During Past 12-month (tons)</b>	<b>Total Price of Volume Traded During Past 12-month (\$)</b>	<b>Number of Trades with Price</b>	<b>Rolling Average Price<sup>2</sup> (\$/ton)</b>
Jan-20	Jan-19 to Dec-19	None	-	-	-
Feb-20	Feb-19 to Jan-20	None	-	-	-
Mar-20	Mar-19 to Feb-20	None	-	-	-
Apr-20	Apr-19 to Mar-20	None	-	-	-
May-20	May-19 to Apr-20	None	-	-	-
Jun-20	Jun-19 to May-20	None	-	-	-

1. Pursuant to District Rule 2002(f)(1)(Q), the requirement to report 12-month rolling average SOx RTC price ended February 1, 2020. This table is provided as a courtesy.
2. District Rule 2015(b)(6) - Backstop Provisions provides additional "evaluation and review of the compliance and enforcement aspects of the RECLAIM program" if the average RTC price exceeds \$15,000 per ton.

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**General Counsel's Office**  
**DRAFT**  
**May 2020 Settlement Penalty Report**

<b><u>Total Penalties</u></b>	
Civil Settlements:	\$138,250.00
MSPAP Settlements:	\$9,314.00
Hearing Board Settlements:	\$153,975.00
<b>Total Cash Settlements:</b>	<b>\$301,539.00</b>
<b>Total SEP Value:</b>	<b>\$0.00</b>
<b>Fiscal Year through 5 / 2020 Cash Total:</b>	<b>\$12,235,094.36</b>
<b>Fiscal Year through 5 / 2020 SEP Value Only Total:</b>	<b>\$0.00</b>

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbr	Total Settlement
<b>Civil Settlements</b>						
800264	EDGINGTON OIL COMPANY	2004 3002(c)(1)	5/5/2020	TRB	P65603 P67367 P67808	\$6,000.00
11034	ENWAVE LOS ANGELES INC.	2004 2012(c)(3)(A) 2012, Appendix A	5/5/2020	TRB	P66852	\$5,250.00
188379	IRVINE COMPANY	40 CFR 60, QQQ 1403	5/5/2020	NSF	P65513	\$2,500.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbr	Total Settlement
21505	LA CITY COLLEGE	203(a)	5/5/2020	KCM	P68853	\$9,500.00
		222			P68854	
		461				
		1415				
41229	LUBECO INC	203	5/27/2020	NSF	P64524	\$100,000.00
		402			P65528	
		1402			P66001	
		1469				
		1469.1				
		H&S 41700				
20604	RALPHS GROCERY CO	2004	5/27/2020	NAS	P66172	\$5,000.00
					P66176	
188493	RIVERWALK POST ACUTE	40 CFR 60, QQQ	5/27/2020	NSF	P67438	\$10,000.00
		1403				

**Total Civil Settlements: \$138,250.00**

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbr	Total Settlement
<b>MSPAP Settlements</b>						
103227	CALIFORNIA PAVING & GRADING	203 461	5/13/2020	GC	P66806	\$2,964.00
187730	CPT WINEVILLE LLC	203(a)	5/13/2020	GC	P63968	\$800.00
29844	JOHN MOELLER, PALISADES GAS-N-	461(c)(3)(Q)	5/13/2020	GV	P76614	\$600.00
183855	MOLLER RETAIL #6120	461(c)(3)(Q)	5/13/2020	GV	P77255	\$600.00
177384	MOLLER RETAIL, INC DBA CONSERV	461(c)(3)(Q)	5/13/2020	GV	P77124	\$600.00
183026	MOLLER RETAIL, INC.	461(c)(3)(Q)	5/13/2020	GV	P77237	\$600.00
155416	MOLLER RETAIL, INC. #6109	461(c)(3)(Q)	5/13/2020	GV	P76975	\$600.00
73610	SF HOLDING SUPERFINE TEXACO	461	5/13/2020	TF	P68431	\$1,950.00
185800	TOUCHUP AUTO COLLISION	1151	5/13/2020	TF	P67561	\$600.00
<b>Total MSPAP Settlements: \$9,314.00</b>						



Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbr	Total Settlement
<b>Hearing Board Settlements</b>						
191012	CLIMATE INDUSTRIES, INC. dba	1111	5/13/2020	MJR	6153-2	\$81,975.00
104234	MISSION FOODS CORPORATION	202 203(b) 1153.1 1303	5/27/2020	KCM	5400-4	\$25,000.00
181758	RUDOLPH FOODS WEST, INC.	202	5/13/2020	KCM	6168-1	\$2,000.00
10966	WEBER METALS INC	1430	5/13/2020	DH	6136-1	\$45,000.00
<b>Total Hearing Board Settlements: \$153,975.00</b>						

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

**REGULATION II - PERMITS**

- Rule 202 Temporary Permit to Operate
- Rule 203 Permit to Operate
- Rule 222 Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II

**REGULATION IV - PROHIBITIONS**

- Rule 402 Nuisance
- Rule 461 Gasoline Transfer and Dispensing

**REGULATION XI - SOURCE SPECIFIC STANDARDS**

- Rule 1111 NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces
- Rule 1151 Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations
- Rule 1153.1 Emissions of Oxides of Nitrogen from Commercial Food Ovens

**REGULATION XIII - NEW SOURCE REVIEW**

- Rule 1303 Requirements

**REGULATION XIV - TOXICS**

- Rule 1402 Control of Toxic Air Contaminants from Existing Sources
- Rule 1403 Asbestos Emissions from Demolition/Renovation Activities
- Rule 1415 Reduction of Refrigerant Emissions from Stationary Refrigeration and Air Conditioning Systems
- Rule 1430 Control of Emissions from Metal Grinding Operations at Metal Forging Facilities
- Rule 1469 Hexavalent Chromium Emissions from Chrome Plating and Chromic Acid Anodizing Operations
- Rule 1469.1 Spraying Operations Using Coatings Containing Chromium

**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
- Appendix A
- Rule 2012 Protocol for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions

**REGULATION XXX - TITLE V PERMITS**

- Rule 3002 Requirements for Title V Permits

**CODE OF FEDERAL REGULATIONS**

40 CFR 60, QQQ – Standards of Performance for VOC Emissions from Petroleum Refinery Wastewater

**CALIFORNIA HEALTH AND SAFETY CODE**

41700 Violation of General Limitations

[↑ Back to Agenda](#)

BOARD MEETING DATE: August 7, 2020

AGENDA NO. 24

REPORT: Technology Committee

SYNOPSIS: The Technology Committee held a meeting remotely on Friday, June 19, 2020. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Joe Buscaino, Chair  
Technology Committee

MMM:av

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### **Committee Members**

Present: Council Member Joe Buscaino/Chair  
Supervisor Lisa Bartlett  
Board Member Gideon Kracov  
Council Member Judith Mitchell  
Council Member Carlos Rodriguez

Absent: None

### **Call to Order**

Chair Buscaino called the meeting to order at 12:17 p.m.

### **ACTION ITEMS:**

Chair Buscaino asked the Committee to take Items #2 and 3 on consent.

*(Items were taken out of order)*

**2. Issue Program Announcement for Zero-Emission Class 8 Freight and Port Drayage Trucks Eligible Under Statewide Volkswagen Environmental Mitigation Trust Program and Execute Contracts for Selected Eligible Projects**

In November 2018 and March 2020, the Board recognized revenue up to \$165 million to administer and implement two of the five project funding categories for the Volkswagen (VW) Environmental Mitigation Trust Program. For the category of Zero-Emission Class 8 Freight and Port Drayage Trucks, the first installment of VW project funds totaling \$27 million is available for eligible vehicles selected through a first-come, first-served solicitation. This action is to issue a statewide Program Announcement for the VW Zero-Emission Class 8 Freight and Port Drayage Trucks category totaling \$27 million for eligible vehicles selected on a first-come, first-served basis. This action is to also authorize the Executive Officer to enter into contracts for eligible projects selected through this solicitation.

Ranji George, a member of the public, requested separation of funding opportunities for battery electric and hydrogen fuel cell technologies, as well as higher funding caps for hydrogen fuel cell.

Harvey Eder, a member of the public, expressed his concern for meeting climate goals.

### **3. Issue RFP for Qualified Installers of Global Positioning Devices for Marine Vessel Projects**

South Coast AQMD requires all marine vessel engine repowering projects funded by the Carl Moyer Program to install a Global Positioning System (GPS) on the vessel in order to monitor operation within South Coast AQMD's jurisdictional waters. These marine vessel projects are required to operate at least 75 percent of the time in South Coast AQMD's jurisdictional waters throughout the contract life. However, South Coast AQMD's contract with the previous installer has expired. This action is to issue an RFP soliciting bids from qualified vendors for the purchase, installation, tracking and monitoring of GPS devices equipped with electronic monitoring units on marine vessels funded by the Carl Moyer Program.

Items #2 and 3 were moved by Mitchell, seconded by Rodriguez and unanimously approved.

### **1. Adopt Resolution Recognizing Funds for FY 2019-20 Carl Moyer State Reserve Program and Redistribute Funding Sources for Incentive Projects to Facilitate Timely Implementation**

In April 2020, CARB approved allocations for the FY 2019-20 Carl Moyer "Year 22" State Reserve Program, including \$4,275,655 to the South Coast AQMD for heavy-duty truck projects eligible pursuant to the On-Road Heavy-Duty Vehicle Voucher Incentive Program (VIP). This action is to adopt a Resolution recognizing up to \$4.3 million in FY 2019-20 Carl Moyer State Reserve funds from CARB. The Board also periodically approves awards for incentive projects using a variety of funding sources. Some projects experience delays in contract

executions, equipment purchase and deliveries as well as cancellations due to a variety of issues. As a result of the COVID-19 pandemic and associated economic impacts, staff anticipates additional delays may forestall the liquidation of funds per mandated grant timelines. This action is to also allow the redistribution of funding sources, as needed, for incentive projects to facilitate timely liquidation.

Council Member Mitchell commented that she does not have a financial interest or conflict of interest, but is required to identify for the record that she is a Board Member of CARB which is involved in this item.

Ranji George suggested the allocation of funds amongst battery electric and fuel cell technologies, and a historical review of funding awarded. He further informed the committee that battery electric vehicles may immediately mitigate emission, but may negatively impact disadvantaged communities in the long term, and suggested greater focus on fuel cells.

Moved by Kracov; seconded by Bartlett; unanimously approved.

Ayes: Bartlett, Buscaino, Kracov, Mitchell, Rodriguez

Noes: None

Absent: None

**4. Execute Contract to Investigate Effects of Ethanol-Gasoline Fuel Blend from Light-Duty Vehicles on Criteria Emissions and Secondary Organic Aerosol Formation**

In May 2019, the U.S. EPA approved the use of gasoline blended with up to 15 percent ethanol by volume (E15) for year-round use to support renewable fuel standards and energy independence. Past studies have shown that light-duty gasoline vehicles are significant sources of NO<sub>x</sub>, VOC and other precursor gas emissions, which together contribute to secondary organic aerosol (SOA) formation and higher PM<sub>2.5</sub> in the South Coast Air Basin. CARB, along with the ethanol industry and the University of California, Riverside (UCR)/CE-CERT, has proposed a fuel study measuring criteria and toxic pollutant emissions from 20 gasoline vehicles using E15. This action is to execute a contract with UCR/CE-CERT to perform investigation of E15 gasoline fuel effects on criteria and toxic pollutant emissions and SOA formation from light-duty vehicles in amount not to exceed \$200,000 from the Clean Fuels Program Fund (31).

Council Member Mitchell commented that she does not have a financial interest or conflict of interest, but is required to identify for the record that she is a Board Member of CARB which is involved in this item.

Harvey Eder suggested that current ethanol production uses prime farmland that would otherwise be used for food production and cautioned going forward and study how to incorporate marginal land for ethanol production

Ranji George commented that the high content of ethanol/alcohol-based fuel can be used for 95 percent of the vehicles and would like to know the actual emission reductions for different blends of alcohol-based fuels.

Moved by Mitchell; seconded by Bartlett; unanimously approved.

Ayes: Bartlett, Buscaino, Kracov, Mitchell, Rodriguez  
Noes: None  
Absent: None

### **INFORMATIONAL ITEM:**

#### **5. California Fuel Cell Partnership Executive Board Meeting Agenda and Activity Update**

This report provides the California Fuel Cell Partnership Executive Board Agenda for the meeting held May 19, 2020 and provides the Activity Update for the fourth quarter of 2019 and first quarter of 2020.

Council Member Rodriguez indicated the need to closely monitor the effort to reboot the organization, continue emphasis on medium- and heavy-duty trucks in order to accelerate NOx reductions, and welcomes other thoughts during this process.

Council Member Buscaino commented that this committee has and will continue to support demonstrations of this technology.

Council Member Mitchell informed the committee of her presence at numerous local events, including 10 new fuel cell buses and the largest hydrogen station in the nation, as well as the redesigned dispenser, and indicated that fuel cells are one of the most viable pathways for long haul trucking since due to fast fueling.

Supervisor Bartlett agreed with comments of other committee members and offered a correction on Orange County Transportation Authority reference.

### **OTHER MATTERS:**

#### **6. Other Business**

There was no other business.

## **7. Public Comment Period**

Ranji George offered support for the California Fuel Cell Partnership, but also emphasized the need to maintain public access meetings and for South Coast AQMD staff to periodically update the committee. (Staff notes that the CaFCP has held public Executive Board meetings since April 2014, and since 2002, South Coast AQMD staff provided meeting summaries to our Governing Board).

Harvey Eder commented that there are structural staff problems with several organizations. Additionally, he expressed his support for solar renewables.

## **8. Next Meeting Date**

The next regular Technology Committee meeting is scheduled for Friday, August 21, 2020 at noon.

## **Adjournment**

The meeting adjourned at 12:59 p.m.

## **Attachment**

Attendance Record



**ATTACHMENT**

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
TECHNOLOGY COMMITTEE MEETING**

**Attendance Record – June 19, 2020**

Supervisor Lisa Bartlett .....	SCAQMD Board Member
Council Member Joe Buscaino.....	SCAQMD Board Member
Board Member Gideon Kracov .....	SCAQMD Board Member
Council Member Judith Mitchell.....	SCAQMD Board Member
Council Member Carlos Rodriguez .....	SCAQMD Board Member
James Dinwiddie.....	Board Consultant (Bartlett)
Jacob Haik .....	Board Consultant (Buscaino)
Matt Holder .....	Board Consultant (Rodriguez)
Fred Minassian .....	Board Consultant (Mitchell)
Mark Abramowitz.....	Public Member
Harvey Eder.....	Public Solar Power Coalition
Ranji George.....	Public Member
Bridget McCann .....	Public Member
Rick Sikes.....	Consultant
Elizabeth Tom .....	Public Member
Maria Vides .....	Public Member
Becky Warren.....	Public Member
Ross Zelen.....	Public Member
Debra Ashby.....	SCAQMD Staff
Naveen Berry.....	SCAQMD Staff
Sam Cao .....	SCAQMD Staff
Ping Gui .....	SCAQMD Staff
Sheri Hanizavareh.....	SCAQMD Staff
Mark Henninger.....	SCAQMD Staff
Ruby Laity.....	SCAQMD Staff
Lisa Mirisola.....	SCAQMD Staff
Matt Miyasato.....	SCAQMD Staff
Ron Moskowitz .....	SCAQMD Staff
Wayne Nastri.....	SCAQMD Staff
Ashkaan Nikravan .....	SCAQMD Staff
Mary Reichert.....	SCAQMD Staff
Penny Shaw Cedillo.....	SCAQMD Staff
Walter Shen .....	SCAQMD Staff
Anthony Tang.....	SCAQMD Staff
Alejandra Vega.....	SCAQMD Staff
Jill Whynot .....	SCAQMD Staff
Paul Wright .....	SCAQMD Staff

[↑ Back to Agenda](#)

BOARD MEETING DATE: August 7, 2020

AGENDA NO. 25

REPORT: Mobile Source Air Pollution Reduction Review Committee

SYNOPSIS: The Mobile Source Air Pollution Reduction Review Committee held a meeting June 18, 2020. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Ben Benoit  
SCAQMD Representative to MSRC

MMM:NB:CR:psc

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#### FY 2020-21 Administrative Budget

Every year the MSRC adopts an Administrative Budget for the upcoming fiscal year to ensure costs remain within the limitation, currently 6.25 percent. For FY 2020-21, the MSRC adopted an Administrative Budget in the amount of \$809,787, which is \$208,963 below the 6.25 percent cap. Administrative expenditures are not directly drawn, however, from the MSRC fund account, but instead from the South Coast AQMD's budget. To cover these expenses, the MSRC approved a fund transfer.

#### FYs 2018-2021 Work Program

##### MSRC Website

The current contract with Geographics for hosting and maintenance of the MSRC website will terminate on February 20, 2021. The MSRC-TAC Administrative Subcommittee has assessed the features, functionality and performance of the current MSRC website and does not recommend a major redesign at this time. The MSRC approved the development of a draft RFP for hosting and maintenance of the website. Refinement of costs is ongoing, and a targeted funding amount would be brought back as an element of the draft RFP.

### Last Mile Component of MSRC Goods Movement Program

Previously, the MSRC established four subject matter areas for the Regional Goods Movement Program of its FYs 2018-21 Work Program. The Last Mile area focuses on reducing emissions from transportation following departure from distribution centers. At their May 21, 2020 meeting, the MSRC considered a sole source proposal from the Southern California Association of Governments (SCAG) to implement the Last Mile component, and a recommendation from the MSRC-TAC to award SCAG a contract in an amount not to exceed \$10,000,000 to implement the first phase of the program. The MSRC directed that a proposed scope of work be developed and brought back for MSRC consideration and approval prior to award. At their June 18, 2020 meeting, MSRC staff reported that the MSRC-TAC had deemed additional time would be needed to develop an appropriate level of detail in the proposed scope of work. The MSRC-TAC and its Last Mile Subcommittee will continue to work on establishing program parameters and bring the proposed scope for MSRC consideration in August.

### Contract Modification Requests

The MSRC considered four contract modification requests and took the following actions:

1. For the City of Bellflower, Contract #ML12091, which provided \$100,000 to install EV Charging infrastructure, a location change and a six-month term extension;
2. For the City of Moreno Valley, Contract #ML16041, which provided \$20,000 to install EV charging, a six-month term extension;
3. For the City of Palm Springs, Contract #ML16126, which provided \$40,000 to install bicycle racks and implement bicycle outreach, increase the number and types of bicycle racks, eliminate certain bicycle outreach tasks, and reduce contract value by \$18,000; and
4. For the Southern California Association of Governments (SCAG), Contract #MS18002, which provided \$2,500,000 for the Regional Active Transportation Partnership Program, a reallocation of funds between events and six-month term extension.

### 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 30 through May 27, 2020 is attached (Attachment 1) for your information.

### **Attachment**

Attachment 1 – April 30 through May 27, 2020 Contracts Administrator's Report

MSRC Agenda Item No. 1

**DATE:** June 18, 2020

**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 April 30 to May 27, 2020.

**RECOMMENDATION:** Receive and file report

**WORK PROGRAM IMPACT:** None

**Contract Execution Status**

**2016-18 Work Program**

On July 8, 2016, the SCAQMD Governing Board approved an award under the Event Center Transportation Program. This contract is executed.

On October 7, 2016, the SCAQMD Governing Board approved three awards under the Event Center Transportation Program and one award for a Regional Active Transportation Partnership Program. These contracts are executed.

On January 6, 2017, the SCAQMD Governing Board approved an award for development, hosting and maintenance of a new MSRC website. This contract is executed.

On April 7, 2017, the SCAQMD Governing Board approved an award under the Event Center Transportation Program. This contract is executed.

On June 2, 2017, the SCAQMD Governing Board approved an award under the Event Center Transportation Program. This contract is executed.

On July 7, 2017, the SCAQMD Governing Board approved an award under the Event Center Transportation Program. This contract is executed.

On September 1, 2017, the SCAQMD Governing Board approved one award under the Event Center Transportation Program and one award under the Natural Gas Infrastructure Program. These contracts are executed.

On October 6, 2017, the SCAQMD Governing Board approved two awards under the Event Center Transportation Program and one award under the Natural Gas Infrastructure Program. These contracts are executed.

On December 1, 2017, the SCAQMD Governing Board approved sole source awards for a Hydrogen Infrastructure Partnership Program, for a Southern California Future Communities Partnership Program, and for electric vehicle charging infrastructure planning analysis. These contracts are executed. The MSRC has replaced the award to the California Energy Commission with a Program Opportunity Notice for the Hydrogen Infrastructure Partnership Program.

On February 2, 2018, the SCAQMD Governing Board approved one award under the Event Center Transportation Program, two awards under the Natural Gas Infrastructure Program, four awards under the Local Government Partnership Program, and two awards under the County Transportation Commission Partnership Program. These contracts are executed.

On March 2, 2018, the SCAQMD Governing Board approved one award under the Major Event Center Transportation Program, two awards under the Natural Gas Infrastructure Program, and one award under the Local Government Partnership Program. These contracts are executed.

On April 6, 2018, the SCAQMD Governing Board approved one award under the Natural Gas Infrastructure Program and eight awards under the Local Government Partnership Program. These contracts are executed.

On May 4, 2018, the SCAQMD Governing Board approved twenty-seven awards under the Local Government Partnership Program and one award under the County Transportation Commission Partnership Program. These contracts are executed.

On June 1, 2018, the SCAQMD Governing Board approved six awards under the Local Government Partnership Program, one award under the Natural Gas Infrastructure Program, and one award under the County Transportation Commission Partnership Program. These contracts are executed.

On July 6, 2018, the SCAQMD Governing Board approved nine awards under the Local Government Partnership Program. These contracts are executed.

On September 7, 2018, the SCAQMD Governing Board approved nineteen awards under the Local Government Partnership Program, three awards under the County Transportation Commission Partnership Program, one award under the Major Event Center Transportation Program, and twenty awards under the Natural Gas Infrastructure Program. These contracts are with the prospective contractor for signature or executed.

On October 5, 2018, the SCAQMD Governing Board approved forty-eight awards under the Local Government Partnership Program and one award under the Hydrogen Infrastructure Program. These contracts are with the prospective contractor for signature or executed.

On November 2, 2018, the SCAQMD Governing Board approved two awards under the Local Government Partnership Program. These contracts are executed.

**2018-21 Work Program**

On April 5, 2019, the SCAQMD Governing Board approved an award under the Major Event Center Transportation Program. This contract is executed.

On September 5, 2019, the SCAQMD Governing Board approved an award under the Major Event Center Transportation Program. This contract is with the prospective contractor for signature.

On December 6, 2019, the SCAQMD Governing Board approved an award under the Major Event Center Transportation Program. This contract is undergoing internal review.

**Work Program Status**

Contract Status Reports for work program years with open and/or pending contracts are attached.

***FY 2010-11 Work Program Contracts***

One contract from this work program year is open; and 12 are in “Open/Complete” status.

***FY 2010-11 Invoices Paid***

No invoices were paid during this period.

***FY 2011-12 Work Program Contracts***

6 contracts from this work program year are open, and 14 are in “Open/Complete” status.

***FY 2011-12 Invoices Paid***

No invoices were paid during this period.

***FYs 2012-14 Work Program Contracts***

17 contracts from this work program year are open, and 32 are in “Open/Complete” status.

***FYs 2012-14 Invoices Paid***

No invoices were paid during this period.

***FYs 2014-16 Work Program Contracts***

43 contracts from this work program year are open, and 30 are in “Open/Complete” status.

***FYs 2014-16 Invoices Paid***

4 invoices totaling \$578,398.00 were paid during this period.

***FYs 2016-18 Work Program Contracts***

125 contracts from this work program year are open, and 23 are in “Open/Complete” status. 2 contracts passed into “Open/Complete” status during this period: City of Hidden Hills, Contract #ML18019 – Purchase Two Light-Duty ZEVs and Install EV Charging Infrastructure; and City of Artesia, Contract #ML18028 – Install EV Charging Infrastructure. One contract closed during this period: Anaheim Transportation Network, Contract #MS18006 – Implement Anaheim Circulator Service.

7 invoices totaling \$1,623,955.13 were paid during this period.

***FYs 2018-21 Work Program Contracts***

2 contracts from this work program year are open.

2 invoices totaling \$13,140.05 were paid during this period.

***Administrative Scope Changes***

No administrative scope changes were initiated during the period of April 30 to May 27, 2020.

**Attachments**

- FY 2007-08 through FYs 2018-21 (except FY 2009-10) Contract Status Reports



## AB2766 Discretionary Fund Program Invoices

April 30 to May 27, 2020

Contract Admin.	MSRC Chair	MSRC Liaison	Finance	Contract #	Contractor	Invoice #	Amount
<i>2014-2016 Work Program</i>							
5/22/2020	5/22/2020	5/29/2020	5/29/2020	ML16017	City of Long Beach	20-005	\$189,000.00
5/19/2020	5/22/2020	5/29/2020	5/29/2020	MS16118	Omnitrans	00000917-Fil	\$8,750.00
5/19/2020	5/22/2020	5/29/2020	5/29/2020	MS16117	Omnitrans	00000917-Fil	\$8,750.00
5/7/2020	5/22/2020	5/29/2020	5/29/2020	ML16058	Los Angeles County Department of Public Work	SA20000027	\$371,898.00
<b>Total: \$578,398.00</b>							
<i>2016-2018 Work Program</i>							
5/21/2020	5/22/2020	5/29/2020	5/29/2020	ML18138	City of La Canada Flintridge	200319-Final	\$4,279.88
5/19/2020	5/22/2020	5/29/2020	5/29/2020	ML18155	City of Claremont	1-FINAL	\$35,608.86
5/8/2020	5/22/2020	5/29/2020	5/29/2020	MS18102	Orange County Transportation Authority	FA141402	\$1,146,000.00
5/6/2020	5/8/2020	5/15/2020	5/19/2020	ML18038	City of Anaheim	3	\$12,704.00
5/6/2020	5/8/2020	5/15/2020	5/19/2020	MS18065	San Bernardino County Transportation Authority	2	\$399,989.39
5/5/2020	5/8/2020	5/15/2020	5/19/2020	MS18003	Geographics	20-22028	\$373.00
5/21/2020	5/22/2020	5/29/2020	5/29/2020	MS18106	R.F. Dickson Co., Inc.	2	\$25,000.00
<b>Total: \$1,623,955.13</b>							
<i>2018-2021 Work Program</i>							
5/15/2020	5/22/2020	5/29/2020	5/29/2020	MS21002	Better World Group Advisors	WG-MSRC0	\$4,507.25
5/15/2020	5/22/2020	5/29/2020	5/29/2020	MS21002	Better World Group Advisors	WG-MSRC0	\$8,632.80
<b>Total: \$13,140.05</b>							

**Total This Period: \$2,215,493.18**





## FYs 2007-08 Through 2018-21 AB2766 Contract Status Report

6/11/2020

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<b><i>FY 2007-2008 Contracts</i></b>									
<b><i>Declined/Cancelled Contracts</i></b>									
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
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
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
<b>Total: 17</b>									
<b><i>Closed Contracts</i></b>									
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
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	Yes
ML08026	Los Angeles County Department of P	7/20/2009	7/19/2016		\$250,000.00	\$250,000.00	10 LPG Heavy-Duty Vehicles	\$0.00	Yes
ML08027	Los Angeles County Department of P	7/20/2009	1/19/2011	1/19/2012	\$6,901.00	\$5,124.00	34 Vehicles (Diagnostic)	\$1,777.00	Yes
ML08028	City of Santa Monica	9/11/2009	9/10/2016	5/10/2019	\$600,000.00	\$200,000.00	24 CNG Heavy-Duty Vehicles	\$400,000.00	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
ML08030	City of Azusa	5/14/2010	3/13/2016		\$25,000.00	\$25,000.00	1 CNG Heavy-Duty Vehicle	\$0.00	No
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
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
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
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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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 an	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
ML08040	City of Riverside	9/11/2009	9/10/2016	3/10/2019	\$455,500.00	\$455,500.00	16 CNG Vehicles, Expand CNG Station & M	\$0.00	Yes
ML08042	City of Ontario, Housing & Municipal	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
ML08045	City of Santa Clarita	2/20/2009	6/19/2010		\$3,213.00	\$3,150.00	14 Vehicles (Diagnostic)	\$63.00	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
MS08001	Los Angeles County MTA	12/10/2010	6/9/2014		\$1,500,000.00	\$1,499,999.66	Big Rig Freeway Service Patrol	\$0.34	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 Progra	\$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 Progra	\$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
MS08007	United Parcel Service West Region	12/10/2008	10/9/2014	4/9/2019	\$300,000.00	\$270,000.00	10 H.D. Nat. Gas Vehicles	\$30,000.00	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
MS08013	United Parcel Service West Region	12/10/2008	10/9/2014	3/9/2019	\$480,000.00	\$432,000.00	12 H.D. Nat. Gas Yard Tractors	\$48,000.00	No
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
MS08015	Yosemite Waters	5/12/2009	5/11/2015		\$180,000.00	\$117,813.60	11 H.D. Propane Vehicles	\$62,186.40	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
MS08017	Omnitrans	12/13/2008	12/12/2015	12/12/2016	\$900,000.00	\$900,000.00	30 CNG Buses	\$0.00	Yes
MS08018	Los Angeles County Department of P	8/7/2009	10/6/2016	4/6/2018	\$60,000.00	\$60,000.00	2 CNG Vehicles	\$0.00	Yes
MS08019	Enterprise Rent-A-Car Company of L	2/12/2010	7/11/2016		\$300,000.00	\$300,000.00	10 CNG Vehicles	\$0.00	Yes
MS08020	Ware Disposal Company, Inc.	11/25/2008	2/24/2016		\$900,000.00	\$900,000.00	30 CNG Vehicles	\$0.00	Yes
MS08021	CalMet Services, Inc.	1/9/2009	1/8/2016	7/8/2016	\$900,000.00	\$900,000.00	30 CNG Vehicles	\$0.00	Yes
MS08022	SunLine Transit Agency	12/18/2008	3/17/2015		\$311,625.00	\$311,625.00	15 CNG Buses	\$0.00	Yes
MS08053	City of Los Angeles, Bureau of Sanit	2/18/2009	12/17/2015		\$400,000.00	\$400,000.00	New LNG/CNG Station	\$0.00	Yes
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
MS08058	Clean Energy Fuels Corp.	11/26/2009	3/25/2016	3/25/2017	\$400,000.00	\$400,000.00	New CNG Station - Ontario Airport	\$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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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	Trillium CNG	3/19/2009	6/18/2015	6/18/2016	\$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: 59**

**Closed/Incomplete Contracts**

ML08025	Los Angeles County Department of P	10/30/2009	3/29/2011		\$75,000.00	\$0.00	150 Vehicles (Diagnostic)	\$75,000.00	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
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: 3**

**Open/Complete Contracts**

ML08043	City of Desert Hot Springs	9/25/2009	3/24/2016	3/24/2021	\$25,000.00	\$25,000.00	1 CNG Heavy-Duty Vehicle	\$0.00	Yes
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**Total: 1**

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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### **FY 2008-2009 Contracts**

#### **Declined/Cancelled Contracts**

ML09017	County of San Bernardino Public Wo	1/28/2010	7/27/2016		\$200,000.00	\$0.00	8 Nat. Gas Heavy-Duty Vehicles	\$200,000.00	No
ML09018	Los Angeles Department of Water an	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 P				\$8,250.00	\$0.00	Remote Vehicle Diagnostics/15 Vehicles	\$8,250.00	No
ML09025	Los Angeles County Department of P	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

**Total: 10**

#### **Closed Contracts**

ML09007	City of Rancho Cucamonga	2/26/2010	4/25/2012		\$117,500.00	\$62,452.57	Maintenance Facility Modification	\$55,047.43	Yes
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	Yes
ML09009	City of South Pasadena	11/5/2010	12/4/2016	3/4/2019	\$125,930.00	\$125,930.00	CNG Station Expansion	\$0.00	Yes
ML09010	City of Palm Springs	1/8/2010	2/7/2016		\$25,000.00	\$25,000.00	1 Nat. Gas Heavy-Duty Vehicle	\$0.00	Yes
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
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
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
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
ML09023	Los Angeles County Department of P	12/10/2010	12/9/2017		\$50,000.00	\$50,000.00	2 Heavy-Duty Alternative Fuel Transit Vehicl	\$0.00	Yes
ML09024	Los Angeles County Department of P	10/15/2010	12/14/2012	6/14/2013	\$400,000.00	\$0.00	Maintenance Facility Modifications	\$400,000.00	No
ML09026	Los Angeles County Department of P	10/15/2010	10/14/2017	4/14/2019	\$150,000.00	\$80,411.18	3 Off-Road Vehicles Repowers	\$69,588.82	Yes
ML09027	Los Angeles County Department of P	7/23/2010	3/22/2012	6/22/2012	\$150,000.00	\$150,000.00	Freeway Detector Map Interface	\$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
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	Yes
ML09031	City of Los Angeles Dept of General	10/29/2010	10/28/2017		\$825,000.00	\$825,000.00	33 Nat. Gas Heavy-Duty Vehicles	\$0.00	Yes
ML09032	Los Angeles World Airports	4/8/2011	4/7/2018		\$175,000.00	\$175,000.00	7 Nat. Gas Heavy-Duty Vehicles	\$0.00	Yes
ML09033	City of Beverly Hills	3/4/2011	5/3/2017	1/3/2019	\$550,000.00	\$550,000.00	10 Nat. Gas Heavy-Duty Vehicles & CNG St	\$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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML09035	City of Fullerton	6/17/2010	6/16/2017	6/16/2018	\$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 an	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
ML09047	Los Angeles County Department of P	8/13/2014	8/12/2015	11/12/2015	\$400,000.00	\$272,924.53	Maintenance Facility Modifications	\$127,075.47	No

**Total: 30**

**Open/Complete Contracts**

ML09036	City of Long Beach Fleet Services B	5/7/2010	5/6/2017	11/6/2022	\$875,000.00	\$875,000.00	Purchase 35 Natural Gas Refuse Trucks	\$0.00	Yes
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**Total: 1**

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>									
ML11029	City of Santa Ana	9/7/2012	3/6/2020	3/6/2023	\$262,500.00	\$75,000.00	Expansion of Existing CNG Station, Install N	\$187,500.00	No
<b>Total: 1</b>									
<b>Declined/Cancelled Contracts</b>									
ML11038	City of Santa Monica	5/18/2012	7/17/2018		\$400,000.00	\$0.00	Maintenance Facility Modifications	\$400,000.00	No
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 Showc	\$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
MS11084	Ivanhoe Energy Services and Develo				\$66,750.00	\$0.00	Retrofit One H.D. Off-Road Vehicle Under S	\$66,750.00	No
MS11088	Diesel Emission Technologies				\$32,750.00	\$0.00	Retrofit Three H.D. Off-Road Vehicles Under	\$32,750.00	No
MS11089	Diesel Emission Technologies				\$9,750.00	\$0.00	Retrofit One H.D. Off-Road Vehicle Under S	\$9,750.00	No
MS11090	Diesel Emission Technologies				\$14,750.00	\$0.00	Retrofit One H.D. Off-Road Vehicle Under S	\$14,750.00	No
<b>Total: 22</b>									
<b>Closed Contracts</b>									
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
ML11021	City of Whittier	1/27/2012	9/26/2018	6/26/2019	\$210,000.00	\$210,000.00	Purchase 7 Nat. Gas H.D. Vehicles	\$0.00	Yes
ML11022	City of Anaheim	3/16/2012	7/15/2018		\$150,000.00	\$150,000.00	Purchase of 5 H.D. Vehicles	\$0.00	Yes
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
ML11027	City of Los Angeles, Dept. of General	5/4/2012	7/3/2015	1/3/2016	\$300,000.00	\$300,000.00	Maintenance Facility Modifications	\$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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
ML11034	City of Los Angeles Dept of General	5/4/2012	1/3/2019		\$630,000.00	\$630,000.00	Purchase 21 H.D. CNG Vehicles	\$0.00	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
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, Housing & Municipal	1/27/2012	9/26/2018		\$180,000.00	\$180,000.00	Purchase 6 Nat. Gas H.D. Vehicles	\$0.00	Yes
ML11042	City of Chino	2/17/2012	4/16/2018		\$30,000.00	\$30,000.00	Purchase 1 Nat. Gas H.D. Vehicle, Repower	\$0.00	Yes
ML11043	City of Hemet Public Works	2/3/2012	2/2/2019		\$60,000.00	\$60,000.00	Purchase 2 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML11044	City of Ontario, Housing & Municipal	1/27/2012	6/26/2019		\$400,000.00	\$400,000.00	Expand Existing CNG Station	\$0.00	Yes
MS11001	Mineral LLC	4/22/2011	4/30/2013	4/30/2015	\$111,827.00	\$103,136.83	Design, Develop, Host and Maintain MSRC	\$8,690.17	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 Progra	\$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 Progra	\$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
MS11008	USA Waste of California, Inc.	10/24/2013	4/23/2020		\$125,000.00	\$125,000.00	Expansion of Existing LCNG Station	\$0.00	Yes
MS11009	USA Waste of California, Inc.	10/24/2013	4/23/2020		\$125,000.00	\$125,000.00	Expansion of Existing LCNG Station	\$0.00	Yes
MS11011	EDCO Disposal Corporation	12/30/2011	4/29/2019		\$100,000.00	\$100,000.00	New CNG Station - Signal Hill	\$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
MS11016	CR&R Incorporated	4/12/2013	10/11/2019		\$100,000.00	\$100,000.00	New CNG Station - Perris	\$0.00	Yes
MS11017	CR&R, Inc.	3/2/2012	2/1/2018		\$100,000.00	\$100,000.00	Expansion of existing station - Garden Grove	\$0.00	Yes
MS11018	Orange County Transportation Autho	10/14/2011	1/31/2012		\$211,360.00	\$211,360.00	Express Bus Service to Orange County Fair	\$0.00	Yes
MS11052	Krisda Inc	9/27/2012	6/26/2013		\$120,000.00	\$120,000.00	Repower Three Heavy-Duty Vehicles	\$0.00	Yes
MS11055	KEC Engineering	2/3/2012	8/2/2018	8/2/2019	\$200,000.00	\$200,000.00	Repower 5 H.D. Off-Road Vehicles	\$0.00	Yes
MS11056	Better World Group Advisors	12/30/2011	12/29/2013	12/29/2015	\$206,836.00	\$186,953.46	Programmatic Outreach Services	\$19,882.54	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
MS11058	L A Service Authority for Freeway E	5/31/2013	4/30/2014		\$123,395.00	\$123,395.00	Implement 511 "Smart Phone" Application	\$0.00	Yes
MS11060	Rowland Unified School District	8/17/2012	1/16/2019	1/16/2020	\$175,000.00	\$175,000.00	New Limited Access CNG Station	\$0.00	Yes
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	Yes
MS11062	Load Center	9/7/2012	1/6/2016	12/6/2016	\$175,384.00	\$169,883.00	Retrofit Six Off-Road Vehicles under Showc	\$5,501.00	Yes
MS11065	Temecula Valley Unified School Distr	8/11/2012	1/10/2019		\$50,000.00	\$48,539.62	Expansion of Existing CNG Station	\$1,460.38	Yes
MS11066	Torrance Unified School District	11/19/2012	9/18/2018		\$42,296.00	\$42,296.00	Expansion of Existing CNG Station	\$0.00	Yes
MS11067	City of Redlands	5/24/2012	11/23/2018	11/23/2019	\$85,000.00	\$85,000.00	Expansion of Existing CNG Station	\$0.00	Yes
MS11068	Ryder System Inc.	7/28/2012	10/27/2018		\$175,000.00	\$175,000.00	New Public Access L/CNG Station (Fontana)	\$0.00	Yes
MS11069	Ryder System Inc.	7/28/2012	8/27/2018		\$175,000.00	\$175,000.00	New Public Access L/CNG Station (Orange)	\$0.00	Yes
MS11071	City of Torrance Transit Department	12/22/2012	1/21/2019	1/21/2020	\$175,000.00	\$175,000.00	New Limited Access CNG Station	\$0.00	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
MS11079	Bear Valley Unified School District	2/5/2013	10/4/2019		\$175,000.00	\$175,000.00	New Limited Access CNG Station	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS11080	Southern California Regional Rail Aut	4/6/2012	7/31/2012		\$26,000.00	\$26,000.00	Metrolink Service to Auto Club Speedway	\$0.00	Yes
MS11086	DCL America Inc.	6/7/2013	10/6/2016		\$500,000.00	\$359,076.96	Retrofit Eight H.D. Off-Road Vehicles Under	\$140,923.04	Yes
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	Yes
MS11091	California Cartage Company, LLC	4/5/2013	8/4/2016	2/4/2018	\$55,000.00	\$0.00	Retrofit Two H.D. Off-Road Vehicles Under	\$55,000.00	No
MS11092	Griffith Company	2/15/2013	6/14/2016	12/14/2017	\$390,521.00	\$78,750.00	Retrofit 17 H.D. Off-Road Vehicles Under Sh	\$311,771.00	No

**Total: 49**

#### Closed/Incomplete Contracts

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
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
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	\$4,350.00	Install DECS on Four Off-Road Vehicles	\$61,608.00	Yes
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

**Total: 5**

#### Open/Complete Contracts

ML11020	City of Indio	2/1/2013	3/31/2019	9/30/2020	\$15,000.00	\$9,749.50	Retrofit one H.D. Vehicles w/DECS, repower	\$5,250.50	Yes
ML11023	City of Rancho Cucamonga	4/20/2012	12/19/2018	9/19/2020	\$260,000.00	\$260,000.00	Expand Existing CNG Station, 2 H.D. Vehicl	\$0.00	Yes
ML11024	County of Los Angeles, Dept of Publi	12/5/2014	6/4/2022		\$90,000.00	\$90,000.00	Purchase 3 Nat. Gas H.D. Vehicles	\$0.00	Yes
ML11025	County of Los Angeles Department o	3/14/2014	9/13/2021		\$150,000.00	\$150,000.00	Purchase 5 Nat. Gas H.D. Vehicles	\$0.00	Yes
ML11032	City of Gardena	3/2/2012	9/1/2018	10/1/2020	\$102,500.00	\$102,500.00	Purchase Heavy-Duty CNG Vehicle, Install S	\$0.00	Yes
ML11036	City of Riverside	1/27/2012	1/26/2019	3/26/2021	\$670,000.00	\$670,000.00	Install New CNG Station, Purchase 9 H.D. N	\$0.00	Yes
ML11040	City of South Pasadena	5/4/2012	1/3/2019	1/3/2022	\$30,000.00	\$30,000.00	Purchase 1 Nat. Gas H.D. Vehicle	\$0.00	Yes
ML11041	City of Santa Ana	9/7/2012	11/6/2018	1/6/2021	\$265,000.00	\$244,651.86	Purchase 7 LPG H.D. Vehicles, Retrofit 6 H.	\$20,348.14	Yes
ML11045	City of Newport Beach	2/3/2012	8/2/2018	3/2/2021	\$30,000.00	\$30,000.00	Purchase 1 Nat. Gas H.D. Vehicle	\$0.00	Yes
MS11010	Border Valley Trading	8/26/2011	10/25/2017	4/25/2020	\$150,000.00	\$150,000.00	New LNG Station	\$0.00	Yes
MS11019	City of Corona	11/29/2012	4/28/2020		\$225,000.00	\$225,000.00	Expansion of Existing CNG Station	\$0.00	Yes
MS11073	Los Angeles Unified School District	9/11/2015	2/10/2022		\$175,000.00	\$175,000.00	Expansion of Existing CNG Station	\$0.00	Yes

**Total: 12**



Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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### **FY 2011-2012 Contracts**

#### **Open Contracts**

ML12014	City of Santa Ana	11/8/2013	8/7/2020	8/7/2021	\$338,000.00	\$4,709.00	9 H.D. Nat. Gas & LPG Trucks, EV Charging	\$333,291.00	No
ML12043	City of Hemet	6/24/2013	9/23/2019	11/23/2021	\$30,000.00	\$0.00	One Heavy-Duty Nat. Gas Vehicles	\$30,000.00	No
ML12045	City of Baldwin Park DPW	2/14/2014	12/13/2020	6/13/2025	\$400,000.00	\$0.00	Install New CNG Station	\$400,000.00	No
ML12057	City of Coachella	8/28/2013	8/27/2019	1/27/2022	\$57,456.00	\$57,456.00	Purchase One Nat. Gas H.D. Vehicle/Street	\$0.00	No
ML12090	City of Palm Springs	10/9/2015	10/8/2021	9/8/2025	\$21,163.00	\$0.00	EV Charging Infrastructure	\$21,163.00	No
ML12091	City of Bellflower	10/5/2018	10/4/2019	6/30/2020	\$100,000.00	\$0.00	EV Charging Infrastructure	\$100,000.00	No

**Total: 6**

#### **Declined/Cancelled Contracts**

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
ML12038	City of Long Beach Public Works				\$26,000.00	\$0.00	Electric Vehicle Charging Infrastructure	\$26,000.00	No
ML12040	City of Duarte				\$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
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
ML12052	City of Whittier	3/14/2013	7/13/2019		\$165,000.00	\$0.00	Expansion of Existing CNG Station	\$165,000.00	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-Acess CNG Station	\$100,000.00	No
MS12027	C.V. Ice Company, Inc.	5/17/2013	11/16/2019		\$75,000.00	\$0.00	Purchase 3 Medium-Heavy Duty Vehicles	\$75,000.00	No
MS12030	Complete Landscape Care, Inc.				\$150,000.00	\$0.00	Purchase 6 Medium-Heavy Duty Vehicles	\$150,000.00	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
MS12070	Valley Music Travel/CID Entertainme				\$99,000.00	\$0.00	Implement Shuttle Service to Coachella Mus	\$99,000.00	No

**Total: 12**

#### **Closed Contracts**

ML12013	City of Pasadena	10/19/2012	3/18/2015	9/18/2015	\$200,000.00	\$65,065.00	Electric Vehicle Charging Infrastructure	\$134,935.00	Yes
ML12019	City of Palm Springs	9/6/2013	7/5/2015		\$38,000.00	\$16,837.00	EV Charging Infrastructure	\$21,163.00	Yes
ML12020	City of Los Angeles Dept of General	9/27/2012	3/26/2019	3/26/2020	\$450,000.00	\$450,000.00	15 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML12021	City of Rancho Cucamonga	9/14/2012	1/13/2020		\$40,000.00	\$40,000.00	Four Medium-Duty Nat. Gas Vehicles	\$0.00	Yes
ML12022	City of La Puente	12/6/2013	6/5/2020		\$110,000.00	\$110,000.00	2 Medium-Duty and Three Heavy-Duty CNG	\$0.00	Yes
ML12023	County of Los Angeles Internal Servi	8/1/2013	2/28/2015		\$250,000.00	\$192,333.00	EV Charging Infrastructure	\$57,667.00	Yes
ML12037	Coachella Valley Association of Gov	3/14/2013	3/13/2014		\$250,000.00	\$250,000.00	Street Sweeping Operations	\$0.00	Yes
ML12039	City of Redlands	2/8/2013	10/7/2019		\$90,000.00	\$90,000.00	Three Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes
ML12041	City of Anaheim Public Utilities Depa	4/4/2014	11/3/2015	11/3/2017	\$68,977.00	\$38,742.16	EV Charging Infrastructure	\$30,234.84	Yes
ML12042	City of Chino Hills	1/18/2013	3/17/2017		\$87,500.00	\$87,500.00	Expansion of Existing CNG Station	\$0.00	Yes
ML12047	City of Orange	2/1/2013	1/31/2019		\$30,000.00	\$30,000.00	One Heavy-Duty Nat. Gas Vehicle	\$0.00	Yes
ML12049	City of Rialto Public Works	7/14/2014	9/13/2015		\$30,432.00	\$3,265.29	EV Charging Infrastructure	\$27,166.71	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML12050	City of Baldwin Park	4/25/2013	4/24/2014	10/24/2014	\$402,400.00	\$385,363.00	EV Charging Infrastructure	\$17,037.00	Yes
ML12054	City of Palm Desert	9/30/2013	2/28/2015		\$77,385.00	\$77,385.00	EV Charging Infrastructure	\$0.00	Yes
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
ML12056	City of Cathedral City	3/26/2013	5/25/2014		\$25,000.00	\$25,000.00	Regional Street Sweeping Program	\$0.00	Yes
ML12066	City of Manhattan Beach	1/7/2014	4/6/2015		\$5,900.00	\$5,900.00	Electric Vehicle Charging Infrastructure	\$0.00	Yes
MS12001	Los Angeles County MTA	7/1/2012	4/30/2013		\$300,000.00	\$211,170.00	Clean Fuel Transit Service to Dodger Stadium	\$88,830.00	Yes
MS12002	Orange County Transportation Authority	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 Authority	7/20/2012	2/28/2013		\$234,669.00	\$167,665.12	Implement Metrolink Service to Angel Stadium	\$67,003.88	Yes
MS12004	USA Waste of California, Inc.	10/24/2013	11/23/2019		\$175,000.00	\$175,000.00	Construct New Limited-Access CNG Station	\$0.00	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
MS12009	Sysco Food Services of Los Angeles	1/7/2014	4/6/2020		\$150,000.00	\$150,000.00	Construct New Public-Access LNG Station	\$0.00	Yes
MS12010	Murrieta Valley Unified School District	4/5/2013	9/4/2019		\$242,786.00	\$242,786.00	Construct New Limited-Access CNG Station	\$0.00	Yes
MS12012	Rim of the World Unified School District	12/20/2012	5/19/2014		\$75,000.00	\$75,000.00	Vehicle Maintenance Facility Modifications	\$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
MS12026	U-Haul Company of California	3/14/2013	3/13/2019		\$500,000.00	\$353,048.26	Purchase 23 Medium-Heavy Duty Vehicles	\$146,951.74	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
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	Yes
MS12031	Final Assembly, Inc.	11/2/2012	11/1/2018		\$50,000.00	\$32,446.00	Purchase 2 Medium-Heavy Duty Vehicles	\$17,554.00	Yes
MS12032	Fox Transportation	12/14/2012	12/13/2018		\$500,000.00	\$500,000.00	Purchase 20 Medium-Heavy Duty Vehicles	\$0.00	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/VSP	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
MS12059	Orange County Transportation Authority	2/28/2013	12/27/2014		\$75,000.00	\$75,000.00	Maintenance Facilities Modifications	\$0.00	Yes
MS12060	City of Santa Monica	4/4/2014	8/3/2017	8/3/2019	\$500,000.00	\$434,202.57	Implement Westside Bikeshare Program	\$65,797.43	No
MS12061	Orange County Transportation Authority	3/14/2014	3/13/2017		\$224,000.00	\$114,240.00	Transit-Oriented Bicycle Sharing Program	\$109,760.00	Yes
MS12062	Fraser Communications	12/7/2012	5/31/2014		\$998,669.00	\$989,218.49	Develop & Implement "Rideshare Thursday"	\$9,450.51	Yes
MS12063	Custom Alloy Light Metals, Inc.	8/16/2013	2/15/2020		\$100,000.00	\$100,000.00	Install New Limited Access CNG Station	\$0.00	Yes
MS12064	Anaheim Transportation Network	3/26/2013	12/31/2014		\$127,296.00	\$56,443.92	Implement Anaheim Circulator Service	\$70,852.08	Yes
MS12065	Orange County Transportation Authority	7/27/2013	11/30/2013		\$43,933.00	\$14,832.93	Ducks Express Service to Honda Center	\$29,100.07	Yes
MS12068	Southern California Regional Rail Authority	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
MS12071	Transit Systems Unlimited, Inc.	5/17/2013	12/16/2018		\$21,250.00	\$21,250.00	Expansion of Existing CNG Station	\$0.00	Yes
MS12072	99 Cents Only Stores	4/5/2013	9/4/2019		\$100,000.00	\$100,000.00	Construct New CNG Station	\$0.00	Yes
MS12073	FirstCNG, LLC	7/27/2013	12/26/2019		\$150,000.00	\$150,000.00	Construct New CNG Station	\$0.00	Yes
MS12074	Arcadia Unified School District	7/5/2013	9/4/2019		\$175,000.00	\$175,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS12076	City of Ontario, Housing & Municipal	3/8/2013	4/7/2015		\$75,000.00	\$75,000.00	Maintenance Facilities Modification	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS12078	Penske Truck Leasing Co., L.P.	1/7/2014	1/6/2016		\$75,000.00	\$73,107.00	Maintenance Facility Modifications - Vernon	\$1,893.00	Yes
MS12081	Penske Truck Leasing Co., L.P.	1/7/2014	1/6/2016		\$75,000.00	\$75,000.00	Maintenance Facility Modifications - Santa A	\$0.00	Yes
MS12085	Bear Valley Unified School District	4/25/2013	6/24/2014		\$75,000.00	\$75,000.00	Maintenance Facility Modifications	\$0.00	Yes
MS12086	SuperShuttle International, Inc.	3/26/2013	3/25/2019		\$225,000.00	\$225,000.00	Purchase 23 Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12087	Los Angeles County MTA	8/29/2013	11/28/2015		\$125,000.00	\$125,000.00	Implement Rideshare Incentives Program	\$0.00	Yes
MS12088	Orange County Transportation Autho	12/6/2013	3/5/2016		\$125,000.00	\$18,496.50	Implement Rideshare Incentives Program	\$106,503.50	Yes
MS12089	Riverside County Transportation Co	10/18/2013	9/17/2015		\$249,136.00	\$105,747.48	Implement Rideshare Incentives Program	\$143,388.52	No
MS12Hom	Mansfield Gas Equipment Systems				\$296,000.00	\$0.00	Home Refueling Apparatus Incentive Progra	\$296,000.00	No

**Total: 57**

#### Closed/Incomplete Contracts

ML12051	City of Bellflower	2/7/2014	2/6/2016	5/6/2018	\$100,000.00	\$0.00	EV Charging Infrastructure	\$100,000.00	No
MS12077	City of Coachella	6/14/2013	6/13/2020		\$225,000.00	\$0.00	Construct New CNG Station	\$225,000.00	No
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
MS12084	Airport Mobil Inc.	12/6/2013	5/5/2020		\$150,000.00	\$0.00	Install New CNG Infrastructure	\$150,000.00	No

**Total: 4**

#### Open/Complete Contracts

ML12015	City of Fullerton	4/25/2013	11/24/2020	11/24/2021	\$40,000.00	\$40,000.00	HD CNG Vehicle, Expand CNG Station	\$0.00	Yes
ML12017	City of Los Angeles, Bureau of Sanit	6/26/2013	5/25/2020	11/25/2021	\$950,000.00	\$950,000.00	32 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML12018	City of West Covina	10/18/2013	10/17/2020	8/17/2023	\$300,000.00	\$300,000.00	Expansion of Existing CNG Station	\$0.00	Yes
ML12046	City of Irvine	8/11/2013	3/10/2021		\$30,000.00	\$30,000.00	One Heavy-Duty Nat. Gas Vehicle	\$0.00	Yes
MS12008	Bonita Unified School District	7/12/2013	12/11/2019	4/11/2021	\$175,000.00	\$175,000.00	Construct New Limited-Access CNG Station	\$0.00	Yes
MS12011	Southern California Gas Company	6/14/2013	6/13/2019	5/28/2021	\$150,000.00	\$150,000.00	Construct New Public-Access CNG Station -	\$0.00	Yes
MS12024	Southern California Gas Company	6/13/2013	12/12/2019	11/12/2020	\$150,000.00	\$150,000.00	Construct New Public-Access CNG Station -	\$0.00	Yes
MS12033	Mike Diamond/Phace Management	12/22/2012	12/21/2018	6/21/2021	\$148,900.00	\$148,900.00	Purchase 20 Medium-Heavy Duty Vehicles	\$0.00	No
MS12034	Ware Disposal Company, Inc.	11/2/2012	11/1/2018	5/1/2022	\$133,070.00	\$133,070.00	Purchase 8 Medium-Heavy Duty Vehicles	\$0.00	No
MS12075	CR&R Incorporated	7/27/2013	1/26/2021	1/26/2022	\$100,000.00	\$100,000.00	Expansion of Existing CNG Infrastructure	\$0.00	No
MS12080	City of Pasadena	11/8/2013	8/7/2020	2/7/2022	\$225,000.00	\$225,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS12082	City of Los Angeles, Bureau of Sanit	11/20/2013	2/19/2021	2/19/2023	\$175,000.00	\$175,000.00	Install New CNG Infrastructure	\$0.00	Yes
MS12083	Brea Olinda Unified School District	7/30/2015	2/29/2024		\$59,454.00	\$59,454.00	Install New CNG Infrastructure	\$0.00	Yes

**Total: 13**

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

ML14012	City of Santa Ana	2/13/2015	10/12/2021		\$244,000.00	\$0.00	EV Charging and 7 H.D. LPG Vehicles	\$244,000.00	No
ML14018	City of Los Angeles Dept of General	3/6/2015	9/5/2021	5/5/2025	\$810,000.00	\$720,000.00	Purchase 27 H.D. Nat. Gas Vehicles	\$90,000.00	No
ML14021	Riverside County Regional Park and	7/24/2014	12/23/2016	9/30/2020	\$250,000.00	\$0.00	Bicycle Trail Improvements	\$250,000.00	No
ML14023	County of Los Angeles Department o	10/2/2015	9/1/2017	9/1/2020	\$230,000.00	\$0.00	Maintenance Fac. Modifications-Westcheste	\$230,000.00	No
ML14024	County of Los Angeles Department o	10/2/2015	9/1/2017	9/1/2020	\$230,000.00	\$0.00	Maintenance Fac. Modifications-Baldwin Par	\$230,000.00	No
ML14027	County of Los Angeles Dept of Publi	10/2/2015	5/1/2023	12/1/2025	\$500,000.00	\$0.00	Construct New CNG Station in Canyon Coun	\$500,000.00	No
ML14030	County of Los Angeles Internal Servi	1/9/2015	3/8/2018	1/8/2021	\$425,000.00	\$25,000.00	Bicycle Racks, Outreach & Education	\$400,000.00	No
ML14069	City of Beaumont	3/3/2017	3/2/2025		\$200,000.00	\$0.00	Construct New CNG Infrastructure	\$200,000.00	No
ML14072	City of Cathedral City	8/13/2014	1/12/2021	7/12/2022	\$66,000.00	\$35,089.03	Install EV Charging, Bike Racks & Education	\$30,910.97	No
ML14096	County of Los Angeles Dept of Pub	5/3/2019	12/2/2019	3/2/2020	\$74,186.00	\$74,186.00	San Gabriel BikeTrail Underpass Improveme	\$0.00	No
ML14097	County of Los Angeles Internal Servi	9/6/2019	9/5/2020		\$104,400.00	\$0.00	Electric Vehicle Charging Infrastructure	\$104,400.00	No
MS14037	Penske Truck Leasing Co., L.P.	4/7/2017	6/6/2020		\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - Carson	\$75,000.00	No
MS14057	Los Angeles County MTA	11/7/2014	10/6/2019	10/6/2023	\$1,250,000.00	\$0.00	Implement Various Signal Synchronization P	\$1,250,000.00	No
MS14059	Riverside County Transportation Co	9/5/2014	3/4/2018	7/4/2020	\$1,250,000.00	\$0.00	Implement Various Signal Synchronization P	\$1,250,000.00	No
MS14072	San Bernardino County Transportatio	3/27/2015	3/26/2018	3/26/2022	\$1,250,000.00	\$887,566.17	Implement Various Signal Synchronization P	\$362,433.83	No
MS14079	Waste Resources, Inc.	9/14/2016	8/13/2022	2/13/2024	\$100,000.00	\$0.00	New Limited Access CNG Station	\$100,000.00	No
MS14083	Hacienda La Puente Unified School	7/10/2015	3/9/2022		\$175,000.00	\$0.00	New Limited Access CNG Station	\$175,000.00	No

**Total: 17**

#### Declined/Cancelled Contracts

ML14063	City of Hawthorne				\$32,000.00	\$0.00	Expansion of Existng CNG Infrastructure	\$32,000.00	No
ML14068	City of South Pasadena	9/12/2014	10/11/2015	1/11/2020	\$10,183.00	\$0.00	Electric Vehicle Charging Infrastructure	\$10,183.00	No
MS14035	Penske Truck Leasing Co., L.P.				\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - Sun Valle	\$75,000.00	No
MS14036	Penske Truck Leasing Co., L.P.				\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - La Mirad	\$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
MS14043	City of Anaheim				\$175,000.00	\$0.00	Expansion of Existing CNG Station	\$175,000.00	No
MS14078	American Honda Motor Co., Inc.	9/4/2015	8/3/2022		\$150,000.00	\$0.00	New Public Access CNG Station	\$150,000.00	No
MS14085	Prologis, L.P.				\$100,000.00	\$0.00	New Limited Access CNG Station	\$100,000.00	No
MS14086	San Gabriel Valley Towing I				\$150,000.00	\$0.00	New Public Access CNG Station	\$150,000.00	No
MS14091	Serv-Wel Disposal				\$100,000.00	\$0.00	New Limited-Access CNG Infrastructure	\$100,000.00	No

**Total: 10**

#### Closed Contracts

ML14010	City of Cathedral City	8/13/2014	10/12/2015		\$25,000.00	\$25,000.00	Street Sweeping Operations	\$0.00	Yes
ML14011	City of Palm Springs	6/13/2014	1/12/2016		\$79,000.00	\$78,627.00	Bicycle Racks, Bicycle Outreach & Educatio	\$373.00	Yes
ML14014	City of Torrance	9/5/2014	12/4/2019		\$56,000.00	\$56,000.00	EV Charging Infrastructure	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML14015	Coachella Valley Association of Gov	6/6/2014	9/5/2015		\$250,000.00	\$250,000.00	Street Sweeping Operations	\$0.00	Yes
ML14020	County of Los Angeles Dept of Pub	8/13/2014	1/12/2018		\$150,000.00	\$0.00	San Gabriel BikeTrail Underpass Improveme	\$150,000.00	No
ML14029	City of Irvine	7/11/2014	6/10/2017		\$90,500.00	\$71,056.78	Bicycle Trail Improvements	\$19,443.22	Yes
ML14051	City of Brea	9/5/2014	1/4/2017	7/4/2018	\$450,000.00	\$450,000.00	Installation of Bicycle Trail	\$0.00	Yes
ML14054	City of Torrance	11/14/2014	4/13/2017	7/13/2017	\$350,000.00	\$319,908.80	Upgrade Maintenance Facility	\$30,091.20	Yes
ML14055	City of Highland	10/10/2014	3/9/2018	3/9/2019	\$500,000.00	\$489,385.24	Bicycle Lanes and Outreach	\$10,614.76	Yes
ML14056	City of Redlands	9/5/2014	5/4/2016	5/4/2018	\$125,000.00	\$125,000.00	Bicycle Lanes	\$0.00	Yes
ML14065	City of Orange	9/5/2014	8/4/2015		\$10,000.00	\$10,000.00	Electric Vehicle Charging Infrastructure	\$0.00	Yes
ML14070	City of Rancho Cucamonga	9/3/2016	12/2/2018		\$365,245.00	\$326,922.25	Bicycle Trail Improvements	\$38,322.75	Yes
ML14071	City of Manhattan Beach	1/9/2015	11/8/2018		\$22,485.00	\$22,485.00	Electric Vehicle Charging Infrastructure	\$0.00	Yes
ML14094	City of Yucaipa	6/9/2017	6/8/2018		\$84,795.00	\$84,795.00	Installation of Bicycle Lanes	\$0.00	Yes
ML14095	City of South Pasadena	1/10/2019	7/9/2019		\$142,096.00	\$134,182.09	Bicycle Trail Improvements	\$7,913.91	Yes
MS14001	Los Angeles County MTA	3/6/2015	4/30/2015		\$1,216,637.00	\$1,199,512.68	Clean Fuel Transit Service to Dodger Stadiu	\$17,124.32	Yes
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	Yes
MS14003	Orange County Transportation Autho	8/1/2013	4/30/2014	10/30/2014	\$194,235.00	\$184,523.00	Implement Metrolink Service to Angel Stadiu	\$9,712.00	Yes
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	Yes
MS14005	Transit Systems Unlimited, Inc.	4/11/2014	2/28/2016		\$515,200.00	\$511,520.00	Provide Expanded Shuttle Service to Hollyw	\$3,680.00	Yes
MS14007	Orange County Transportation Autho	6/6/2014	4/30/2015		\$208,520.00	\$189,622.94	Implement Special Metrolink Service to Ang	\$18,897.06	Yes
MS14008	Orange County Transportation Autho	8/13/2014	5/31/2015		\$601,187.00	\$601,187.00	Implement Clean Fuel Bus Service to Orang	\$0.00	Yes
MS14009	A-Z Bus Sales, Inc.	1/17/2014	12/31/2014	3/31/2015	\$388,000.00	\$388,000.00	Alternative Fuel School Bus Incentive Progra	\$0.00	Yes
MS14039	Waste Management Collection and	7/10/2015	4/9/2016		\$75,000.00	\$75,000.00	Vehicle Maint. Fac. Modifications - Irvine	\$0.00	Yes
MS14040	Waste Management Collection and	7/10/2015	4/9/2016		\$75,000.00	\$75,000.00	Vehicle Maint. Fac. Modifications - Santa An	\$0.00	Yes
MS14047	Southern California Regional Rail Aut	3/7/2014	9/30/2014		\$49,203.00	\$32,067.04	Special Metrolink Service to Autoclub Speed	\$17,135.96	Yes
MS14048	BusWest	3/14/2014	12/31/2014	5/31/2015	\$940,850.00	\$847,850.00	Alternative Fuel School Bus Incentive Progra	\$93,000.00	Yes
MS14058	Orange County Transportation Autho	11/7/2014	4/6/2016	4/6/2017	\$1,250,000.00	\$1,250,000.00	Implement Various Signal Synchronization P	\$0.00	Yes
MS14073	Anaheim Transportation Network	1/9/2015	4/30/2017		\$221,312.00	\$221,312.00	Anaheim Resort Circulator Service	\$0.00	Yes
MS14087	Orange County Transportation Autho	8/14/2015	4/30/2016		\$239,645.00	\$195,377.88	Implement Special Metrolink Service to Ang	\$44,267.12	Yes
MS14088	Southern California Regional Rail Aut	5/7/2015	9/30/2015		\$79,660.00	\$66,351.44	Special Metrolink Service to Autoclub Speed	\$13,308.56	Yes
MS14089	Top Shelf Consulting, LLC	1/18/2017	8/4/2016	3/31/2017	\$200,000.00	\$200,000.00	Enhanced Fleet Modernization Program	\$0.00	Yes

**Total: 32**

**Closed/Incomplete Contracts**

ML14050	City of Yucaipa	7/11/2014	9/10/2015	7/1/2016	\$84,795.00	\$0.00	Installation of Bicycle Lanes	\$84,795.00	No
ML14060	County of Los Angeles Internal Servi	10/6/2017	1/5/2019		\$104,400.00	\$0.00	Electric Vehicle Charging Infrastructure	\$104,400.00	No
ML14066	City of South Pasadena	9/12/2014	7/11/2016	2/11/2018	\$142,096.00	\$0.00	Bicycle Trail Improvements	\$142,096.00	No
ML14093	County of Los Angeles Dept of Pub	8/14/2015	1/13/2019		\$150,000.00	\$0.00	San Gabriel BikeTrail Underpass Improveme	\$150,000.00	No
MS14092	West Covina Unified School District	9/3/2016	12/2/2022		\$124,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$124,000.00	No

**Total: 5**

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<b>Open/Complete Contracts</b>									
ML14013	City of Los Angeles, Bureau of Sanit	10/7/2016	2/6/2025		\$400,000.00	\$400,000.00	Purchase 14 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML14016	City of Anaheim	4/3/2015	9/2/2021		\$380,000.00	\$380,000.00	Purchase 2 H.D. Vehicles, Expansion of Exi	\$0.00	Yes
ML14019	City of Corona Public Works	12/5/2014	6/4/2020	3/6/2023	\$111,518.00	\$111,517.18	EV Charging, Bicycle Racks, Bicycle Locker	\$0.82	Yes
ML14022	County of Los Angeles Department o	10/2/2015	5/1/2022		\$270,000.00	\$270,000.00	Purchase 9 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML14025	County of Los Angeles Dept of Publi	10/2/2015	7/1/2018	7/1/2024	\$300,000.00	\$300,000.00	Construct New CNG Station in Malibu	\$0.00	Yes
ML14026	County of Los Angeles Dept of Publi	10/2/2015	5/1/2023	5/1/2024	\$300,000.00	\$300,000.00	Construct New CNG Station in Castaic	\$0.00	Yes
ML14028	City of Fullerton	9/5/2014	1/4/2022		\$126,950.00	\$126,950.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
ML14031	Riverside County Waste Manageme	6/13/2014	12/12/2020		\$90,000.00	\$90,000.00	Purchase 3 H.D. CNG Vehicles	\$0.00	Yes
ML14032	City of Rancho Cucamonga	1/9/2015	1/8/2022		\$113,990.00	\$104,350.63	Expansion of Existing CNG Infrasa., Bicycle L	\$9,639.37	Yes
ML14033	City of Irvine	7/11/2014	2/10/2021	2/10/2022	\$60,000.00	\$60,000.00	Purchase 2 H.D. CNG Vehicles	\$0.00	Yes
ML14034	City of Lake Elsinore	9/5/2014	5/4/2021		\$56,700.00	\$56,700.00	EV Charging Stations	\$0.00	Yes
ML14049	City of Moreno Valley	7/11/2014	3/10/2021		\$105,000.00	\$101,976.09	One HD Nat Gas Vehicle, EV Charging, Bicy	\$3,023.91	Yes
ML14061	City of La Habra	3/11/2016	3/10/2022		\$41,600.00	\$41,270.49	Purchase Two Heavy-Duty Nat. Gas Vehicle	\$329.51	Yes
ML14062	City of San Fernando	3/27/2015	5/26/2021	10/31/2023	\$325,679.00	\$325,679.00	Expand Existing CNG Fueling Station	\$0.00	Yes
ML14064	City of Claremont	7/11/2014	7/10/2020	1/10/2021	\$60,000.00	\$60,000.00	Purchase Two Heavy-Duty Nat. Gas Vehicle	\$0.00	Yes
ML14067	City of Duarte	12/4/2015	1/3/2023	6/3/2024	\$60,000.00	\$60,000.00	Purchase Two Electric Buses	\$0.00	Yes
MS14041	USA Waste of California, Inc.	9/4/2015	10/3/2021		\$175,000.00	\$175,000.00	Limited-Access CNG Station, Vehicle Maint.	\$0.00	Yes
MS14042	Grand Central Recycling & Transfer	6/6/2014	9/5/2021		\$150,000.00	\$150,000.00	Expansion of Existing CNG Station	\$0.00	Yes
MS14044	TIMCO CNG Fund I, LLC	5/2/2014	11/1/2020		\$150,000.00	\$150,000.00	New Public-Access CNG Station in Santa A	\$0.00	Yes
MS14045	TIMCO CNG Fund I, LLC	6/6/2014	12/5/2020		\$150,000.00	\$150,000.00	New Public-Access CNG Station in Inglewoo	\$0.00	Yes
MS14046	Ontario CNG Station Inc.	5/15/2014	5/14/2020	11/14/2021	\$150,000.00	\$150,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS14052	Arcadia Unified School District	6/13/2014	10/12/2020		\$78,000.00	\$78,000.00	Expansion of an Existing CNG Fueling Statio	\$0.00	Yes
MS14053	Upland Unified School District	1/9/2015	7/8/2021		\$175,000.00	\$175,000.00	Expansion of Existing CNG Infrastructure	\$0.00	No
MS14074	Midway City Sanitary District	1/9/2015	3/8/2021		\$250,000.00	\$250,000.00	Limited-Access CNG Station & Facility Modif	\$0.00	Yes
MS14075	Fullerton Joint Union High School Di	7/22/2016	11/21/2023		\$300,000.00	\$293,442.00	Expansion of Existing CNG Infrastructure/Ma	\$6,558.00	Yes
MS14076	Rialto Unified School District	6/17/2015	2/16/2022	6/25/2023	\$225,000.00	\$225,000.00	New Public Access CNG Station	\$0.00	Yes
MS14077	County Sanitation Districts of L.A. Co	3/6/2015	5/5/2021		\$175,000.00	\$175,000.00	New Limited Access CNG Station	\$0.00	Yes
MS14080	CR&R Incorporated	6/1/2015	8/31/2021	8/31/2022	\$200,000.00	\$200,000.00	Expansion of Existing CNG Infrastructure/Ma	\$0.00	No
MS14081	CR&R Incorporated	6/1/2015	5/30/2021		\$175,000.00	\$100,000.00	Expansion of Existing CNG Infrastructure/Ma	\$75,000.00	No
MS14082	Grand Central Recycling & Transfer	12/4/2015	3/3/2023	3/3/2024	\$150,000.00	\$150,000.00	Construct New Public Access CNG Station	\$0.00	Yes
MS14084	US Air Conditioning Distributors	5/7/2015	9/6/2021		\$100,000.00	\$100,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS14090	City of Monterey Park	5/7/2015	5/6/2021		\$225,000.00	\$225,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes

**Total: 32**

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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## FY 2014-2016 Contracts

### Open Contracts

ML16006	City of Cathedral City	4/27/2016	4/26/2022		\$25,000.00	\$0.00	Purchase 1 H.D. Nat. Gas Vehicle, Bicycle	\$25,000.00	No
ML16007	City of Culver City Transportation De	10/6/2015	4/5/2023		\$246,000.00	\$210,000.00	Purchase 7 H.D. Nat. Gas Vehicles, EV Cha	\$36,000.00	No
ML16008	City of Pomona	9/20/2016	11/19/2022	5/19/2025	\$60,000.00	\$0.00	Purchase 3 Medium-Duty and 1 Heavy-Duty	\$60,000.00	No
ML16010	City of Fullerton	10/7/2016	4/6/2023	4/6/2024	\$78,222.00	\$27,896.71	Expand Existing CNG Station, EV Charging I	\$50,325.29	No
ML16017	City of Long Beach	2/5/2016	8/4/2023	1/4/2026	\$1,445,400.00	\$1,320,400.00	Purchase 50 Medium-Duty, 17 H.D. Nat. Ga	\$125,000.00	No
ML16018	City of Hermosa Beach	10/7/2016	1/6/2023		\$29,520.00	\$23,768.44	Purchase 2 M.D. Nat. Gas Vehicles, Bicycle	\$5,751.56	No
ML16022	Los Angeles Department of Water an	5/5/2017	3/4/2024	9/4/2025	\$360,000.00	\$0.00	Purchase 12 H.D. Nat. Gas Vehicles	\$360,000.00	No
ML16025	City of South Pasadena	6/22/2016	4/21/2023	10/21/2024	\$160,000.00	\$0.00	Purchase H.D. Nat. Gas Vehicle, Expand Exi	\$160,000.00	No
ML16032	City of Azusa	9/9/2016	4/8/2019	7/8/2020	\$474,925.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$474,925.00	No
ML16034	City of Riverside	3/11/2016	10/10/2018	7/10/2020	\$500,000.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$500,000.00	No
ML16038	City of Palm Springs	4/1/2016	7/31/2022		\$230,000.00	\$0.00	Install Bicycle Lanes & Purchase 4 Heavy-D	\$230,000.00	No
ML16039	City of Torrance Transit Department	1/6/2017	9/5/2022	9/5/2023	\$32,000.00	\$0.00	Install EV Charging Infrastructure	\$32,000.00	No
ML16040	City of Eastvale	1/6/2017	7/5/2022	7/5/2026	\$110,000.00	\$0.00	Install EV Charging Infrastructure	\$110,000.00	No
ML16041	City of Moreno Valley	9/3/2016	1/2/2021	7/2/2023	\$20,000.00	\$0.00	Install EV Charging Infrastructure	\$20,000.00	No
ML16042	City of San Dimas	4/1/2016	12/31/2019	12/31/2021	\$55,000.00	\$0.00	Install EV Charging Infrastructure	\$55,000.00	No
ML16046	City of El Monte	4/1/2016	5/31/2021	5/31/2023	\$20,160.00	\$0.00	Install EV Charging Infrastructure	\$20,160.00	No
ML16047	City of Fontana	1/6/2017	8/5/2019	8/5/2021	\$500,000.00	\$0.00	Enhance an Existing Class 1 Bikeway	\$500,000.00	No
ML16048	City of Placentia	3/26/2016	5/25/2021	6/25/2022	\$90,000.00	\$18,655.00	Install a Bicycle Locker and EV Charging Infr	\$71,345.00	No
ML16052	City of Rancho Cucamonga	9/3/2016	11/2/2019	9/30/2020	\$315,576.00	\$0.00	Install Two Class 1 Bikeways	\$315,576.00	No
ML16053	City of Claremont	3/11/2016	7/10/2018	8/10/2020	\$498,750.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$498,750.00	No
ML16057	City of Yucaipa	4/27/2016	1/26/2019	1/26/2021	\$380,000.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$380,000.00	No
ML16070	City of Beverly Hills	2/21/2017	6/20/2023		\$90,000.00	\$0.00	Purchase 3 H.D. Nat. Gas Vehicles	\$90,000.00	No
ML16071	City of Highland	5/5/2017	1/4/2020	1/4/2022	\$264,500.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$264,500.00	No
ML16075	City of San Fernando	10/27/2016	2/26/2019	2/26/2021	\$354,000.00	\$0.00	Install a Class 1 Bikeway	\$354,000.00	No
ML16077	City of Rialto	5/3/2018	10/2/2021	2/2/2023	\$463,216.00	\$0.00	Pedestrian Access Improvements, Bicycle L	\$463,216.00	No
ML16083	City of El Monte	4/1/2016	4/30/2021	4/30/2023	\$57,210.00	\$0.00	Install EV Charging Infrastructure	\$57,210.00	No
ML16126	City of Palm Springs	7/31/2019	7/30/2020		\$40,000.00	\$0.00	Install Bicycle Racks, and Implement Bicycle	\$40,000.00	No
MS16029	Orange County Transportation Autho	1/12/2018	6/11/2020		\$836,413.00	\$567,501.06	TCM Partnership Program - OC Bikeways	\$268,911.94	No
MS16086	San Bernardino County Transportatio	9/3/2016	10/2/2021		\$800,625.00	\$401,103.63	Freeway Service Patrols	\$399,521.37	No
MS16090	Los Angeles County MTA	10/27/2016	4/26/2020	10/26/2020	\$2,500,000.00	\$0.00	Expansion of the Willowbrook/Rosa Parks Tr	\$2,500,000.00	No
MS16094	Riverside County Transportation Co	1/25/2017	1/24/2022		\$1,909,241.00	\$0.00	MetroLink First Mile/Last Mile Mobility Strate	\$1,909,241.00	No
MS16096	San Bernardino County Transportatio	10/27/2016	12/26/2019	6/30/2020	\$450,000.00	\$0.00	EV Charging Infrastructure	\$450,000.00	No
MS16110	City of Riverside	10/6/2017	2/5/2025	2/5/2026	\$300,000.00	\$71,250.00	Expansion of Existing CNG Station and Main	\$228,750.00	No
MS16115	City of Santa Monica	4/14/2017	7/13/2025		\$870,000.00	\$356,250.00	Repower 58 Transit Buses	\$513,750.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS16117	Omnitrans	4/21/2017	6/20/2023		\$175,000.00	\$175,000.00	Expansion of Existing CNG Infrastructure	\$0.00	No
MS16118	Omnitrans	4/21/2017	6/20/2023		\$175,000.00	\$175,000.00	Expansion of Existing CNG Infrastructure	\$0.00	No
MS16119	Omnitrans	4/21/2017	8/20/2022		\$150,000.00	\$0.00	New Public Access CNG Station	\$150,000.00	No
MS16120	Omnitrans	4/7/2017	5/6/2025		\$945,000.00	\$0.00	Repower 63 Existing Buses	\$945,000.00	No
MS16121	Long Beach Transit	11/3/2017	4/2/2024	11/30/2026	\$600,000.00	\$14,250.00	Repower 39 and Purchase 1 New Transit Bu	\$585,750.00	No
MS16123	Orange County Transportation Autho	12/7/2018	11/6/2023		\$91,760.00	\$0.00	Install La Habra Union Pacific Bikeway	\$91,760.00	No
MS16124	Riverside County Transportation Co	12/14/2018	12/14/2019	5/14/2020	\$253,239.00	\$203,781.79	Extended Freeway Service Patrols	\$49,457.21	No
MS16125	San Bernardino County Transportatio	9/20/2019	11/19/2020		\$1,000,000.00	\$0.00	Traffic Signal Synchronization Projects	\$1,000,000.00	No

**Total: 42**

#### Declined/Cancelled Contracts

ML16014	City of Dana Point				\$153,818.00	\$0.00	Extend an Existing Class 1 Bikeway	\$153,818.00	No
ML16065	City of Temple City				\$500,000.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$500,000.00	No
ML16067	City of South El Monte				\$73,329.00	\$0.00	Implement an "Open Streets" Event	\$73,329.00	No
ML16074	City of La Verne	7/22/2016	1/21/2023		\$365,000.00	\$0.00	Install CNG Fueling Station	\$365,000.00	No
MS16043	LBA Realty Company LLC				\$100,000.00	\$0.00	Install Limited-Access CNG Station	\$100,000.00	No
MS16080	Riverside County Transportation Co				\$1,200,000.00	\$0.00	Passenger Rail Service for Coachella and St	\$1,200,000.00	No
MS16098	Long Beach Transit				\$198,957.00	\$0.00	Provide Special Bus Service to Stub Hub Ce	\$198,957.00	No
MS16104	City of Perris				\$175,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$175,000.00	No
MS16106	City of Lawndale	3/1/2019	11/30/2025		\$175,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$175,000.00	No
MS16107	Athens Services				\$100,000.00	\$0.00	Construct a Limited-Access CNG Station	\$100,000.00	No
MS16108	VNG 5703 Gage Avenue, LLC				\$150,000.00	\$0.00	Construct Public-Access CNG Station in Bell	\$150,000.00	No
MS16109	Sanitation Districts of Los Angeles C				\$275,000.00	\$0.00	Expansion of an Existing L/CNG Station	\$275,000.00	No
MS16111	VNG 925 Lakeview Avenue, LLC				\$150,000.00	\$0.00	Construct Public Access CNG Station in Pla	\$150,000.00	No

**Total: 13**

#### Closed Contracts

ML16009	City of Fountain Valley	10/6/2015	2/5/2018	5/5/2019	\$46,100.00	\$46,100.00	Install EV Charging Infrastructure	\$0.00	Yes
ML16015	City of Yorba Linda	3/4/2016	11/3/2017		\$85,000.00	\$85,000.00	Install Bicycle Lanes	\$0.00	No
ML16020	City of Pomona	4/1/2016	2/1/2018	8/1/2018	\$440,000.00	\$440,000.00	Install Road Surface Bicycle Detection Syste	\$0.00	Yes
ML16026	City of Downey	5/6/2016	9/5/2017		\$40,000.00	\$40,000.00	Install EV Charging Infrastructure	\$0.00	No
ML16028	City of Azusa	9/9/2016	4/8/2018		\$25,000.00	\$25,000.00	Enhance Existing Class 1 Bikeway	\$0.00	Yes
ML16031	City of Cathedral City	12/19/2015	2/18/2017		\$25,000.00	\$25,000.00	Street Sweeping in Coachella Valley	\$0.00	Yes
ML16033	Coachella Valley Association of Gov	4/27/2016	4/26/2018		\$250,000.00	\$250,000.00	Street Sweeping Operations in Coachella Va	\$0.00	Yes
ML16035	City of Wildomar	4/1/2016	11/1/2017		\$500,000.00	\$0.00	Install Bicycle Lanes	\$500,000.00	No
ML16036	City of Brea	3/4/2016	12/3/2018		\$500,000.00	\$500,000.00	Install a Class 1 Bikeway	\$0.00	Yes
ML16045	City of Anaheim	6/22/2016	8/21/2019		\$275,000.00	\$255,595.08	Maintenance Facility Modifications	\$19,404.92	Yes
ML16049	City of Buena Park	4/1/2016	11/30/2018		\$429,262.00	\$429,262.00	Installation of a Class 1 Bikeway	\$0.00	Yes
ML16051	City of South Pasadena	2/12/2016	1/11/2017	12/11/2017	\$320,000.00	\$258,691.25	Implement "Open Streets" Event with Variou	\$61,308.75	Yes



Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML16054	City of Yucaipa	3/26/2016	7/26/2018	10/25/2019	\$120,000.00	\$120,000.00	Implement a "Complete Streets" Pedestrian	\$0.00	Yes
ML16060	City of Cudahy	2/5/2016	10/4/2017		\$73,910.00	\$62,480.00	Implement an "Open Streets" Event	\$11,430.00	Yes
ML16061	City of Murrieta	4/27/2016	1/26/2020		\$11,642.00	\$9,398.36	Installation of EV Charging Infrastructure	\$2,243.64	Yes
ML16064	County of Orange, OC Parks	2/21/2017	10/20/2018		\$204,073.00	\$157,632.73	Implement "Open Streets" Events with Vario	\$46,440.27	Yes
ML16066	City of Long Beach Public Works	1/13/2017	9/12/2018		\$75,050.00	\$63,763.62	Implement an "Open Streets" Event	\$11,286.38	Yes
ML16068	Riverside County Dept of Public Heal	12/2/2016	8/1/2018		\$171,648.00	\$171,648.00	Implement "Open Streets" Events with Vario	\$0.00	Yes
ML16073	City of Long Beach Public Works	1/13/2017	7/12/2017		\$50,000.00	\$50,000.00	Implement an "Open Streets" Event	\$0.00	Yes
ML16078	City of Moreno Valley	5/6/2016	11/5/2017	5/5/2018	\$32,800.00	\$31,604.72	Install Bicycle Infrastructure & Implement Bi	\$1,195.28	Yes
ML16079	City of Yucaipa	4/1/2016	3/31/2020		\$5,000.00	\$5,000.00	Purchase Electric Lawnmower	\$0.00	Yes
ML16122	City of Wildomar	6/8/2018	6/7/2019		\$500,000.00	\$500,000.00	Install Bicycle Lanes	\$0.00	Yes
MS16001	Los Angeles County MTA	4/1/2016	4/30/2017		\$1,350,000.00	\$1,332,039.84	Clean Fuel Transit Service to Dodger Stadiu	\$17,960.16	Yes
MS16002	Orange County Transportation Autho	10/6/2015	5/31/2016		\$722,266.00	\$703,860.99	Clean Fuel Transit Service to Orange Count	\$18,405.01	Yes
MS16003	Special Olympics World Games Los	10/9/2015	12/30/2015		\$380,304.00	\$380,304.00	Low-Emission Transportation Service for Sp	\$0.00	Yes
MS16004	Mineral LLC	9/4/2015	7/3/2017	1/3/2018	\$27,690.00	\$9,300.00	Design, Develop, Host and Maintain MSRC	\$18,390.00	Yes
MS16030	Better World Group Advisors	12/19/2015	12/31/2017	12/31/2019	\$271,619.00	\$245,355.43	Programmic Outreach Services to the MSR	\$26,263.57	Yes
MS16084	Transit Systems Unlimited, Inc.	5/6/2016	2/28/2018		\$565,600.00	\$396,930.00	Implement Special Shuttle Service from Uni	\$168,670.00	No
MS16085	Southern California Regional Rail Aut	3/11/2016	9/30/2016		\$78,033.00	\$64,285.44	Special MetroLink Service to Autoclub Spee	\$13,747.56	No
MS16089	Orange County Transportation Autho	7/8/2016	4/30/2017		\$128,500.00	\$128,500.00	Implement Special Bus Service to Angel Sta	\$0.00	Yes
MS16092	San Bernardino County Transportatio	2/3/2017	1/2/2019		\$242,937.00	\$242,016.53	Implement a Series of "Open Streets" Event	\$920.47	Yes
MS16093	Orange County Transportation Autho	9/3/2016	3/2/2018	9/2/2018	\$1,553,657.00	\$1,499,575.85	Implement a Mobile Ticketing System	\$54,081.15	Yes
MS16095	Orange County Transportation Autho	7/22/2016	5/31/2017		\$694,645.00	\$672,864.35	Implement Special Bus Service to Orange C	\$21,780.65	Yes
MS16099	Foothill Transit	3/3/2017	3/31/2017		\$50,000.00	\$50,000.00	Provide Special Bus Service to the Los Ange	\$0.00	Yes
MS16100	Southern California Regional Rail Aut	5/5/2017	9/30/2017		\$80,455.00	\$66,169.43	Provide Metrolink Service to Autoclub Speed	\$14,285.57	Yes

**Total: 35**

#### Closed/Incomplete Contracts

ML16005	City of Palm Springs	3/4/2016	10/3/2017		\$40,000.00	\$0.00	Install Bicycle Racks, and Implement Bicycle	\$40,000.00	No
MS16082	Riverside County Transportation Co	9/3/2016	8/2/2018		\$590,759.00	\$337,519.71	Extended Freeway Service Patrols	\$253,239.29	No
MS16091	San Bernardino County Transportatio	10/7/2016	11/6/2018		\$1,000,000.00	\$0.00	Traffic Signal Synchronization Projects	\$1,000,000.00	No

**Total: 3**

#### Open/Complete Contracts

ML16011	City of Claremont	10/6/2015	6/5/2022		\$90,000.00	\$90,000.00	Purchase 3 Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes
ML16012	City of Carson	1/15/2016	10/14/2022		\$60,000.00	\$60,000.00	Purchase 2 Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes
ML16013	City of Monterey Park	12/4/2015	7/3/2022	7/3/2024	\$90,000.00	\$90,000.00	Purchase 3 Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes
ML16016	City of Los Angeles Dept of General	2/5/2016	12/4/2022		\$630,000.00	\$630,000.00	Purchase 21 Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes
ML16019	City of Los Angeles, Dept of General	1/25/2017	3/24/2023		\$102,955.00	\$102,955.00	Install EV Charging Infrastructure	\$0.00	Yes
ML16021	City of Santa Clarita	10/7/2016	6/6/2024		\$49,400.00	\$49,399.00	Install EV Charging Infrastructure	\$1.00	Yes
ML16023	City of Banning	12/11/2015	12/10/2021		\$30,000.00	\$30,000.00	Purchase 1 H.D. Nat. Gas Vehicle	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML16024	City of Azusa	4/27/2016	2/26/2022		\$30,000.00	\$30,000.00	Purchase 1 H.D. Nat. Gas Vehicle	\$0.00	Yes
ML16027	City of Whittier	1/8/2016	11/7/2022		\$30,000.00	\$30,000.00	Purchase 1 H.D. Nat. Gas Vehicle	\$0.00	Yes
ML16037	City of Rancho Cucamonga	2/5/2016	11/4/2022		\$30,000.00	\$30,000.00	Purchase One Heavy-Duty Natural Gas Vehi	\$0.00	Yes
ML16050	City of Westminster	5/6/2016	7/5/2020	5/5/2022	\$115,000.00	\$93,925.19	Installation of EV Charging Infrastructure	\$21,074.81	No
ML16055	City of Ontario	5/6/2016	5/5/2022		\$270,000.00	\$270,000.00	Purchase Nine Heavy-Duty Natural-Gas Veh	\$0.00	Yes
ML16056	City of Ontario	3/23/2016	9/22/2020	9/22/2021	\$106,565.00	\$106,565.00	Expansion of an Existing CNG Station	\$0.00	Yes
ML16058	Los Angeles County Department of P	10/7/2016	4/6/2024		\$371,898.00	\$371,898.00	Purchase 11 H.D. Nat. Gas Vehicles and Ins	\$0.00	No
ML16059	City of Burbank	4/1/2016	2/28/2022		\$180,000.00	\$180,000.00	Purchase 6 H.D. Nat. Gas Vehicles	\$0.00	No
ML16062	City of Colton	6/3/2016	7/2/2020		\$21,003.82	\$21,003.82	Installation of EV Charging Infrastructure	\$0.00	Yes
ML16063	City of Glendora	3/4/2016	4/3/2022		\$30,000.00	\$30,000.00	Purchase One H.D. Nat. Gas Vehicle	\$0.00	Yes
ML16069	City of West Covina	3/10/2017	6/9/2021		\$54,199.00	\$54,199.00	Installation of EV Charging Infrastructure	\$0.00	Yes
ML16072	City of Palm Desert	3/4/2016	1/4/2020	1/3/2022	\$56,000.00	\$56,000.00	Installation of EV Charging Infrastructure	\$0.00	Yes
ML16076	City of San Fernando	2/21/2017	8/20/2021		\$43,993.88	\$43,993.88	Install EV Charging Infrastructure	\$0.00	Yes
MS16081	EDCO Disposal Corporation	3/4/2016	10/3/2022		\$150,000.00	\$150,000.00	Expansion of Existing Public Access CNG St	\$0.00	Yes
MS16087	Burrtec Waste & Recycling Services,	7/8/2016	3/7/2023		\$100,000.00	\$100,000.00	Construct New Limited-Access CNG Station	\$0.00	Yes
MS16088	Transit Systems Unlimited, Inc.	5/12/2017	1/11/2023		\$17,000.00	\$17,000.00	Expansion of Existing CNG Station	\$0.00	Yes
MS16097	Walnut Valley Unified School District	10/7/2016	11/6/2022		\$250,000.00	\$250,000.00	Expand CNG Station & Modify Maintenance	\$0.00	Yes
MS16102	Nasa Services, Inc.	2/21/2017	4/20/2023		\$100,000.00	\$100,000.00	Construct a Limited-Access CNG Station	\$0.00	No
MS16103	Arrow Services, Inc.	2/3/2017	4/2/2023		\$100,000.00	\$100,000.00	Construct a Limited-Access CNG Station	\$0.00	Yes
MS16105	Huntington Beach Union High School	3/3/2017	7/2/2024		\$175,000.00	\$175,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS16112	Orange County Transportation Autho	4/14/2017	3/13/2024		\$1,470,000.00	\$1,470,000.00	Repower Up to 98 Transit Buses	\$0.00	No
MS16113	Los Angeles County MTA	5/12/2017	4/11/2024		\$1,875,000.00	\$1,875,000.00	Repower Up to 125 Transit Buses	\$0.00	Yes
MS16114	City of Norwalk	3/3/2017	6/2/2024		\$45,000.00	\$32,170.00	Purchase 3 Transit Buses	\$12,830.00	Yes
MS16116	Riverside Transit Agency	3/3/2017	1/2/2023		\$10,000.00	\$9,793.00	Purchase One Transit Bus	\$207.00	No

**Total: 31**

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<b>FY 2016-2018 Contracts</b>									
<b>Open Contracts</b>									
ML18020	City of Colton	5/3/2018	4/2/2024		\$67,881.00	\$35,667.00	Purchase One Medium-Duty and One Heavy	\$32,214.00	No
ML18022	City of Desert Hot Springs	5/3/2018	1/2/2020	1/2/2021	\$50,000.00	\$0.00	Traffic Signal and Synchronization Project	\$50,000.00	No
ML18030	City of Grand Terrace	6/28/2018	3/27/2022	3/27/2025	\$45,000.00	\$0.00	Install EVSE	\$45,000.00	No
ML18031	City of Diamond Bar	9/7/2018	11/6/2025		\$73,930.00	\$0.00	Install EVSE, Purchase up to 2-LD Vehicles	\$73,930.00	No
ML18032	City of Arcadia	2/1/2019	4/30/2025		\$24,650.00	\$0.00	Purchase 1 Heavy-Duty Near-ZEV	\$24,650.00	No
ML18034	City of Calabasas	6/8/2018	3/7/2022	3/7/2023	\$50,000.00	\$0.00	Install EVSE	\$50,000.00	No
ML18036	City of Indian Wells	8/8/2018	5/7/2023		\$50,000.00	\$0.00	Install EV Charging Station	\$50,000.00	No
ML18038	City of Anaheim	10/5/2018	5/4/2025	5/4/2026	\$221,500.00	\$84,363.27	Purchase 5 Light-Duty ZEVs and Install EVS	\$137,136.73	No
ML18039	City of Redlands	6/28/2018	7/27/2024	1/27/2025	\$87,000.00	\$0.00	Purchase 1 Medium/Heavy-Duty ZEV and In	\$87,000.00	No
ML18041	City of West Hollywood	8/8/2018	12/7/2023		\$50,000.00	\$0.00	Install EV Charging Infrastructure	\$50,000.00	No
ML18043	City of Yorba Linda	9/7/2018	12/6/2023		\$87,990.00	\$0.00	Install EV Charging Infrastructure	\$87,990.00	No
ML18044	City of Malibu	8/8/2018	10/7/2022	10/7/2023	\$50,000.00	\$0.00	Install EV Charging Infrastructure	\$50,000.00	No
ML18046	City of Santa Ana	11/9/2018	7/8/2026		\$385,000.00	\$0.00	Purchase 6 Light-Duty ZEVs, 9 Heavy-Duty	\$385,000.00	No
ML18047	City of Whittier	8/8/2018	4/7/2026		\$113,910.00	\$0.00	Purchase 5 Heavy-Duty Near-Zero Emission	\$113,910.00	No
ML18048	City of Lynwood	6/28/2018	10/27/2024		\$93,500.00	\$0.00	Purchase Up to 3 Medium-Duty Zero-Emissi	\$93,500.00	No
ML18050	City of Irvine	9/7/2018	8/6/2028		\$330,490.00	\$0.00	Purchase 1 Medium/Heavy-Duty ZEV and In	\$330,490.00	No
ML18051	City of Rancho Cucamonga	3/1/2019	10/31/2025		\$227,040.00	\$0.00	Purchase 9 Light-Duty ZEVs, 2 Med-Duty ZE	\$227,040.00	No
ML18052	City of Garden Grove	8/8/2018	10/7/2022		\$53,593.00	\$0.00	Purchase 4 L.D. ZEVs and Infrastructure	\$53,593.00	No
ML18053	City of Paramount	9/7/2018	3/6/2023		\$64,675.00	\$0.00	Install EV Charging Infrastructure	\$64,675.00	No
ML18055	City of Long Beach Fleet Services B	11/29/2018	11/28/2026		\$622,220.00	\$99,290.91	Install EV Charging Stations	\$522,929.09	No
ML18056	City of Chino	3/29/2019	9/28/2023		\$103,868.00	\$0.00	Install EV Charging Infrastructure	\$103,868.00	No
ML18057	City of Carson	10/5/2018	7/4/2023		\$106,250.00	\$50,000.00	Purchase 5 Zero-Emission Vehicles and Infr	\$56,250.00	No
ML18058	City of Perris	10/12/2018	11/11/2024		\$94,624.00	\$0.00	Purchase 1 Med. H.D. ZEV and EV Chargin	\$94,624.00	No
ML18059	City of Glendale Water & Power	2/1/2019	7/31/2026		\$260,500.00	\$0.00	Install Electric Vehicle Charging Infrastructur	\$260,500.00	No
ML18060	County of Los Angeles Internal Servi	10/5/2018	8/4/2026		\$1,367,610.00	\$0.00	Purchase 29 Light-Duty Zero Emission Vehi	\$1,367,610.00	No
ML18063	City of Riverside	6/7/2019	1/6/2027		\$383,610.00	\$0.00	Expand Existing CNG Station	\$383,610.00	No
ML18064	City of Eastvale	11/29/2018	4/28/2026		\$80,400.00	\$28,457.43	Purchase 2 Light-Duty, One Medium-Duty. Z	\$51,942.57	No
ML18067	City of Pico Rivera	9/7/2018	11/6/2022		\$83,500.00	\$0.00	Instal EVSE	\$83,500.00	No
ML18068	City of Mission Viejo	7/31/2019	6/30/2027		\$125,690.00	\$10,000.00	Purchase 2 Light-Duty ZEVs, Install EVSE &	\$115,690.00	No
ML18069	City of Torrance	3/1/2019	7/31/2027		\$187,400.00	\$0.00	Purchase 4 Heavy-Duty Near-Zero Emission	\$187,400.00	No
ML18072	City of Anaheim	12/18/2018	11/17/2026		\$239,560.00	\$239,560.00	Purchase 9 Light-Duty ZEVs & 2 Med/Hvy-D	\$0.00	No
ML18078	County of Riverside	10/5/2018	10/4/2028		\$425,000.00	\$175,000.00	Purchase 17 Heavy-Duty Vehicles	\$250,000.00	No
ML18079	City of Pasadena	12/7/2018	11/6/2023		\$183,670.00	\$100,000.00	EV Charging Infrastructure	\$83,670.00	No
ML18080	City of Santa Monica	1/10/2019	12/9/2023		\$121,500.00	\$14,748.62	Install EV Charging Stations	\$106,751.38	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML18081	City of Beaumont	10/5/2018	10/4/2022	10/4/2023	\$31,870.00	\$0.00	EV Charging Infrastructure	\$31,870.00	No
ML18082	City of Los Angeles Bureau of Sanita	8/30/2019	8/29/2028		\$900,000.00	\$0.00	Purchase Medium-Duty Vehicles and EV Ch	\$900,000.00	No
ML18083	City of San Fernando	11/2/2018	11/1/2022		\$20,000.00	\$0.00	Implement Traffic Signal Synchronization	\$20,000.00	No
ML18084	City of South El Monte	10/18/2019	9/17/2023		\$30,000.00	\$0.00	EV Charging Infrastructure	\$30,000.00	No
ML18085	City of Orange	4/12/2019	10/11/2026		\$50,000.00	\$50,000.00	Purchase Two Heavy-Duty Near-Zero Emis	\$0.00	No
ML18087	City of Murrieta	3/29/2019	3/28/2025		\$143,520.00	\$0.00	Install Four EV Charging Stations	\$143,520.00	No
ML18088	City of Big Bear Lake	11/29/2018	8/28/2020		\$50,000.00	\$0.00	Install Bicycle Trail	\$50,000.00	No
ML18089	City of Glendora	7/19/2019	4/18/2025	4/18/2026	\$50,760.00	\$0.00	Purchase a medium-duty ZEV	\$50,760.00	No
ML18090	City of Santa Clarita	5/9/2019	2/8/2023		\$122,000.00	\$0.00	Install Nine EV Charging Stations	\$122,000.00	No
ML18091	City of Temecula	1/19/2019	7/18/2023		\$141,000.00	\$0.00	Install Sixteen EV Charging Stations	\$141,000.00	No
ML18092	City of South Pasadena	2/1/2019	1/31/2025		\$50,000.00	\$0.00	Procure Two Light-Duty ZEVs and Install EV	\$50,000.00	No
ML18093	City of Monterey Park	2/1/2019	2/28/2026		\$25,000.00	\$0.00	Purchase Heavy-Duty Near-ZEV	\$25,000.00	No
ML18094	City of Laguna Woods	7/12/2019	12/11/2024		\$50,000.00	\$0.00	Install Two EV Charging Stations	\$50,000.00	No
ML18095	City of Gardena	11/9/2018	12/8/2024		\$25,000.00	\$0.00	Purchase Heavy-Duty Near-ZEV	\$25,000.00	No
ML18096	City of Highland	12/13/2019	8/12/2024		\$70,210.00	\$0.00	Purchase Light-Duty ZEV and Install Three	\$70,210.00	No
ML18097	City of Temple City	11/29/2018	7/28/2022		\$16,000.00	\$12,000.00	Purchase Two Light-Duty ZEVs	\$4,000.00	No
ML18098	City of Redondo Beach	2/1/2019	3/31/2023	3/31/2024	\$89,400.00	\$0.00	Install Six EV Charging Stations	\$89,400.00	No
ML18099	City of Laguna Hills	3/1/2019	5/31/2023		\$32,250.00	\$0.00	Install Six EV Charging Stations	\$32,250.00	No
ML18101	City of Burbank	2/1/2019	4/30/2024		\$137,310.00	\$0.00	Install Twenty EV Charging Stations	\$137,310.00	No
ML18126	City of Lomita	12/7/2018	1/6/2020		\$26,500.00	\$0.00	Install bicycle racks and lanes	\$26,500.00	No
ML18128	City of Aliso Viejo	8/30/2019	11/29/2023		\$65,460.00	\$0.00	Purchase Two Light-Duty ZEVs and Install S	\$65,460.00	No
ML18129	City of Yucaipa	12/14/2018	3/13/2023		\$63,097.00	\$0.00	Install Six EV Charging Stations	\$63,097.00	No
ML18130	City of Lake Forest	3/1/2019	9/30/2022		\$106,480.00	\$0.00	Install Twenty-One EVSEs	\$106,480.00	No
ML18131	City of Los Angeles, Police Departm	5/3/2019	12/2/2022		\$19,294.00	\$19,294.00	Purchase Three Light-Duty ZEVs	\$0.00	No
ML18132	City of Montclair	4/5/2019	9/4/2023		\$50,000.00	\$0.00	Install Eight EVSEs	\$50,000.00	No
ML18133	City of Rancho Mirage	12/7/2018	11/6/2020		\$50,000.00	\$0.00	Traffic Signal Synchronization	\$50,000.00	No
ML18134	City of Los Angeles Dept of General	5/3/2019	5/2/2028		\$290,000.00	\$0.00	Purchase Five Medium-Duty ZEVs	\$290,000.00	No
ML18135	City of Azusa	12/6/2019	12/5/2029		\$55,000.00	\$0.00	Purchase Three Light-Duty ZEVs and One H	\$55,000.00	No
ML18136	City of Orange	4/12/2019	8/11/2024		\$42,500.00	\$30,000.00	Purchase Four Light-Duty ZEVs and Install	\$12,500.00	No
ML18137	City of Wildomar	3/1/2019	5/31/2021	12/1/2021	\$50,000.00	\$0.00	Install Bicycle Trail	\$50,000.00	No
ML18138	City of La Canada Flintridge	2/8/2019	5/7/2023		\$50,000.00	\$32,588.07	Install Four EVSEs and Install Bicycle Racks	\$17,411.93	No
ML18139	City of Calimesa	8/30/2019	7/29/2020	11/29/2021	\$50,000.00	\$0.00	Install Bicycle Lane	\$50,000.00	No
ML18140	City of Bell Gardens	12/14/2018	12/13/2028		\$50,000.00	\$0.00	Purchase Two Heavy-Duty Near-ZEVs	\$50,000.00	No
ML18141	City of Rolling Hills Estates	2/14/2020	1/13/2024		\$40,000.00	\$0.00	Purchase One Light-Duty ZEV and Install Tw	\$40,000.00	No
ML18142	City of La Quinta	4/24/2019	2/23/2023	8/23/2023	\$51,780.00	\$0.00	Install Two EV Charging Stations	\$51,780.00	No
ML18143	City of La Habra	10/18/2019	9/17/2025		\$80,700.00	\$0.00	Install Two EV Charging Stations	\$80,700.00	No
ML18144	City of Fontana Public Works	10/4/2019	12/3/2023		\$269,090.00	\$0.00	Install Twelve EVSEs	\$269,090.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML18145	City of Los Angeles Dept of Transpor	1/10/2020	4/9/2027		\$1,400,000.00	\$0.00	Provide One Hundred Rebates to Purchaser	\$1,400,000.00	No
ML18146	City of South Gate	3/1/2019	11/30/2023		\$127,400.00	\$50,000.00	Purchase Five Light-Duty ZEVs and Install T	\$77,400.00	No
ML18147	City of Palm Springs	1/10/2019	1/9/2024		\$60,000.00	\$0.00	Install Eighteen EV Charging Stations	\$60,000.00	No
ML18153	City of Cathedral City	5/3/2019	4/2/2025		\$52,215.00	\$0.00	Install EV Charging Infrastructure	\$52,215.00	No
ML18154	City of Hemet	11/22/2019	9/1/2023		\$30,000.00	\$0.00	Purchase Two Light-Duty ZEV and EV Char	\$30,000.00	No
ML18156	City of Covina	2/1/2019	3/31/2023	12/31/2023	\$63,800.00	\$42,713.00	Purchase Four Light-Duty ZEVs and EV Cha	\$21,087.00	No
ML18157	City of Los Angeles Bureau of Street	6/21/2019	5/20/2027		\$85,000.00	\$0.00	Purchase One Medium-Duty ZEV	\$85,000.00	No
ML18159	City of Rialto	12/13/2019	5/12/2024		\$135,980.00	\$0.00	Purchase Nine Light-Duty ZEVs and EV Cha	\$135,980.00	No
ML18161	City of Indio	5/3/2019	10/2/2025		\$50,000.00	\$10,000.00	Purchase 1 Light-Duty Zero Emission, 1 Hea	\$40,000.00	No
ML18162	City of Costa Mesa	1/10/2020	7/9/2026		\$148,210.00	\$0.00	Purchase Four Light-Duty ZEVs and EV Cha	\$148,210.00	No
ML18163	City of San Clemente	3/8/2019	12/7/2024		\$85,000.00	\$0.00	Purchase Three Light-Duty ZEVs and EV Ch	\$85,000.00	No
ML18165	City of Baldwin Park	2/1/2019	1/30/2024		\$49,030.00	\$0.00	Expand CNG Station	\$49,030.00	No
ML18167	City of Beverly Hills	3/29/2019	6/28/2025		\$50,000.00	\$0.00	Purchase Two Heavy-Duty Near-Zero Emissi	\$50,000.00	No
ML18168	City of Maywood	3/29/2019	11/28/2022		\$7,059.00	\$0.00	Purchase EV Charging Infrastructure	\$7,059.00	No
ML18169	City of Alhambra	6/14/2019	8/13/2024		\$111,980.00	\$0.00	Install EV Charging Infrastructure	\$111,980.00	No
ML18170	City of Laguna Niguel	1/10/2020	8/9/2028		\$85,100.00	\$0.00	Purchase Two Light-Duty ZEVs and EV Cha	\$85,100.00	No
ML18171	City of El Monte	3/1/2019	4/30/2025		\$119,757.00	\$0.00	Purchase One Heavy-Duty ZEVs and EV Ch	\$119,757.00	No
ML18172	City of Huntington Park	3/1/2019	2/28/2025		\$65,450.00	\$0.00	Purchase One Heavy-Duty ZEV	\$65,450.00	No
ML18173	City of Manhattan Beach	3/29/2019	2/28/2023		\$49,000.00	\$0.00	Purchase Two Light-Duty ZEVs and EV Cha	\$49,000.00	No
ML18174	City of Bell	11/22/2019	7/21/2026		\$25,000.00	\$0.00	Purchase One Heavy-Duty ZEV	\$25,000.00	No
ML18176	City of Coachella	3/1/2019	11/30/2024		\$58,020.00	\$0.00	Install EV Charging Stations	\$58,020.00	No
ML18177	City of San Bernardino	6/7/2019		12/6/2026	\$279,088.00	\$0.00	Purchase Medium- and Heavy-Duty Evs and	\$279,088.00	No
ML18178	City of La Puente	11/1/2019	11/30/2025		\$25,000.00	\$0.00	Purchase One Heavy-Duty Near-Zero Emiss	\$25,000.00	No
MS18002	Southern California Association of G	6/9/2017	11/30/2018	10/31/2020	\$2,500,000.00	\$593,455.98	Regional Active Transportation Partnership	\$1,906,544.02	No
MS18003	Geographics	2/21/2017	2/20/2021		\$70,453.00	\$59,003.97	Design, Host and Maintain MSRC Website	\$11,449.03	No
MS18009	Penske Truck Leasing Co., L.P.	8/8/2018	12/7/2020		\$82,500.00	\$0.00	Modify Maintenance Facility & Train Technici	\$82,500.00	No
MS18014	Regents of the University of Californi	10/5/2018	12/4/2019	3/4/2020	\$254,795.00	\$251,455.59	Planning for EV Charging Infrastructure Inve	\$3,339.41	No
MS18015	Southern California Association of G	7/13/2018	2/28/2021	8/31/2021	\$2,000,000.00	\$0.00	Southern California Future Communities Par	\$2,000,000.00	No
MS18023	Riverside County Transportation Co	6/28/2018	6/27/2021		\$500,000.00	\$162,414.60	Weekend Freeway Service Patrols	\$337,585.40	No
MS18024	Riverside County Transportation Co	6/28/2018	8/27/2021		\$1,500,000.00	\$493,160.00	Vanpool Incentive Program	\$1,006,840.00	No
MS18026	Omnitrans	10/5/2018	1/4/2020		\$83,000.00	\$0.00	Modify Vehicles Maintenance Facility and Tr	\$83,000.00	No
MS18027	City of Gardena	11/2/2018	9/1/2026		\$365,000.00	\$0.00	Install New Limited Access CNG, Modify Mai	\$365,000.00	No
MS18029	Irvine Ranch Water District	8/8/2018	10/7/2024		\$185,000.00	\$0.00	Install New Limited Access CNG Station & T	\$185,000.00	No
MS18065	San Bernardino County Transportatio	3/29/2019	8/28/2023		\$2,000,000.00	\$1,664,525.31	Implement Metrolink Line Fare Discount Pro	\$335,474.69	No
MS18066	El Dorado National	12/6/2019	2/5/2026		\$100,000.00	\$0.00	Install New Limited-Access CNG Station	\$100,000.00	No
MS18073	Los Angeles County MTA	1/10/2019	2/9/2026		\$2,000,000.00	\$0.00	Purchase 40 Zero-Emission Transit Buses	\$2,000,000.00	No
MS18102	Orange County Transportation Autho	10/4/2019	5/31/2020		\$1,146,000.00	\$1,146,000.00	Implement OC Flex Micro-Transit Pilot Proje	\$0.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS18103	Orange County Transportation Autho	2/8/2019	9/7/2020		\$642,000.00	\$613,303.83	Install Hydrogen Detection System	\$28,696.17	No
MS18104	Orange County Transportation Autho	2/21/2020	3/31/2021		\$212,000.00	\$165,235.92	Implement College Pass Transit Fare Subsid	\$46,764.08	No
MS18106	R.F. Dickson Co., Inc.	7/19/2019	1/18/2026		\$265,000.00	\$250,000.00	Expansion of Existing Infrastructure/Mechani	\$15,000.00	No
MS18108	Capistrano Unified School District	2/1/2019	5/30/2025		\$116,000.00	\$0.00	Expansion of Existing Infrastructure & Train	\$116,000.00	No
MS18110	Mountain View Unified School Distric	2/1/2019	3/31/2025		\$275,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$275,000.00	No
MS18112	Banning Unified School District	11/29/2018	11/28/2024	11/28/2025	\$275,000.00	\$0.00	Install New CNG Infrastructure	\$275,000.00	No
MS18114	Los Angeles County Department of P	11/15/2019	11/14/2026		\$175,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$175,000.00	No
MS18115	City of Commerce	6/7/2019	12/6/2025		\$275,000.00	\$0.00	Expansion of Existing L/CNG Infrastructure	\$275,000.00	No
MS18116	Los Angeles County Department of P	11/15/2019	11/14/2026		\$175,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$175,000.00	No
MS18117	City of San Bernardino	6/7/2019	11/6/2025		\$240,000.00	\$0.00	Expansion of Existing CNG Infrastructure/Me	\$240,000.00	No
MS18118	City of Beverly Hills	3/29/2019	7/28/2025		\$85,272.00	\$0.00	Expansion of Existing CNG Infrastructure	\$85,272.00	No
MS18120	City of Redondo Beach	2/1/2019	9/30/2025		\$275,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$275,000.00	No
MS18122	Universal Waste Systems, Inc.	2/1/2019	3/31/2025	3/31/2026	\$200,000.00	\$0.00	Install New Limited Access CNG Infrastructur	\$200,000.00	No
MS18124	County Sanitation Districts of Los An	7/31/2019	2/28/2027		\$275,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$275,000.00	No
MS18125	U.S. Venture	5/9/2019	8/8/2025		\$200,000.00	\$180,000.00	Install New Limited-Access CNG Infrastructu	\$20,000.00	No
MS18175	Regents of the University of Californi	6/7/2019	8/6/2025		\$1,000,000.00	\$0.00	Expansion of Existing Hydrogen Station	\$1,000,000.00	No

**Total: 124**

#### Pending Execution Contracts

ML18100	City of Brea				\$56,500.00	\$0.00	Install Thirteen EV Charging Stations	\$56,500.00	No
ML18148	City of San Dimas				\$50,000.00	\$0.00	Implement Bike Share Program	\$50,000.00	No
ML18149	City of Sierra Madre				\$50,000.00	\$0.00	Implement Bike Share Program	\$50,000.00	No
ML18150	City of South El Monte				\$20,000.00	\$0.00	Implement Bike Share Program	\$20,000.00	No
ML18151	County of San Bernardino Departme				\$200,000.00	\$0.00	Purchase Eight Heavy-Duty Near Zero Emis	\$200,000.00	No
ML18152	County of San Bernardino Flood Con				\$108,990.00	\$0.00	Purchase Five Heavy-Duty Near Zero Emissi	\$108,990.00	No
ML18158	City of Inglewood				\$146,000.00	\$0.00	Purchase 4 Light-Duty Zero Emission, 4 Me	\$146,000.00	No
ML18164	City of Pomona				\$200,140.00	\$0.00	Purchase Three Heavy-Duty ZEVs	\$200,140.00	No
ML18166	City of Placentia				\$25,000.00	\$0.00	Purchase One Heavy-Duty Near-Zero Emiss	\$25,000.00	No
MS18121	City of Montebello				\$70,408.00	\$0.00	Expansion of Existing CNG Infrastructure	\$70,408.00	No

**Total: 10**

#### Declined/Cancelled Contracts

ML18075	City of Orange				\$25,000.00	\$0.00	One Heavy-Duty Vehicle	\$25,000.00	No
MS18013	California Energy Commission				\$3,000,000.00	\$0.00	Advise MSRC and Administer Hydrogen Infr	\$3,000,000.00	No
MS18017	City of Banning				\$225,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$225,000.00	No
MS18018	City of Norwalk	6/8/2018	9/7/2019		\$75,000.00	\$0.00	Vehicle Maintenance Facility Modifications	\$75,000.00	No
MS18107	Huntington Beach Union High School				\$225,000.00	\$0.00	Expansion of Existing Infrastructure	\$225,000.00	No
MS18109	City of South Gate				\$175,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$175,000.00	No
MS18111	Newport-Mesa Unified School District				\$175,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$175,000.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS18113	City of Torrance				\$100,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$100,000.00	No
MS18119	LBA Realty Company XI LP				\$100,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$100,000.00	No
<b>Total: 9</b>									
<b>Closed Contracts</b>									
MS18001	Los Angeles County MTA	6/29/2017	4/30/2018		\$807,945.00	\$652,737.07	Provide Clean Fuel Transit Service to Dodge	\$155,207.93	No
MS18004	Orange County Transportation Autho	8/3/2017	4/30/2019		\$503,272.00	\$456,145.29	Provide Special Rail Service to Angel Stadiu	\$47,126.71	Yes
MS18005	Orange County Transportation Autho	1/5/2018	4/30/2019		\$834,222.00	\$834,222.00	Clean Fuel Bus Service to OC Fair	\$0.00	Yes
MS18006	Anaheim Transportation Network	10/6/2017	2/28/2020		\$219,564.00	\$9,488.22	Implement Anaheim Circulator Service	\$210,075.78	No
MS18008	Foothill Transit	1/12/2018	3/31/2019		\$100,000.00	\$99,406.61	Special Transit Service to LA County Fair	\$593.39	Yes
MS18010	Southern California Regional Rail Aut	12/28/2017	7/31/2019		\$351,186.00	\$275,490.61	Implement Special Metrolink Service to Unio	\$75,695.39	Yes
MS18011	Southern California Regional Rail Aut	2/9/2018	6/30/2018		\$239,565.00	\$221,725.12	Special Train Service to Festival of Lights	\$17,839.88	Yes
MS18016	Southern California Regional Rail Aut	1/10/2019	3/31/2019		\$87,764.00	\$73,140.89	Special Train Service to Auto Club Speedwa	\$14,623.11	Yes
MS18025	Los Angeles County MTA	11/29/2018	5/31/2019		\$1,324,560.00	\$706,235.69	Special Bus and Train Service to Dodger Sta	\$618,324.31	Yes
MS18105	Southern California Regional Rail Aut	1/10/2019	6/30/2019		\$252,696.00	\$186,830.04	Special Train Service to the Festival of Light	\$65,865.96	Yes
<b>Total: 10</b>									
<b>Open/Complete Contracts</b>									
ML18019	City of Hidden Hills	5/3/2018	5/2/2022	5/2/2023	\$49,999.00	\$49,999.00	Purchase Two Light-Duty ZEVs and EVSE	\$0.00	Yes
ML18021	City of Signal Hill	4/6/2018	1/5/2022		\$49,661.00	\$46,079.31	Install EV Charging Station	\$3,581.69	Yes
ML18028	City of Artesia	6/28/2018	3/27/2025		\$50,000.00	\$50,000.00	Install EVSE	\$0.00	Yes
ML18033	City of Duarte	8/8/2018	2/7/2025		\$50,000.00	\$50,000.00	Purchase 1-HD ZEV	\$0.00	Yes
ML18035	City of Westlake Village	8/8/2018	11/7/2022		\$50,000.00	\$50,000.00	Install EVSE	\$0.00	Yes
ML18037	City of Westminster	6/28/2018	6/27/2024	12/27/2026	\$120,900.00	\$120,900.00	Install EVSE, Purchase up to 3-LD ZEV & 1-	\$0.00	Yes
ML18040	City of Agoura Hills	7/13/2018	6/12/2022		\$17,914.00	\$17,914.00	Install EV Charging Infrastructure	\$0.00	Yes
ML18042	City of San Fernando	6/28/2018	2/27/2024		\$10,000.00	\$10,000.00	Purchase 1 Light-Duty ZEV	\$0.00	Yes
ML18045	City of Culver City Transportation De	6/28/2018	6/27/2025		\$51,000.00	\$51,000.00	Purchase Eight Near-Zero Vehicles	\$0.00	Yes
ML18049	City of Downey	7/6/2018	5/5/2023		\$148,260.00	\$148,116.32	Install EV Charging Stations	\$143.68	Yes
ML18054	City of La Habra Heights	8/8/2018	4/7/2022		\$9,200.00	\$9,200.00	Purchase 1 L.D. ZEV	\$0.00	Yes
ML18061	City of Moreno Valley	4/9/2019	2/8/2025		\$25,000.00	\$25,000.00	Purchase 1 Heavy-Duty Near-ZEV	\$0.00	Yes
ML18062	City of Beaumont	8/8/2018	9/7/2024		\$25,000.00	\$25,000.00	Purchase 1 Heavy-Duty Near-ZEV	\$0.00	Yes
ML18070	City of Lomita	11/29/2018	6/28/2022		\$6,250.00	\$6,250.00	Purchase 1 Light-Duty ZEV	\$0.00	No
ML18071	City of Chino Hills	9/7/2018	10/6/2022		\$20,000.00	\$20,000.00	Purchase 2 Light-Duty ZEVs	\$0.00	Yes
ML18074	City of Buena Park	12/14/2018	6/13/2026		\$107,960.00	\$107,960.00	EV Charging Infrastructure	\$0.00	No
ML18076	City of Culver City Transportation De	10/5/2018	10/4/2023		\$1,130.00	\$1,130.00	Purchase Light-Duty ZEV	\$0.00	Yes
ML18077	City of Orange	11/2/2018	10/1/2022		\$59,776.00	\$59,776.00	Four Light-Duty ZEV and EV Charging Infr	\$0.00	Yes
ML18086	City of Los Angeles Bureau of Street	2/8/2019	4/7/2023		\$300,000.00	\$300,000.00	Install Sixty EV Charging Stations	\$0.00	Yes
ML18127	City of La Puente	2/1/2019	2/28/2023		\$10,000.00	\$7,113.70	Purchase Light-Duty Zero Emission Vehicle	\$2,886.30	Yes
ML18155	City of Claremont	7/31/2019	9/30/2023		\$50,000.00	\$35,608.86	Install EV Charging Infrastructure	\$14,391.14	No

<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>
ML18160	City of Irwindale	3/29/2019	12/28/2022		\$14,263.00	\$14,263.00	Purchase Two Light-Duty ZEVs	\$0.00	Yes
MS18012	City of Hermosa Beach	2/2/2018	2/1/2024		\$36,000.00	\$36,000.00	Construct New Limited-Access CNG Station	\$0.00	Yes
MS18123	City Rent A Bin DBA Serv-Wel Dispo	12/14/2018	2/13/2025		\$200,000.00	\$200,000.00	Install New Limited-Access CNG Infrastructu	\$0.00	Yes

**Total: 24**



Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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### ***FY 2018-2021 Contracts***

#### ***Open Contracts***

MS21001	Los Angeles County MTA	8/30/2019	7/29/2020		\$1,148,742.00	\$0.00	Implement Special Transit Service to Dodger	\$1,148,742.00	No
MS21002	Better World Group Advisors	11/1/2019	12/31/2022		\$250,000.00	\$21,052.35	Programmatic Outreach Services	\$228,947.65	No

**Total: 2**

#### ***Pending Execution Contracts***

MS21003	Orange County Transportation Autho				\$468,298.00	\$0.00	Provide Express Bus Service to the Orange	\$468,298.00	No
MS21004	Los Angeles County MTA				\$2,188,899.00	\$0.00	Clean Fuel Bus Service to Dodger Stadium	\$2,188,899.00	No

**Total: 2**

[↑ Back to Agenda](#)

BOARD MEETING DATE: August 7, 2020

AGENDA NO. 26

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board held a meeting on May 28, 2020, June 25-26, 2020 and July 23, 2020. The following are summaries of the meetings.

RECOMMENDED ACTION:

Receive and file.

Judith Mitchell, Member  
South Coast AQMD Governing Board

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The California Air Resources Board (CARB or Board) held a meeting remotely on May 28, 2020 via a web-based videoconferencing service. Key items presented are summarized below.

### **CONSENT ITEM**

#### **20-5-1: Public Meeting to Consider a Technical Revision to the San Joaquin Valley PM<sub>2.5</sub> State Implementation Plan**

A germane public comment was submitted on this item, and therefore, it was removed from the consent calendar. After hearing staff's presentation and public comment, the Board adopted the technical revision to the San Joaquin Valley fine particulate matter (PM<sub>2.5</sub>) State Implementation Plan. The revision will support U.S. EPA's approval of the 2018 PM<sub>2.5</sub> SIP pertaining to the 35 µg/m<sup>3</sup> 24-hour PM<sub>2.5</sub> standard and allow U.S. EPA to grant a request for an attainment date extension made under Clean Air Act section 188(e). The revision translates an emissions reduction commitment that has already been achieved in the 2012 PM<sub>2.5</sub> Plan into the most current emissions inventory

used in the 2018 PM2.5 SIP. CARB will submit the SIP Revision to U.S. EPA as a revision to the California State Implementation Plan.

## **DISCUSSION ITEMS**

### **20-5-2: Public Meeting to Consider Proposed Updates to the 2019 Architectural Coatings Suggested Control Measure**

The Board adopted updates to the 2019 Architectural Coatings Suggested Control Measure (SCM) to add a new coating category for Photovoltaic Coatings (PC) and establish a limit on the volatile organic content of these coatings. On May 23, 2019, the Board approved the 2019 SCM for Architectural Coatings, and during the hearing, the Board received comments from stakeholders regarding the need to add a new coating category intended for use on utility-scale solar modules. The Board directed CARB staff to work with coating manufacturers, air districts, other state agencies, U.S. EPA, and other interested stakeholders to evaluate the feasibility of incorporating a new PC category into the SCM. CARB staff determined any increase in VOC emissions associated with the application of PC coatings will be offset by avoided power plant emissions of criteria pollutants and greenhouse gases.

### **20-5-3: Public Meeting to Hear an Informational Update on the Advanced Clean Cars II Regulation**

The Board heard an informational update on potential new Advanced Clean Cars II (ACC II) regulations for light- and medium-duty vehicles. The original Advanced Clean Cars regulations were adopted in 2012, and then revisited in 2017. The proposed ACC II regulations will provide reductions post-2025 and include changes to criteria and greenhouse gas emission standards and new in-use requirements for zero-emission vehicles. In addition, the proposed ACC II regulations will strive to better ensure that further emission reductions will not only be achieved in the lab but will also carry over to real-world driving. At the Board meeting, CARB staff also described how new light-duty scenarios are being developed for the CARB Mobile Source Strategy scheduled to be completed later this year, and which will inform the trajectory of vehicle technologies needed long-term. The ACC II new criteria pollutant, GHG, and ZEV regulations are intended to promote innovation and faster penetration of clean air technologies into California's on-road fleet that will help California meet its air quality and climate targets.

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The California Air Resources Board (CARB or Board) held a meeting remotely on June 25-26, 2020 via a web-based videoconferencing service. Key items presented are summarized below.

### **CONSENT ITEMS**

#### **20-6-1: Public Meeting to Consider Proposed 70 Parts Per Billion Ozone State Implementation Plan Submittal**

The Board adopted the proposed baseline emissions inventories and vehicle miles traveled (VMT) offsets for the 2015 70 parts per billion (ppb) ozone National Ambient Air Quality Standard for 18 nonattainment areas in California. In 2015, U.S. EPA strengthened the Standard for 8-hour ozone from 75 to 70 parts per billion (ppb), and effective August 3, 2018, U.S. EPA designated 19 areas in California for the 70 ppb 8-hour ozone Standard. The baseline emissions inventories and VMT offsets will be submitted to the U.S. EPA for adoption as a revision to the California State Implementation Plan with the exception of those elements involving San Diego whose SIP will be considered later this year.

#### **20-6-2: Public Meeting to Consider Indian Wells Valley Second 10-Year PM10 Maintenance Plan**

The Board adopted the proposed Indian Wells Valley Second 10-Year PM10 Maintenance Plan (2020 PM<sub>10</sub> Plan) developed by the Eastern Kern Air Pollution Control District. In 2002, U.S. EPA designated the Indian Wells Valley as a moderate nonattainment area for the 24-hour and annual PM<sub>10</sub> standards. On May 7, 2003, U.S. EPA redesignated Indian Wells Valley to attainment of the PM<sub>10</sub> standards based on air quality data collected in 1998 through 2000 and approved the first 10-year maintenance plan. The District adopted the 2020 PM<sub>10</sub> Plan to satisfy federal Clean Air Act requirements for continuous monitoring of PM<sub>10</sub> and full implementation of adopted control measures over a 20-year period after redesignation of Indian Wells Valley to attainment. The Indian Wells Valley 2020 PM<sub>10</sub> Plan will be submitted to U.S. EPA for adoption as a revision to the California State Implementation Plan.

### **DISCUSSION ITEMS**

#### **20-6-3: Public Hearing to Consider the Proposed Advanced Clean Trucks Regulation**

The Board adopted the Advanced Clean Truck (ACT) regulation that requires truck manufacturers to sell zero-emission medium- and heavy-duty trucks in California in addition to a one-time requirement for large entities to report on their facilities, types of truck services used, and fleet of vehicles. This is the final of two public hearings on this

item, the first public hearing was held on December 12, 2019. Zero-emission technology is needed in the medium- and heavy-duty market to meet the state's emission reduction goals. The proposed ACT Regulation will result in reductions in criteria pollutants, toxic air contaminants, and greenhouse gas (GHG) emissions at the statewide, regional, and local levels. It is part of California's strategy to address federal air quality mandates, to protect the public health of all Californians, and to meet sustainability goals. The ACT Regulation requires large truck manufacturers to sell zero-emission trucks in California to broaden the market and to send a clear signal that medium- and heavy-duty ZEVs will be a major part of California's overall strategy to reduce criteria emissions, climate impacts, and petroleum use. Medium- and heavy-duty vehicle manufacturers must start producing and selling ZEVs beginning with the 2024 model year, with ZEV sales increasing through the 2035 model year. The one-time reporting from large entities will be used in developing future regulations designed to accelerate the purchase of medium- and heavy-duty ZEVs in fleets. These regulatory approaches, in combination with early market support from funding programs, will significantly accelerate the market for heavy-duty ZEV technology. The Board also certified the Final Environmental Analysis, approving the written response to comments received on the Draft Environmental Analysis. The Advanced Clean Trucks Regulation will be submitted to U.S. EPA as a revision to the California State Implementation Plan.

#### **20-6-4: Public Meeting to Hear an Informational Update on Control Measure for Ocean-Going Vessels At Berth**

The Board heard an update on the status of the Proposed Control Measure for Ocean-Going Vessels At Berth (At-Berth Regulation). At the December 5, 2019 Board Hearing, CARB staff presented the proposed At-Berth Regulation designed to achieve further reductions from vessels at berth and reduce adverse health impacts to communities surrounding ports and terminals throughout California. At that Board meeting, the Board directed staff to consider specific changes to the proposal including pulling the implementation dates for tankers and roll-on/roll-off ships (ro-ro's) forward, adding a compliance flexibility provision that permits regulated entities to use innovative, less expensive concepts to comply with the regulation if they are implemented earlier than required, and strengthening the proposed interim evaluation. Following the Board's directive and in consideration of comments received during the 45-day comment period, staff developed the concepts for "15-day" changes. The "15-day" changes package was released for an extended public review on March 26, 2020, due to the unprecedented health circumstances affecting the public. At the June Board meeting, the staff provided an update on comments received on the "15-day" changes, as well as the current economic circumstances of the shipping industry and ports. The Board directed staff to restore the originally proposed implementation date for ro-ro's and to finalize the regulation. The staff has released a second "15-day" change package reflecting this direction, and the Board will consider the final At-Berth Regulation at its August 2020 meeting.

### **20-6-5: Public Meeting to Hear the 2019 Annual Enforcement Report**

The Board heard a summary of the Enforcement Division's 2019 Annual Report. The presentation discussed updates and achievements of various CARB enforcement programs pertaining to diesel technology, ocean-going vessels, and product certification requirements. For example, the Board heard that CARB staff's Streamlined Truck Enforcement program has resulted in California registered heavy truck compliance rates increasing from 77% to 88%, and that in 2018, the At-Berth regulation achieved a 77% reduction in diesel engine use that exceeded the 70% reduction requirement for the industry. The presentation also touched on CARB's ongoing commitment to transparency and program development. CARB staff described its enforcement focus in environmental justice communities and that more than 60% of total inspections have occurred in or benefitted disadvantaged communities, and how supplemental environmental projects have provided direct benefit to disadvantaged communities where violators funded 18 projects with six million dollars in penalties.

### **20-6-6: Public Meeting to Consider the California Air Resources Board Review of the San Joaquin Valley Air Pollution Control District Emission Reduction Credit Program**

The Board heard a summary of the CARB staff review of the San Joaquin Valley Air Pollution Control District (SJVAPCD) Emission Reduction Credit (ERC) program, and passed a resolution directing CARB staff to work with the District on program improvements. The CARB staff report was in response to a January 24, 2019 Board directive to conduct a review of the SJVAPCD's ERC program, including the equivalency determination, and explain it in the context of the broader SJVAPCD program for reducing emissions from stationary sources including New Source Review (NSR), permitting, and regulatory requirements. In the resolution, the Board directed CARB staff to participate in SJVAPCD's public process to address the findings in CARB's staff review; provide technical support to community groups to participate in the SJVAPCD's process, report back to the Board on implementation of the District's commitments; convene a multi-district, California Air Pollution Control Officers Association, CARB, and stakeholder working group focused on implementation of NSR programs including Best Available Control Technology (BACT) and opportunities to optimize the systems for regional and community-scale effectiveness; and more effectively coordinate with local air districts on their permitting actions and rule development at local air districts.

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The California Air Resources Board (CARB or Board) held a meeting remotely on July 23, 2020 via a web-based videoconferencing service. Key items presented are summarized below.

### **CONSENT ITEMS**

#### **20-7-1: Public Meeting to Consider Eastern Kern Ozone Conformity Budget Update**

The Board adopted an update to the East Kern Ozone Conformity Budget for the 75 parts per billion 8-hour ozone standard. The technical update was developed at the request of the U.S. EPA and will be submitted to U.S. EPA for approval as a revision to the California state implementation plan

#### **20-7-4: Public Meeting to Consider Research Contract with the University of California, Davis, Titled "Measuring, Analyzing, and Identifying Small-Area Vehicle Miles Traveled Reduction"**

The Board approved funding of the proposed research contract with the University of California, Davis. This proposal was developed in response to the Board-approved research projects for fiscal year 2020-2021. The execution of this contract will help to support CARB's implementation of Senate Bill 375 and helps pave the way for the State's 2050 climate goal.

#### **20-7-5: Public Meeting to Consider Research Contract with the University of California, San Francisco, Titled "Impact of Air Pollution on COVID-19 Case and Death Risk in California"**

The Board approved funding of the proposed research contract with the University of California, San Francisco. Long-term exposure to air pollution is emerging as one of the important risk factors for deaths from coronavirus disease 2019 (COVID-19) infections. Given the high levels of pollution in California and the concern for community and individual exposure to air pollution, this study is critical to be able to determine the vulnerability of Californians to COVID-19. Also, with a much higher risk of COVID-19 deaths being seen in African American populations, direct attention will be given to the role of race/ethnicity and historic exposure to environmental toxicants on COVID-19 risk.

**20-7-6: Public Meeting to Consider Proposed Research Contract with the University of California, Los Angeles Titled “Ambient Air Pollution and COVID-19 Disease Severity or Death among Confirmed Cases in Southern California”**

The Board approved funding of the proposed research contract with the University of California, Los Angeles. The research contract will investigate whether air pollution worsens the prognosis for patients infected with COVID-19, including residents in vulnerable and disadvantaged communities, and will supply important information on the environmental justice implications of COVID-19 and ambient air pollution exposures.

**DISCUSSION ITEMS**

**20-7-2: Public Hearing to Consider Proposed Procedures for the Exemption of Add-On and Modified Part(s) for On-Road Vehicles/Engines**

The Board adopted the proposed Procedures for the Exemption of Add-On and Modified Part(s) for On-Road Vehicles/Engines (aftermarket part procedures). In order to be sold in California, CARB must determine that the use of aftermarket parts will not result in increased emissions for the model-year vehicle or engine utilizing the aftermarket parts. The previous CARB aftermarket part procedure rule, last amended June 1, 1990, did not address issues with current advanced technologies. The approved aftermarket part procedures provide a reasonable and fast approval process for manufacturers to bring safe and clean aftermarket part to market quickly.

**20-7-3: Public Meeting to Hear an Informational Update on CARB’s California-Mexico Border Activities**

The Board heard an informational update on CARB's efforts at the California-Mexico Border to improve air quality. At the December 2018 CARB Board meeting, the Board directed staff to continue to work on air quality issues at the border and to coordinate these efforts with local community and other stakeholders. Staff discussed historic inequities that have contributed to negative environmental and health impacts in border communities and how CARB has been working with community-based organizations, universities, local air districts, and the municipalities of Mexicali and Tijuana on addressing these air quality concerns in the border region. The Board also heard how Assembly Bill 617 program actions in the border region have strengthened community partnerships and CARB efforts.

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**Attachments**

CARB May 28, 2020, June 25-26, 2020 and July 23, 2020 Meeting Agendas





## PUBLIC MEETING AGENDA

**Thursday,  
May 28, 2020**

In accordance with Governor Newsom's Executive Orders [N-29-20](#) and [N-33-20](#) as well as recommendations from the California Department of Public Health, the May 28, 2020, Board Meeting will not have a physical location to attend in person. This will be a remote-only meeting.

The Board Meeting will be conducted remotely via a web-based videoconferencing service called Zoom. Members of the public who wish to comment verbally can register for the webinar.

[Register for the Webinar](#) – for those that plan to comment at the hearing.

Alternatively, on the morning of the Board Meeting, members of the public can offer verbal comments by calling in via telephone. Members of the public do not have to register beforehand if they call in using the number below.

Phone Number: (669) 900-6833

Webinar ID: 849 9559 4639

To watch the webinar only and not provide verbal comments, please view the webcast. The webcast is the same video stream offered by CARB during normal Board Meetings. If you do not wish to provide verbal comments, we strongly recommend watching the webcast as this will free up space on the webinar for those who are providing verbal comments.

[Webcast](#) – for those that only plan to observe the hearing.

[How to Participate in the Remote Board Meeting](#)

**Thursday  
May 28, 2020  
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.

#### **Consent Item #**

**20-5-1: Public Meeting to Consider a Technical Revision to the San Joaquin Valley PM2.5 State Implementation Plan**

*The California Air Resources Board (CARB or Board) will consider a technical revision to an emissions reduction commitment contained in the 2012 PM2.5 Plan in response to a request from the United States Environmental Protection Agency (U.S. EPA). The revision is a*

*translation of a reduction commitment from the inventory used in the 2012 PM2.5 Plan to the most current inventory. If approved, CARB will submit this revision to U.S. EPA as a revision to the California State Implementation Plan.*

[More Information](#)   [Proposed Resolution](#)   [Board Item Materials](#)   [Written Comments](#)

## **DISCUSSION ITEMS:**

**Note:** The following agenda items may be heard in a different order at the Board meeting.

### **Agenda Item #**

#### **20-5-2: Public Meeting to Consider Proposed Updates to the 2019 Architectural Coatings Suggested Control Measure**

*The Board will consider updating the 2019 Architectural Coatings Suggested Control Measure to add a new coating category for Photovoltaic Coatings and establish a limit on the volatile organic content of the coatings. The Board will also consider adopting an addendum to a previously certified Program Environmental Impact Report in compliance with the California Environmental Quality Act.*

[More Information](#)   [Staff Presentation](#)   [Board Item Materials](#)   [Written Comments](#)

#### **20-5-3: Public Meeting to Hear an Informational Update on the Advanced Clean Cars II Regulation**

*The Board will hear an informational update on the development of new regulations for light- and medium-duty vehicles, including changes to criteria and greenhouse gas emission standards and new in-use requirements for zero-emission vehicles.*

[More Information](#)   [Staff Presentation](#)   [Board Item Materials](#)   [Written Comments](#)

## **CLOSED SESSION**

The Board may 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:

*Alliance for California Business v. California State Transportation Agency, et al., Sacramento County Superior Court, Case No. 34-2016-80002491.*

*American Coatings Association, Inc. v. State of California and California Air Resources Board, Sacramento County Superior Court, Case No. 04CS01707.*

*American Lung Association, et al. v. United States Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 19-1140.*

*California v. Stout, et al., United States District Court, Central District of California, Case No. 2:20-cv-00371.*

*California v. Wheeler, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 19-1239.*

*California Air Resources Board v. Key Disposal, Inc. and John Katangian*, Los Angeles Superior Court, Case No. BC650014.

*California Air Resources Board v. United States Environmental Protection Agency*, U.S. Court of Appeals, District of Columbia Circuit, Case No. 18-1085.

*California Air Resources Board v. United States Environmental Protection Agency and National Highway Traffic and Safety Administration*, United States District Court, District of Columbia Case No. 1:19-cv-00965-CKK.

*Dalton Trucking, Inc. v. United States Environmental Protection Agency*, U.S. Court of Appeals, District of Columbia Circuit, Case No. 13-1283 (dismissed), U.S. Court of Appeals, Ninth Circuit, Case No. 13-74019.

*Friends of Oceano Dunes, Inc. v. California Coastal Commission, et al.*, San Luis Obispo County Superior Court, Case No. 17CV-0576; U.S. District Court for the Central District of California, Case No. 2:17-cv-8733.

*In re Pacific Gas and Electric Company*, U.S. Bankruptcy Court, Northern District of California, Case No. 19-30089.

*John Mahan v. California Air Resources Board*, Sacramento County Superior Court, Case No. 34-2016-80002416.

*John R. Lawson Rock & Oil, Inc. et al. v. California Air Resources Board et al.*, Fresno County Superior Court, Case No. 14-CECG01494; ARB's appeal, Court of Appeal, Fifth District, Case No. F074003.

*Sowinski v. California Air Resources Board, et al.*, United States District Court, Northern District of California, No. 3:18-cv-03979-LHK.

*State of California v. United States Environmental Protection Agency*, United States Court of Appeals, District of Columbia Circuit, Case No. 18-1096.

*State of California, et al. v. David Bernhardt, et al.*, United States District Court, Northern District of California, Case No. 3:18-cv-5712-DMR.

*State of California, et al. v. United States Environmental Protection Agency*, United States Court of Appeals, District Court of Columbia Circuit, Case No. 19-1227.

*State of California, et al., v. United States Environmental Protection Agency*, United States District Court, Northern District of California, Case No. 4:18-cv-03237.

*State of New York, et al. v. Andrew Wheeler and the United States Environmental Protection Agency*, U.S. District Court, District of Columbia, Case No. 1:18-cv-00773.

*State of North Dakota v. United States Environmental Protection Agency*, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1381.

*State of North Dakota, et al. v. United States Environmental Protection Agency*, U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1242.

*State of Wyoming, et al. v. United States Department of the Interior, et al.*, U.S. District Court, District of Wyoming, Case No. 16-CV-285-SWS.

*Truck Trailer Manufacturers Association, Inc. v. United States Environmental Protection Agency, et al.*, U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1430.

*Valero Refining Co. California v. Hearing Board of the Bay Area Air Quality Management District et al.*, Court of Appeal, First Appellate District, Case No. A151004.

*People v. Southern California Gas Company*, Los Angeles Superior Court, Case No. BC 602973.

*The Two Hundred, et al. v. California Air Resources Board, et al.*, Fresno County Superior Court, Case No. 18CECG01494.

*United States v. California*, United States District Court, Eastern District of California, Case No. 2:19-cv-02142-WBS-EFB.

#### **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. The public will also have an opportunity to [submit written comments](#) for open session the morning of the Board Meeting.*

[Submit Comments Electronically on the Day of the Board Meeting](#)

[View Submitted Comments](#)

**PLEASE NOTE:** PowerPoint presentations to be displayed during public comment at the Board meeting must be electronically submitted via email to the Clerks' Office at [cotb@arb.ca.gov](mailto:cotb@arb.ca.gov) no later than noon on the business day prior to the scheduled Board meeting.

#### **IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CLERKS' OFFICE:**

1001 I Street, 23<sup>rd</sup> Floor, Sacramento, California 95814

[cotb@arb.ca.gov](mailto:cotb@arb.ca.gov) or (916) 322-5594

CARB 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 Clerks' Office at [cotb@arb.ca.gov](mailto:cotb@arb.ca.gov) or at (916) 322-5594 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 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.



## **PUBLIC MEETING AGENDA**

**Thursday, June 25, 2020  
and  
Friday, June 26, 2020**

In accordance with Governor Newsom's Executive Orders [N-29-20](#) and [N-33-20](#) as well as recommendations from the California Department of Public Health, the June 25-26, 2020, Board Meeting will not have a physical location to attend in person. This will be a remote-only meeting.

The Board Meeting will be conducted remotely via a web-based videoconferencing service called Zoom. Members of the public who wish to comment verbally can register for the webinar.

[Register for the Webinar](#) – for those that plan to comment at the hearing.

Alternatively, on each morning of the Board Meeting, members of the public can offer verbal comments by calling in via telephone. Members of the public do not have to register beforehand if they call in using the number below.

Phone Number: (669) 900-6833  
Webinar ID: 839 8449 4252

To watch the webinar only and not provide verbal comments, please view the webcast. The webcast is the same video stream offered by CARB during normal Board Meetings. If you do not wish to provide verbal comments, we strongly recommend watching the webcast as this will free up space on the webinar for those who are providing verbal comments.

[Webcast](#) – for those that only plan to observe the hearing.

[How to Participate in the Remote Board Meeting](#)  
[How to Participate in the Remote Board Meeting \(Spanish\)](#)

**Thursday  
June 25, 2020  
9:00 a.m.**

### **CONSENT CALENDAR:**

The following items 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.

**Note:** The following agenda items may be heard in a different order at the Board meeting.

**Consent Item #**

**20-6-1: Public Meeting to Consider Proposed 70 Parts Per Billion Ozone State Implementation Plan Submittal**

*The California Air Resources Board (CARB or Board) will consider adopting the proposed baseline emissions inventories and vehicle miles traveled offsets for the 2015 70 parts per billion ozone National Ambient Air Quality Standard for 18 nonattainment areas in California. If adopted, the inventories and offsets will be submitted to the United States Environmental Protection Agency for adoption as a revision to the California State Implementation Plan.*

[More Information](#)   [Proposed Resolution](#)   [Board Item Materials](#)   [Written Comments](#)

**20-6-2: Public Meeting to Consider Indian Wells Valley Second 10-Year PM10 Maintenance Plan**

*The Board will consider adopting the proposed Indian Wells Valley Second 10-Year PM10 Maintenance Plan developed by the Eastern Kern Air Pollution Control District. If adopted, the Plan will be submitted to United States Environmental Protection Agency for adoption as a revision to the California State Implementation Plan.*

[More Information](#)   [Proposed Resolution](#)   [Board Item Materials](#)   [Written Comments](#)

**DISCUSSION ITEMS:**

**Note:** The following agenda items may be heard in a different order at the Board meeting.

Spanish translation will be provided at the June 25 and 26 Board Meeting.

**Agenda Item #****20-6-3: Public Hearing to Consider the Proposed Advanced Clean Trucks Regulation**

*The Board will consider proposed requirements for truck manufacturers to sell zero-emission trucks in California and a one time requirement for large entities to report about their facilities, types of truck services used, and fleet of vehicles. This is the second of two Board hearings on this item; the Board will consider certifying the Final Environmental Analysis, approving the written response to comments received on the Draft Environmental Analysis, and adopting the Advanced Clean Trucks Regulation for submission to the United States Environmental Protection Agency as a revision to the California State Implementation Plan.*

[More Information](#)   [Staff Presentation](#)   [Board Item Materials](#)   [Written Comments](#)

**20-6-4: Public Meeting to Hear an Informational Update on Control Measure for Ocean-Going Vessels At Berth**

*The Board will hear an update on the status of the Proposed Control Measure for Ocean-Going Vessels At Berth. The Proposed Regulation is designed to achieve further emissions from vessels at berth to reduce adverse health impacts to communities surrounding ports and terminals throughout California. These benefits would be achieved by tightening requirements for existing vessel categories, and including new vessel categories (such as vehicle carriers and tanker vessels), new ports, and independent marine terminals.*

[More Information](#)   [Staff Presentation](#)   [Board Item Materials](#)   [Written Comments](#)

**20-6-5: Public Meeting to Hear the 2019 Annual Enforcement Report**

*The Board will hear a summary of the Enforcement Division's 2019 Annual Report. The presentation will highlight updates and achievements within various enforcement programs pertaining to diesel technology, ocean-going vessels, and product certification requirements. The presentation will touch on our ongoing commitment to transparency and program development. Staff will assess compliance in key programs and describe our enforcement focus in environmental justice communities, notable supplemental environmental projects, and expansion of stationary source enforcement.*

[More Information](#)

[Staff Presentation](#)

[Board Item Materials](#)

[Written Comments](#)

**Friday**  
**June 26, 2020**  
**8:30 a.m.**

**20-6-6: Public Meeting to Consider the California Air Resources Board Review of the San Joaquin Valley Air Pollution Control District Emission Reduction Credit Program**

*The Board will hear a summary of the CARB staff review of the San Joaquin Valley Air Pollution Control District emission reduction credit program. In January of 2019, the Board directed staff to conduct a review of the San Joaquin Valley Air Pollution Control District emission reduction credit program. Staff will be presenting findings from a review of individual banking actions, banking rule provisions, and the federal offset equivalency demonstration.*

[More Information](#)

[Staff Presentation](#)

[Board Item Materials](#)

[Written Comments](#)

**CLOSED SESSION**

The Board may 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:

*Alliance for California Business v. California State Transportation Agency, et al.*, Sacramento County Superior Court, Case No. 34-2016-80002491.

*American Coatings Association, Inc. v. State of California and California Air Resources Board*, Sacramento County Superior Court, Case No. 04CS01707.

*American Lung Association, et al. v. United States Environmental Protection Agency, et al.*, United States Court of Appeals, District of Columbia Circuit, Case No. 19-1140.

*California v. Stout, et al.*, United States District Court, Central District of California, Case No. 2:20-cv-00371.

*California v. Wheeler, et al.*, United States Court of Appeals, District of Columbia Circuit, Case No. 19-1239.

*California Air Resources Board v. Key Disposal, Inc. and John Katangian*, Los Angeles Superior Court, Case No. BC650014.

*California Air Resources Board v. United States Environmental Protection Agency*, U.S. Court of Appeals, District of Columbia Circuit, Case No. 18-1085.



*California Air Resources Board v. United States Environmental Protection Agency and National Highway Traffic and Safety Administration*, United States District Court, District of Columbia Case No. 1:19-cv-00965-CKK.

*Dalton Trucking, Inc. v. United States Environmental Protection Agency*, U.S. Court of Appeals, District of Columbia Circuit, Case No. 13-1283 (dismissed), U.S. Court of Appeals, Ninth Circuit, Case No. 13-74019.

*Friends of Oceano Dunes, Inc. v. California Coastal Commission, et al.*, San Luis Obispo County Superior Court, Case No. 17CV-0576; U.S. District Court for the Central District of California, Case No. 2:17-cv-8733.

*In re Pacific Gas and Electric Company*, U.S. Bankruptcy Court, Northern District of California, Case No. 19-30089.

*John Mahan v. California Air Resources Board*, Sacramento County Superior Court, Case No. 34-2016-80002416.

*John R. Lawson Rock & Oil, Inc. et al. v. California Air Resources Board et al.*, Fresno County Superior Court, Case No. 14-CECG01494; ARB's appeal, Court of Appeal, Fifth District, Case No. F074003.

*Sowinski v. California Air Resources Board, et al.*, United States District Court, Northern District of California, No. 3:18-cv-03979-LHK.

*State of California v. United States Environmental Protection Agency*, United States Court of Appeals, District of Columbia Circuit, Case No. 18-1096.

*State of California, et al. v. David Bernhardt, et al.*, United States District Court, Northern District of California, Case No. 3:18-cv-5712-DMR.

*State of California, et al. v. United States Environmental Protection Agency*, United States Court of Appeals, District Court of Columbia Circuit, Case No. 19-1227.

*State of California, et al. v. United States Environmental Protection Agency*, United States District Court, Northern District of California, Case No. 4:18-cv-03237.

*State of New York, et al. v. Andrew Wheeler and the United States Environmental Protection Agency*, U.S. District Court, District of Columbia, Case No. 1:18-cv-00773.

*State of North Dakota v. United States Environmental Protection Agency*, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1381.

*State of North Dakota, et al. v. United States Environmental Protection Agency*, U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1242.

*State of Wyoming, et al. v. United States Department of the Interior, et al.*, U.S. District Court, District of Wyoming, Case No. 16-CV-285-SWS.

*Truck Trailer Manufacturers Association, Inc. v. United States Environmental Protection Agency, et al.*, U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1430.

*Valero Refining Co. California v. Hearing Board of the Bay Area Air Quality Management District et al.*, Court of Appeal, First Appellate District, Case No. A151004.

*People v. Southern California Gas Company*, Los Angeles Superior Court, Case No. BC 602973.

*The Two Hundred, et al. v. California Air Resources Board, et al.*, Fresno County Superior Court, Case No. 18CECG01494.

*United States v. California*, United States District Court, Eastern District of California, Case No. 2:19-cv-02142-WBS-EFB.

#### **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. The public will also have an opportunity to [submit written comments](#) for open session the morning of the Board Meeting.*

[Submit Comments Electronically the Day of the Board Meeting](#)

[View Submitted Comments](#)

**PLEASE NOTE:** PowerPoint presentations to be displayed during public comment at the Board meeting must be electronically submitted via email to the Clerks' Office at [cotb@arb.ca.gov](mailto:cotb@arb.ca.gov) no later than noon on the business day prior to the scheduled Board meeting.

#### **IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CLERKS' OFFICE:**

1001 I Street, 23<sup>rd</sup> Floor, Sacramento, California 95814

[cotb@arb.ca.gov](mailto:cotb@arb.ca.gov) or (916) 322-5594

CARB Homepage: [www.arb.ca.gov](http://www.arb.ca.gov)

#### **SPECIAL ACCOMMODATION REQUEST**

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- 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 Clerks' Office at [cotb@arb.ca.gov](mailto:cotb@arb.ca.gov) or at (916) 322-5594 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 alterno 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 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.



## PUBLIC MEETING AGENDA

**Thursday,  
July 23, 2020**

In accordance with Governor Newsom's Executive Orders [N-29-20](#) and [N-33-20](#) as well as recommendations from the California Department of Public Health, the July 23, 2020, Board Meeting will not have a physical location to attend in person. This will be a remote-only meeting.

The Board Meeting will be conducted remotely via a web-based videoconferencing service called Zoom. Members of the public who wish to comment verbally can register for the webinar.

[Register for the Webinar](#) – for those that plan to comment at the hearing.

Alternatively, on each morning of the Board Meeting, members of the public can offer verbal comments by calling in via telephone. Members of the public do not have to register beforehand if they call in using the number below.

Phone Number: (669) 900-6833  
Webinar ID: 850 7242 6934

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[Webcast](#) – for those that only plan to observe the hearing.

[How to Participate in the Remote Board Meeting](#)  
[How to Participate in the Remote Board Meeting \(Spanish\)](#)

Spanish translation will be provided at the July 23, 2020 Board Meeting

**Thursday  
July 23, 2020  
9:00 a.m.**

### **DISCUSSION ITEMS:**

**Note:** The following agenda items may be heard in a different order at the Board meeting.

#### **Agenda Item #**

20-7-1: Public Meeting to Consider Eastern Kern Ozone Conformity Budget Update

The California Air Resources Board (CARB or Board) will consider adoption of the East Kern Ozone Conformity Budget Update, developed by CARB staff at the request of the United States Environmental Protection Agency (U.S. EPA). If adopted, the budgets will be submitted to U.S. EPA for approval as a revision to the California state implementation plan.

[More Information](#)   [Board Item Materials](#)   [Written Comments](#)

**20-7-4: Public Meeting to Consider Research Contract with the University of California, Davis, Titled “Measuring, Analyzing, and Identifying Small-Area Vehicle Miles Traveled Reduction”**

The Board will consider approval of the research proposal that was developed in response to the Board-approved research projects for fiscal year 2020-2021. This item requires Board approval due to the contract amount and also to comply with Government Code section 1091 because one Board Member is affiliated with the University of California at Davis.

[More Information](#)   [Board Item Materials](#)   [Written Comments](#)

**20-7-5: Public Meeting to Consider Research Contract with the University of California, San Francisco, Titled “Impact of Air Pollution on COVID-19 Case and Death Risk in California”**

The Board will consider approval of the research proposal. This item requires Board approval due to the contract amount and also to comply with Government Code section 1091 because one Board Member is affiliated with the University of California at San Francisco.

[More Information](#)   [Board Item Materials](#)   [Written Comments](#)

**20-7-6: Public Meeting to Consider Research Contract with the University of California, Los Angeles, Titled “Ambient Air Pollution and COVID-19 Disease Severity or Death among Confirmed Cases in Southern California”**

The Board will consider approval of the research proposal. This item requires Board approval due to the contract amount and also to comply with Government Code section 1091 because one Board Member is affiliated with the University of California at Berkeley where one of the researchers is also affiliated.

[More Information](#)   [Board Item Materials](#)   [Written Comments](#)

**20-7-2: Public Hearing to Consider Proposed Procedures for the Exemption of Add-On and Modified Part(s) for On-Road Vehicles/Engines**

The Board will consider for adoption the proposed Procedures for the Exemption of Add-On and Modified Part(s) for On-Road Vehicles/Engines. The updated aftermarket part procedures incorporate language reflecting current vehicle and engine emissions related technologies and standards. It also clarifies the requirements to improve review, testing, and approval timing to get products to market sooner.

[More Information](#)   [Staff Presentation](#)   [Board Item Materials](#)   [Written Comments](#)

**20-7-3: Public Meeting to Hear an Informational Update on CARB’s California-Mexico Border Activities**

The Board will hear an informational update on CARB's efforts at the California-Mexico Border to improve air quality, including cross-programmatic, collaborative, and community-focused actions.

[More Information](#)

[Staff Presentation](#)

[Board Item Materials](#)

[Written Comments](#)

### **CLOSED SESSION**

The Board may 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:

*Alliance for California Business v. California State Transportation Agency, et al.*, Sacramento County Superior Court, Case No. 34-2016-80002491.

*American Coatings Association, Inc. v. State of California and California Air Resources Board*, Sacramento County Superior Court, Case No. 04CS01707.

*American Lung Association, et al. v. United States Environmental Protection Agency, et al.*, United States Court of Appeals, District of Columbia Circuit, Case No. 19-1140.

*California v. Stout, et al.*, United States District Court, Central District of California, Case No. 2:20-cv-00371.

*California v. Wheeler, et al.*, United States Court of Appeals, District of Columbia Circuit, Case No. 19-1239.

*California Air Resources Board v. Key Disposal, Inc. and John Katangian*, Los Angeles Superior Court, Case No. BC650014.

*California Air Resources Board v. United States Environmental Protection Agency*, U.S. Court of Appeals, District of Columbia Circuit, Case No. 18-1085.

*California Air Resources Board v. United States Environmental Protection Agency and National Highway Traffic and Safety Administration*, United States District Court, District of Columbia Case No. 1:19-cv-00965-CKK.

*Dalton Trucking, Inc. v. United States Environmental Protection Agency*, U.S. Court of Appeals, District of Columbia Circuit, Case No. 13-1283 (dismissed), U.S. Court of Appeals, Ninth Circuit, Case No. 13-74019.

*Friends of Oceano Dunes, Inc. v. California Coastal Commission, et al.*, San Luis Obispo County Superior Court, Case No. 17CV-0576; U.S. District Court for the Central District of California, Case No. 2:17-cv-8733.

*In re Pacific Gas and Electric Company*, U.S. Bankruptcy Court, Northern District of California, Case No. 19-30089.

*John Mahan v. California Air Resources Board*, Sacramento County Superior Court, Case No. 34-2016-80002416.

*John R. Lawson Rock & Oil, Inc. et al. v. California Air Resources Board et al.*, Fresno County Superior Court, Case No. 14-CECG01494; ARB's appeal, Court of Appeal, Fifth District, Case No. F074003.

*Sowinski v. California Air Resources Board, et al.*, United States District Court, Northern District of California, No. 3:18-cv-03979-LHK.

*State of California v. United States Environmental Protection Agency*, United States Court of Appeals, District of Columbia Circuit, Case No. 18-1096.

*State of California, et al. v. David Bernhardt, et al.*, United States District Court, Northern District of California, Case No. 3:18-cv-5712-DMR.

*State of California, et al. v. United States Environmental Protection Agency*, United States Court of Appeals, District Court of Columbia Circuit, Case No. 19-1227.

*State of California, et al., v. United States Environmental Protection Agency*, United States District Court, Northern District of California, Case No. 4:18-cv-03237.

*State of New York, et al. v. Andrew Wheeler and the United States Environmental Protection Agency*, U.S. District Court, District of Columbia, Case No. 1:18-cv-00773.

*State of North Dakota v. United States Environmental Protection Agency*, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1381.

*State of North Dakota, et al. v. United States Environmental Protection Agency*, U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1242.

*State of Wyoming, et al. v. United States Department of the Interior, et al.*, U.S. District Court, District of Wyoming, Case No. 16-CV-285-SWS.

*Truck Trailer Manufacturers Association, Inc. v. United States Environmental Protection Agency, et al.*, U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1430.

*Valero Refining Co. California v. Hearing Board of the Bay Area Air Quality Management District et al.*, Court of Appeal, First Appellate District, Case No. A151004.

*People v. Southern California Gas Company*, Los Angeles Superior Court, Case No. BC 602973.

*The Two Hundred, et al. v. California Air Resources Board, et al.*, Fresno County Superior Court, Case No. 18CECG01494.

*United States v. California*, United States District Court, Eastern District of California, Case No. 2:19-cv-02142-WBS-EFB.

**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. The public will also have an opportunity to [submit written comments](#) for open session the morning of the Board Meeting.*

**[Submit Comments Electronically the Day of the Board Meeting](#)**

[View Submitted Comments](#)

**PLEASE NOTE:** PowerPoint presentations to be displayed during public comment at the Board meeting must be electronically submitted via email to the Clerks' Office at [cotb@arb.ca.gov](mailto:cotb@arb.ca.gov) no later than noon on the business day prior to the scheduled Board meeting.

**IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CLERKS' OFFICE:**  
1001 I Street, 23<sup>rd</sup> Floor, Sacramento, California 95814  
[cotb@arb.ca.gov](mailto:cotb@arb.ca.gov) or (916) 322-5594  
CARB 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 Clerks' Office at [cotb@arb.ca.gov](mailto:cotb@arb.ca.gov) or at (916) 322-5594 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 alterno u otro idioma
- Una acomodación razonable relacionados con una incapacidad

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor contacte la oficina del Consejo al (916) 322-5594 o por correo electrónico al [cotb@arb.ca.gov](mailto:cotb@arb.ca.gov) 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.



[↑ Back to Agenda](#)

BOARD MEETING DATE: August 7, 2020

AGENDA NO. 27

**PROPOSAL:** Discuss and Consider Action on California Proposition 16, Repeal of Proposition 209, Appearing on the November 3, 2020 General Election Ballot

**SYNOPSIS:** South Coast AQMD seeks to improve intra-agency inclusiveness and racial equity through the re-evaluation of current policies and adoption of new policies. This item is to discuss and take action on Proposition 16, a constitutional amendment to repeal Proposition 209 (1996), which prohibited the state from discriminating against or granting preferential treatment to persons on the basis of race, sex, color, ethnicity, or national origin in public employment, public education, and public contracting.

**COMMITTEE:** No Committee Review

**RECOMMENDED ACTION:**

Support Proposition 16 (2020) to repeal Section 31 of Article I of the California Constitution.

Wayne Natri  
Executive Officer

DJA:DPG

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**Background**

In 1996, California voters passed Proposition 209 which added Section 31 of Article I of the California Constitution. The measure eliminated state and related-government agency affirmative action programs used to increase hiring and promotion opportunities for state and local government jobs where race, sex, color, ethnicity, or national origin were preferential factors in hiring, promotion, training or recruitment. The measure also eliminated programs giving preference to women-owned or minority-owned companies

on public contracts that do not receive money under federal programs requiring affirmative action.

Section 31 of Article I of the California Constitution applies to all subdivisions of the state, including special districts. The measure includes exemptions to the ban on preferential treatment so that entities, such as South Coast AQMD, can establish or preserve eligibility for federal funding programs. Overall, Proposition 209 impedes South Coast AQMD's efforts to promote diversity and inclusion.

Proposition 16 (2020) calls for the repeal of Section 31 of Article I of the California Constitution. The measure, to appear on the November 3, 2020 ballot, seeks to make California law consistent with federal law governing affirmative action through various statutes and the equal protection clause of the 14th Amendment of the U.S. Constitution.

**Proposal**

South Coast AQMD is committed to becoming one of the most inclusive agencies in the state through the evaluation and adoption of policies that seek to increase diversity and inclusivity. Proposition 16 is consistent with South Coast AQMD's goal of increasing diversity by allowing agencies to create employment programs that explicitly take the race, sex, color, ethnicity or national origin of an applicant into account, to the extent consistent with the federal Equal Protection Clause

**Resource Impacts**

There are no known impacts on South Coast AQMD resources.

# Budget and Economic Outlook Update

Board Meeting

August 7, 2020



# Presentation Topics

- Economic Indicators
- South Coast AQMD Metrics and Economic Implications
- Summary Charts

# Summary of Metrics – Monthly

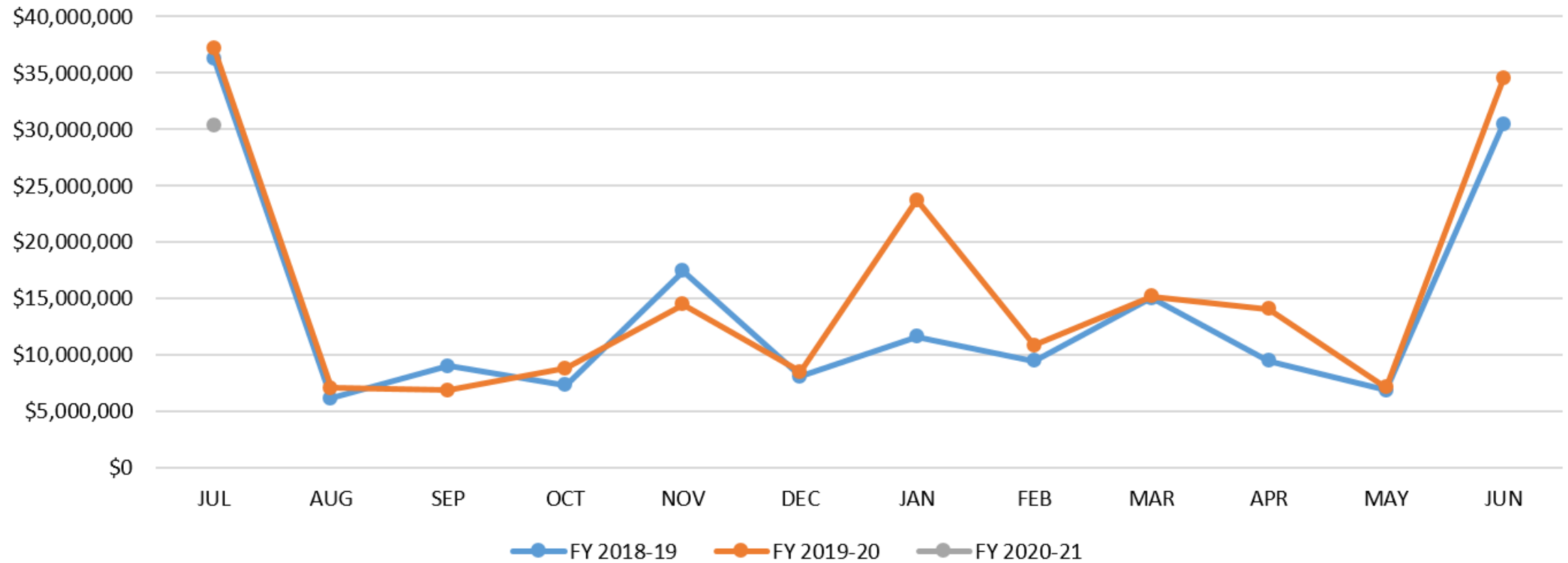
Metric			
<b>State Economic Indicators</b>	<b>June 2019</b>	<b>June 2020</b>	<b>Notes</b>
<i>Statewide Refinery Activity (Million Barrels Crude Oil Input)</i>	47	34	
<i>Port TEU Throughput (Million TEUs)</i>	1.4	1.3	
<i>Statewide Unemployment %</i>	4.0 %	14.9 %	
<b>South Coast AQMD</b>	<b>July 2019</b>	<b>July 2020</b>	
<i>Revenue</i>	\$37.2 million	\$30.4 million	
<i>Expenditures</i>	\$18.1 million	\$22.9 million	
<i>Vacancy Rate (end July)</i>	18.0 %	16.0 %	
<i>Permit Applications Received</i>	456	450	July preliminary data
<i>Expired Permits</i>	83	468 (worst case)	1 year to reinstate
<i>Fee Review Requests</i>	2	7	
<i>CEQA Activity</i>	56	58	

# Summary of Metrics – Year to Date

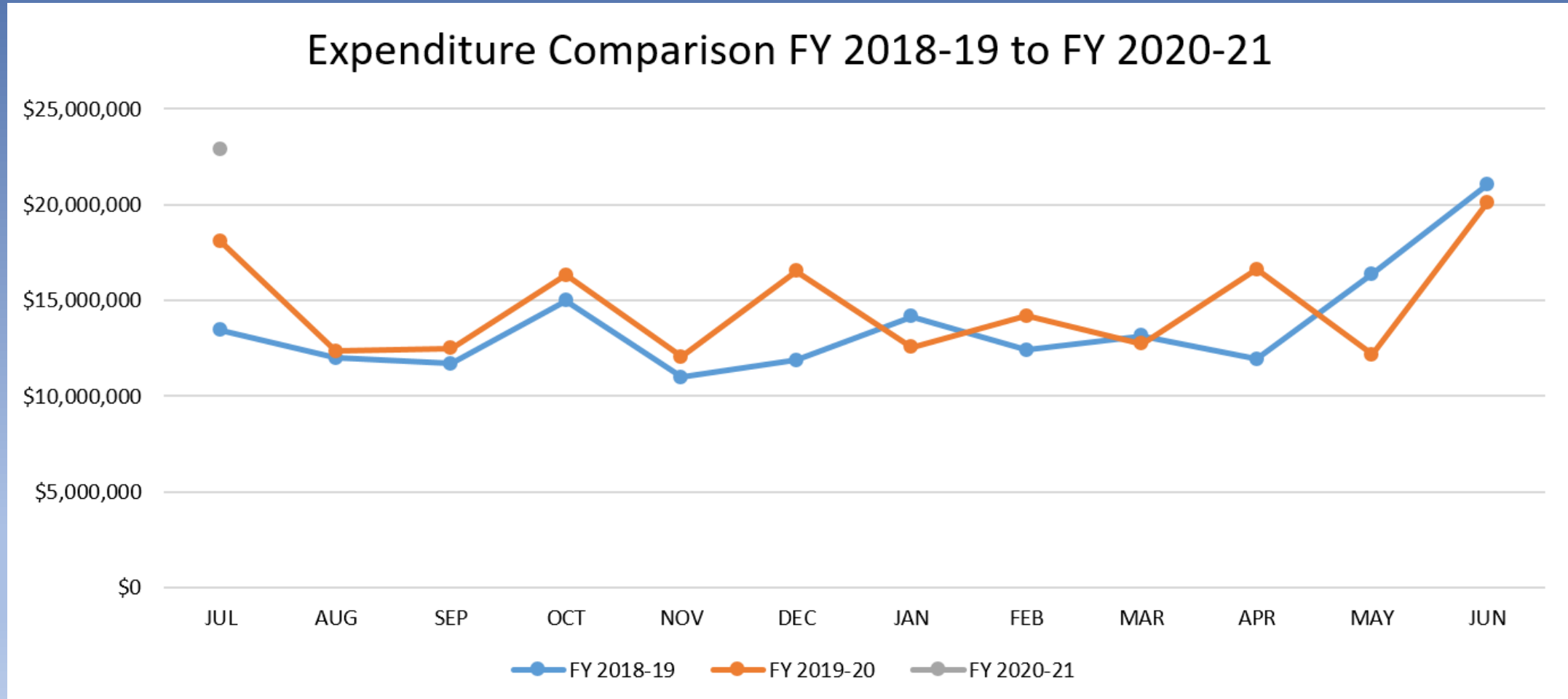
Metric	Jan. - June 2019	Jan. - June 2020	Notes
<b>U.S. GDP</b> (2nd Quarter, \$ trillions)	21.3	19.4	GDP as of 7-30-20
<b>State Economic Indicators</b>			
<i>Refinery Activity</i> (Million Barrels Crude Oil Input)	295	251	
<i>Port TEU Throughput</i> (Million TEUs)	8.2	7.2	
<b>South Coast AQMD</b>	<b>Jan. - July 2019</b>	<b>Jan. – July 2020</b>	
<i>Revenue</i>	\$120.2 million	\$135.9 million	
<i>Expenditures</i>	\$107.1 million	\$111.2 million	
<i>Vacancy Rate, end July</i>	18.0 %	16.0 %	
<i>Permit Applications Received</i>	4,704	4,086	July 2020 preliminary data
<i>Expired Permits</i>	667	1,601	Have 1 yr. to reinstate
<i>Fee Review Requests</i>	22	92	
<i>CEQA Activity</i>	391	277	

# Revenue

## Revenue Comparison FY 2018-19 to FY 2020-21



# Expenditures



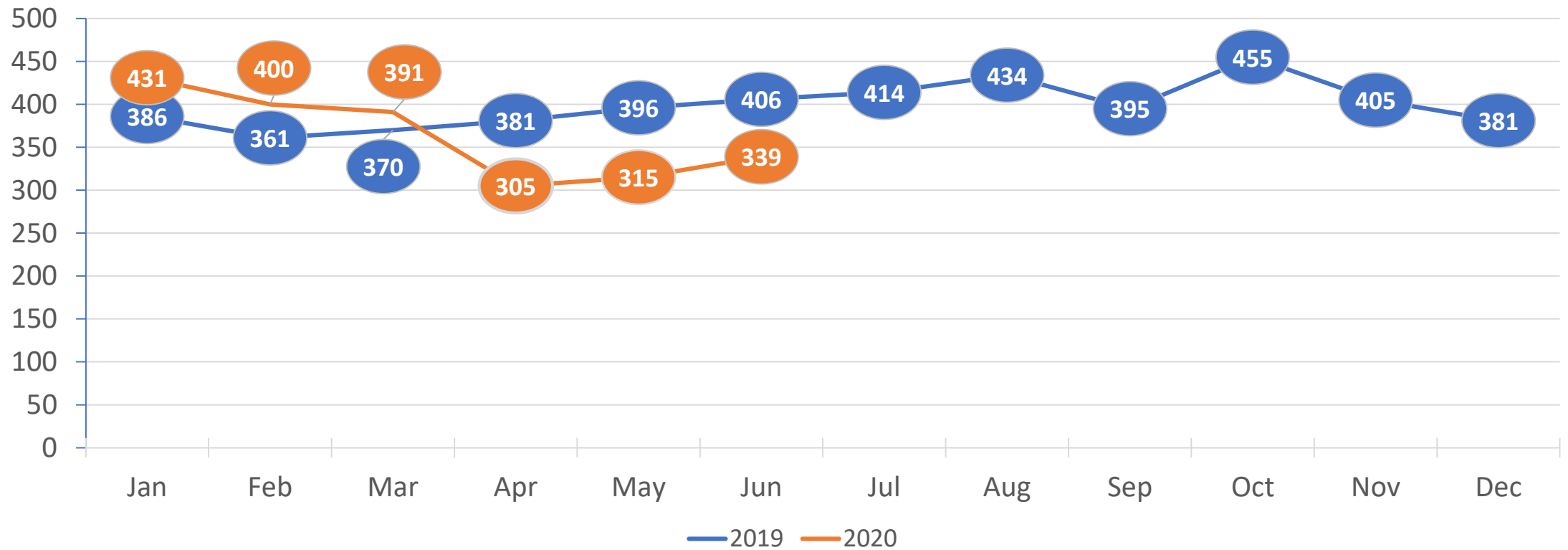


# Staffing Levels as of 8/4/20

- 945 budgeted FTEs
- 151 vacant positions
- 794 filled positions
- 16.0 % vacancy rate
- Increased retirements
  - Impacted by California Supreme Court decision issued July 30 regarding pension calculation
  - Decision is under review by SBCERA

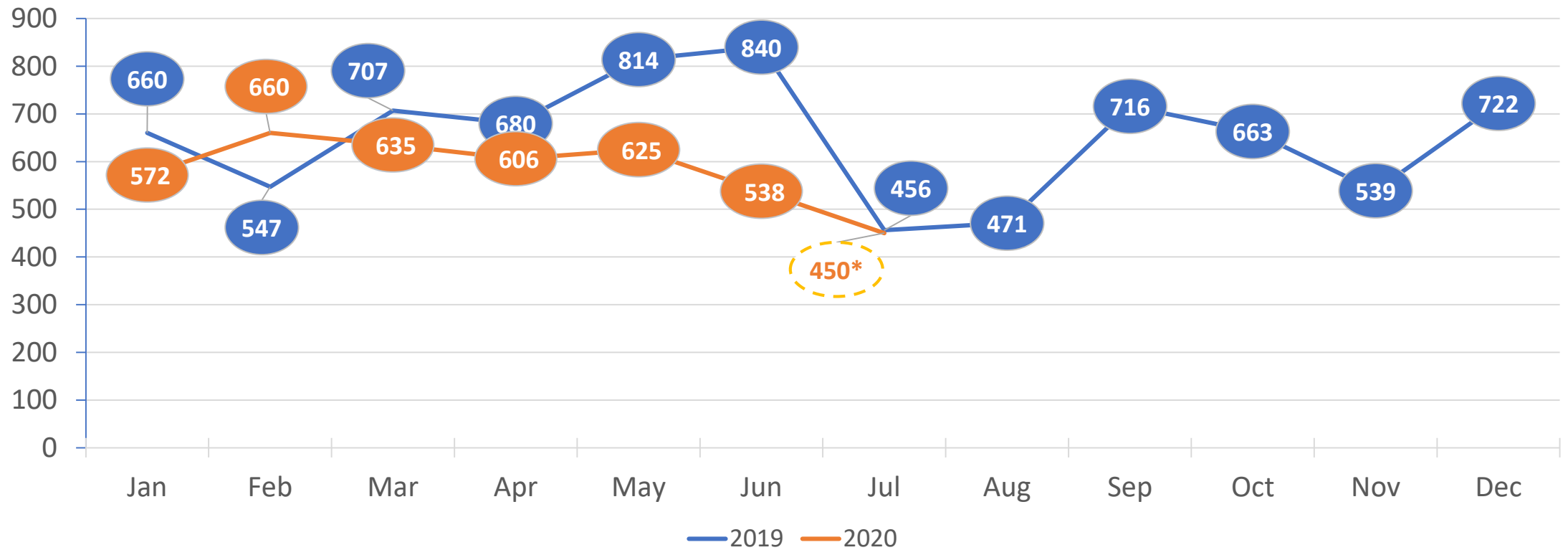
# Emission Trends

NOx Emissions, RECLAIM Major Sources (tons)



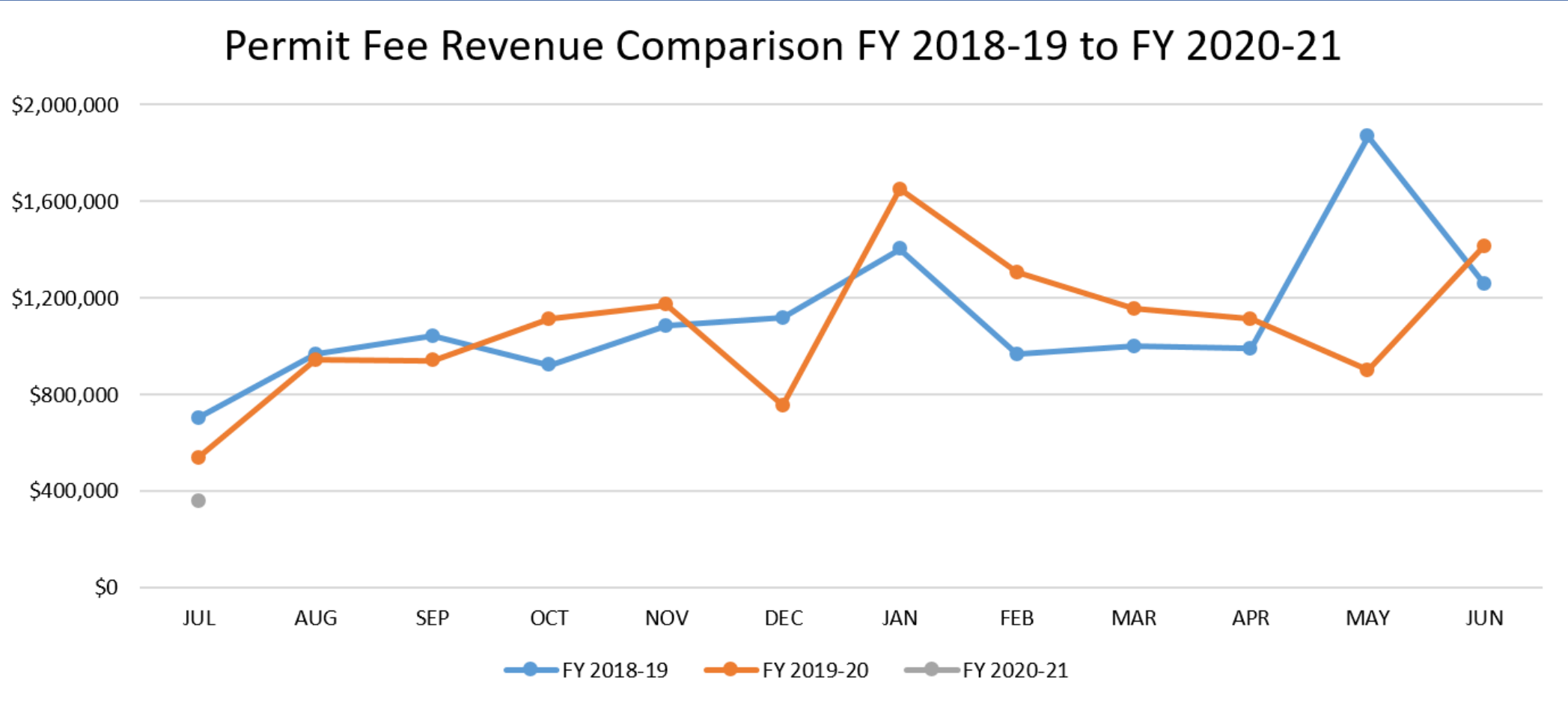
# Permit Activity

## Number of Applications Received per Month

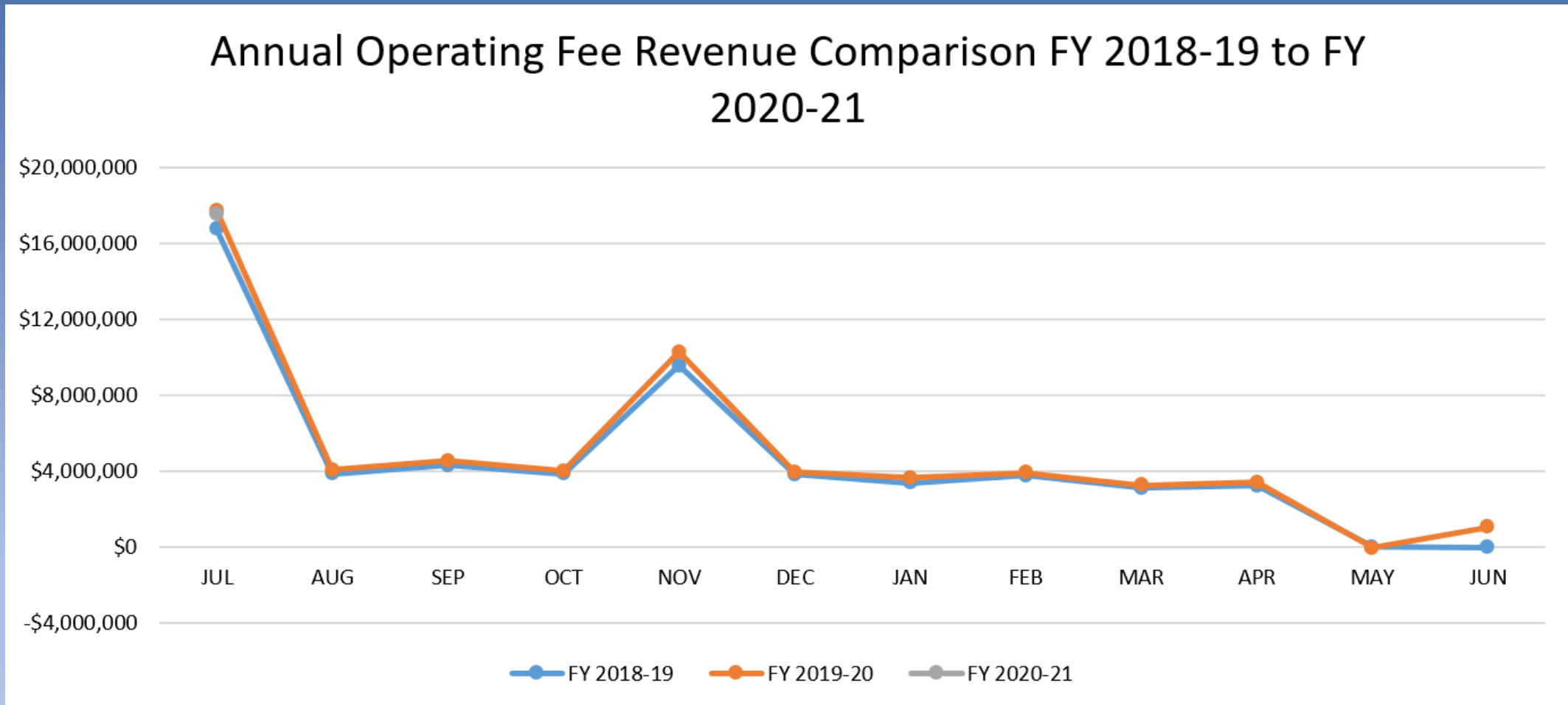


\*July 2020 numbers preliminary

# Permit Revenue

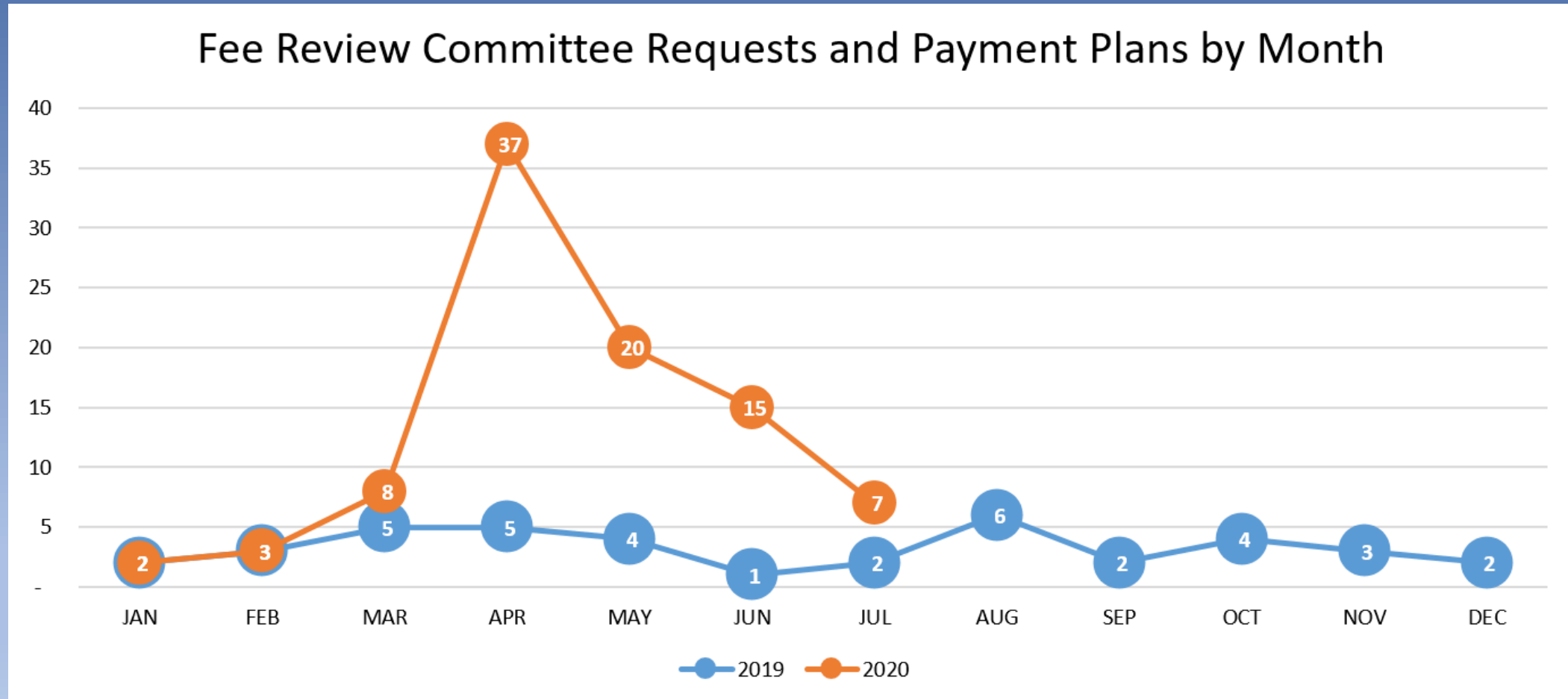


# Annual Operating Fee Revenue

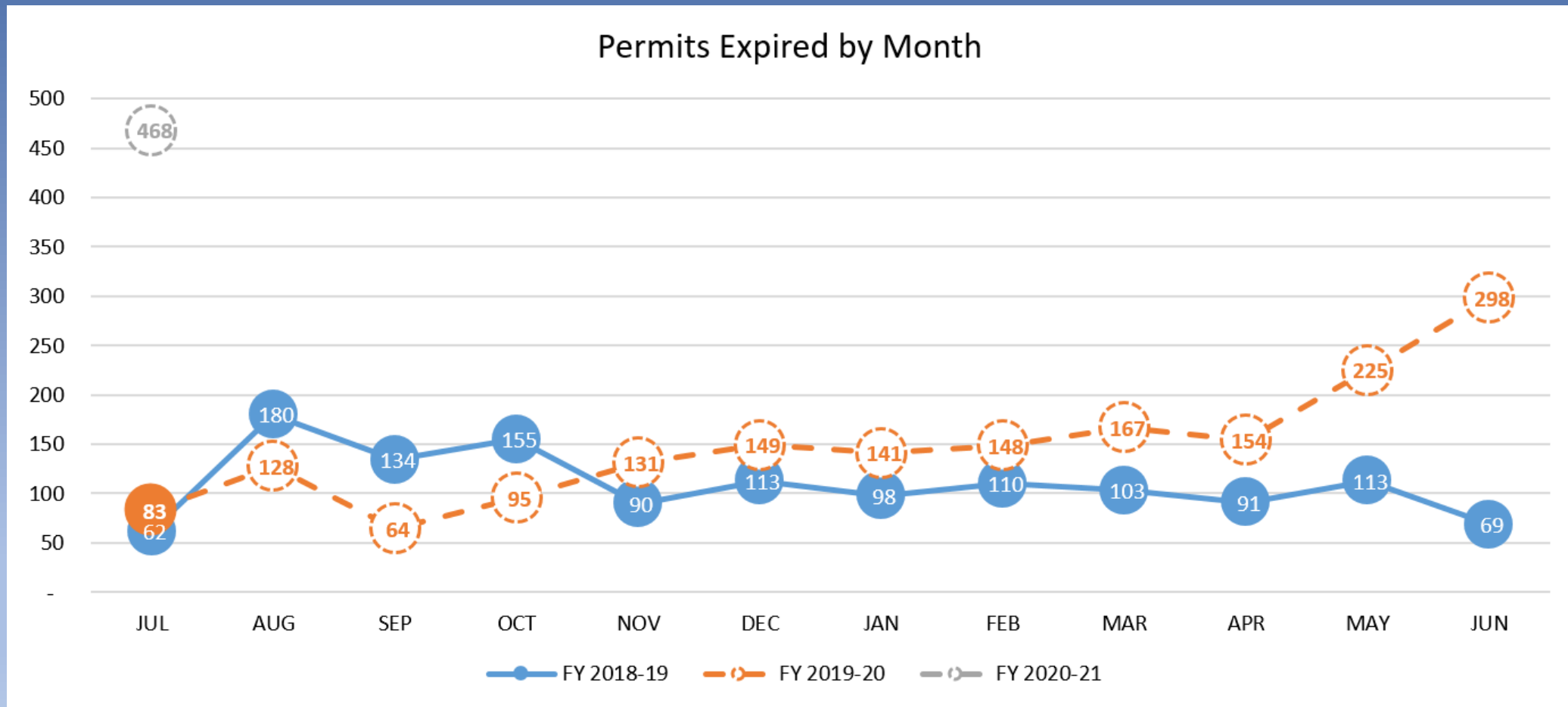


Annual operating fees are billed 60 days in advance. Invoices generated in May & June are recognized as revenue in July  
Annual RECLAIM fee invoices are sent in November of each fiscal year

# Fee Review Committee Requests



# Expired Permits



*Dotted lines represent permits that have time to be reinstated*

# Expired Permits, cont.

- 12 month reinstatement period after 90 day invoice
- Late fee is 50 % or set amount, whichever is lower
- Payment plans can be approved
- Administrative Committee did not recommend extending grace period but asked for fee options



# Annual Renewal and Late Fees



Schedule A, B

\*~ \$200 - \$400

Spray Booths, Emergency  
Electric Generators

\*Late Fee \$100 - \$200



Schedule C, D

\*~\$1,500

Boilers, Landfill Gas  
Collection, Turbines

\*Max. Late Fee \$260



Schedule E, F, G, H

\*~\$ 3,600

+ hourly if applicable  
Refinery Equipment

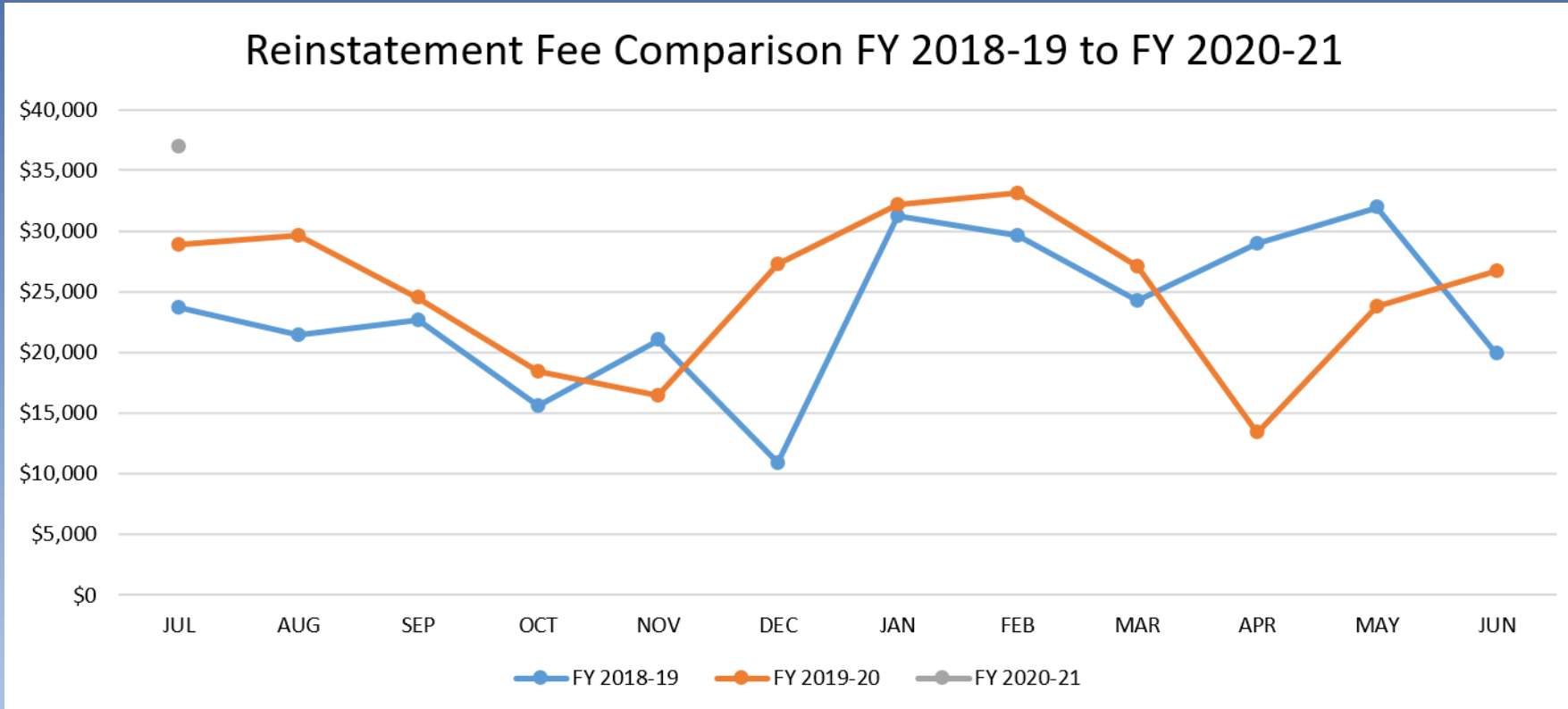
\*Max. Late Fee \$260

\* Title V fees ~ 25% higher

# Other Air Districts

- Invoices
  - South Coast AQMD – 90 days
  - Most other large and medium districts – 30 to 60 days
- Reinstatement period ranges from 6 to 12 months
- Late fees
  - Bay Area 10% up to 30 days, then 25%
  - San Diego lesser of 30% or \$250 first month, + 10% each additional month
  - 50%: Yolo Solano (after 30 days); San Joaquin (after 71 days), Santa Barbara (after 6 months); Great Basin, Mojave, Placer, Sacramento

# South Coast AQMD Reinstatement Fees

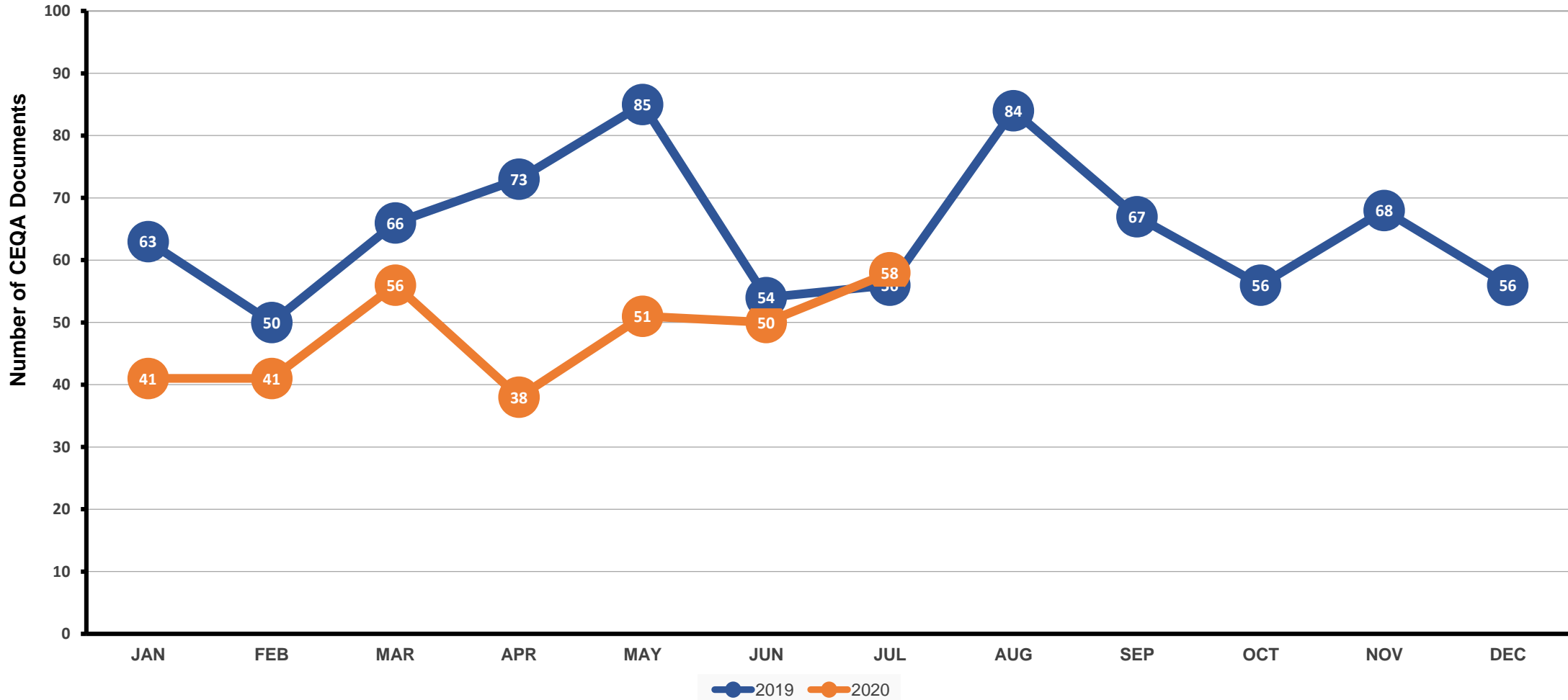


Revenue ~\$300,000 per year

Rule change would be required to change fees

# Historical CEQA Activity

## Number of CEQA Documents Received by Month



# Summary of Metrics – Monthly

Metric			
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<i>CEQA Activity</i>	391	277	

[↑ Back to Agenda](#)

BOARD MEETING DATE: August 7, 2020

AGENDA NO. 30

**PROPOSAL:** Determine That Submission of Amended Rule 212 – Standards for Approving Permits and Issuing Public Notice, into the SIP Is Exempt from CEQA and Submit Rule 212 for Incorporation into the SIP

**SYNOPSIS:** When Rule 212 – Standards for Approving Permits and Issuing Public Notice was amended on March 1, 2019, the Public Hearing Notice did not specify that the amendments would be submitted for incorporation into the SIP. Public notification is provided that the March 1, 2019 amendments to Rule 212, as adopted, will be submitted to U.S. EPA for incorporation into the SIP.

**COMMITTEE:** No Committee Review

**RECOMMENDED ACTIONS:**

Adopt the attached Resolution:

1. Determining that the submission of amended Rule 212 – Standards for Approving Permits and Issuing Public Notice, into the SIP is exempt from CEQA; and
2. Submitting Rule 212 – Standards for Approving Permits and Issuing Public Notice, for incorporation into the SIP.

Wayne Natri  
Executive Officer

PMF:SN:MM:UV

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**Background**

Rule 212 – Standards for Approving Permits and Issuing Public Notice establishes criteria for the approval of permits and specifies public notification requirements for permitting when sources exceed certain health-risk or emission thresholds. On March 1, 2019, Rule 212 was amended to modernize requirements for public noticing and participation for delegated and approved Clean Air Act permit programs. The notice for the public hearing for the March 2019 Rule 212 amendments did not specify that Rule 212 would be submitted to U.S. EPA for the State Implementation Plan (SIP). U.S. EPA

staff has requested that Rule 212, as amended, be submitted for incorporation into the SIP. The Notice of Public Hearing includes a statement that Rule 212 as amended in March 2019 will be submitted to U.S. EPA for the SIP. No additional amendments to Rule 212 are proposed at this time.

**California Environmental Quality Act**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed submission of amended Rule 212 for incorporation into the State Implementation Plan is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3). A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062 and is included as Attachment E to this Board letter. If the project is approved, the Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties. In addition, the Notice of Exemption will be electronically filed with the State Clearinghouse to be posted on their CEQAnet Web Portal, which may be accessed via the following weblink: <https://ceqanet.opr.ca.gov/search/recent>.

**Attachments**

- A. Resolution
- B1-7. Strikeout/Underline and Clean Copies of all Rule 212 Amendments Adopted Since December 7, 1995
- C1-3. Proofs of Publication for all Rule 212 Amendments Adopted Since December 7, 1995
- D1-3. Final Staff Reports for all Rule 212 Amendments Adopted Since December 7, 1995
- E. Notice of Exemption from the California Environmental Quality Act



## ATTACHMENT A

### RESOLUTION NO. 20-

**A Resolution of the Governing Board of the South Coast Air Quality Management District (South Coast AQMD) determining that the proposed submission of Amended Rule 212 – Standards for Approving Permits and Issuing Public Notice, for incorporation into the State Implementation Plan (SIP) is exempt from the requirements of the California Environmental Quality Act (CEQA).**

**A Resolution of the South Coast AQMD Governing Board directing staff to forward Amended Rule 212 – Standards for Approving Permits and Issuing Public Notice, to the California Air Resources Board (CARB) for approval and submission to United States Environmental Protection Agency (U.S. EPA) for incorporation into the SIP.**

**WHEREAS**, the South Coast AQMD Governing Board finds and determines that the proposed submission of Amended Rule 212 for incorporation into the SIP is considered a "project" pursuant to CEQA per CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and

**WHEREAS**, the South Coast AQMD has had its regulatory program certified pursuant to Public Resources Code Section 21080.5 and CEQA Guidelines Section 15251(l), and has conducted a CEQA review and analysis of the proposed submission of Amended Rule 212 for incorporation into the SIP pursuant to such program (South Coast AQMD Rule 110); and

**WHEREAS**, the South Coast AQMD Governing Board finds and determines after conducting a review of the proposed project in accordance with CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA, and CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA, that the proposed submission of Amended Rule 212 for incorporation into the SIP is determined to be exempt from CEQA; and

**WHEREAS**, the South Coast AQMD Governing Board finds and determines that, because the proposed project is an administrative exercise and would not cause any physical changes that would adversely affect any environmental topic area, it can be seen with certainty that there is no possibility that the proposed project may have any significant effects on the environment, and is therefore, exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption; and

## ATTACHMENT A

**WHEREAS**, the South Coast AQMD staff has prepared a Notice of Exemption for the proposed project that is completed in compliance with CEQA Guidelines Section 15062 – Notice of Exemption; and

**WHEREAS**, the South Coast AQMD Governing Board adopted, pursuant to the authority granted by law, Proposed Amended Rule 212 at the March 1, 2019 Governing Board meeting; and

**WHEREAS**, Rule 212, as amended on November 14, 1997, June 5, 2015, and March 1, 2019, previously underwent appropriate CEQA review with the adoption of all previous amendments; and

**WHEREAS**, the public hearing has been properly noticed in accordance with all provisions regarding notice of revisions to the State Implementation Plan in Code of Federal Regulations (CFR) Title 40, Section 51.102; and

**WHEREAS**, the South Coast AQMD Governing Board has held a public hearing in accordance with all provisions of law; and

**WHEREAS**, Rule 212, as amended on November 14, 1997, June 5, 2015, and March 1, 2019, will be submitted for incorporation into the State Implementation Plan; and

**WHEREAS**, the South Coast AQMD Governing Board specifies the Manager overseeing the proposed submission of Amended Rule 212 for incorporation into the SIP as the custodian of the documents or other materials which constitute the record of proceedings upon which the adoption of this proposed project is based, which are located at the South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, California; and

**WHEREAS**, Rule 212, as amended on November 14, 1997, June 5, 2015, and March 1, 2019, and other supporting documentation will be submitted to CARB for approval and subsequent submittal to the U.S. EPA for incorporation into the State Implementation Plan; and

**NOW, THEREFORE, BE IT RESOLVED**, that the South Coast AQMD Governing Board does hereby determine, pursuant to the authority granted by law, that the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. This information was presented to the South Coast AQMD Governing Board, whose members exercised their independent judgment and reviewed, considered and approved the information therein prior to acting on the proposed project; and

**ATTACHMENT A**

**BE IT FURTHER RESOLVED**, that the that the South Coast AQMD Governing Board hereby directs the Executive Officer to forward a copy of this Resolution and Rule 212, as amended on November 14, 1997, June 5, 2015, and March 1, 2019, and other supporting documentation to CARB for approval and subsequent submittal to the U.S. EPA for incorporation into the SIP.

DATE: \_\_\_\_\_

\_\_\_\_\_  
CLERK OF THE BOARDS

# ATTACHMENT B1

(Adopted January 9, 1976)(Amended July 6, 1984)(Amended May 17, 1985)  
 (Amended May 1, 1987)(Amended July 10, 1987)(Amended March 3, 1989)  
 (Amended June 28, 1990)(Amended September 6, 1991)(Amended August 12, 1994)  
 (Amended December 7, 1995)

(PAR-212e November 14, 1997)

**PROPOSED AMENDED RULE 212.      STANDARDS FOR APPROVING PERMITS AND ISSUING PUBLIC NOTICE**

- (a) The Executive Officer or designee shall deny a Permit to Construct or a Permit to Operate, except as provided in Rule 204, unless the applicant shows that the equipment, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants, is so designed, controlled, or equipped with such air pollution control equipment that it may be expected to operate without emitting air contaminants in violation of provisions of Division 26 Section 41700, 41701, or 44300 (et seq.) of the State Health and Safety Code or of these rules.
- (b) If the Executive Officer or designee finds that the equipment has not been constructed in accordance with the permit and provides less effective air pollution control than the equipment specified in the Permit to Construct, he shall deny the Permit to Operate.
- (c) Prior to granting a Permit to Construct or permit modification for a significant project requiring notification, all addresses within the area described in subdivision section (d) of this rule shall be notified of the Executive Officer's or designee's intent to grant a Permit to Construct or permit modification at least 30 days prior to the date action is to be taken on the application. For the purpose of this rule, a significant projects requiring notification is will consist of:
  - (1) any all-new or modified permit units, source under Regulation XX, or equipment under Regulation XXX that may emit air contaminants located within 1000 feet from the outer boundary of a school. This subdivision shall not apply to a modification of an existing facility if the Executive Officer or designee determines that the modification will result in a reduction of emissions of air contaminants from the facility and no increase in health risk at any receptor location. (This paragraph shall not apply to modifications that have no potential to affect emissions.); or,
  - (2) all new or modified facilities which have on-site emission increases exceeding any of the daily maximums specified in subdivision (g) of this rule; and

**Proposed Amended Rule 212 (Cont.)**

(Amended December 7, 1995)

- (3)(2) any all-new or modified permit units, source under Regulation XX, or equipment under Regulation XXX with increases in emissions of toxic air contaminants, for which the Executive Officer or designee has made a determination that a person may be exposed to:
  - (A) an maximum individual cancer risk greater than, or equal to, one in a million (1 x 10<sup>-6</sup>) during a lifetime (70 years)
    - (i) one in a million (1 x 10<sup>-6</sup>) during a lifetime (70 years) for facilities with more than one permitted unit, source under Regulation XX, or equipment under Regulation XXX, unless the applicant demonstrates to the satisfaction of the Executive Officer that the total facility-wide maximum individual cancer risk is below ten in a million (10 x 10<sup>-6</sup>) using the risk assessment procedures and toxic air contaminants specified under Rule 1402; or,
    - (ii) ten in a million (10 x 10<sup>-6</sup>) during a lifetime (70 years) for facilities with a single permitted unit, source under Regulation XX, or equipment under Regulation XXX; or
  - (B) may be exposed to quantities or concentrations of other substances that pose a potential risk of nuisance.  
Unless otherwise stated, Toxic and potentially toxic air contaminants are substances listed in Table I of Rule 1401; and their cancer risk shall be evaluated using Rule 1401 risk assessment procedures. Toxic air contaminants may also include or any other substances material determined by the Executive Officer or designee to be potentially toxic. This paragraph (c)(2) of this rule shall not apply if the Executive Officer or designee determines that modifications to the existing facility will not result in an increase in health risk at any receptor location.
- (d) Except as provided for in subdivision (g) of this rule, the notification of the proposed construction of a significant project specified under subdivision (c) of this rule, which is to be prepared by the District, is to contain sufficient detail to fully describe the project. The applicant shall provide verification to the Executive Officer or designee that public notice has been distributed as required by this subdivision. In the case of notifications performed under paragraphs (c)(2) of this rule and (e)(3), the applicant for the Permit to Construct or permit modification shall be responsible for the distribution of the public notice to each address within a 1/4 mile radius of the project or such

# ATTACHMENT B1

Proposed Amended Rule 212 (Cont.)

(Amended December 7, 1995)

other area as determined appropriate by the Executive Officer-or-designee. In the case of notifications performed under paragraph (c)(1) of this rule, distribution of the public notice shall be to the parents or legal guardians of children in any school within 1/4 mile of the facility and the applicant shall provide distribution of the public notice to each address within a radius of 1000-750-feet from the outer property line of the proposed new or modified facility.

- (e) Any person may file a written request for notice of any decision or action pertaining to the issuance of a Permit to Construct. The Executive Officer or-designee shall provide mailed notice of such decision or action to any person who has filed a written request for notification. Requests for notice shall be filed pursuant to procedures established by the Executive Officer-or-designee. The notice shall be mailed at the time that the Executive Officer-or-designee notifies the permit applicant of the decision or action. The 10-day period to appeal, specified in subdivision (b) of Rule 216(b), shall commence on the third day following mailing of the notice pursuant to this subdivision. The requirements for public notice pursuant to this subdivision are fulfilled if the Executive Officer makes a good faith effort to follow procedures established pursuant to this subdivision for giving notice and, in such circumstances, failure of any person to receive the notice shall not affect the validity of any permit subsequently issued by the Executive Officer-or-designee.
- (f) An application for a Permit to Operate, for a permit unit installed or constructed without a required Permit to Construct, shall be subject to the requirements of this rule.
- (g) For new or modified sources subject to Regulation XIII, RECLAIM facilities, or Outer Continental Shelf (OCS) facilities located within 25 miles of the State's seaward boundary and for which the District has been designated as the corresponding onshore area (COA), which undergo construction or modifications resulting in an emissions increase exceeding any of the daily maximums specified as follows:

<u>Air Contaminant</u>	<u>Daily Maximum in lbs per Day</u>
Volatile Organic Compounds	30
Nitrogen Oxides	40
PM <sub>10</sub>	30

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Proposed Amended Rule 212 (Cont.)

(Amended December 7, 1995)

Sulfur Dioxide	60
Carbon Monoxide	220
Lead	3

the process for public notification and comment shall include all of the applicable provisions of 40 Code of Federal Regulations (CFR) Part 51, Section 51.161(b), and 40 CFR Part 124, Section 124.10. The federal public notice and comment procedures for these facilities require that the public notice be distributed to the broadest possible scope of interested parties, and include at a minimum:

- (1) Availability of information submitted by the owner or operator and of District analyses of the effect on air quality for public inspection in at least one location in the area affected;
  - (2) Notice by prominent advertisement in the area affected of the location of the source information and the District's analyses of the effect on air quality;
  - (3) Mailing a copy of the notice required in paragraph (g)(2) of this rule to the following persons: The applicant, the Administrator of U. S. EPA through Region 9, the Air Resources Board, affected local air pollution control districts, the chief executives of the city and county or the onshore area that is geographically closest to where the major stationary source or major modification would be located, any comprehensive regional land use planning agency, and State, Federal Land Manager, or Indian Governing Body whose lands may be affected by emissions from the regulated activity; and
  - (4) A 30-day period for submittal of public comments.
- (h) The Executive Officer may combine public notices to avoid duplication provided that all required public notice requirements are satisfied.

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## ATTACHMENT B2

(Adopted January 9, 1976)(Amended July 6, 1984)  
(Amended May 17, 1985)(Amended May 1, 1987)  
(Amended July 10, 1987)(Amended March 3, 1989)  
(Amended June 28, 1990)(Amended September 6, 1991)  
(Amended August 12, 1994)(Amended December 7, 1995)  
(Amended November 14, 1997)

### **RULE 212. STANDARDS FOR APPROVING PERMITS AND ISSUING PUBLIC NOTICE**

- (a) The Executive Officer shall deny a Permit to Construct or a Permit to Operate, except as provided in Rule 204, unless the applicant shows that the equipment, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants, is so designed, controlled, or equipped with such air pollution control equipment that it may be expected to operate without emitting air contaminants in violation of provisions of Division 26 of the State Health and Safety Code or of these rules.
- (b) If the Executive Officer finds that the equipment has not been constructed in accordance with the permit and provides less effective air pollution control than the equipment specified in the Permit to Construct, he shall deny the Permit to Operate.
- (c) Prior to granting a Permit to Construct or permit modification for a project requiring notification, all addresses within the area described in subdivision (d) of this rule shall be notified of the Executive Officer's intent to grant a Permit to Construct or permit modification at least 30 days prior to the date action is to be taken on the application. For the purpose of this rule, a project requiring notification is:
  - (1) any new or modified permit unit, source under Regulation XX, or equipment under Regulation XXX that may emit air contaminants located within 1000 feet from the outer boundary of a school. This subdivision shall not apply to a modification of an existing facility if the Executive Officer determines that the modification will result in a reduction of emissions of air contaminants from the facility and no increase in health risk at any receptor location. (This paragraph shall not apply to modifications that have no potential to affect emissions.); or,

## ATTACHMENT B2

- (2) any new or modified facility which has on-site emission increases exceeding any of the daily maximums specified in subdivision (g) of this rule; or
- (3) any new or modified permit unit, source under Regulation XX, or equipment under Regulation XXX with increases in emissions of toxic air contaminants, for which the Executive Officer has made a determination that a person may be exposed to:
  - (A) a maximum individual cancer risk greater than, or equal to:
    - (i) one in a million ( $1 \times 10^{-6}$ ) during a lifetime (70 years) for facilities with more than one permitted unit, source under Regulation XX, or equipment under Regulation XXX, unless the applicant demonstrates to the satisfaction of the Executive Officer that the total facility-wide maximum individual cancer risk is below ten in a million ( $10 \times 10^{-6}$ ) using the risk assessment procedures and toxic air contaminants specified under Rule 1402; or,
    - (ii) ten in a million ( $10 \times 10^{-6}$ ) during a lifetime (70 years) for facilities with a single permitted unit, source under Regulation XX, or equipment under Regulation XXX; or
  - (B) quantities or concentrations of other substances that pose a potential risk of nuisance.

Unless otherwise stated, toxic and potentially toxic air contaminants are substances listed in Table I of Rule 1401 and their cancer risk shall be evaluated using Rule 1401 risk assessment procedures. Toxic air contaminants may also include other substances determined by the Executive Officer to be potentially toxic. Paragraph (c)(2) of this rule shall not apply if the Executive Officer determines that modifications to the existing facility will not result in an increase in health risk at any receptor location.

- (d) Except as provided for in subdivision (g) of this rule, the notification of the proposed construction of a project specified under subdivision (c) of this rule, which is to be prepared by the District, is to contain sufficient detail to fully describe the project. The applicant shall provide verification to the Executive Officer that public notice has been distributed as required by this subdivision. In the case of notifications performed under paragraphs (c)(2) and (c)(3) of this rule,

## ATTACHMENT B2

the applicant for the Permit to Construct or permit modification shall be responsible for the distribution of the public notice to each address within a 1/4 mile radius of the project or such other area as determined appropriate by the Executive Officer. In the case of notifications performed under paragraph (c)(1) of this rule, distribution of the public notice shall be to the parents or legal guardians of children in any school within 1/4 mile of the facility and the applicant shall provide distribution of the public notice to each address within a radius of 1000 feet from the outer property line of the proposed new or modified facility.

- (e) Any person may file a written request for notice of any decision or action pertaining to the issuance of a Permit to Construct. The Executive Officer shall provide mailed notice of such decision or action to any person who has filed a written request for notification. Requests for notice shall be filed pursuant to procedures established by the Executive Officer. The notice shall be mailed at the time that the Executive Officer notifies the permit applicant of the decision or action. The 10-day period to appeal, specified in subdivision (b) of Rule 216, shall commence on the third day following mailing of the notice pursuant to this subdivision. The requirements for public notice pursuant to this subdivision are fulfilled if the Executive Officer makes a good faith effort to follow procedures established pursuant to this subdivision for giving notice and, in such circumstances, failure of any person to receive the notice shall not affect the validity of any permit subsequently issued by the Executive Officer.
- (f) An application for a Permit to Operate, for a permit unit installed or constructed without a required Permit to Construct, shall be subject to the requirements of this rule.
- (g) For new or modified sources subject to Regulation XIII, RECLAIM facilities, or Outer Continental Shelf (OCS) facilities located within 25 miles of the State's seaward boundary and for which the District has been designated as the corresponding onshore area (COA), which undergo construction or modifications resulting in an emissions increase exceeding any of the daily maximums specified as follows:



## ATTACHMENT B2

<u>Air Contaminant</u>	<u>Daily Maximum in lbs per Day</u>
Volatile Organic Compounds	30
Nitrogen Oxides	40
PM <sub>10</sub>	30
Sulfur Dioxide	60
Carbon Monoxide	220
Lead	3

The process for public notification and comment shall include all of the applicable provisions of 40 Code of Federal Regulations (CFR) Part 51, Section 51.161(b), and 40 CFR Part 124, Section 124.10. The federal public notice and comment procedures for these facilities require that the public notice be distributed to the broadest possible scope of interested parties, and include at a minimum:

- (1) Availability of information submitted by the owner or operator and of District analyses of the effect on air quality for public inspection in at least one location in the area affected;
  - (2) Notice by prominent advertisement in the area affected of the location of the source information and the District's analyses of the effect on air quality;
  - (3) Mailing a copy of the notice required in paragraph (g)(2) of this rule to the following persons: The applicant, the Administrator of U. S. EPA through Region 9, the Air Resources Board, affected local air pollution control districts, the chief executives of the city and county or the onshore area that is geographically closest to where the major stationary source or major modification would be located, any comprehensive regional land use planning agency, and State, Federal Land Manager, or Indian Governing Body whose lands may be affected by emissions from the regulated activity; and,
  - (4) A 30-day period for submittal of public comments.
- (h) The Executive Officer may combine public notices to avoid duplication provided that all required public notice requirements are satisfied.

## ATTACHMENT B3

(Adopted January 9, 1976)(Amended July 6, 1984)  
(Amended May 17, 1985)(Amended May 1, 1987)  
(Amended July 10, 1987)(Amended March 3, 1989)  
(Amended June 28, 1990)(Amended September 6, 1991)  
(Amended August 12, 1994)(Amended December 7, 1995)  
(Amended November 14, 1997)(PAR 212c – March 2015)

**PROPOSED**    **STANDARDS FOR APPROVING PERMITS AND ISSUING**  
**AMENDED**    **PUBLIC NOTICE**  
**RULE 212.**

- (a) The Executive Officer shall deny a Permit to Construct or a Permit to Operate, except as provided in Rule 204, unless the applicant shows that the equipment, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants, is so designed, controlled, or equipped with such air pollution control equipment that it may be expected to operate without emitting air contaminants in violation of provisions of Division 26 of the State Health and Safety Code or of these rules.
- (b) If the Executive Officer finds that the equipment has not been constructed in accordance with the permit and provides less effective air pollution control than the equipment specified in the Permit to Construct, he shall deny the Permit to Operate.
- (c) Prior to granting a Permit to Construct or permit modification for a project requiring notification, all addresses within the area described in subdivision (d) of this rule shall be notified of the Executive Officer's intent to grant a Permit to Construct or permit modification at least 30 days prior to the date action is to be taken on the application. For the purpose of this rule, a project requiring notification is:
  - (1) any new or modified permit unit, source under Regulation XX, or equipment under Regulation XXX that may emit air contaminants located within 1000 feet from the outer boundary of a school. This subdivision shall not apply to a modification of an existing facility if the Executive Officer determines that the modification will result in a reduction of emissions of air contaminants from the facility and no increase in health risk at any receptor location. (This paragraph shall not apply to modifications that have no potential to affect emissions.); or,
  - (2) any new or modified facility which has on-site emission increases exceeding any of the daily maximums specified in subdivision (g) of this

## ATTACHMENT B3

Proposed Amended Rule 212 (cont.)

(PAR 212c – March 2015)

rule; or

- (3) any new or modified permit unit, source under Regulation XX, or equipment under Regulation XXX with increases in emissions of toxic air contaminants, for which the Executive Officer has made a determination that a person may be exposed to:

- (A) a maximum individual cancer risk greater than, or equal to:
- (i) one in a million ( $1 \times 10^{-6}$ ), per guidelines published by the Executive Officer under Rule 1401 (e), during a lifetime (70 years) for facilities with more than one permitted unit, source under Regulation XX, or equipment under Regulation XXX, unless the applicant demonstrates to the satisfaction of the Executive Officer that the total facility-wide maximum individual cancer risk is below ten in a million ( $10 \times 10^{-6}$ ) using the risk assessment procedures and toxic air contaminants specified under Rule 1402; or,
  - (ii) ten in a million ( $10 \times 10^{-6}$ ), per guidelines published by the Executive Officer under Rule 1401 (e), during a lifetime (70 years) for facilities with a single permitted unit, source under Regulation XX, or equipment under Regulation XXX; or
- (B) quantities or concentrations of other substances that pose a potential risk of nuisance.

Unless otherwise stated, toxic and potentially toxic air contaminants are substances listed in Table I of Rule 1401 and their cancer risk shall be evaluated using Rule 1401 risk assessment procedures. Toxic air contaminants may also include other substances determined by the Executive Officer to be potentially toxic. Paragraph (c)(2) of this rule shall not apply if the Executive Officer determines that modifications to the existing facility will not result in an increase in health risk at any receptor location.

- (d) Except as provided for in subdivision (g) of this rule, the notification of the proposed construction of a project specified under subdivision (c) of this rule, which is to be prepared by the District, is to contain sufficient detail to fully describe the project. The applicant shall provide verification to the Executive Officer that public notice has been distributed as required by this subdivision. In the case of notifications performed under paragraphs (c)(2) and (c)(3) of this rule,

**ATTACHMENT B3**

**Proposed Amended Rule 212 (cont.)**

**(PAR 212c – March 2015)**

the applicant for the Permit to Construct or permit modification shall be responsible for the distribution of the public notice to each address within a 1/4 mile radius of the project or such other area as determined appropriate by the Executive Officer. In the case of notifications performed under paragraph (c)(1) of this rule, distribution of the public notice shall be to the parents or legal guardians of children in any school within 1/4 mile of the facility and the applicant shall provide distribution of the public notice to each address within a radius of 1000 feet from the outer property line of the proposed new or modified facility.

- (e) Any person may file a written request for notice of any decision or action pertaining to the issuance of a Permit to Construct. The Executive Officer shall provide mailed notice of such decision or action to any person who has filed a written request for notification. Requests for notice shall be filed pursuant to procedures established by the Executive Officer. The notice shall be mailed at the time that the Executive Officer notifies the permit applicant of the decision or action. The ~~10-day~~ period to appeal, as specified in subdivision (b) of Rule 216, shall commence on the third day following mailing of the notice pursuant to this subdivision. The requirements for public notice pursuant to this subdivision are fulfilled if the Executive Officer makes a good faith effort to follow procedures established pursuant to this subdivision for giving notice and, in such circumstances, failure of any person to receive the notice shall not affect the validity of any permit subsequently issued by the Executive Officer.
- (f) An application for a Permit to Operate, for a permit unit installed or constructed without a required Permit to Construct, shall be subject to the requirements of this rule.
- (g) For new or modified sources subject to Regulation XIII, RECLAIM facilities, or Outer Continental Shelf (OCS) facilities located within 25 miles of the State's seaward boundary and for which the District has been designated as the corresponding onshore area (COA), which undergo construction or modifications resulting in an emissions increase exceeding any of the daily maximums specified as follows:

<u>Air Contaminant</u>	<u>Daily Maximum</u> <u>in lbs per Day</u>
Volatile Organic Compounds	30
Nitrogen Oxides	40
PM <sub>10</sub>	30
Sulfur Dioxide	60

## ATTACHMENT B3

Proposed Amended Rule 212 (cont.)

(PAR 212c – March 2015)

Carbon Monoxide	220
Lead	3

The process for public notification and comment shall include all of the applicable provisions of 40 Code of Federal Regulations (CFR) Part 51, Section 51.161(b), and 40 CFR Part 124, Section 124.10. The federal public notice and comment procedures for these facilities require that the public notice be distributed to the broadest possible scope of interested parties, and include at a minimum:

- (1) Availability of information submitted by the owner or operator and of District analyses of the effect on air quality for public inspection in at least one location in the area affected;
  - (2) Notice by prominent advertisement in the area affected of the location of the source information and the District's analyses of the effect on air quality;
  - (3) Mailing a copy of the notice required in paragraph (g)(2) of this rule to the following persons: The applicant, the Administrator of U. S. EPA through Region 9, the Air Resources Board, affected local air pollution control districts, the chief executives of the city and county or the onshore area that is geographically closest to where the major stationary source or major modification would be located, any comprehensive regional land use planning agency, and State, Federal Land Manager, or Indian Governing Body whose lands may be affected by emissions from the regulated activity; and,
  - (4) A 30-day period for submittal of public comments.
- (h) The Executive Officer may combine public notices to avoid duplication provided that all required public notice requirements are satisfied.

## ATTACHMENT B4

(Adopted January 9, 1976)(Amended July 6, 1984)(Amended May 17, 1985)  
(Amended May 1, 1987)(Amended July 10, 1987)(Amended March 3, 1989)  
(Amended June 28, 1990)(Amended September 6, 1991)(Amended August 12, 1994)  
(Amended December 7, 1995)(Amended November 14, 1997)(Amended June 5, 2015)

### **RULE 212. STANDARDS FOR APPROVING PERMITS AND ISSUING PUBLIC NOTICE**

- (a) The Executive Officer shall deny a Permit to Construct or a Permit to Operate, except as provided in Rule 204, unless the applicant shows that the equipment, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants, is so designed, controlled, or equipped with such air pollution control equipment that it may be expected to operate without emitting air contaminants in violation of provisions of Division 26 of the State Health and Safety Code or of these rules.
- (b) If the Executive Officer finds that the equipment has not been constructed in accordance with the permit and provides less effective air pollution control than the equipment specified in the Permit to Construct, he shall deny the Permit to Operate.
- (c) Prior to granting a Permit to Construct or permit modification for a project requiring notification, all addresses within the area described in subdivision (d) of this rule shall be notified of the Executive Officer's intent to grant a Permit to Construct or permit modification at least 30 days prior to the date action is to be taken on the application. For the purpose of this rule, a project requiring notification is:
  - (1) any new or modified permit unit, source under Regulation XX, or equipment under Regulation XXX that may emit air contaminants located within 1000 feet from the outer boundary of a school. This subdivision shall not apply to a modification of an existing facility if the Executive Officer determines that the modification will result in a reduction of emissions of air contaminants from the facility and no increase in health risk at any receptor location. (This paragraph shall not apply to modifications that have no potential to affect emissions.); or,
  - (2) any new or modified facility which has on-site emission increases exceeding any of the daily maximums specified in subdivision (g) of this rule; or

## ATTACHMENT B4

(3) any new or modified permit unit, source under Regulation XX, or equipment under Regulation XXX with increases in emissions of toxic air contaminants, for which the Executive Officer has made a determination that a person may be exposed to:

- (A) a maximum individual cancer risk greater than, or equal to:
  - (i) one in a million ( $1 \times 10^{-6}$ ), per guidelines published by the Executive Officer under Rule 1401 (e), for facilities with more than one permitted unit, source under Regulation XX, or equipment under Regulation XXX, unless the applicant demonstrates to the satisfaction of the Executive Officer that the total facility-wide maximum individual cancer risk is below ten in a million ( $10 \times 10^{-6}$ ) using the risk assessment procedures and toxic air contaminants specified under Rule 1402; or,
  - (ii) ten in a million ( $10 \times 10^{-6}$ ), per guidelines published by the Executive Officer under Rule 1401 (e), for facilities with a single permitted unit, source under Regulation XX, or equipment under Regulation XXX; or
- (B) quantities or concentrations of other substances that pose a potential risk of nuisance.

Unless otherwise stated, toxic and potentially toxic air contaminants are substances listed in Table I of Rule 1401 and their cancer risk shall be evaluated using Rule 1401 risk assessment procedures. Toxic air contaminants may also include other substances determined by the Executive Officer to be potentially toxic. Paragraph (c)(2) of this rule shall not apply if the Executive Officer determines that modifications to the existing facility will not result in an increase in health risk at any receptor location.

- (d) Except as provided for in subdivision (g) of this rule, the notification of the proposed construction of a project specified under subdivision (c) of this rule, which is to be prepared by the District, is to contain sufficient detail to fully describe the project. The applicant shall provide verification to the Executive Officer that public notice has been distributed as required by this subdivision. In the case of notifications performed under paragraphs (c)(2) and (c)(3) of this rule, the applicant for the Permit to Construct or permit modification shall be

## ATTACHMENT B4

responsible for the distribution of the public notice to each address within a 1/4 mile radius of the project or such other area as determined appropriate by the Executive Officer. In the case of notifications performed under paragraph (c)(1) of this rule, distribution of the public notice shall be to the parents or legal guardians of children in any school within 1/4 mile of the facility and the applicant shall provide distribution of the public notice to each address within a radius of 1000 feet from the outer property line of the proposed new or modified facility.

- (e) Any person may file a written request for notice of any decision or action pertaining to the issuance of a Permit to Construct. The Executive Officer shall provide mailed notice of such decision or action to any person who has filed a written request for notification. Requests for notice shall be filed pursuant to procedures established by the Executive Officer. The notice shall be mailed at the time that the Executive Officer notifies the permit applicant of the decision or action. The period to appeal, as specified in subdivision (b) of Rule 216, shall commence on the third day following mailing of the notice pursuant to this subdivision. The requirements for public notice pursuant to this subdivision are fulfilled if the Executive Officer makes a good faith effort to follow procedures established pursuant to this subdivision for giving notice and, in such circumstances, failure of any person to receive the notice shall not affect the validity of any permit subsequently issued by the Executive Officer.
- (f) An application for a Permit to Operate, for a permit unit installed or constructed without a required Permit to Construct, shall be subject to the requirements of this rule.
- (g) For new or modified sources subject to Regulation XIII, RECLAIM facilities, or Outer Continental Shelf (OCS) facilities located within 25 miles of the State's seaward boundary and for which the District has been designated as the corresponding onshore area (COA), which undergo construction or modifications resulting in an emissions increase exceeding any of the daily maximums specified as follows:

<u>Air Contaminant</u>	<u>Daily Maximum</u> <u>in lbs per Day</u>
Volatile Organic Compounds	30
Nitrogen Oxides	40
PM <sub>10</sub>	30



## ATTACHMENT B4

Sulfur Dioxide	60
Carbon Monoxide	220
Lead	3

The process for public notification and comment shall include all of the applicable provisions of 40 Code of Federal Regulations (CFR) Part 51, Section 51.161(b), and 40 CFR Part 124, Section 124.10. The federal public notice and comment procedures for these facilities require that the public notice be distributed to the broadest possible scope of interested parties, and include at a minimum:

- (1) Availability of information submitted by the owner or operator and of District analyses of the effect on air quality for public inspection in at least one location in the area affected;
  - (2) Notice by prominent advertisement in the area affected of the location of the source information and the District's analyses of the effect on air quality;
  - (3) Mailing a copy of the notice required in paragraph (g)(2) of this rule to the following persons: The applicant, the Administrator of U. S. EPA through Region 9, the Air Resources Board, affected local air pollution control districts, the chief executives of the city and county or the onshore area that is geographically closest to where the major stationary source or major modification would be located, any comprehensive regional land use planning agency, and State, Federal Land Manager, or Indian Governing Body whose lands may be affected by emissions from the regulated activity; and,
  - (4) A 30-day period for submittal of public comments.
- (h) The Executive Officer may combine public notices to avoid duplication provided that all required public notice requirements are satisfied.

## ATTACHMENT B5

(Adopted January 9, 1976)(Amended July 6, 1984)(Amended May 17, 1985)  
(Amended May 1, 1987)(Amended July 10, 1987)(Amended March 3, 1989)  
(Amended June 28, 1990)(Amended September 6, 1991)(Amended August 12, 1994)  
(Amended December 7, 1995)(Amended November 14, 1997)(Amended June 5, 2015)  
(PAR 212 – February 12, 2019)

### **PROPOSED AMENDED RULE 212. STANDARDS FOR APPROVING PERMITS AND ISSUING PUBLIC NOTICE**

- (a) The Executive Officer shall deny a Permit to Construct or a Permit to Operate, except as provided in Rule 204, unless the applicant shows that the equipment, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants, is so designed, controlled, or equipped with such air pollution control equipment that it may be expected to operate without emitting air contaminants in violation of provisions of Division 26 of the State Health and Safety Code or of these rules.
- (b) If the Executive Officer finds that the equipment has not been constructed in accordance with the permit and provides less effective air pollution control than the equipment specified in the Permit to Construct, he shall deny the Permit to Operate.
- (c) Prior to granting a Permit to Construct or permit modification for a project requiring notification, all addresses within the area described in subdivision (d) of this rule shall be notified of the Executive Officer's intent to grant a Permit to Construct or permit modification at least 30 days prior to the date action is to be taken on the application. For the purpose of this rule, a project requiring notification is:
  - (1) any new or modified permit unit, source under Regulation XX, or equipment under Regulation XXX that may emit air contaminants located within 1000 feet from the outer boundary of a school. This subdivision shall not apply to a modification of an existing facility if the Executive Officer determines that the modification will result in a reduction of emissions of air contaminants from the facility and no increase in health risk at any receptor location. (This paragraph shall not apply to modifications that have no potential to affect emissions.); or,

## ATTACHMENT B5

- (2) any new or modified facility which has on-site emission increases exceeding any of the daily maximums specified in subdivision (g) of this rule; or
- (3) any new or modified permit unit, source under Regulation XX, or equipment under Regulation XXX with increases in emissions of toxic air contaminants, for which the Executive Officer has made a determination that a person may be exposed to:
  - (A) a maximum individual cancer risk greater than, or equal to:
    - (i) one in a million ( $1 \times 10^{-6}$ ), per guidelines published by the Executive Officer under Rule 1401 (e), for facilities with more than one permitted unit, source under Regulation XX, or equipment under Regulation XXX, unless the applicant demonstrates to the satisfaction of the Executive Officer that the total facility-wide maximum individual cancer risk is below ten in a million ( $10 \times 10^{-6}$ ) using the risk assessment procedures and toxic air contaminants specified under Rule 1402; or,
    - (ii) ten in a million ( $10 \times 10^{-6}$ ), per guidelines published by the Executive Officer under Rule 1401 (e), for facilities with a single permitted unit, source under Regulation XX, or equipment under Regulation XXX; or
  - (B) quantities or concentrations of other substances that pose a potential risk of nuisance.

Unless otherwise stated, toxic and potentially toxic air contaminants are substances listed in Table I of Rule 1401 and their cancer risk shall be evaluated using Rule 1401 risk assessment procedures. Toxic air contaminants may also include other substances determined by the Executive Officer to be potentially toxic. Paragraph (c)(2) of this rule shall not apply if the Executive Officer determines that modifications to the existing facility will not result in an increase in health risk at any receptor location.

- (d) Except as provided for in subdivision (g) of this rule, the notification of the proposed construction of a project specified under subdivision (c) of this rule, which is to be prepared by the District, is to contain sufficient detail to fully describe the project. The applicant shall provide verification to the Executive Officer that

## ATTACHMENT B5

public notice has been distributed as required by this subdivision. In the case of notifications performed under paragraphs (c)(2) and (c)(3) of this rule, the applicant for the Permit to Construct or permit modification shall be responsible for the distribution of the public notice to each address within a 1/4 mile radius of the project or such other area as determined appropriate by the Executive Officer. In the case of notifications performed under paragraph (c)(1) of this rule, distribution of the public notice shall be to the parents or legal guardians of children in any school within 1/4 mile of the facility and the applicant shall provide distribution of the public notice to each address within a radius of 1000 feet from the outer property line of the proposed new or modified facility. ~~Distribution may be made by mail, electronic mail, or other electronic means as determined by the Executive Officer.~~

- (e) Any person may file a written request for ~~public~~ notice of any decision or action pertaining to the issuance of a Permit to Construct. The Executive Officer shall provide ~~mailed public~~ notice by mail, electronic mail, or other electronic means, of such decision or action to any person who has filed a written request for ~~public~~ notification. Requests for ~~public~~ notice shall be filed pursuant to procedures established by the Executive Officer. The ~~public~~ notice shall be sent by mail, electronic mail, or other electronic means, ~~mailed~~ at the time that the Executive Officer notifies the permit applicant of the decision or action. The period to appeal, as specified in subdivision (b) of Rule 216, shall commence on the third day following mailing or electronic transmission of the ~~public~~ notice pursuant to this subdivision. The requirements for public notice pursuant to this subdivision are fulfilled if the Executive Officer makes a good faith effort to follow procedures established pursuant to this subdivision for giving ~~public~~ notice and, in such circumstances, failure of any person to receive the ~~public~~ notice shall not affect the validity of any permit subsequently issued by the Executive Officer.
- (f) An application for a Permit to Operate, for a permit unit installed or constructed without a required Permit to Construct, shall be subject to the requirements of this rule.
- (g) For new or modified sources subject to Regulation XIII, RECLAIM facilities, or Outer Continental Shelf (OCS) facilities located within 25 miles of the State's seaward boundary and for which the District has been designated as the corresponding onshore area (COA), which undergo construction or modifications

## ATTACHMENT B5

resulting in an emissions increase exceeding any of the daily maximums specified as follows:

<u>Air Contaminant</u>	<u>Daily Maximum</u> <u>in lbs per Day</u>
Volatile Organic Compounds	30
Nitrogen Oxides	40
PM <sub>10</sub>	30
Sulfur Dioxide	60
Carbon Monoxide	220
Lead	3

The process for public notification and comment shall include all of the applicable provisions of 40 Code of Federal Regulations (CFR) Part 51, Section 51.161(b), and 40 CFR Part 124, Section 124.10. The federal public notice and comment procedures for these facilities require that the public notice be distributed to the broadest possible scope of interested parties, and include at a minimum:

- (1) Availability of information submitted by the owner or operator and of District analyses of the effect on air quality for public inspection ~~on the District public website or in~~ at least one location in the area affected. This requirement may be met by making these materials available at a physical location or on the District public website;
- (2) Posting of the public notice on the District public website for the duration of the public comment period. Each public notice posting shall include: the public notice notice of public comment, the draft permit, and information on how to access the administrative record for the draft permit. The public notice or a link to the public notice will be placed on a web page that is dedicated to listing all public notices under this provision; ~~Notice by prominent advertisement in the area affected of the location of the source information and the District's analyses of the effect on air quality~~
- (3) Mailing a copy of the ~~public~~ notice required in paragraph (g)(2) of this rule to the following persons: The applicant, the Administrator of U.S. EPA through Region 9, the Air Resources Board, affected local air pollution control districts, the chief executives of the city and county or the onshore area that is geographically closest to where the major stationary source or major modification would be located, any comprehensive regional land use planning agency, and State, Federal Land Manager, or Indian Governing

## ATTACHMENT B5

Body whose lands may be affected by emissions from the regulated activity;  
and,

- (4) A 30-day period for submittal of public comments.
- (h) The Executive Officer may combine public notices to avoid duplication provided that all required public notice requirements are satisfied.

## ATTACHMENT B6

(Adopted January 9, 1976)(Amended July 6, 1984)(Amended May 17, 1985)  
(Amended May 1, 1987)(Amended July 10, 1987)(Amended March 3, 1989)  
(Amended June 28, 1990)(Amended September 6, 1991)(Amended August 12, 1994)  
(Amended December 7, 1995)(Amended November 14, 1997)(Amended June 5, 2015)  
(Amended March 1, 2019)

### **RULE 212. STANDARDS FOR APPROVING PERMITS AND ISSUING PUBLIC NOTICE**

- (a) The Executive Officer shall deny a Permit to Construct or a Permit to Operate, except as provided in Rule 204, unless the applicant shows that the equipment, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants, is so designed, controlled, or equipped with such air pollution control equipment that it may be expected to operate without emitting air contaminants in violation of provisions of Division 26 of the State Health and Safety Code or of these rules.
- (b) If the Executive Officer finds that the equipment has not been constructed in accordance with the permit and provides less effective air pollution control than the equipment specified in the Permit to Construct, he shall deny the Permit to Operate.
- (c) Prior to granting a Permit to Construct or permit modification for a project requiring notification, all addresses within the area described in subdivision (d) of this rule shall be notified of the Executive Officer's intent to grant a Permit to Construct or permit modification at least 30 days prior to the date action is to be taken on the application. For the purpose of this rule, a project requiring notification is:
  - (1) any new or modified permit unit, source under Regulation XX, or equipment under Regulation XXX that may emit air contaminants located within 1000 feet from the outer boundary of a school. This subdivision shall not apply to a modification of an existing facility if the Executive Officer determines that the modification will result in a reduction of emissions of air contaminants from the facility and no increase in health risk at any receptor location. (This paragraph shall not apply to modifications that have no potential to affect emissions.); or,
  - (2) any new or modified facility which has on-site emission increases exceeding any of the daily maximums specified in subdivision (g) of this rule; or

## ATTACHMENT B6

Rule 212 (cont.)

(Amended March 1, 2019)

(3) any new or modified permit unit, source under Regulation XX, or equipment under Regulation XXX with increases in emissions of toxic air contaminants, for which the Executive Officer has made a determination that a person may be exposed to:

- (A) a maximum individual cancer risk greater than, or equal to:
  - (i) one in a million ( $1 \times 10^{-6}$ ), per guidelines published by the Executive Officer under Rule 1401 (e), for facilities with more than one permitted unit, source under Regulation XX, or equipment under Regulation XXX, unless the applicant demonstrates to the satisfaction of the Executive Officer that the total facility-wide maximum individual cancer risk is below ten in a million ( $10 \times 10^{-6}$ ) using the risk assessment procedures and toxic air contaminants specified under Rule 1402; or,
  - (ii) ten in a million ( $10 \times 10^{-6}$ ), per guidelines published by the Executive Officer under Rule 1401 (e), for facilities with a single permitted unit, source under Regulation XX, or equipment under Regulation XXX; or
- (B) quantities or concentrations of other substances that pose a potential risk of nuisance.

Unless otherwise stated, toxic and potentially toxic air contaminants are substances listed in Table I of Rule 1401 and their cancer risk shall be evaluated using Rule 1401 risk assessment procedures. Toxic air contaminants may also include other substances determined by the Executive Officer to be potentially toxic. Paragraph (c)(2) of this rule shall not apply if the Executive Officer determines that modifications to the existing facility will not result in an increase in health risk at any receptor location.

(d) Except as provided for in subdivision (g) of this rule, the notification of the proposed construction of a project specified under subdivision (c) of this rule, which is to be prepared by the District, is to contain sufficient detail to fully describe the project. The applicant shall provide verification to the Executive Officer that public notice has been distributed as required by this subdivision. In the case of notifications performed under paragraphs (c)(2) and (c)(3) of this rule, the applicant for the Permit to Construct or permit modification shall be responsible for the



distribution of the public notice to each address within a 1/4 mile radius of the project or such other area as determined appropriate by the Executive Officer. In the case of notifications performed under paragraph (c)(1) of this rule, distribution of the public notice shall be to the parents or legal guardians of children in any school within 1/4 mile of the facility and the applicant shall provide distribution of the public notice to each address within a radius of 1000 feet from the outer property line of the proposed new or modified facility.

- (e) Any person may file a written request for notice of any decision or action pertaining to the issuance of a Permit to Construct. The Executive Officer shall provide notice by mail, electronic mail, or other electronic means, of such decision or action to any person who has filed a written request for notification. Requests for notice shall be filed pursuant to procedures established by the Executive Officer. The notice shall be sent by mail, electronic mail, or other electronic means, at the time that the Executive Officer notifies the permit applicant of the decision or action. The period to appeal, as specified in subdivision (b) of Rule 216, shall commence on the third day following mailing or electronic transmission of the notice pursuant to this subdivision. The requirements for public notice pursuant to this subdivision are fulfilled if the Executive Officer makes a good faith effort to follow procedures established pursuant to this subdivision for giving notice and, in such circumstances, failure of any person to receive the notice shall not affect the validity of any permit subsequently issued by the Executive Officer.
- (f) An application for a Permit to Operate, for a permit unit installed or constructed without a required Permit to Construct, shall be subject to the requirements of this rule.
- (g) For new or modified sources subject to Regulation XIII, RECLAIM facilities, or Outer Continental Shelf (OCS) facilities located within 25 miles of the State's seaward boundary and for which the District has been designated as the corresponding onshore area (COA), which undergo construction or modifications resulting in an emissions increase exceeding any of the daily maximums specified as follows:

**ATTACHMENT B6**

**Rule 212 (cont.)**

**(Amended March 1, 2019)**

<u>Air Contaminant</u>	<u>Daily Maximum</u> <u>in lbs per Day</u>
Volatile Organic Compounds	30
Nitrogen Oxides	40
PM <sub>10</sub>	30
Sulfur Dioxide	60
Carbon Monoxide	220
Lead	3

The process for public notification and comment shall include all of the applicable provisions of 40 Code of Federal Regulations (CFR) Part 51, Section 51.161(b), and 40 CFR Part 124, Section 124.10. The federal public notice and comment procedures for these facilities require that the public notice be distributed to the broadest possible scope of interested parties, and include at a minimum:

- (1) Availability of information submitted by the owner or operator and of District analyses of the effect on air quality for public inspection in at least one location in the area affected. This requirement may be met by making these materials available at a physical location or on the District public website;
- (2) Posting of the notice on the District public website for the duration of the public comment period. Each posting shall include: the public notice, the draft permit, and information on how to access the administrative record for the draft permit. The public notice or a link to the public notice will be placed on a web page that is dedicated to listing all public notices under this provision;
- (3) Mailing a copy of the notice required in paragraph (g)(2) of this rule to the following persons: The applicant, the Administrator of U.S. EPA through Region 9, the Air Resources Board, affected local air pollution control districts, the chief executives of the city and county or the onshore area that is geographically closest to where the major stationary source or major modification would be located, any comprehensive regional land use planning agency, and State, Federal Land Manager, or Indian Governing Body whose lands may be affected by emissions from the regulated activity; and,
- (4) A 30-day period for submittal of public comments.

**ATTACHMENT B6**

**Rule 212 (cont.)**

**(Amended March 1, 2019)**

- (h) The Executive Officer may combine public notices to avoid duplication provided that all required public notice requirements are satisfied.

## ATTACHMENT B7

(Adopted January 9, 1976)(Amended July 6, 1984)(Amended May 17, 1985)  
(Amended May 1, 1987)(Amended July 10, 1987)(Amended March 3, 1989)  
(Amended June 28, 1990)(Amended September 6, 1991)(Amended August 12, 1994)  
(Amended December 7, 1995)(Amended November 14, 1997)(Amended June 5, 2015)  
Amended March 1, 2019

### **RULE 212.            STANDARDS FOR APPROVING PERMITS AND ISSUING PUBLIC NOTICE**

- (a) The Executive Officer ~~or designee~~ shall deny a Permit to Construct or a Permit to Operate, except as provided in Rule 204, unless the applicant shows that the equipment, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants, is so designed, controlled, or equipped with such air pollution control equipment that it may be expected to operate without emitting air contaminants in violation of provisions of Division 26 Section 41700, 41701, or 44300 (et sec.) of the State Health and Safety Code or of these rules.
- (b) If the Executive Officer ~~or designee~~ finds that the equipment has not been constructed in accordance with the permit and provides less effective air pollution control than the equipment specified in the Permit to Construct, he shall deny the Permit to Operate.
- (c) Prior to granting a Permit to Construct or permit modification for a significant project requiring notification, all addresses within the area described in ~~subdivision~~section (d) of this rule shall be notified of the Executive Officer's ~~or designee's~~ intent to grant a Permit to Construct or permit modification at least 30 days prior to the date action is to be taken on the application. For the purpose of this rule, a significant projects requiring notification is will consist of:
- (1) any all-new or modified permit units, source under Regulation XX, or equipment under Regulation XXX that may emit air contaminants located within 1000 feet from the outer boundary of a school. This subdivision shall not apply to a modification of an existing facility if the Executive Officer ~~or designee~~ determines that the modification will result in a reduction of emissions of air contaminants from the facility and no increase in health risk at any receptor location. (This paragraph shall not apply to modifications that have no potential to affect emissions.); or,

**ATTACHMENT B7**

**Rule 212 (Cont.)**

**(Amended November 14, 1997)**

- (2) ~~any all~~ new or modified ~~facilities-facility~~ which ~~have-has~~ on-site emission increases exceeding any of the daily maximums specified in subdivision (g) of this rule; ~~and/or~~
- (3) ~~any all~~-new or modified permit units-, source under Regulation XX, or equipment under Regulation XXX with increases in emissions of toxic air contaminants, for which the Executive Officer ~~or designee~~ has made a determination that a person may be exposed to:

- (A) ~~an maximum~~ individual cancer risk greater than, or equal to:
  - (i) one in a million ( $1 \times 10^{-6}$ ), ~~per guidelines published by the Executive Officer under Rule 1401 (e), during a lifetime (70 years) period,~~ for facilities with more than one permitted unit, source under Regulation XX, or equipment under Regulation XXX, unless the applicant demonstrates to the satisfaction of the Executive Officer that the total facility-wide maximum individual cancer risk is below ten in a million ( $10 \times 10^{-6}$ ) using the risk assessment procedures and toxic air contaminants specified under Rule 1402; or,
  - (ii) ten in a million ( $10 \times 10^{-6}$ ), ~~per guidelines published by the Executive Officer under Rule 1401 (e), during a lifetime (70 years)~~ for facilities with a single permitted unit, source under Regulation XX, or equipment under Regulation XXX; or
- (B) ~~may be exposed to~~ quantities or concentrations of other substances that pose a potential risk of nuisance.

~~Unless otherwise stated, T~~toxic and potentially toxic air contaminants are substances listed in Table I of Rule 1401; ~~and their cancer risk shall be evaluated using Rule 1401 risk assessment procedures.~~ Toxic air contaminants may also include ~~or any~~ other ~~substances material~~ determined by the Executive Officer ~~or designee~~ to be potentially toxic. ~~This p~~Paragraph (c)(2) of this rule shall not apply if the Executive Officer ~~or designee~~ determines that modifications to the existing facility will not result in an increase in health risk at any receptor location.

- (d) Except as provided for in subdivision (g) of this rule, the notification of the proposed construction of a ~~significant~~ project specified under subdivision (c) of

this rule, which is to be prepared by the District, is to contain sufficient detail to fully describe the project. The applicant shall provide verification to the Executive Officer ~~or designee~~ that public notice has been distributed as required by this subdivision. In the case of notifications performed under paragraphs (c)(2) and (c)(3) of this rule, the applicant for the Permit to Construct or permit modification shall be responsible for the distribution of the public notice to each address within a 1/4 mile radius of the project or such other area as determined appropriate by the Executive Officer ~~or designee~~. In the case of notifications performed under paragraph (c)(1) of this rule, distribution of the public notice shall be to the parents or legal guardians of children in any school within 1/4 mile of the facility and the applicant shall provide distribution of the public notice to each address within a radius of ~~1000~~ 750-feet from the outer property line of the proposed new or modified facility.

- (e) Any person may file a written request for notice of any decision or action pertaining to the issuance of a Permit to Construct. The Executive Officer ~~or designee~~ shall provide ~~mailed~~ notice by mail, electronic mail, or other electronic means, of such decision or action to any person who has filed a written request for notification. Requests for notice shall be filed pursuant to procedures established by the Executive Officer ~~or designee~~. The notice shall be ~~mailed~~ sent by mail, electronic mail, or other electronic means, at the time that the Executive Officer ~~or designee~~ notifies the permit applicant of the decision or action. The ~~10-day~~ period to appeal, as specified in subdivision (b) of Rule 216(b), shall commence on the third day following mailing or electronic transmission of the notice pursuant to this subdivision. The requirements for public notice pursuant to this subdivision are fulfilled if the Executive Officer makes a good faith effort to follow procedures established pursuant to this subdivision for giving notice and, in such circumstances, failure of any person to receive the notice shall not affect the validity of any permit subsequently issued by the Executive Officer ~~or designee~~.
- (f) An application for a Permit to Operate, for a permit unit installed or constructed without a required Permit to Construct, shall be subject to the requirements of this rule.
- (g) For new or modified sources subject to Regulation XIII, RECLAIM facilities, or Outer Continental Shelf (OCS) facilities located within 25 miles of the State's seaward boundary and for which the District has been designated as the

corresponding onshore area (COA), which undergo construction or modifications resulting in an emissions increase exceeding any of the daily maximums specified as follows:

<u>Air Contaminant</u>	<u>Daily Maximum</u> <u>in lbs per Day</u>
Volatile Organic Compounds	30
Nitrogen Oxides	40
PM <sub>10</sub>	30
Sulfur Dioxide	60
Carbon Monoxide	220
Lead	3

The process for public notification and comment shall include all of the applicable provisions of 40 Code of Federal Regulations (CFR) Part 51, Section 51.161(b), and 40 CFR Part 124, Section 124.10. The federal public notice and comment procedures for these facilities require that the public notice be distributed to the broadest possible scope of interested parties, and include at a minimum:

- (1) Availability of information submitted by the owner or operator and of District analyses of the effect on air quality for public inspection in at least one location in the area affected. ~~This requirement may be met by making these materials available at a physical location or on the District public website;~~
- (2) ~~Notice by prominent advertisement in the area affected of the location of the source information and the District's analyses of the effect on air quality.~~ Posting of the notice on the District public website for the duration of the public comment period. Each posting shall include: the public notice, the draft permit, and information on how to access the administrative record for the draft permit. The public notice or a link to the public notice will be placed on a web page that is dedicated to listing all public notices under this provision;
- (3) Mailing a copy of the notice required in paragraph (g)(2) of this rule to the following persons: The applicant, the Administrator of U. S. EPA through Region 9, the Air Resources Board, affected local air pollution control districts, the chief executives of the city and county or the onshore area

**ATTACHMENT B7**

**Rule 212 (Cont.)**

**(Amended November 14, 1997)**

that is geographically closest to where the major stationary source or major modification would be located, any comprehensive regional land use planning agency, and State, Federal Land Manager, or Indian Governing Body whose lands may be affected by emissions from the regulated activity; and,

(4) A 30-day period for submittal of public comments.

(h) The Executive Officer may combine public notices to avoid duplication provided that all required public notice requirements are satisfied.



PROOF OF PUBLICATION

(2010, 2015.5 CCF)

23 1997

RECEIVED

PROOF OF PUBLICATION OF

PUBLIC HEARING

RULE 3000

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper of general circulation, printed and published daily in the city of Riverside, County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673 and under date of August 25, 1995, Case Number 257364; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person requesting publication, and no any supplement thereof on following dates, to wit:

10/3/1997

I Certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated October 3, 1997 at Riverside, California

[Handwritten signature]

CALIF NEWSPAPER SERV ORDER PR

NOTICE OF PUBLIC HEARINGS

This notice supersedes the Notice of Public Hearing dated August 27, 1997.

PROPOSED ADOPTION OF, OR AMENDMENT(S) TO, THE RULES AND REGULATIONS OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Re: Adopt Proposed Amendments to Rule 212 - Standards for Approving Permits, Regulation XXX - Title V Permits; Rule 3000 - General, Rule 3001 - Applicability, Rule 3002 - Requirements, Rule 3003 - Applications, Rule 3004 - Permit Types and Content, Rule 3005 - Permit Revisions, and Rule 3006 - Public Participation.

NOTICE IS HEREBY GIVEN that public hearings on the matter of adoption of rules and regulations for the South Coast Air Quality Management District (AQMD), or the amendments thereto, will be held on Friday, October 10, 1997 and on Friday, November 14, 1997, in the Diamond Bar Auditorium, AQMD Headquarters, 21865 E. Copley Drive, Diamond Bar, California, at 9:30 a.m., at which time evidence will be taken and all interested persons will be heard by the AQMD Board.

NOTICE IS FURTHER GIVEN that the AQMD is considering amendments to Rule 212 - Standards for Approving Permits, in order to comply with state law and streamline and clarify the rule, and to Title V Rule 3000 - General, Rule 3001

- Applicability, Rule 3002 - Requirements, Rule 3003 - Applications, Rule 3004 - Permit Types and Content, Rule 3005 - Permit Revisions, and Rule 3006 - Public Participation, to improve clarity, increase flexibility, enhance enforceability of the program and Title V permits, streamline requirements and comply with federal and state laws. The proposed rule amendments are as follows:

Rule 212: Update rule language to increase the public notice distribution radius for facilities near schools requiring permits for emitting any air contaminants as required by state legal noticing requirement. Eliminate the one-quarter mile distribution of notice for certain facilities. Establish new criteria for public notification of significant projects involving toxic emissions. Add language to improve clarity and enhance enforceability.

Rule 3000: Amend and add definitions to improve clarity, increase flexibility, and enhance enforceability.

Rule 3001: Amend rule language to change base year for applicability determination, to allow applicability for RECLAIM facilities to be based on actual emissions for the first three years of the program, and to address other applicability changes. Add new rule language to establish criteria for facilities to request exclusions from the Title V Permit program. Add and rearrange rule language to improve clarity, increase flexibility and enhance enforceability.

Rule 3002: Amend rule language to maintain consistency with Rules 3000 and 3003. Add other language to improve clarity, increase flexibility and enhance enforceability.

Rule 3003: Amend rule language to streamline and clarify permitting action procedures for affected State, public, and EPA review processes. Add other clarifying language to enhance enforceability and maintain consistency.

Rule 3004: Amend rule language to clarify the permit requirements for temporary sources, portable equipment, and other permitting procedures. Add language to improve clarity and enhance enforceability.

Rule 3005: Amend rule language to clarify the permit processing procedures. Add language to improve clarity, increase flexibility and enhance enforceability.

Rule 3006: Amend rule language to extend the time limit for requesting a permit hearing and to clarify the public participation requirements. Add other clarifying language to enhance enforceability and maintain consistency.

NOTICE IS FURTHER GIVEN that the AQMD has prepared documents consisting of: Proposed Amended Rules 212, 3000, 3001, 3002, 3003, 3004, 3005, and 3006, a Staff Report, a Notice of Exemption from California Environmental Quality Act (CEQA) requirements, and a Socioeconomic Analysis. The above documents are available for review at the AQMD's Public Information Center, or may be obtained by contacting Mr. Ron Ketcham, Public Advisor's Office, AQMD, P. O. Box 4941, Diamond Bar, CA 91765-0941, (909) 396-2039.

NOTICE IS FURTHER GIVEN that at the conclusion of the hearings, the AQMD Board may make other amendments to Proposed Amended Rules 212, 3000, 3001, 3002, 3003, 3004, 3005, and 3006 which are justified by the evidence presented or may decline to adopt the amendments.

Further information on Proposed Amended Rule 212 can be obtained by contacting All Ghazem, Stationary Source Compliance, South Coast AQMD, P. O. Box 4941, Diamond Bar, CA 91765-0941, (909) 396-2451. Further information on Proposed Amended Rules 3000, 3002, 3002,

3003, 3004, 3005, and 3006 can be obtained by contacting Marty Kay, Stationary Source Compliance, South Coast AQMD, P.O. Box 4941, Diamond Bar, CA 91765-0941, (909) 396-3115.

Interested persons may attend and submit oral or written statements at the Board hearing. Twenty-five (25) copies of all written materials must be submitted to the Clerk of the Boards. Individuals who wish to submit written comments for review prior to the hearings, must submit such comments on or before September 30, 1997 for the hearing on October 10, 1997 and on or before November 4, 1997 for the hearing on November 14, 1997, to the Clerk of the Boards, 21865 E. Copley Drive, Diamond Bar, CA, 91765-4182, (909) 396-2500, on or before November 4, 1997.

DATED: September 26, 1997 SAUNDRA MCDANIEL Senior Deputy Clerk CNS1525962 10/3

CALIFORNIA AUCTIONEER

PROOF OF PUBLICATION  
(2015.5 C.C.P.)

STATE OF CALIFORNIA,  
County of San Bernardino

I, JOYCE E. TERRY, do hereby declare that I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the herein-entitled matter. I am the Legal Clerk of the

Inland Valley Daily Bulletin  
(formerly The Daily Report)

A newspaper of general circulation, published daily in the City of Ontario, County of San Bernardino, State of California, and which has been adjudged a newspaper of general circulation by the Superior Court of the County of San Bernardino, State of California, under the date of August 24, 1951, Case Number 70663; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

October 3, 1997

I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 3, 1997

*Joyce E. Terry*  
Signature

Proof of Publication of:

NOTICE OF PUBLIC HEARING  
SCAQMD

CNS1525969  
NOTICE OF PUBLIC HEARING

This notice supersedes the Notice of Public Hearing dated August 27, 1997.

PROPOSED ADOPTION OF, OR AMENDMENT(S) TO,  
THE RULES AND REGULATIONS OF THE  
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Re: Adopt Proposed Amendments to Rule 212 - Standards for Approving Permits; Regulation XXX - Title V Permits; Rule 3000 - General, Rule 3001 - Applicability, Rule 3002 - Requirements, Rule 3003 - Applications, Rule 3004 - Permit Types and Content, Rule 3005 - Permit Revisions, and Rule 3006 - Public Participation

NOTICE IS HEREBY GIVEN that public hearings on the matter of adoption of rules and regulations for the South Coast Air Quality Management District (AQMD), or the amendments thereto, will be held on Friday, October 10, 1997 and on Friday, November 14, 1997, in the Diamond Bar Auditorium, AQMD Headquarters, 21865 E. Copley Drive, Diamond Bar, California, at 9:30 a.m., at which time evidence will be taken and all interested persons will be heard by the AQMD Board.

NOTICE IS FURTHER GIVEN that the AQMD is considering amendments to Rule 212 - Standards for Approving Permits, in order to comply with state law and streamline and clarify the rule, and to amend Title V Rule 3000 - General, Rule 3001 - Applicability, Rule 3002 - Requirements, Rule 3003 - Applications, Rule 3004 - Permit Types and Content, Rule 3005 - Permit Revisions, and Rule 3006 - Public Participation, to improve clarity, increase flexibility, enhance enforceability of the program and Title V permits, streamline requirements and comply with federal and state laws. The proposed rule amendments are as follows:

Rule 212: Update rule language to increase the public notice distribution radius for facilities near schools requiring permits for emitting any air contaminants as required by state legal noticing requirements. Eliminate the one-quarter mile distribution of notice for certain facilities. Establish new criteria for public notification of significant projects involving toxic emissions. Add language to improve clarity and enhance enforceability.

Rule 3000: Amend and add definitions to improve clarity, increase flexibility and enhance enforceability.

Rule 3001: Amend rule language to change base year for applicability determination, to allow applicability for RECLAIM facilities to be based on actual emissions for the first three years of the program, and to address other applicability changes. Add new rule language to establish criteria for facilities to request exclusions from the Title V Permit program. Add and rearrange rule language to improve clarity, increase flexibility and enhance enforceability.

Rule 3002: Amend rule language to maintain consistency with Rules 3000 and 3003. Add other language to improve clarity, increase flexibility and enhance enforceability.

Rule 3003: Amend rule language to streamline and clarify permitting action procedures for affected State, public and EPA review processes. Add other clarify language to enhance enforceability and maintain consistency.

Rule 3004: Amend rule language to clarify the permit requirements for temporary sources, portable equipment, and other permitting procedures. Add language to improve clarity and enhance enforceability.

Rule 3005: Amend rule language to clarify the permit processing procedures. Add language to improve clarity, increase flexibility and enhance enforceability.

Rule 3006: Amend rule language to extend the time limit for requesting a permit hearing and to clarify the public participation requirements. Add other clarify language to enhance enforceability and maintain consistency.

NOTICE IS FURTHER GIVEN that the AQMD has prepared documents consisting of: Proposed Amended Rules 212, 3000, 3001, 3002, 3003, 3004, 3005, and 3006, a Staff Report, a Notice of Exemption from California Environmental Quality Act (CEQA) requirements, and a Socioeconomic Analysis. The above documents are available for review at the AQMD's Public Information Center, or may be obtained by contacting Mr. Ron Ketcham, Public Advisor's Office, AQMD, P.O. Box 4937, Diamond Bar, CA 91765-0937, (909) 396-2039.

NOTICE IS FURTHER GIVEN that at the conclusion of the hearing, the AQMD Board may make other amendments to Proposed Amended Rules 212, 3000, 3001, 3002, 3003, 3004, 3005, and 3006 which are justified by the evidence presented or may decline to adopt the amendments.

Further information on Proposed Amended Rule 212 can be obtained by contacting Ali Ghazemi, Stationary Source Compliance, South Coast AQMD, P.O. Box 4941, Diamond Bar, CA 91765-0941, (909) 396-2451. Further information on Proposed Amended Rules 3000, 3001, 3002, 3003, 3004, 3005, and 3006 can be obtained by contacting Marty Kay, Stationary Source Compliance, South Coast AQMD, P.O. Box 4941, Diamond Bar, CA 91765-0941, (909) 396-3115.

Interested persons may attend and submit oral or written statements at the Board hearing. Twenty-five (25) copies of all written materials must be submitted to the Clerk of the Boards. Individuals who wish to submit written comments for review prior to the hearings, must submit such comments on or before September 30, 1997 for the hearing on October 10, 1997 and on or before November 4, 1997 for the hearing on November 14, 1997 to the Clerk of the Boards, 21865 E. Copley Drive, Diamond Bar, CA 91765-4182, (909) 396-2500, on or before November 4, 1997.

DATED: September 26, 1997  
SAUNDRA MCDANIEL, Senior Deputy Clerk  
Oct. 3, 1997 #30500535

(When required)

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The Los Angeles DAILY JOURNAL

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SAUNDRA MCDANIEL  
SO CST AIR QLTY MGMT DIST  
21865 E. COPLEY DR. (PO#95065)  
DIAMOND BAR CA 91765

Proof of Publication

(2015.5 C.C.P.)

State of California )  
County of Los Angeles ) SS

HEARING PROPOSED ADOPTION OF R

I am a citizen of the United States and a resident of the County of Los Angeles; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the LOS ANGELES DAILY JOURNAL, a daily newspaper printed and published in the English language in the City of Los Angeles, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of County of Los Angeles, State of California, under date of June 5, 1952, Case No. 599,382. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

10/03/97

EXECUTED ON : 10/03/97  
AT LOS ANGELES, CALIFORNIA

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Signature

CNS1525966

NOTICE OF PUBLIC HEARING

This notice supersedes the Notice of Public Hearing dated August 27, 1997.

PROPOSED ADOPTION OF, OR AMENDMENT(S) TO, THE RULES AND REGULATIONS OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Re: Adopt Proposed Amendments to Rule 212 - Standards for Approving Permits; Regulation XXX - Title V Permits; Rule 3000 - General, Rule 3001 - Applicability, Rule 3002 - Requirements, Rule 3003 - Applications, Rule 3004 - Permit Types and Content, Rule 3005 - Permit Revisions, and Rule 3006 - Public Participation.

NOTICE IS HEREBY GIVEN that public hearings on the matter of adoption of rules and regulations for the South Coast Air Quality Management District (AQMD), or the amendments thereto, will be held on Friday, October 10, 1997 and on Friday, November 14, 1997, in the Diamond Bar Auditorium, AQMD Headquarters, 21865 E. Copley Drive, Diamond Bar, California, at 9:30 a.m., at which time evidence will be taken and all interested persons will be heard by the AQMD Board.

NOTICE IS FURTHER GIVEN that the AQMD is considering amendments to Rule 212 - Standards for Approving Permits, in order to comply with state law and streamline and clarify the rule, and to Title V Rule 3000 - General, Rule 3001 - Applicability, Rule 3002 - Requirements, Rule 3003 - Applications, Rule 3004 - Permit Types and Content, Rule 3005 - Permit Revisions, and Rule 3006 - Public Participation, to improve clarity, increase flexibility, enhance enforceability of the program and Title V permits, streamline requirements and comply with federal and state laws. The proposed rule amendments are as follows:

Rule 212: Update rule language to increase the public notice distribution radius for facilities near schools requiring permits for emitting any air contaminants as required by state legal noticing requirements. Eliminate the one-quarter mile distribution of notice for certain facilities. Establish new criteria for public notification of significant projects involving toxic emissions. Add language to improve clarity and enhance enforceability.

Rule 3000: Amend and add definitions to improve clarity, increase flexibility, and enhance enforceability.

Rule 3001: Amend rule language to change base year for applicability determination, to allow applicability for RECLAIM facilities to be based on actual emissions for the first three years of the program, and to address other applicability changes. Add

new rule language to establish criteria for facilities to request exclusions from the Title V Permit program. Add and rearrange rule language to improve clarity, increase flexibility and enhance enforceability.

Rule 3002: Amend rule language to maintain consistency with Rules 3000 and 3003. Add other language to improve clarity, increase flexibility and enhance enforceability.

Rule 3003: Amend rule language to streamline and clarify permitting action procedures for affected State, public, and EPA review processes. Add other clarifying language to enhance enforceability and maintain consistency.

Rule 3004: Amend rule language to clarify the permit requirements for temporary sources, portable equipment, and other permitting procedures. Add language to improve clarity and enhance enforceability.

Rule 3005: Amend rule language to clarify the permit processing procedures. Add language to improve clarity, increase flexibility and enhance enforceability.

Rule 3006: Amend rule language to extend the time limit for requesting a permit hearing and to clarify the public participation requirements. Add other clarifying language to enhance enforceability and maintain consistency.

NOTICE IS FURTHER GIVEN that the AQMD has prepared documents consisting of: Proposed Amended Rules 212, 3000, 3001, 3002, 3003, 3004, 3005, and 3006, a Staff Report, a Notice of Exemption from California Environmental Quality Act (CEQA) requirements, and a Socioeconomic Analysis. The above documents are available for review at the AQMD's Public Information Center, or may be obtained by contacting Mr. Ron Ketcham, Public Advisor's Office, AQMD, P.O. Box 4937, Diamond Bar, CA 91765-0937, (909) 396-2039.

NOTICE IS FURTHER GIVEN that at the conclusion of the hearings, the AQMD Board may make other amendments to Proposed Amended Rules 212, 3000, 3001, 3002, 3003, 3004, 3005, and 3006 which are justified by the evidence presented or may decline to adopt the amendments.

Further information on Proposed Amended Rule 212 can be obtained by contacting Ali Ghasemi, Stationary Source Compliance, South Coast AQMD, P.O. Box 4941, Diamond Bar, CA 91765-0941, (909) 396-2451. Further information on Proposed Amended Rules 3000, 3001, 3002, 3003, 3004, 3005, and 3006 can be obtained by contacting Marty Kay, Stationary Source Compliance, South Coast AQMD, P.O. Box 4941, Diamond Bar, CA 91765-0941, (909) 396-3115.

Interested persons may attend and submit oral or written statements at the Board hearing.

ATTACHMENT C1

Twenty-five (25) copies of all  
written materials must be submit-  
ted to the Clerk of the Boards.  
Individuals who wish to submit  
written comments for review prior  
to the hearings, must submit such  
comments on or before Septem-  
ber 30, 1987 for the hearing on  
October 10, 1987 and on or  
before November 4, 1987 for the  
hearing on November 14, 1987.  
to the Clerk of the Boards, 21865  
E. Copley Drive, Diamond Bar, CA  
91765-4182, (909) 396-2600,  
on or before November 4, 1987,  
Dated: September 26, 1987  
SAUNDRA MCDANIEL  
Senior Deputy Clerk  
LJ-CNS1525988  
10/03

# PROOF OF PUBLICATION

## The Orange County Register

STATE OF CALIFORNIA  
County of Orange

I am a citizen of the United States; I am over the age of eighteen years; I am not a party to or interested in the notice published. I am a Legal Advertising Clerk of the Publisher of the ORANGE COUNTY REGISTER, a newspaper of general circulation, printed and published daily in the City of Santa Ana, County of Orange. The ORANGE COUNTY REGISTER has been adjudged a newspaper of general circulation by the Superior Court of the County of ORANGE, State of California, under the date of November 29, 1905, Case Number A21046. The notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

October 03,

all in the year 19 97

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated, this

7th day of October, 19 97

  
Signature

CNS 1525939

California Newspaper Service Bureau  
1-800-788-7840

Offices in Los Angeles, Sacramento, San Francisco, and Santa Ana

### PUBLIC NOTICE NOTICE OF PUBLIC HEARING

This notice supersedes the Notice of Public Hearing dated August 27, 1997.

PROPOSED ADOPTION OF, OR AMENDMENT(S) TO, THE RULES AND REGULATIONS OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Re: Adopt Proposed Amendments to Rule 212 - Standards for Approving Permits; Regulation XXV - Title V Permits; Rule 3000 - General; Rule 3001 - Applicability; Rule 3002 - Requirements; Rule 3003 - Applications; Rule 3004 - Permit Types and Content; Rule 3005 - Permit Revisions; and Rule 3006 - Public Participation.

NOTICE IS HEREBY GIVEN that public hearings on the matter of adoption of rules and regulations for the South Coast Air Quality Management District (AQMD), or the amendments thereto, will be held on Friday, October 10, 1997 and on Friday, November 14, 1997, in the Diamond Bar Auditorium, AQMD Headquarters, 21865 E. Copley Drive, Diamond Bar, California, at 9:30 a.m., at which time evidence will be taken and all interested persons will be heard by the AQMD Board.

NOTICE IS FURTHER GIVEN that the AQMD is considering amendments to Rule 212 - Standards for Approving Permits. In order to comply with state law and streamline and clarify the rule, and to Title V Rule 3000 - General; Rule 3001 - Applicability; Rule 3002 - Requirements; Rule 3003 - Applications; Rule 3004 - Permit Types and Content; Rule 3005 - Permit Revisions; and Rule 3006 - Public Participation, to improve clarity, increase flexibility, enhance enforceability of the program and Title V permits, streamline requirements and comply with federal and state laws. The proposed rule amendments are as follows:

Rule 212: Update rule language to increase the public notice distribution radius for facilities near schools requiring permits for emitting any air contaminants as required by state legal noticing requirements. Eliminate the one-quarter mile distribution of notice for certain facilities. Establish new criteria for public notification of significant projects involving toxic emissions. Add language to improve clarity and enhance enforceability.

Rule 3000: Amend and add definitions to improve clarity, increase flexibility, and enhance enforceability.

Rule 3001: Amend rule language to change base year for applicability determination, to allow applicability for RECLAIM facilities to be based on actual emissions for the first three years of the program, and to address other applicability changes. Add new rule language to establish criteria for facilities to request exclusions for the Title V Permit program. Add and rearrange rule language to improve clarity, increase flexibility and enhance enforceability.

Rule 3002: Amend rule language to maintain consistency with Rules 3000 and 3003. Add other language to improve clarity, increase flexibility and enhance enforceability.

Rule 3003: Amend rule language to streamline and clarify permitting action procedures for affected state, public, and EPA review processes. Add other clarifying language to enhance enforceability and maintain consistency.

Rule 3004: Amend rule language to clarify the permit requirements for temporary sources, portable equipment, and other permitting procedures. Add language to improve clarity and enhance enforceability.

Rule 3005: Amend rule language to clarify the permit processing procedures. Add language to improve clarity, increase flexibility and enhance enforceability.

Rule 3006: Amend rule language to extend the time limit for requesting a permit hearing and to clarify the public participation requirements. Add other clarifying language to enhance

prepared documents consisting of: Proposed Amended Rules 212, 3000, 3001, 3002, 3003, 3004, 3005, and 3006, a Staff Report, a Notice of Exemption from California Environmental Quality Act (CEQA) requirements, and a Socio-economic Analysis. The above documents are available for review at the AQMD's Public Information Center, or may be obtained by contacting Mr. Ron Ketcham, Public Advisor's Office, AQMD, P.O. Box 4937, Diamond Bar, CA 91765-0937, (909) 396-2039. \*

NOTICE IS FURTHER GIVEN that at the conclusion of the hearings, the AQMD Board may make other amendments to Proposed Amended Rules 212, 3000, 3001, 3002, 3003, 3004, 3005, and 3006 which are justified by the evidence presented or may decline to adopt the amendments.

Further information on Proposed Amended Rule 212 can be obtained by contacting Ali Ghasemi, Stationary Source Compliance, South Coast AQMD, P.O. Box 4941, Diamond Bar, CA 91765-0941, (909) 396-2451. Further information on Proposed Amended Rules 3000, 3001, 3002, 3003, 3004, 3005, and 3006 can be obtained by contacting Marty Kay, Stationary Source Compliance, South Coast AQMD, P.O. Box 4941, Diamond Bar, CA 91765-0941, (909) 396-3115.

Interested persons may attend and submit oral or written statements at the Board hearing. Twenty-five (25) copies of all written materials must be submitted to the Clerk of the Boards. Individuals who wish to submit written comments for review prior to the hearings, must submit such comments on or before September 30, 1997 for the hearing on October 10, 1997 and on or before November 4, 1997 for the hearing on November 14, 1997, to the Clerk of the Boards, 21865 E. Copley Drive, Diamond Bar, CA 91765-4182, (909) 396-2500, on or before November 4, 1997.

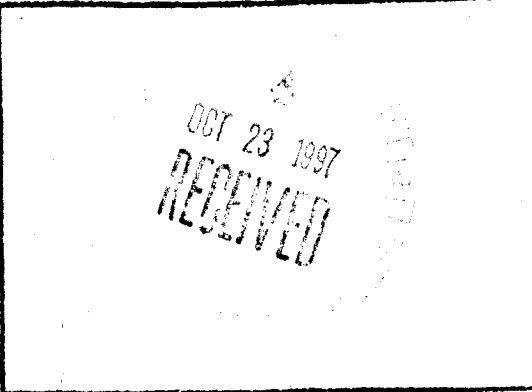
DATED: September 26, 1997  
SAUNDRA MCDANIEL  
Senior Deputy Clerk

Publish: Orange County Register  
October 3, 1997  
9U7000300

Space below for filing stamp only

# Proof of Publication

CALIFORNIA NEWSPAPER SERVICE BUREAU



STATE OF CALIFORNIA, }  
County of San Bernardino,

The undersigned hereby certifies as follows:

I am a citizen of the United States, over the age of twenty-one years, and not a party to nor interested in the above-entitled matter; I am the principal clerk of the printer of a newspaper, to wit, *The Sun*; the same was at all times herein mentioned a newspaper of general circulation printed and published daily, including Sunday, in the City of San Bernardino, in the County of San Bernardino, State of California; said newspaper is so published every day of the year as and under the name of *The Sun*, said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the State of California, in and for the County of San Bernardino, by a judgment of said Superior Court duly made, filed and entered on June 30, 1988, in the records and files of said Superior Court in that certain proceeding entitled In the Matter of the Ascertainment and Establishment of *The Sun* as a Newspaper of General Circulation, numbered 73084 in the records of civil proceedings in said Superior Court and by judgment modifying the same, also made, filed and entered in said proceeding; the notice or other process or document hereinafter mentioned was set, printed and published in type not smaller than nonpareil and was preceded with words printed in black face type not smaller than nonpareil describing and expressing in general terms the purport or character of the notice intended to be given; and the

NOTICE OF PUBLIC HEARING

of which the annexed is a true printed copy, was published in each edition and issue of said newspaper of general circulation, and not in any supplement thereof, on each of the following dates, to wit:

OCTOBER 3, 1997

I certify under penalty of perjury that the foregoing is true and correct.

Executed on the 3 day of October, 1997, at San Bernardino, in said County and State.

NOTICE OF PUBLIC HEARING

This notice supersedes the Notice of Public Hearing dated August 27, 1997.

PROPOSED ADOPTION OF, OR AMENDMENT(S) TO, THE RULES AND REGULATIONS OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Re: Adopt Proposed Amendments to Rule 212 - Standards for Approving Permits; Regulation XXX - Title V Permits; Rule 3000 - General; Rule 3001 - Applicability; Rule 3002 - Requirements; Rule 3003 - Applications; Rule 3004 - Permit Types and Content; Rule 3005 - Permit Revisions, and Rule 3006 - Public Participation.

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NOTICE IS FURTHER GIVEN that the AQMD has prepared documents consisting of: proposed Amended Rule 212, 3000, 3001, 3002, 3003, 3004, 3005, and 3006; a Staff Report; a Notice of Exemption from California Environmental Quality Act (CEQA) requirements; and a Socio-economic Analysis. The above documents are available for review at the AQMD's Public Information Center, or may be obtained by contacting Mr. Ron Ketchum, Public Advisor's Office, AQMD, P.O. Box 4937, Diamond Bar, CA 91765-0937, (909) 396-2039.

NOTICE IS FURTHER GIVEN that at the conclusion of the hearings, the AQMD Board may make other amendments to Proposed Amended Rules 212, 3000, 3001, 3002, 3003, 3004, 3005, and 3006 which are justified by the evidence presented or may decline to adopt the amendments.

Further information on Proposed Amended Rule 212 can be obtained by contacting Ali Ghasemi, Stationary Source Compliance, South Coast AQMD, P.O. Box 4941, Diamond Bar, CA 91765-0941, (909) 396-2451. Further information on

# ATTACHMENT C1

BOX 4741, Diamond Bar, CA 91765-0741, (909) 396-3113.

Interested persons may attend and submit oral or written statements at the Board hearing. Twenty-five (25) copies of all written materials must be submitted to the Clerk of the Boards. Individuals who wish to submit written comments for review prior to the hearings, must submit such comments on or before September 30, 1997 for the hearing on October 10, 1997 and on or before November 4, 1997 for the hearing on November 14, 1997, to the Clerk of the Boards, 21865 E. Copley Drive, Diamond Bar, CA, 91765-4182, (909) 396-2500, on or before November 4, 1997.

Dated: September 26, 1997  
SAUNDRA MCDANIEL, Senior Deputy Clerk

10/3

(272)

10691



ATTACHMENT C2

4/15/15 PH Notice  
(Supersede 5/1/15)

SAN BERNARDINO COUNTY SUN

4030 N GEORGIA BLVD, SAN BERNARDINO, CA 92407  
Telephone (909) 889-9666 / Fax (909) 885-1253

This space for filing stamp only

RECEIVED  
MAY 26 2015

Denise Garzaro  
SCAQMD/CLERK OF THE BOARD  
21865 COPLEY DRIVE (EO -1ST FLR)  
DIAMOND BAR, CA - 91765-4178

SBS #: 2743526

NOTICE OF PUBLIC HEARING

PROPOSED AMENDMENTS TO  
THE RULES AND REGULATIONS OF  
THE SOUTH COAST AIR QUALITY  
MANAGEMENT DISTRICT

RE: Proposed Amended Rule 1401 -  
New Source Review of Toxic Air  
Contaminants, Proposed Amended  
Rule 1401.1 - Requirements for New  
and Relocated Facilities Near  
Schools, Proposed Amended Rule  
1402 - Control of Toxic Air  
Contaminants from Existing  
Sources, and Proposed Amended  
Rule 212 - Standards for Approving  
Permits and Issuing Public Notice

\*\*\*THIS NOTICE SUPERSEDES THE  
NOTICE OF PUBLIC HEARING FOR  
THIS RULEMAKING ORIGINALLY  
SCHEDULED FOR A MAY 1, 2015  
BOARD MEETING\*\*\*

PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California )  
County of SAN BERNARDINO ) ss

Notice Type: HRG - NOTICE OF HEARING

Ad Description:  
Par 212-1402

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the SAN BERNARDINO COUNTY SUN, a newspaper published in the English language in the city of SAN BERNARDINO, county of SAN BERNARDINO, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of SAN BERNARDINO, State of California, under date 06/20/1952, Case No. 73084. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

04/24/2015

Executed on: 04/24/2015  
At Riverside, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

*Barbara Cortez*

Signature

NOTICE IS HEREBY GIVEN that a public hearing on the matter of adoption of rules and regulations for the South Coast Air Quality Management District (SCAQMD), or the amendments thereto, will be held on Friday, June 5, 2015, in the Auditorium at SCAQMD Headquarters, 21865 Copley Drive, Diamond Bar, CA, at 9:00 a.m., or later, at which time evidence will be taken and all interested persons will be heard by the SCAQMD Board.

NOTICE IS FURTHER GIVEN that the SCAQMD is considering the adoption of Proposed Amended Rules 1401, 1401.1, 1402, and 212. The air quality objective is to provide consistency with the Air Toxics Hot Spots Program Guidance Manual for Preparation of Risk Assessments (Revised OEHHA Guidelines) adopted by the state Office of Environmental Health Hazard Assessment on March 6, 2015. The proposed amended rules update definitions and rule language relating to health risk calculation methodologies to provide consistency with the Revised OEHHA Guidelines. Spray booths and retail gasoline transfer and dispensing facilities will be allowed to use the existing OEHHA Guidelines under SCAQMD Risk Assessment Procedures for Rules 1401 and 212 (Version 7.0, July 1, 2005). The SCAQMD staff will begin rulemaking to identify approaches by which industries using spray booths



## ATTACHMENT C2

can reduce their toxic emissions and/or toxic exposure. The Executive Officer will return to the Governing Board, as quickly as practicable, to provide an analysis of emissions data from gasoline dispensing activities. Staff is also making revisions to both the SCAQMD Risk Assessment Procedures for Rules 1401 and 212 and the Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics "Hot Spots" Information and Assessment Act (AB2588) to incorporate the Revised OEHHA Guidelines and modified breathing rates also being proposed by the California Air Resources Board.

**NOTICE IS FURTHER GIVEN** that a written analysis pursuant to Health and Safety Code Section 40727.2 has been prepared that identifies all existing federal air pollution control requirements, all SCAQMD existing and proposed rules and regulations, and all pollution control requirements that apply to the same equipment or source type.

**NOTICE IS FURTHER GIVEN** that the SCAQMD has prepared documents for consideration by the SCAQMD Board, including:

Proposed Amended Rules 1401, 1401.1, 1402, and 212  
Draft Staff Report for Proposed Amended Rules 1401, 1401.1, 1402, and 212  
Draft Environmental Assessment for Proposed Amended Rules to Implement OEHHA Revisions to the Air Toxics Hot Spots Program Risk Assessment Guidelines, prepared pursuant to the California Environmental Quality Act  
Draft Socioeconomic Assessment for Proposed Amended Rules 1401, 1401.1, 1402, and 212

**NOTICE IS FURTHER GIVEN** that all the documents listed above as already prepared are available for review on the SCAQMD website at <http://www.aqmd.gov/home/regulations/rules/proposed-rules> or may be obtained from the SCAQMD's Public Information Center located in the SCAQMD headquarters lobby, or the SCAQMD's publication request line at (909) 396-2039 or from: Mr. Derrick Alatorre - Assistant Deputy Executive Officer/Public Advisor, South Coast AQMD, 21865 Copley Drive, Diamond

Bar, CA 91765, (909) 396-3122, [dalatorre@aqmd.gov](mailto:dalatorre@aqmd.gov).

**NOTICE IS FURTHER GIVEN** that at the conclusion of the public hearing, the SCAQMD Board may make other amendments to Proposed Amended Rules 1401, 1401.1, 1402, and 212 which are justified by the evidence presented, or may decline to adopt it.

Information about Proposed Amended Rules 1401, 1401.1, 1402, and 212 can be obtained by contacting Eugene Kang, Program Supervisor, Planning and Rule Development and Area Sources, SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765, [ekang@aqmd.gov](mailto:ekang@aqmd.gov), (909) 396-3524.

Interested persons may attend and submit oral or written statements at the Board Hearing. Twenty-five (25) copies of all written materials must be submitted to the Clerk of the Board. Individuals who wish to submit written comments for review prior to the hearing must submit such comments to the Clerk of the Board, 21865 Copley Drive, Diamond Bar, CA, 91765-4178, (909) 396-2500, or to [cob@aqmd.gov](mailto:cob@aqmd.gov) on or before Tuesday, May 26, 2015. Electronic submittals will only be accepted if no more than 10 pages including attachments; and in MS Word, plain or HTML format.

DATED: April 21, 2015

Denise Garzaro  
Senior Deputy Clerk

4/24/15

SBS-2743526#

ATTACHMENT C2

ORANGE COUNTY REPORTER  
- SINCE 1921 -

600 W SANTA ANA BLVD, SANTA ANA, CA 92701  
Telephone (714) 543-2027 / Fax (714) 542-6841

This space for filing stamp only

RECEIVED  
MAY 26 2015

Denise Garzaro  
SCAQMD/CLERK OF THE BOARD  
21865 COPLEY DRIVE (EO -1ST FLR)  
DIAMOND BAR, CA - 91765-4178

OR #: 2743523

NOTICE OF PUBLIC HEARING

PROPOSED AMENDMENTS TO  
THE RULES AND REGULATIONS OF  
THE SOUTH COAST AIR QUALITY  
MANAGEMENT DISTRICT

RE: Proposed Amended Rule 1401 -  
New Source Review of Toxic Air  
Contaminants, Proposed Amended  
Rule 1401.1 - Requirements for New  
and Relocated Facilities Near Schools,  
Proposed Amended Rule 1402 -  
Control of Toxic Air Contaminants  
from Existing Sources, and Proposed  
Amended Rule 212 - Standards for  
Approving Permits and Issuing Public  
Notice

\*\*\*THIS NOTICE SUPERSEDES THE  
NOTICE OF PUBLIC HEARING FOR  
THIS RULEMAKING ORIGINALLY  
SCHEDULED FOR A MAY 1, 2015  
BOARD MEETING\*\*\*

NOTICE IS HEREBY GIVEN that a public  
hearing on the matter of adoption of rules  
and regulations for the South Coast Air  
Quality Management District (SCAQMD),  
or the amendments thereto, will be held  
on Friday, June 5, 2015, in the Auditorium  
at SCAQMD Headquarters, 21865 Copley  
Drive, Diamond Bar, CA, at 9:00 a.m., or  
later, at which time evidence will be taken  
and all interested persons will be heard by  
the SCAQMD Board.

NOTICE IS FURTHER GIVEN that the  
SCAQMD is considering the adoption of  
Proposed Amended Rules 1401, 1401.1,  
1402, and 212. The air quality objective is  
to provide consistency with the Air Toxics  
Hot Spots Program Guidance Manual for  
Preparation of Risk Assessments  
(Revised OEHHA Guidelines) adopted by  
the state Office of Environmental Health  
Hazard Assessment on March 8, 2015. The  
proposed amended rules update  
definitions and rule language relating to  
health risk calculation methodologies to  
provide consistency with the Revised  
OEHHA Guidelines. Spray booths and  
retail gasoline transfer and dispensing  
facilities will be allowed to use the existing  
OEHHA Guidelines under SCAQMD Risk  
Assessment Procedures for Rules 1401  
and 212 (Version 7.0, July 1, 2005). The  
SCAQMD staff will begin rulemaking to  
identify approaches by which industries  
using spray booths can reduce their toxic  
emissions and/or toxic exposure. The  
Executive Officer will return to the  
Governing Board, as quickly as  
practicable, to provide an analysis of  
emissions data from gasoline dispensing  
activities. Staff is also making revisions to  
both the SCAQMD Risk Assessment  
Procedures for Rules 1401 and 212 and  
the Supplemental Guidelines for  
Preparing Risk Assessments for the Air  
Toxics "Hot Spots" Information and  
Assessment Act (AB2588) to incorporate  
the Revised OEHHA Guidelines and  
modified breathing rates also being  
proposed by the California Air Resources  
Board.

NOTICE IS FURTHER GIVEN that a  
written analysis pursuant to Health and  
Safety Code Section 40727.2 has been  
prepared that identifies all existing federal

air pollution control requirements, all  
SCAQMD existing and proposed rules  
and regulations, and all pollution control  
requirements that apply to the same  
equipment or source type.

NOTICE IS FURTHER GIVEN that the  
SCAQMD has prepared documents for  
consideration by the SCAQMD Board,  
including:

Proposed Amended Rules 1401, 1401.1,  
1402, and 212  
Draft Staff Report for Proposed Amended  
Rules 1401, 1401.1, 1402, and 212  
Draft Environmental Assessment for  
Proposed Amended Rules to Implement  
OEHHA Revisions to the Air Toxics Hot  
Spots Program Risk Assessment  
Guidelines, prepared pursuant to the  
California Environmental Quality Act  
Draft Socioeconomic Assessment for  
Proposed Amended Rules 1401, 1401.1,  
1402, and 212

NOTICE IS FURTHER GIVEN that all the  
documents listed above as already  
prepared are available for review on the  
SCAQMD website  
<http://www.aqmd.gov/home/regulations/rule/proposed-rules> or may be obtained  
from the SCAQMD's Public Information  
Center located in the SCAQMD  
headquarters lobby, or the SCAQMD's  
publication request line at (909) 396-2039  
or from: Mr. Derrick Alatorre - Assistant  
Deputy Executive Officer/Public Advisor,  
South Coast AQMD, 21865 Copley Drive,  
Diamond Bar, CA 91765, (909) 396-3122,  
dalatorre@aqmd.gov.

NOTICE IS FURTHER GIVEN that at the  
conclusion of the public hearing, the  
SCAQMD Board may make other  
amendments to Proposed Amended  
Rules 1401, 1401.1, 1402, and 212 which  
are justified by the evidence presented, or  
may decline to adopt it.

Information about Proposed Amended  
Rules 1401, 1401.1, 1402, and 212 can  
be obtained by contacting Eugene Kang,  
Program Supervisor, Planning and Rule  
Development and Area Sources,  
SCAQMD, 21865 Copley Drive, Diamond  
Bar, CA 91765, ekang@aqmd.gov, (909)  
396-3524.

Interested persons may attend and submit  
oral or written statements at the Board  
Hearing. Twenty-five (25) copies of all  
written materials must be submitted to the  
Clerk of the Board. Individuals who wish  
to submit written comments for review  
prior to the hearing must submit such  
comments to the Clerk of the Board,  
21865 Copley Drive, Diamond Bar, CA,  
91765-4178, (909) 396-2500, or to  
cob@aqmd.gov on or before Tuesday,  
May 26, 2015. Electronic submittals will  
only be accepted if no more than 10  
pages including attachments; and in MS  
Word, plain or HTML format.

DATED: April 21, 2015

Denise Garzaro  
Senior Deputy Clerk

4/24/15

OR-2743523#

PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California )  
County of ORANGE ) ss

Notice Type: HRG - NOTICE OF HEARING

Ad Description:  
Par 212-1402

I am a citizen of the United States and a resident of the State of California; I am  
over the age of eighteen years, and not a party to or interested in the above  
entitled matter. I am the principal clerk of the printer and publisher of the  
ORANGE COUNTY REPORTER, a newspaper published in the English  
language in the city of SANTA ANA, county of ORANGE, and adjudged a  
newspaper of general circulation as defined by the laws of the State of  
California by the Superior Court of the County of ORANGE, State of California,  
under date 06/20/1922, Case No. 13421. That the notice, of which the  
annexed is a printed copy, has been published in each regular and entire issue  
of said newspaper and not in any supplement thereof on the following dates,  
to-wit:

04/24/2015

Executed on: 04/24/2015  
At Los Angeles, California

I certify (or declare) under penalty of perjury that the foregoing is true and  
correct.

Signature



\* A 0 0 0 0 0 3 7 4 3 9 4 1 \*

**Inland Valley Daily Bulletin**

(formerly the Progress Bulletin)  
2041 E. 4th Street  
Ontario, CA 91764  
909-987-6397  
legals@inlandnewspapers.com

**PROOF OF PUBLICATION  
(2015.5 C.C.P.)**

**STATE OF CALIFORNIA  
County of Los Angeles**

I am a citizen of the United States, I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of INLAND VALLEY DAILY BULLETIN, a newspaper of general circulation printed and published daily for the City of Pomona, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, on the date of June 15, 1945, Decree No. Pomo C-606. The notice, of which the annexed is a true printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

4/24/15

I declare under the penalty of perjury that the foregoing is true and correct.

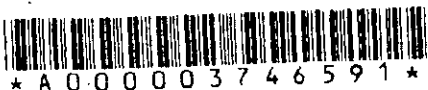
Executed at Ontario, San Bernardino Co. California

This 24 day of April, 2015



Signature

1092-1232



273524

(Space below for use of County Clerk Only)

**NOTICE OF PUBLIC HEARING  
PROPOSED AMENDMENTS TO  
THE RULES AND REGULATIONS OF  
THE SOUTH COAST AIR QUALITY  
MANAGEMENT DISTRICT**

**RECEIVED  
APR 30 2015**

RE: Proposed Amended Rule 1401 - New Source Review of Toxic Air Contaminants, Proposed Amended Rule 1401.1 - Requirements for New and Relocated Facilities Near Schools, Proposed Amended Rule 1402 - Control of Toxic Air Contaminants from Existing Sources, and Proposed Amended Rule 212 - Standards for Approving Permits and Issuing public Notice

\*\*\*THIS NOTICE SUPERSEDES THE NOTICE OF PUBLIC HEARING FOR THIS RULEMAKING, ORIGINALLY SCHEDULED FOR A MAY 1, 2015 BOARD MEETING\*\*\*

NOTICE IS HEREBY GIVEN that a public hearing on the regulations for the South Coast Air Quality Management District (SCAQMD), or the amendments thereto, will be held on Friday, June 5, 2015, in the Auditorium at SCAQMD Headquarters, 21865 Copley Drive, Diamond Bar, CA, at 9:00 a.m., or later, at which time evidence will be taken and all interested persons will be heard by the SCAQMD Board.

NOTICE IS FURTHER GIVEN that the SCAQMD is considering the adoption of Proposed Amended Rules 1401, 1401.1, 1402, and 212. The air quality objective is to provide consistency with the Air Toxics Hot Spots Program Guidance Manual for Preparation of Risk Assessments (Revised OEHHA Guidelines) adopted by the state Office of Environmental Health Hazard Assessment on March 6, 2015. The proposed amended rules update definitions and rule language relating to health risk calculation methodologies to provide consistency with the Revised OEHHA Guidelines. Spray booths and retail gasoline transfer and dispensing facilities will be allowed to use the existing OEHHA Guidelines under SCAQMD Risk Assessment Procedures for Rules 1401 and 212 (Version 7.0, July 1, 2005). The SCAQMD staff will begin rulemaking to identify approaches by which industries using spray booths can reduce their toxic emissions and/or toxic exposure. The Executive Officer will return to the Governing Board, as quickly as practicable, to provide an analysis of emissions data from gasoline dispensing activities. Staff is also making revisions to both the SCAQMD Risk Assessment Procedures for Rules 1401 and 212 and the Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics "Hot Spots" Information and Assessment Act (AB2588) to incorporate the Revised OEHHA Guidelines and modified breathing rates also being proposed by the California Air Resources Board.

NOTICE IS FURTHER GIVEN that a written analysis pursuant to Health and Safety Code Section 40727.2 has been prepared that identifies all existing federal air pollution control requirements, all SCAQMD existing and proposed rules and regulations, and all pollution control requirements that apply to the same equipment or source type.

NOTICE IS FURTHER GIVEN that the SCAQMD has prepared documents for consideration by the SCAQMD Board, including:

- Proposed Amended Rules 1401, 1401.1, 1402, and 212
- Draft Staff Report for Proposed Amended Rules 1401, 1401.1, 1402, and 212
- Draft Environmental Assessment for Proposed Amended Rules to Implement OEHHA Revisions to the Air Toxics Hot Spots Program Risk Assessment Guidelines, prepared pursuant to the California Environmental Quality Act
- Draft Socioeconomic Assessment for Proposed Amended Rules 1401, 1401.1, 1402, and 212

NOTICE IS FURTHER GIVEN that all the documents listed above as already prepared are available for review on the SCAQMD website at <http://www.aqmd.gov/home/regulations/rules/proposed-rules> or may be obtained from the SCAQMD's Public Information Center located in the SCAQMD headquarters lobby, or the SCAQMD's publication request line at (909) 396-2039 or from: Mr. Derrick Alatorre - Assistant Deputy Executive Officer/Public Advisor, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA. 91765, (909) 396-3122, dalatorre@aqmd.gov.

NOTICE IS FURTHER GIVEN that at the conclusion of the public hearing, the SCAQMD Board may make other amendments to Proposed Amended Rules 1401, 1401.1, 1402, and 212 which are justified by the evidence presented, or may decline to adopt it.

Information about Proposed Amended Rules 1401, 1401.1, 1402, and 212 can be obtained by contacting

RECEIVED

APR 8 2 58 PM

STATE OF CALIFORNIA  
County of Los Angeles

ATTACHMENT 2

I am a citizen of the United States, I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of INLAND VALLEY DAILY BULLETIN, a newspaper of general circulation printed and published daily for the City of Pomona, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, on the date of June 15, 1945, Decree No. Pomo C-606. The notice, of which the annexed is a true printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

4/24/15

I declare under the penalty of perjury that the foregoing is true and correct.

Executed at Ontario, San Bernardino Co. California

This 24 day of April, 2015



Signature

127-123211

Program Guidance Manual for Preparation of Risk Assessments (Revised OEHHA Guidelines) adopted by the State Office of Environmental Health Hazard Assessment on March 6, 2015. The proposed amended rules update definitions and rule language relating to health risk calculation methodologies to provide consistency with the Revised OEHHA Guidelines. Spray booths and retail gasoline transfer and dispensing facilities will be allowed to use the existing OEHHA Guidelines under SCAQMD Risk Assessment Procedures for Rules 1401 and 212 (Version 7.0, July 1, 2005). The SCAQMD staff will begin rulemaking to identify approaches by which industries using spray booths can reduce their toxic emissions and/or toxic exposure. The Executive Officer will return to the Governing Board, as quickly as practicable, to provide an analysis of emissions data from gasoline dispensing activities. Staff is also making revisions to both the SCAQMD Risk Assessment Procedures for Rules 1401 and 212 and the Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics "Hot Spots" Information and Assessment Act (AB2588) to incorporate the Revised OEHHA Guidelines and modified breathing rates also being proposed by the California Air Resources Board.

NOTICE IS FURTHER GIVEN that a written analysis pursuant to Health and Safety Code Section 40727.2 has been prepared that identifies all existing federal air pollution control requirements, all SCAQMD existing and proposed rules and regulations, and all pollution control requirements that apply to the same equipment or source type.

NOTICE IS FURTHER GIVEN that the SCAQMD has prepared documents for consideration by the SCAQMD Board, including:

- Proposed Amended Rules 1401, 1401.1, 1402, and 212
- Draft Staff Report for Proposed Amended Rules 1401, 1401.1, 1402, and 212
- Draft Environmental Assessment for Proposed Amended Rules to Implement OEHHA Revisions to the Air Toxics Hot Spots Program Risk Assessment Guidelines, prepared pursuant to the California Environmental Quality Act
- Draft Socioeconomic Assessment for Proposed Amended Rules 1401, 1401.1, 1402, and 212

NOTICE IS FURTHER GIVEN that all the documents listed above as already prepared are available for review on the SCAQMD website at <http://www.aqmd.gov/home/regulations/rules/proposed-rules> or may be obtained from the SCAQMD's Public Information Center, located in the SCAQMD headquarters lobby, or the SCAQMD's publication request line at (909) 396-2039 or from: Mr. Derrick Alatorre - Assistant Deputy Executive Officer/Public Advisor, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765, (909) 396-3122, [dalatorre@aqmd.gov](mailto:dalatorre@aqmd.gov).

NOTICE IS FURTHER GIVEN that at the conclusion of the public hearing, the SCAQMD Board may make other amendments to Proposed Amended Rules 1401, 1401.1, 1402, and 212 which are justified by the evidence presented, or may decline to adopt it.

Information about Proposed Amended Rules 1401, 1401.1, 1402, and 212 can be obtained by contacting Eugene Kang, Program Supervisor, Planning and Rule Development and Area Sources, SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765, [ekang@aqmd.gov](mailto:ekang@aqmd.gov), (909) 396-3524.

Interested persons may attend and submit oral or written statements at the Board Hearing. Twenty-five (25) copies of all written materials must be submitted to the Clerk of the Board. Individuals who wish to submit written comments for review prior to the hearing must submit such comments to the Clerk of the Board, 21865 Copley Drive, Diamond Bar, CA, 91765-4178, (909) 396-2500, or to [cob@aqmd.gov](mailto:cob@aqmd.gov) on or before Tuesday, May 26, 2015. Electronic submittals will only be accepted if no more than 10 pages including attachments; and in MS Word, plain or HTML format.  
DATED: April 21, 2015

Denise Garzaro  
Senior Deputy Clerk  
4/24/15  
CNS-2743524#  
INLAND VALLEY DAILY BULLETIN/LA #658549

ATTACHMENT C2

(When required)

RECORDING REQUESTED BY AND MAIL TO:

LOS ANGELES DAILY JOURNAL
~ SINCE 1888 ~

915 E FIRST ST, LOS ANGELES, CA 90012
Mailing Address: P.O. Box 54026, Los Angeles, California 90054-0026
Telephone (213) 229-5300 / Fax (213) 229-5481

This space for filing stamp only

RECEIVED

MAY 26 2015

Denise Garzaro
SCAQMD/CLERK OF THE BOARD
21865 COPLEY DRIVE (EO -1ST FLR)
DIAMOND BAR, CA - 91765-4178

DJ#: 2743522

NOTICE OF PUBLIC HEARING

PROPOSED AMENDMENTS TO THE RULES AND REGULATIONS OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

RE: Proposed Amended Rule 1401 - New Source Review of Toxic Air Contaminants, Proposed Amended Rule 1401.1 - Requirements for New and Relocated Facilities Near Schools, Proposed Amended Rule 1402 - Control of Toxic Air Contaminants from Existing Sources, and Proposed Amended Rule 212 - Standards for Approving Permits and Issuing Public Notice

\*\*\*THIS NOTICE SUPERSEDES THE NOTICE OF PUBLIC HEARING FOR THIS RULEMAKING ORIGINALLY SCHEDULED FOR A MAY 1, 2015 BOARD MEETING\*\*\*

NOTICE IS HEREBY GIVEN that a public hearing on the matter of adoption of rules and regulations for the South Coast Air Quality Management District (SCAQMD), or the amendments thereto, will be held on Friday, June 5, 2015, in the Auditorium at SCAQMD Headquarters, 21865 Copley Drive, Diamond Bar, CA, at 9:00 a.m., or later, at which time evidence will be taken and all interested persons will be heard by the SCAQMD Board.

NOTICE IS FURTHER GIVEN that the SCAQMD is considering the adoption of Proposed Amended Rules 1401, 1401.1, 1402, and 212. The air quality objective is to provide consistency with the Air Toxics Hot Spots Program Guidance Manual for Preparation of Risk Assessments (Revised OEHHA Guidelines) adopted by the state Office of Environmental Health Hazard Assessment on March 6, 2015. The proposed amended rules update definitions and rule language relating to health risk calculation methodologies to provide consistency with the Revised OEHHA Guidelines. Spray booths and retail gasoline transfer and dispensing facilities will be allowed to use the existing OEHHA Guidelines under SCAQMD Risk Assessment Procedures for Rules 1401 and 212 (Version 7.0, July 1, 2005). The SCAQMD staff will begin rulemaking to identify approaches by which industries using spray booths can reduce their toxic emissions and/or toxic exposure. The Executive Officer will return to the Governing Board, as quickly as practicable, to provide an analysis of emissions data from gasoline dispensing activities. Staff is also making revisions to both the SCAQMD Risk Assessment Procedures for Rules 1401 and 212 and the Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics "Hot Spots" Information and Assessment Act (AB2588) to incorporate the Revised OEHHA Guidelines and modified breathing rates also being proposed by the California Air Resources Board.

NOTICE IS FURTHER GIVEN that a written analysis pursuant to Health and Safety Code Section 40727.2 has been prepared that identifies all existing federal

air pollution control requirements, all SCAQMD existing and proposed rules and regulations, and all pollution control requirements that apply to the same equipment or source type.

NOTICE IS FURTHER GIVEN that the SCAQMD has prepared documents for consideration by the SCAQMD Board, including:

Proposed Amended Rules 1401, 1401.1, 1402, and 212
Draft Staff Report for Proposed Amended Rules 1401, 1401.1, 1402, and 212
Draft Environmental Assessment for Proposed Amended Rules to Implement OEHHA Revisions to the Air Toxics Hot Spots Program Risk Assessment Guidelines, prepared pursuant to the California Environmental Quality Act
Draft Socioeconomic Assessment for Proposed Amended Rules 1401, 1401.1, 1402, and 212

NOTICE IS FURTHER GIVEN that all the documents listed above as already prepared are available for review on the SCAQMD website at http://www.aqmd.gov/home/regulations/rules/proposed-rules or may be obtained from the SCAQMD's Public Information Center located in the SCAQMD headquarters lobby, or the SCAQMD's publication request line at (909) 396-2039 or from Mr. Derrick Alatorre - Assistant Deputy Executive Officer/Public Advisor, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765, (909) 396-3122, dalatorre@aqmd.gov.

NOTICE IS FURTHER GIVEN that at the conclusion of the public hearing, the SCAQMD Board may make other amendments to Proposed Amended Rules 1401, 1401.1, 1402, and 212 which are justified by the evidence presented, or may decline to adopt it.

Information about Proposed Amended Rules 1401, 1401.1, 1402, and 212 can be obtained by contacting Eugene Kang, Program Supervisor, Planning and Rule Development, and Area Sources, SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765, ekang@aqmd.gov, (909) 396-3524.

Interested persons may attend and submit oral or written statements at the Board Hearing. Twenty-five (25) copies of all written materials must be submitted to the Clerk of the Board. Individuals who wish to submit written comments for review prior to the hearing must submit such comments to the Clerk of the Board, 21865 Copley Drive, Diamond Bar, CA, 91765-4178, (909) 396-2500, or to cob@aqmd.gov on or before Tuesday, May 26, 2015. Electronic submittals will only be accepted if no more than 10 pages including attachments; and in MS Word, plain or HTML format.

DATED: April 21, 2015

Denise Garzaro
Senior Deputy Clerk

4/24/15

DJ-2743522#

PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California )
County of Los Angeles ) ss

Notice Type: HRG - NOTICE OF HEARING

Ad Description:
Par 212-1402

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the LOS ANGELES DAILY JOURNAL, a newspaper published in the English language in the city of LOS ANGELES, county of LOS ANGELES, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of LOS ANGELES, State of California, under date 04/26/1954, Case No. 599,382. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

04/24/2015

Executed on: 04/24/2015
At Los Angeles, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

[Handwritten Signature]

Signature



\* A 0 0 0 0 0 3 7 4 3 9 3 9 \*

Ad Copy:

**THE PRESS-ENTERPRISE**

1825 Chicago Ave, Suite 100  
Riverside, CA 92507  
951-684-1200  
951-368-9018 FAX

**PROOF OF PUBLICATION**  
(2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: / 2743525

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, under date of February 4, 2013, Case Number RIC 1215735, under date of July 25, 2013, Case Number RIC 1305730, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

04/24/2015

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: April 24, 2015  
At: Riverside, California

CALIF NEWSPAPER SERV BUREAU  
PO BOX 60460  
LOS ANGELES, CA 90060

Ad Number: 0010040589-01

P.O. Number: 2743525

**NOTICE OF PUBLIC HEARING**  
PROPOSED AMENDMENTS TO THE RULES AND REGULATIONS OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

**RE: Proposed Amended Rule 1401 - New Source Review of Toxic Air Contaminants, Proposed Amended Rule 1401.1 - Requirements for New and Relocated Facilities Near Schools, Proposed Amended Rule 1402 - Control of Toxic Air Contaminants from Existing Sources, and Proposed Amended Rule 212 - Standards for Approving Permits and Issuing Public Notice**

\*\*\*THIS NOTICE SUPERSEDES THE NOTICE OF PUBLIC HEARING FOR THIS RULEMAKING ORIGINALLY SCHEDULED FOR A MAY 1, 2015 BOARD MEETING\*\*\*

**NOTICE IS HEREBY GIVEN** that a public hearing on the matter of adoption of rules and regulations for the South Coast Air Quality Management District (SCAQMD), or the amendments thereto, will be held on Friday, June 5, 2015, in the Auditorium at SCAQMD Headquarters, 21665 Copley Drive, Diamond Bar, CA, at 9:00 a.m., or later at which time evidence will be taken and all interested persons will be heard by the SCAQMD Board.

**NOTICE IS FURTHER GIVEN** that the SCAQMD is considering the adoption of Proposed Amended Rules 1401, 1401.1, 1402, and 212. The air quality objective is to provide consistency with the Air Toxics Hot Spots Program Guidance Manual for Preparation of Risk Assessments (Revised OEHHA Guidelines) adopted by the state Office of Environmental Health Hazard Assessment on March 6, 2015. The proposed amended rules update definitions and rule language relating to health risk calculation methodologies to provide consistency with the Revised OEHHA Guidelines. Spray booths and retail gasoline transfer and dispensing facilities will be allowed to use the existing OEHHA Guidelines under SCAQMD Risk Assessment Procedures for Rules 1401 and 212 (Version 7.0, July 1, 2005). The SCAQMD staff will begin rulemaking to identify approaches by which industries using spray booths can reduce their toxic emissions and/or toxic exposure. The Executive Officer will return to the Governing Board, as quickly as practicable, to provide an analysis of emissions data from gasoline dispensing activities. Staff is also making revisions to both the SCAQMD Risk Assessment Procedures for Rules 1401 and 212 and the Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics "Hot Spots" Information and Assessment Act (AB2508) to incorporate the Revised OEHHA Guidelines and modified breathing rates also being proposed by the California Air Resources Board.

**NOTICE IS FURTHER GIVEN** that a written analysis pursuant to Health and Safety Code Section 40727.2 has been prepared that identifies all existing federal air pollution control requirements, all SCAQMD existing and proposed rules and regula-

tions, and all pollution control requirements that apply to the same equipment or source type.

**NOTICE IS FURTHER GIVEN** that the SCAQMD has prepared documents for consideration by the SCAQMD Board, including:

Proposed Amended Rules 1401, 1401.1, 1402, and 212 Draft Staff Report for Proposed Amended Rules 1401, 1401.1, 1402, and 212 Draft Environmental Assessment for Proposed Amended Rules to Implement OEHHA Revisions to the Air Toxics Hot Spots Program Risk Assessment Guidelines, prepared pursuant to the California Environmental Quality Act Draft Socioeconomic Assessment for Proposed Amended Rules 1401, 1401.1, 1402, and 212

**NOTICE IS FURTHER GIVEN** that all the documents listed above as already prepared are available for review on the SCAQMD website at <http://www.aqmd.gov/home/regulations/rules/proposed-rules/> or may be obtained from the SCAQMD's Public Information Center located in the SCAQMD headquarters lobby, or the SCAQMD's publication request line at (909) 396-2039 or from:

Mr. Derrick Alatorre - Assistant Deputy Executive Officer/Public Advisor, South Coast AQMD, 21665 Copley Drive, Diamond Bar, CA 91765, (909) 396-3122, [dalatorre@aqmd.gov](mailto:dalatorre@aqmd.gov).

**NOTICE IS FURTHER GIVEN** that at the conclusion of the public hearing, the SCAQMD Board may make other amendments to Proposed Amended Rules 1401, 1401.1, 1402, and 212 which are justified by the evidence presented, or may decline to adopt it.

information about Proposed Amended Rules 1401, 1401.1, 1402, and 212 can be obtained by contacting Eugene Kang, Program Supervisor, Planning and Rule Development and Area Sources, SCAQMD, 21665 Copley Drive, Diamond Bar, CA 91765, [ekang@aqmd.gov](mailto:ekang@aqmd.gov), (909) 396-3524.

Interested persons may attend and submit oral or written statements at the Board Hearing. Twenty-five (25) copies of all written materials must be submitted to the Clerk of the Board. Individuals who wish to submit written comments for review prior in the hearing must submit such comments to the Clerk of the Board, 21665 Copley Drive, Diamond Bar, CA, 91765-4178, (909) 396-2500, or to [coab@aqmd.gov](mailto:coab@aqmd.gov) on or before Tuesday, May 26, 2015. Electronic submittals will only be accepted if no more than 10 pages including attachments; and in MS Word, plain or HTML format.

DATED: April 21, 2015  
Denise Garzaro  
Senior Deputy Clerk

4/24/15  
CNS-2743525#  
**THE PRESS ENTERPRISE**



\* A 0 0 0 0 0 3 7 4 6 7 6 2 \*

RECEIVED  
APR 30 2015



**Inland Valley Daily Bulletin**

(formerly the Progress Bulletin)  
9616 Archibald Avenue Suite 100  
Rancho Cucamonga, CA 91730  
909-987-6397  
legals@inlandnewspapers.com

(Space)

**NOTICE OF PUBLIC HEARING**  
**PROPOSED ADOPTION OF, OR**  
**AMENDMENT TO,**  
**THE RULES AND REGULATIONS**  
**OF THE SOUTH COAST AIR**  
**QUALITY MANAGEMENT**  
**DISTRICT**

RECEIVED  
FEB - 5 2019

**RE: Proposed Amended Rules**  
~~110, 212, 301, 303, 306, 307.1, 309,~~  
~~315, 510, 515, 518.2, 812, 1309, 1310,~~  
~~1605, 1610, 1612, 1620, 1623, 1710,~~  
~~1714, and 3006~~

**PROOF OF PUBLICATION**  
**(2015.5 C.G.P.)**

**STATE OF CALIFORNIA**  
**County of Los Angeles**

**NOTICE IS HEREBY GIVEN** that a public hearing on the matter of adoption of rules and regulations for the South Coast Air Quality Management District (SCAQMD), or the amendments thereto, will be held on Friday, March 1, 2019 in the Auditorium of SCAQMD Headquarters, 21865 Copley Drive, Diamond Bar, CA 91765, at 9:00 a.m., at which time evidence will be taken and all interested persons will be heard by the SCAQMD Board.

I am a citizen of the United States, I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of INLAND VALLEY DAILY BULLETIN, a newspaper of general circulation printed and published daily for the City of Pomona, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, on the date of June 15, 1945, Decree No. Pomo C-606. The notice, of which the annexed is a true printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

**NOTICE IS FURTHER GIVEN** that the SCAQMD is considering the adoption of Proposed Amended Rules 110, 212, 301, 303, 306, 307.1, 309, 315, 510, 515, 518.2, 812, 1309, 1310, 1605, 1610, 1612, 1620, 1623, 1710, 1714, and 3006 (Proposed Amended Rules). The Proposed Amended Rules will allow for: distribution of public notices for rulemaking activities by email; noticing of permit actions by email and electronic posting of public notices on the SCAQMD website; and sending fee invoices and SCAQMD Hearing Board public notices by email. A procedures document for SCAQMD to continue to send public notices by mail unless a stakeholder requests to be notified by email is also proposed for adoption, and the procedures may be subject to future revisions as needed.

1/30/19

**NOTICE IS FURTHER GIVEN** that the Proposed Amended Rules will not be submitted for inclusion into the State Implementation Plan.

**NOTICE IS FURTHER GIVEN** that the Proposed Amended Rules do 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.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed at Rancho Cucamonga, San Bernardino Co. California

This 30 Day of January 2019

Signature

**NOTICE IS FURTHER GIVEN** that the SCAQMD staff has reviewed the proposed project pursuant to CEQA Guidelines §15002 (k) General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA and CEQA Guidelines §15061 Review for Exemption, procedures for determining if a project is exempt from CEQA and has determined that the proposed amendments to Rules 110, 212, 301, 303, 306, 307.1, 309, 315, 510, 515, 518.2, 812, 1309, 1310, 1605, 1610, 1612, 1620, 1623, 1710, 1714, and 3006 are exempt from CEQA pursuant to CEQA Guidelines §15061(b)(3). A Notice of Exemption (NOE) will be prepared pursuant to CEQA Guideline §15062 Notice of Exemption, and if the project is approved, the NOE will be filed with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties.



**NOTICE IS FURTHER GIVEN** that the SCAQMD staff has prepared the following documents relevant to the proposed amended rules:

Proposed Amended Rules 110, 212, 301, 303, 306, 307.1, 309, 315, 510, 515, 518.2, 812, 1309, 1310, 1605, 1610, 1612, 1620, 1623, 1710, 1714, and 3006  
 Draft Staff Report for Proposed Amended Rules 110, 212, 301, 303, 306, 307.1, 309, 315, 510, 515, 518.2, 812, 1309, 1310, 1605, 1610, 1612, 1620, 1623, 1710, 1714, and 3006

**NOTICE IS FURTHER GIVEN** that the above documents are available and may be obtained from the SCAQMD's Public Information Center located in the SCAQMD headquarters lobby, or the SCAQMD's publication request line, at (909) 396-2039 or from: Ms. Fabian Wesson - Assistant Deputy Executive Officer/Public Advisor, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765, (909) 396-2432, picrequests@aqmd.gov.

**NOTICE IS FURTHER GIVEN** that at the conclusion of the public hearing, the SCAQMD Board may make other modifications to the Proposed Amended Rules, which are justified by the evidence presented, or may decline to adopt some or all of the proposed amendments.

Questions, comments or requests for clarification regarding the Proposed Amended Rules should be directed to James McCreary, Planning, Rule Development and Area Sources, SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765, jmcCreary@aqmd.gov, (909) 396-2451. All CEQA inquiries should be directed to Tracy Tang, CEQA Section, Office of Planning, Rule Development and Area Sources, SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765, ttang@aqmd.gov or by calling (909) 396-2484. All inquiries regarding the Socioeconomic Assessment should be directed to Shah Dabirian, Socioeconomic Section, Office of Planning, Rule Development and Area Sources, SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765, sdabirian@aqmd.gov, (909) 396-3076.

Interested persons may attend and submit oral or written statements at the Board Hearing. Twenty-five (25) copies of all written materials must be submitted to the Clerk of the Board. Individuals who wish to submit written comments for review prior to the hearing must submit such comments to the Clerk of the Board, 21865 Copley Drive, Diamond Bar, CA, 91765-4178, (909) 396-2500, or to cob@aqmd.gov on or before Tuesday, February 19, 2019. Electronic submittals will only be accepted if no more than 10 pages including attachments, and in MS Word, plain, or HTML format.

DATED: January 23, 2019  
 DENISE GARZARO  
 Clerk of the Board  
 1/30/19  
 CNS-3215542#  
 INLAND VALLEY DAILY  
 BULLETIN/LA #11228171

This space for filing stamp only

(When required)  
RECORDING REQUESTED BY AND MAIL TO:

LOS ANGELES DAILY JOURNAL  
~ SINCE 1888 ~

915 E FIRST ST, LOS ANGELES, CA 90012  
Mailing Address: P.O. Box 54026, Los Angeles, California 90054-0026  
Telephone (213) 229-5300 / Fax (213) 229-5481

RECEIVED  
JAN 31 2019

CAROLE WAYMAN  
SCAQMD/CLERK OF THE BOARD  
21865 COPLEY DRIVE (EO -1ST FLR)  
DIAMOND BAR, CA - 91765-4178

DJ#: 3215540

NOTICE OF PUBLIC HEARING  
PROPOSED ADOPTION OF, OR  
AMENDMENT TO,  
THE RULES AND REGULATIONS OF  
THE SOUTH COAST AIR QUALITY  
MANAGEMENT DISTRICT

(NOE) will be prepared pursuant to CEQA  
Guideline §15062 - Notice of Exemption,  
and if the project is approved, the NOE  
will be filed with the county clerks of Los  
Angeles, Orange, Riverside, and San  
Bernardino counties.

PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California )  
County of Los Angeles ) ss

Notice Type: HRG - NOTICE OF HEARING

Ad Description:

PUBLIC HEARING PAR 110, 212, 301, 303, 306, 307.1, 309, 315, 510, 515,  
518.2, 812, 1309, 1310, 1605, 1610, 1612, 1620, 1623, 1710, 1714 & 3006

I am a citizen of the United States and a resident of the State of California; I am  
over the age of eighteen years, and not a party to or interested in the above  
entitled matter. I am the principal clerk of the printer and publisher of the LOS  
ANGELES DAILY JOURNAL, a newspaper published in the English language  
in the city of LOS ANGELES, county of LOS ANGELES, and adjudged a  
newspaper of general circulation as defined by the laws of the State of  
California by the Superior Court of the County of LOS ANGELES, State of  
California, under date 04/26/1954, Case No. 599,382. That the notice, of which  
the annexed is a printed copy, has been published in each regular and entire  
issue of said newspaper and not in any supplement thereof on the following  
dates, to-wit:

01/30/2019

Executed on: 01/30/2019  
At Los Angeles, California

I certify (or declare) under penalty of perjury that the foregoing is true and  
correct.

Signature

RE: Proposed Amended Rules 110,  
212, 301, 303, 306, 307.1, 309, 315, 510,  
515, 518.2, 812, 1309, 1310, 1605, 1610,  
1612, 1620, 1623, 1710, 1714, and 3006

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hearing on the matter of adoption of rules  
and regulations for the South Coast Air  
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or the amendments thereto, will be held  
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(Proposed Amended Rules). The  
Proposed Amended Rules will allow for  
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rulemaking activities by email; noticing  
of permit actions by email and electronic  
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SCAQMD Hearing Board public notices  
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SCAQMD to continue to send public  
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requests to be notified by email is also  
proposed for adoption, and the  
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Proposed Amended Rules will not be  
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Proposed Amended Rules do not impose  
a new emission limit or standard, make  
an existing emission limit or standard  
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stringent monitoring, reporting, or  
recordkeeping requirements and  
therefore, a comparative analysis  
pursuant to Health and Safety Code  
Section 40727.2 is not required.

NOTICE IS FURTHER GIVEN that the  
SCAQMD staff has reviewed the  
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Guidelines §15002 (k) - General  
Concepts, the three-step process for  
deciding which document to prepare for  
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Exemption, procedures for determining if  
a project is exempt from CEQA and has  
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amendments to Rules 110, 212, 301, 303,  
306, 307.1, 309, 315, 510, 515, 518.2,  
812, 1309, 1310, 1605, 1610, 1612, 1620,  
1623, 1710, 1714, and 3006 are exempt  
from CEQA pursuant to CEQA Guidelines  
§15061(b)(3). A Notice of Exemption

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documents relevant to the proposed  
amended rules:

Proposed Amended Rules 110, 212, 301,  
303, 306, 307.1, 309, 315, 510, 515,  
518.2, 812, 1309, 1310, 1605, 1610,  
1612, 1620, 1623, 1710, 1714, and 3006  
Draft Staff Report for Proposed Amended  
Rules 110, 212, 301, 303, 306, 307.1,  
309, 315, 510, 515, 518.2, 812, 1309,  
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(909) 396-2039 or from: Ms. Fabian  
Wesson - Assistant Deputy Executive  
Officer/Public Advisor, South Coast  
AQMD, 21865 Copley Drive, Diamond  
Bar, CA 91765, (909) 396-2432,  
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Amended Rules should be directed to  
James McCreary, Planning - Rule  
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cob@aqmd.gov on or before Tuesday,  
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will only be accepted if no more than 10  
pages including attachments; and in MS  
Word, plain, or HTML format.

DATED: January 23, 2019



Email \* A 0 0 0 0 0 4 9 7 3 3 3 0 \*

ORANGE COUNTY REPORTER  
~ SINCE 1921 ~

600 W SANTA ANA BLVD, SANTA ANA, CA 92701  
Telephone (714) 543-2027 / Fax (714) 542-6841

This space for filing stamp only

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JAN 31 2019

CAROLE WAYMAN  
SCAQMD/CLERK OF THE BOARD  
21865 COPLEY DRIVE (EO -1ST FLR)  
DIAMOND BAR, CA - 91765-4178

OR #: 3215541

NOTICE OF PUBLIC HEARING  
PROPOSED ADOPTION OF, OR  
AMENDMENT TO,  
THE RULES AND REGULATIONS OF  
THE SOUTH COAST AIR QUALITY  
MANAGEMENT DISTRICT

(NOE) will be prepared pursuant to CEQA  
Guideline §15062 - Notice of Exemption,  
and if the project is approved, the NOE  
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Bernardino counties.

PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California )  
County of ORANGE ) ss

Notice Type: HRG - NOTICE OF HEARING

Ad Description:

PUBLIC HEARING PAR 110, 212, 301, 303, 306, 307.1, 309,

I am a citizen of the United States and a resident of the State of California; I am  
over the age of eighteen years, and not a party to or interested in the above  
entitled matter. I am the principal clerk of the printer and publisher of the  
ORANGE COUNTY REPORTER, a newspaper published in the English  
language in the city of SANTA ANA, county of ORANGE, and adjudged a  
newspaper of general circulation as defined by the laws of the State of  
California by the Superior Court of the County of ORANGE, State of California,  
under date 06/20/1922, Case No. 13421. That the notice, of which the  
annexed is a printed copy, has been published in each regular and entire issue  
of said newspaper and not in any supplement thereof on the following dates,  
to-wit:

01/30/2019

Executed on: 01/30/2019  
At Los Angeles, California

I certify (or declare) under penalty of perjury that the foregoing is true and  
correct.



Signature



\* A 0 0 0 0 0 4 9 7 3 3 3 2 \*

Email

RE: Proposed Amended Rules 110,  
212, 301, 303, 306, 307.1, 309, 315, 510,  
515, 518.2, 812, 1309, 1310, 1605, 1610,  
1612, 1620, 1623, 1710, 1714, and 3006

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Rules 110, 212, 301, 303, 306, 307.1,  
309, 315, 510, 515, 518.2, 812, 1309,  
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# THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100  
Riverside, CA 92507  
951-684-1200  
951-368-9018 FAX

**PROOF OF PUBLICATION  
(2010, 2015.5 C.C.P)**

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: / 3215543

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 85673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

01/30/2019

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: January 30, 2019  
At: Riverside, California

Legal Advertising Representative, The Press-Enterprise

CALIF NEWSPAPER SERV BUREAU / CALIF NEWSPAPER SERVICE  
BUREAU, CLIENT  
PO BOX 60460  
LOS ANGELES, CA 90060

Ad Number: 0011227519-01

P.O. Number: 3215543



\*A000004979124\*

### Ad Copy:

**NOTICE OF PUBLIC HEARING PROPOSED ADOPTION OF, OR AMENDMENT TO, THE RULES AND REGULATIONS OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
RE: Proposed Amended Rules 110, 212, 301, 303, 306, 307.1, 309, 315, 510, 515, 518.2, 812, 1309, 1310, 1605, 1610, 1612, 1620, 1623, 1710, 1714, and 3006

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**NOTICE IS FURTHER GIVEN** that the above documents are available and may be obtained from the SCAQMD's Public Information Center located in the SCAQMD headquarters lobby, or the SCAQMD's publication request line at (909) 396-2039 or from: Ms. Fabian Weston - Assistant Deputy Executive Officer/Public Advisor, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765, (909) 396-2432, picrequests@aqmd.gov.

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Interested persons may attend and submit oral or written statements at the Board Hearing. Twenty-five (25) copies of all written materials must be submitted to the Clerk of the Board, individuals who wish to submit written comments for review prior to the hearing must submit such comments to the Clerk of the Board, 21865 Copley Drive, Diamond Bar, CA, 91765-4178, (909) 396-2500, or to cob@aqmd.gov on or before Tuesday, February 19, 2019. Electronic submittals will only be accepted if no more than 10 pages including attachments; and in MS Word, plain, or HTML format.  
DATED: January 23, 2019  
DENISE GARZARO  
Clerk of the Board  
CNS-3215543  
THE PRESS ENTERPRISE

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SAN BERNARDINO COUNTY SUN

473 E CARNEGIE DR #200, SAN BERNARDINO, CA 92408  
Telephone (909) 889-9666 / Fax (909) 884-2536

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JAN 31 2019

CAROLE WAYMAN  
SCAQMD/CLERK OF THE BOARD  
21865 COPLEY DRIVE (EO -1ST FLR)  
DIAMOND BAR, CA - 91765-4178

SB #: 3215544

NOTICE OF PUBLIC HEARING

PROPOSED ADOPTION OF, OR  
AMENDMENT TO,  
THE RULES AND REGULATIONS OF  
THE SOUTH COAST AIR QUALITY  
MANAGEMENT DISTRICT

PROOF OF PUBLICATION

(2015.5 C.C.P.)

RE: Proposed Amended Rules 110,  
212, 301, 303, 306, 307.1, 309, 315,  
510, 515, 518.2, 812, 1309, 1310,  
1605, 1610, 1612, 1620, 1623, 1710,  
1714, and 3006

State of California )  
County of SAN BERNARDINO ) ss

NOTICE IS HEREBY GIVEN that a public hearing on the matter of adoption of rules and regulations for the South Coast Air Quality Management District (SCAQMD), or the amendments thereto, will be held on Friday, March 1, 2019 in the Auditorium at SCAQMD Headquarters, 21865 Copley Drive, Diamond Bar, CA 91765, at 9:00 a.m., at which time evidence will be taken, and all interested persons will be heard by the SCAQMD Board.

Notice Type: HRG - NOTICE OF HEARING

Ad Description:

PUBLIC HEARING PAR 110, 212, 301, 303, 306, 307.1, 309, 315, 510, 515, 518.2, 812, 1309, 1310, 1605, 1610, 1612, 1620, 1623,

NOTICE IS FURTHER GIVEN that the SCAQMD is considering the adoption of Proposed Amended Rules 110, 212, 301, 303, 306, 307.1, 309, 315, 510, 515, 518.2, 812, 1309, 1310, 1605, 1610, 1612, 1620, 1623, 1710, 1714, and 3006 (Proposed Amended Rules). The Proposed Amended Rules will allow for: distribution of public notices for rulemaking activities by email; noticing of permit actions by email and electronic posting of public notices on the SCAQMD website; and sending fee invoices and SCAQMD Hearing Board public notices by email. A procedures document for SCAQMD to continue to send public notices by mail unless a stakeholder requests to be notified by email is also proposed for adoption, and the procedures may be subject to future revisions as needed.

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the SAN BERNARDINO COUNTY SUN, a newspaper published in the English language in the city of SAN BERNARDINO, county of SAN BERNARDINO, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of SAN BERNARDINO, State of California, under date 06/27/1952, Case No. 73081. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

01/30/2019

Executed on: 01/30/2019  
At Riverside, California

NOTICE IS FURTHER GIVEN that the Proposed Amended Rules will not be submitted for inclusion into the State Implementation Plan.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

NOTICE IS FURTHER GIVEN that the Proposed Amended Rules do 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

Signature



Email \* A 0 0 0 0 0 4 9 7 3 3 3 4 \*

# ATTACHMENT C3

Health and Safety Code Section 40727.2 is not required.

**NOTICE IS FURTHER GIVEN** that the SCAQMD staff has reviewed the proposed project pursuant to CEQA Guidelines §15002 (k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA and CEQA Guidelines §15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA and has determined that the proposed amendments to Rules 110, 212, 301, 303, 306, 307.1, 309, 315, 510, 515, 518.2, 812, 1309, 1310, 1605, 1610, 1612, 1620, 1623, 1710, 1714, and 3006 are exempt from CEQA pursuant to CEQA Guidelines §15061(b)(3). A Notice of Exemption (NOE) will be prepared pursuant to CEQA Guideline §15062 – Notice of Exemption, and if the project is approved, the NOE will be filed with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties.

**NOTICE IS FURTHER GIVEN** that the SCAQMD staff has prepared the following documents relevant to the proposed amended rules:

Proposed Amended Rules 110, 212, 301, 303, 306, 307.1, 309, 315, 510, 515, 518.2, 812, 1309, 1310, 1605, 1610, 1612, 1620, 1623, 1710, 1714, and 3006  
Draft Staff Report for Proposed Amended Rules 110, 212, 301, 303, 306, 307.1, 309, 315, 510, 515, 518.2, 812, 1309, 1310, 1605, 1610, 1612, 1620, 1623, 1710, 1714, and 3006

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decline to adopt some or all of the proposed amendments.

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DATED: January 23, 2019  
DENISE GARZARO  
Clerk of the Board  
1/30/19

SBS-3215544#

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

FINAL STAFF REPORT FOR PROPOSED AMENDMENTS TO:

REGULATION XXX - TITLE V PERMITS:

- RULE 3000 - GENERAL
- RULE 3001 - APPLICABILITY
- RULE 3002 - REQUIREMENTS
- RULE 3003 - APPLICATIONS
- RULE 3004 - PERMIT TYPES AND CONTENT
- RULE 3005 - PERMIT REVISIONS
- RULE 3006 - PUBLIC PARTICIPATION

AND

RULE 212 - STANDARDS FOR APPROVING PERMITS

Revised October 17, 1997

Deputy Executive Officer  
 Stationary Source Compliance  
 Patricia Leyden, A.I.C.P.

Assistant Deputy Executive Officer  
 Stationary Source Compliance  
 Carol Coy

Senior Manager  
 RECLAIM & Title V Administration  
 Pang Mueller

Authors: Barbara Radlein - Air Quality Engineer II (Regulation XXX)  
 Ali Ghasemi - Air Quality Engineer II (Rule 212)  
 Shah Dabirian - Air Quality Specialist (Socioeconomic)  
 Darren Stroud - Air Quality Specialist (CEQA)

Reviewed by: Martin L. Kay - Air Quality Analysis and Compliance Supervisor  
 Barbara Baird - District Counsel  
 Elliott Sernel - Senior Deputy District Prosecutor  
 William Wong - Senior Deputy District Counsel

Contributor: Paul Park - Senior Air Quality Engineer

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT GOVERNING BOARD

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S. ROY WILSON, Ed.D.  
 Supervisor, Fourth District  
 Riverside County Representative

ACTING EXECUTIVE OFFICER:  
 BARRY R. WALLERSTEIN, D.Env.



# ATTACHMENT D1

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## LIST OF ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
AOC	Alternative operating condition
AOS	Alternative operating scenario
AQMD	South Coast Air Quality Management District
BACT	Best Available Control Technology
CARB	California Air Resources Board
CCR	California Code of Regulations
CEMS	Continuous emissions monitoring system
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CO	Carbon monoxide
EFB	Emission fee billing
EPA	United States Environmental Protection Agency
HAP	Hazardous air pollutant
ICT	Intercredit Trading Program
Lb	Pound
MACT	Maximum Achievable Control Technology
MDAB	Mojave Desert Air Basin
NESHAP	National Emission Standard for Hazardous Air Pollutants
NOx	Oxides of nitrogen
NSPS	New Source Performance Standard
NSR	New Source Review
NTC	Non-tradeable credit
OCS	Outer Continental Shelf
ODC	Ozone-Depleting Compound
P/C	Permit to Construct
PM-10	Particulate matter with aerodynamic diameter smaller than or equal to or less than 10 microns
P/O	Permit to Operate
PSD	Prevention of Significant Deterioration
RACT	Reasonably Available Control Technology
RECLAIM	Regional Clean Air Incentives Market
RTC	RECLAIM trading credit
SB	Senate Bill
SEDAB	Southeast Desert Air Basin
SIP	State Implementation Plan
SOCAB	South Coast Air Basin
SOx	Oxides of sulfur
SSAB	Salton Sea Air Basin
TGD	Technical Guidance Document
tpy	Tons per year
TSP	Total suspended particulate
USC	United States Code
VOC	Volatile organic compound

## PROPOSED AMENDED REGULATION XXX AND RULE 212

Note to Readers: This revised staff report has changes from the September 26, 1997 staff report included with the October 1997 Board package. To make those changes easier to identify, the revisions are shown in strikeout and underline format.

## OVERVIEW OF THE AMENDMENTS

## REASONS FOR THE AMENDMENTS

The primary purposes behind the proposed amendments to Regulation XXX - Title V Permits, are to:

- reorganize and simplify the applicability criteria for Phase One and Phase Two of the Title V program by creating tables listing emissions threshold levels;
- exempt facilities from Phase One of Title V if permanent changes have resulted in reduced emissions;
- require previously exempted facilities to obtain Title V permits when reported annual emissions exceed applicability thresholds and permit condition limits;
- allow facilities to demonstrate a reduction in potential to emit by doing either a facility modification or accepting an enforceable facility permit condition;
- change the sequential review of Title V permits by the public, affected States and EPA into a concurrent review process to reduce overall permit processing time;
- defer the requirement for a Title V permit for new and modified facilities until Phase Two of Title V, provided that the actual emissions do not exceed the Phase One thresholds;
- clarify applicability requirements and update references to the Code of Federal Regulations (CFR) for certain Title V facilities required to be in Title V;
- make amendments required by EPA to gain full approval of South Coast Air Quality Management District's (AQMD) Title V program;
- allow Title V facilities to use existing AQMD permitting procedures for facility modifications prior to issuance of their first Title V permits;
- clarify that the Executive Officer can issue a Title V permit to a non-compliant facility under certain circumstances;
- clarify that non-compliance is a violation of the federal Clean Air Act under certain circumstances;
- establish a procedure for de minimis significant permit revisions that is separate from minor permit revisions;
- exclude all emission increases that are subject to New Source Review from the minor permit revision process, as is required by federal law;

## PROPOSED AMENDED REGULATION XXX AND RULE 212

- revise the minor permit revision process to eliminate the requirements for the facility to complete public notification forms and to prepare a draft permit and instead, have AQMD prepare the proposed permit;
- clarify the administrative permit revision process so that AQMD staff can issue a final Permit to Operate (P/O), with limited changes to permit conditions, for equipment that was previously issued a Title V Permit to Construct (P/C),
- remove the requirement that the applicant include a proposed public notice with the permit application;
- increase the amount of time that a person may request a public hearing for a proposed permit from 10 days to 15 days after publication of the public notice;
- clarify existing rule language to explain that AQMD staff will hold a public hearing only if a valid request is received and notice a proposed permit hearing at least 30 days prior to the scheduled hearing date;
- give the Executive Officer the option to combine permit hearings for multiple facilities, provided that the facilities involved do not object;
- make the provisions of the regulation regarding portable equipment consistent with federal and State law;
- require all Title V permits to contain a permit condition that describes the criteria for reopening a permit, as required by Title V; and,
- ~~clarify that all Title V permits will contain a listing of all equipment, including portable equipment, that are subject to any source-specific regulatory requirements.~~

In addition, staff has proposed other changes to improve clarity, and remove redundancies and inconsistencies throughout the rules.

The purpose of the amendments to Rule 212 is to make the public notice requirements consistent with state law and to eliminate duplicative or unnecessary noticing.

## DISCUSSION OF THE PROPOSED AMENDMENTS

## RULE 3000 - GENERAL

Definition of "Administrative Permit Revision"

The AQMD's Title V program was designed to integrate preconstruction review P/C into the Title V operating permit program. Under an integrated approach, the AQMD will issue P/Cs using Title V requirements and procedures. Then, after a project is completed, the staff engineer will evaluate the equipment for compliance with the conditions in the P/C, remove any requirements that are no longer applicable, and update the Title

# ATTACHMENT D1

## PROPOSED AMENDED REGULATION XXX AND RULE 212

V permit to reflect the change from P/C to P/O by moving the equipment description and applicable conditions from Section H to Section D of the Title V permit.

If the P/C is issued using Title V procedures, EPA allows it to be incorporated into the Title V operating permit as an administrative permit revision. Subparagraph (b)(1)(D) is being revised to more concisely indicate this, and to reflect AQMD's integrated approach. It allows AQMD to issue the P/O as an administrative permit revision provided that the P/C was issued using full Title V procedures. The only changes that can be made when converting a P/C to a P/O under the Title V program are to remove terms or conditions that are no longer applicable or to make other changes that satisfy the criteria in definition. If there are changes in emissions, equipment, conditions or operational parameters, the evaluation of these changes would be subject to other permit revision procedures. Upon completion of the secondary evaluation, another round of EPA review and, depending on the revision procedures used, public notification would be required.

Although the previous rule language could be interpreted incorrectly to imply that AQMD staff will be issuing separate preconstruction review permits apart from the Title V process, the new language corrects this.

New subparagraph (b)(1)(G) has been added to allow a Title V facility to use the administrative revision process to move equipment within a facility, provided that an evaluation of regulatory requirements is not required, and that there is no change to existing permit conditions.

### Definition of "Affected Source"

An explanation that "40 CFR Part 70" means Title 40, Part 70 of the Code of Federal Regulations has been added.

### Definition of "Compliance Documents"

The definition of "compliance documents" has been updated to include "schedules of compliance, approved variances, alternative operating conditions (AOCs), orders for abatement and all monitoring and compliance reports required by the Title V permit" since these additional documents are also used to assess a facility's compliance status. The reference to Section 503 (e) of the federal Clean Air Act is removed because it is unnecessary and the definition is more clear without it. The term "Act" in the reference to Section 114 (c) has been clarified to mean the federal Clean Air Act.

### Definition of "De Minimis Significant Permit Revision"

An explanation of what "VOC," "PM-10," and "EPA" mean has been added. The term "Lb" in Table I has been replaced with "Pounds." In

## PROPOSED AMENDED REGULATION XXX AND RULE 212

response to EPA's interim approval notice and consistent with 40 CFR Part 70, references to additional requirements found in the definition of "Minor Permit Revision" have been added. These require certain types of permit revisions to go through the significant revision process.

### Definitions of "Draft Permit" and "Proposed Permit"

The definition of "draft permit" is proposed for elimination, and the definition of "proposed permit" is proposed for amendment, to accommodate other proposed amendments in Rules 3003 and 3005 that make affected State and EPA review of a Title V permit concurrent with public review, rather than sequential to it.

Proposed permit will mean the permit that AQMD issues for any required review by affected States, EPA, or the public.

### Definition of "Facility"

A clarification that "40 CFR Section 55.2" is referring to Part 55 of the CFR has been added.

### Definition of "Fugitive Emissions"

The fugitive emissions at a facility are an important factor in determining a facility's applicability to the Title V program. A definition for "fugitive emissions" has been added, consistent with EPA's definition in 40 CFR Part 70, Section 70.2.

### Definition of "Hazardous Air Pollutant (HAP)"

The definition of a HAP in this rule includes any pollutant that is listed in Section 112 (b) of the federal Clean Air Act. Even though the initial list of HAPs was originally established by Congress, EPA maintains and periodically revises the list. EPA has removed caprolactum and hydrogen sulfide from the HAPs listing, thus making the rule reference to Section 112 (b) inaccurate. Therefore, the rule language has been amended to refer to the list maintained by EPA instead of referring directly to the text in the federal Clean Air Act.

### Definition of "Minor Permit Revision"

The definition has been expanded to explain what "case-by-case evaluation" means. It applies to only two situations:

- The federal Clean Air Act requires states to apply "reasonably available control technology" (RACT) to existing sources. Some states have done this on a facility-by-facility basis and made it part of their State Implementation Plan (SIP). AQMD has, in the past, adopted RACT rules for entire source categories rather than use this case-by-case process.
- 40 CFR Part 63, Subpart B requires that a case-by-case determination of maximum achievable control technology (MACT)

## PROPOSED AMENDED REGULATION XXX AND RULE 212

be made for new or modified sources for which a National Emission Standard for Hazardous Air Pollutants (NESHAP) has not yet been adopted

As required by EPA's proposed interim approval notice and by 40 CFR Part 70, this definition has also been modified to restrict the following types of permit revisions from qualifying as minor permit revisions:

- An installation of a new permit unit subject to a federal NESHAP pursuant to 40 CFR Part 61 or Part 63 or a federal New Source Performance Standard (NSPS) pursuant to 40 CFR Part 60.
- A modification or reconstruction of an existing permit unit subject to a new or additional NSPS requirement pursuant to 40 CFR Part 60 or NESHAP requirement pursuant to 40 CFR Part 61 or Part 63

Clause (b)(12)(A)(v) does not allow as a minor permit revision any emission increase above a Regional Clean Air Incentives Market (RECLAIM) facility's starting allocation plus non-tradable allocations. The clause is being revised to include higher RECLAIM allocation amounts that have previously undergone a significant permit revision process pursuant to subparagraph (b)(28)(D).

40 CFR Part 70, Section 70.7 (e)(2)(i)(A)(5) restricts facility modifications subject to Title I of the federal Clean Air Act from utilizing minor permit revision procedures. This means that any emission increase that is subject to Regulation XIII - New Source Review (NSR) cannot qualify as a minor permit revision. Clause (b)(12)(A)(vi) has been modified to reflect this requirement. Modifications that result in emission increases may still qualify as a de minimis significant permit revision.

Also, for clarity, the definition has been reworded so that a permit change can qualify for a minor permit revision only if the proposed change meets all of the criteria in subparagraph (b)(12)(A) or if it meets subparagraph (b)(12)(B).

Definitions of "Mojave Desert Air Basin," "Salton Sea Air Basin" and "South Coast Air Basin"

The current version of Rule 3001 refers to specific emissions thresholds for the South Coast Air Basin (SOCAB), the Southeast Desert Air Basin (SEDAB), and the Coachella Valley. Rule 3000 does not contain a definition of these regions' boundaries. On May 30, 1996, the California Air Resources Board (CARB) renamed these regions in Title 17 of the California Code of Regulations (CCR).

Specifically, Section 60109 of the CCR was amended for SEDAB such that the boundaries have changed and this area was renamed the Mojave Desert

## PROPOSED AMENDED REGULATION XXX AND RULE 212

Air Basin (MDAB). Section 60104 of the CCR was amended to change the boundaries for SOCAB. A new basin was also added, pursuant to Section 60114 of the CCR, called the Salton Sea Air Basin (SSAB) that now includes the Coachella Valley. To make Regulation XXX consistent with the state law, definitions for these three air basins have been added to this rule by reference.

Definition of "Monitoring"

Monitoring requirements are an important factor in determining a facility's compliance with the Title V program. Since there are several types of monitoring that can be used to make a compliance determination, a definition for "monitoring" has been added to mean emissions testing, continuous emissions monitoring, material testing, and instrumental and non-instrumental monitoring of process conditions.

Definition of "Potential to Emit"

A facility's potential to emit is the basis for determining a source's applicability to Title V in Phase Two, pursuant to Rule 3001. The proposed amendments to the definition of "reported emissions" identify certain types of emissions that shall not be considered for determining whether a facility should obtain a Title V permit during Phase One (see the discussion on the proposed changes of "Reported Emissions"). To assure that the same criteria for determining applicable types of emissions is consistently applied to all facilities in each implementation phase of the Title V program, the definition of potential to emit has been modified to exclude the same types of emissions that are proposed to be excluded in the definition of reported emissions.

Definition of "Renewal"

This definition has been clarified to reflect that a permit renewal is required on or prior to the expiration date of the permit regardless of whether any new requirements or updates are needed. As required by EPA in order to obtain full approval, language has been added to emphasize this point.

The current definition of renewal also contains a statement that prevents a concurrent submittal of a permit revision with a permit renewal application. This restriction is not a requirement in 40 CFR Part 70, and so is proposed for deletion. A Title V facility applying for a permit renewal and also requesting a permit revision, will be able to submit applications for both at the same time. However, in addition to the information and fees that are required for a permit renewal application, the permit revision request will need to contain Forms 500-A1 and 500-A2, the appropriate 400-E-series forms and the applicable fees. This is because permit revisions may have different deadlines than permit renewals, such that they may have to be processed separately.

## PROPOSED AMENDED REGULATION XXX AND RULE 212

Definition of "Reported Emissions"

Reported emissions are the basis for determining a source's applicability to Title V in Phase One, pursuant to Rule 3001. The proposed amendments reorganize the definition and do the following: 1) add a requirement that the reported emissions must be validated by the Executive Officer; 2) replace the term "criteria pollutants" with oxides of nitrogen (NOx), oxides of sulfur (SOx), carbon monoxide (CO), VOC, and PM-10; 3) eliminate the undefined term "major stationary source;" 4) incorporate exclusions from paragraphs (d)(3), (d)(4), and (d)(5) of Rule 3001 for mobile source emissions and emissions from portable equipment that occur off-site into the definition; and 5) exclude emissions from non-road engines consistent with EPA policy, and statewide registered military tactical support equipment, consistent with state law.

Definition of "Responsible Official"

This definition has been clarified to allow a duly authorized representative responsible for the overall operational control at a Title V facility to be a responsible official.

Definition of "Significant Permit Revision"

The Significant Emission Threshold Level in Table 2 of this definition is the same as the emission threshold levels in Table 1 of the definition of "De Minimis Significant Permit Revision." For simplicity, Table 2 has been deleted and replaced with a reference to Table 1. For consistency with the other definitions for various permit revisions, this definition has been expanded to include the following activities as qualifying for a significant permit revision:

- Any revision that requires or changes a case-by-case evaluation of RACT pursuant to Title I of the federal Clean Air Act, or MACT pursuant to 40 CFR Part 63, Subpart B.
- Any revision that results in a violation of regulatory requirements or that establishes or changes a permit condition that a facility assumes to avoid an applicable requirement.
- Any installation of a new permit unit subject to a NESHAP requirement pursuant to 40 CFR Part 61 or Part 63 or NSPS requirement pursuant to 40 CFR Part 60.
- Any modification or reconstruction of an existing permit unit subject to a new or additional NSPS requirement pursuant to 40 CFR Part 60 or NESHAP requirement pursuant to 40 CFR Part 61 or Part 63.

Definition of "Temporary Source"

This rule is currently missing a definition for a temporary source, despite the provisions in subdivision (d) of Rule 3004 explaining the contents of, and procedures associated with having a temporary source permit. For

## PROPOSED AMENDED REGULATION XXX AND RULE 212

consistency purposes, this rule has been updated to include a new definition. What AQMD has in the past called portable equipment, is now referred to as a "temporary source," as it is in Title V.

Definition of "Title V Facility"

This definition has been simplified to explain that a Title V facility is one that meets any criteria in Rule 3001. The reference to exemptions from Title V permit requirements is unnecessary and has been removed.

General Clean-Up

The phrase "Executive Officer or designee" is used throughout this rule. The words "or designee" are part of the definition of "Executive Officer" in Rule 102 - Definition of Terms, and do not need to be repeated. Therefore, every occurrence of "or designee" has been deleted from this rule. In addition, to be consistent with the definition in Rule 102, every occurrence of the term "PM<sub>10</sub>" has been replaced with "PM-10."

## RULE 3001 - APPLICABILITY

Current Requirements

For the first three years of program implementation (Phase One), the current rule language automatically brings any facility into the Title V program if in 1992 or any year thereafter, the facility has reported emissions that exceed 80 percent of the potential to emit Title V applicability thresholds listed in 40 CFR Part 70, Section 70.2. If the facility's emissions were high enough in 1992 and then the emissions dropped below the Title V applicability thresholds in 1993, 1994 and 1995, the facility would still be required to apply for a Title V permit. AQMD staff has identified 1275 facilities that have reported emissions at levels meeting or exceeding the Title V thresholds either in 1992 or 1993.

RECLAIM facilities are subject to Title V if they have a NOx and/or SOx starting allocation plus non-tradable credits (NTCs) that exceed 10 tpy or 100 tpy, respectively. There are 203 RECLAIM facilities that have been identified as subject to Title V primarily because of their initial allocations plus NTCs. These facilities are required to apply for a Title V permit even if their reported emissions in recent years have been below the 8 tpy for NOx and 80 tpy for SOx levels.

Subdivision (c) of this rule has other criteria for entering the Title V program that is geared toward any new or modified facility that has not previously obtained a Title V permit. To determine whether or not this type of facility should obtain a Title V permit, each application to install or modify equipment must undergo an evaluation to calculate the facility's overall potential to emit. For the first three years of the program, this

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procedure is not based on reported emissions, and is therefore contrary to how other facilities are determined to be subject to Title V.

Proposed Amendments

The purpose of these proposed rule amendments is to assure that the same applicability criteria is consistently applied to all facilities in each implementation phase of the Title V program. The proposed rule language is the result of comments received from several working group and public consultation meetings and discussions with EPA staff. Specifically, numerous comments were received containing the complaint that the clause "that in 1992 or later" inadvertently required sources that no longer meet the Title V thresholds to apply for a Title V permit. These commenters felt that this was unrealistic and inconsistent with the intent of the Title V program to target larger sources. Likewise, comments were received from RECLAIM facilities requesting that their applicability determinations conducted during the first three years of the program should be based solely on the most recent reported emissions. RECLAIM facilities maintain that they are treated unfairly in this rule by being subject to a more stringent applicability threshold than are non-RECLAIM facilities. Furthermore, there is a universal concern that facilities with "regular" non-Title V applications for new equipment or modifications during the first three years of program implementation, will be prematurely brought into Phase One of the Title V program because of the required facility-wide potential to emit calculation.

To address all of the above issues, staff has proposed to change the Title V applicability for Phase One of the program to be based on actual reported emissions, rather than RECLAIM allocations or potential to emit for RECLAIM facilities and for new or modified facilities.

If a new or modified RECLAIM facility subsequently reports emissions exceeding any of the Phase One emission thresholds, the facility would be required by Rule 3003 to apply for a Title V permit within 180 days, as would any existing facility reporting that level of emissions for the first time. Otherwise, a new or modified RECLAIM facility with a potential to emit that exceeds the Phase Two levels will have to apply for a Title V permit by three and one half years after the effective date, as will other existing facilities subject to Phase Two, in accordance with Rule 3003.

Staff also proposes to make the following changes to Rule 3001:

- replace the subdivision (a) language explaining the emission threshold criteria with a simple table that is easier to read;
- substitute a reference to the CFR in subdivision (b) with a table of Phase Two emission threshold levels;
- use the new air basin names described previously;

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- explain in paragraph (b)(2) how RECLAIM allocations and RTCs are treated regarding "potential to emit", and delete similar language in subdivision (c);
- eliminate paragraph (c)(4) that would add facilities to Title V because of a lower HAP threshold set by EPA. Old paragraph (c)(9) [new paragraph (c)(6)] accomplishes the same thing;
- consolidate the references to Section 111 and 112 of the federal Clean Air Act into one paragraph, (c)(5), and replace them with references to the CFR. The previous paragraphs (c)(7) and (c)(8) appeared to require non-major facilities subject to either Section 112, NESHAP or Section 111, NSPS. However, EPA has deferred many non-major sources from applying for Title V permits until December, 2000;
- add new paragraph (c)(7) to require regarding facilities that were previously exempted from Title V, pursuant to paragraph (d)(2), by accepting an emission cap or other enforceable permit condition. If their emissions, under normal operating conditions, that later exceed the Title V potential-to-emit applicability thresholds and an emission limit in a permit condition, then the facility would be required to submit an initial application for a Title V permit. Excess emissions under abnormal conditions, such as during the breakdown of control equipment, would not be counted because the emissions are temporary and do not change a facility's potential to emit, which is based on equipment design under normal operation, permit conditions and rule requirements.
- move all language in subdivision (d) that exempts certain types of emissions into the definition of "reported emissions" and, by reference, into the definition of "potential to emit" in subdivision (b) of Rule 3000;
- clarify paragraph (d)(2) to explain that a reduction in potential to emit can be demonstrated by a facility modification or by accepting an enforceable facility permit condition and that EPA approval is no longer required for such actions; and,
- add new subdivision (e) to explain the requirements and procedures for requesting exclusions from Phase One of the Title V program. This will give facilities that are identified on the Title V list the opportunity to opt-out of Phase One based on a reduction in reported emissions due to a permanent change at the facility.

In order for EPA to support the proposed changes made to the Phase One criteria, AQMD staff is required to demonstrate that Phase One Title V permits will be issued to at least 60 percent of all Title V facilities, and that at least 80 percent of the pollutants emitted from all Title V facilities will be covered by the Phase One Title V permits.

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Based on the proposed rule amendments, AQMD staff estimates that only 938 facilities, will be required to apply for a Phase One Title V permit, compared to 1275 identified previously. This represents a reduction of anticipated incoming Phase One Title V facilities of 26 percent. Despite this reduction, staff can demonstrate to EPA that 62 percent of all Title V facilities will be permitted in Phase One. Further, the total emissions from these 938 facilities continue to represent at least 80 percent of the overall Title V emissions. Appendix A: Title V 60 % - 80 % Demonstration contains a more detailed analysis.

### General Clean-Up

As previously described, every occurrence of "or designee" has been deleted from this rule and every occurrence of the term "PM<sub>10</sub>" has been replaced with "PM-10."

## RULE 3002 - REQUIREMENTS

### Requirement for a Title V Permit

The current subdivision (a) of Rule 3002 requires Title V facilities to get a Title V permit for any construction or modification at the facility, any time after their initial Title V application is due. This could require a Title V facility to apply for a Title V permit revision even before it has an initial Title V permit. To avoid this awkwardness, subdivision (a) has been restructured and expanded to list each exception to this requirement so that paragraph (a)(1) exempts the operation of Rule 219 - Equipment Not Requiring a Written Permit Pursuant to Regulation II, equipment; paragraph (a)(2) exempts Title V facilities operating under the protection of an application shield; and paragraph (a)(3) is proposed to allow existing facilities to apply for changes at their facility using the traditional, non-Title V application and permitting procedures, before they receive their initial Title V permit.

### Application Shield

To better explain when an application shield is in effect, paragraph (b)(2) has been enhanced to refer to the application requirements in Rule 3003.

### Emergency Provisions

The emergency provisions in paragraph (g)(1) have been clarified to explain that the operating logs must provide evidence to demonstrate compliance with the emergency provisions in subdivision (g) of this rule. This amendment is required by EPA for full program approval.

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### Duty to Comply

Paragraph (c)(1) has been clarified to explain that a Title V facility should be constructed, as well as operated, in compliance with all terms, requirements, and conditions. Paragraph (c)(2) has been clarified to explain that only non-compliance with *federally enforceable* permit terms, requirements or conditions is a violation of the federal Clean Air Act.

### General Clean-Up

Old subparagraph (a)(1)(B) and paragraph (a)(2) will be deleted because they are redundant to paragraph (c)(1) of Rule 3002 and paragraph (i)(1) of Rule 3003, respectively.

As previously described, every occurrence of "or designee" has been deleted from this rule.

## RULE 3003 - APPLICATIONS

### Application Requirements for Initial Title V Permits

Subdivision (a) has been amended and reorganized to clarify the timeline requirements for facilities applying for or amending their initial Title V permit applications during either Phase One or Phase Two of the program. These timelines are not new to the rule but they do vary depending upon which Rule 3001 applicability criteria is met and whether or not the facility has been identified by the AQMD as a Title V facility.

References to the format of the application and the Technical Guidance Document (TGD) in old paragraph (a)(2) are deleted because the discussion about application content is covered in subdivision (b).

"Major source" in amended paragraph (a)(7) is not defined in Rule 3000, but it is defined in the CFR. Therefore, a reference to the definition in 40 CFR Part 70, Section 70.2 is added.

### Incorporation of Non-Title V Permits

Amended paragraph (a)(4) allows a facility to supplement their initial permit application to incorporate any non-Title V permits issued (see the previous section that discusses the amendments to Rule 3002) at least 30 days prior to the scheduled issuance of their proposed Title V permit. This would give AQMD staff adequate time to include the new or modified equipment in the proposed initial permit.

If the non-Title V permit is issued too late to be put into the proposed initial permit, amended paragraph (a)(5) would require the Title V facility to file for a Title V permit revision within 90 days of the issuance of the Title V permit.

Application Content

The reference to the CFR in subdivision (b) has been removed because it is not necessary for an applicant to refer to the CFR to determine what must be in a Title V permit application. AQMD has prepared Title V application forms and instructions that specify the necessary information. Since these materials are subject to EPA approval, paragraph (b)(1) has been clarified to reflect this procedure. Language originally stated in paragraph (c)(5) has been moved to subdivision (b) to explain that permit revision applications do not necessarily require all of the same information as required in initial permit and permit renewal applications.

Action on Applications

Paragraph (i)(1) of the current rule incorrectly says that the Executive Officer must deny a Title V permit if the facility is not in compliance with a regulatory requirement. As a result of modifications to the California Health and Safety Code, Section 42301, the Executive Officer may issue the Title V permit if the non-compliance is covered by an approved variance pursuant to Regulation V - Procedure Before the Hearing Board, an AOC pursuant to Rule 518.2 - Federal Alternative Operating Conditions, or an order for abatement that has the effect of a variance pursuant to Regulation VIII - Orders For Abatement. Title V also requires a non-compliant facility operator to submit an acceptable compliance plan with the application. The proposed amended paragraph (i)(1) will be consistent with state law and Title V.

Currently, subparagraph (i)(2)(A) requires the Executive Officer to issue a permit or deny a permit application for an initial permit, except for Phase One applications, within 18 months of receiving a complete application. However, paragraph (i)(3) contains shorter timelines for processing an initial permit application if it contains an application for a P/C. In the case of an initial permit application, these shorter timelines are truly meant for new facilities. This is because a new facility, unlike an existing facility, is at a disadvantage for not having existing local P/Os under while awaiting for an initial permit. To differentiate between new and existing facilities applying for an initial permit during Phase Two of the program, paragraph (i)(3) has been clarified to say that the permit processing timeline requirements apply to new facilities.

Timeline for Processing Grouped Minor Permit Revision Applications

Paragraph (i)(2) of Rule 3003 is where most application processing timelines can be found. Yet, the 180-day timeline for processing grouped minor permit revision applications is absent from this part and is located instead, in old paragraph (c)(4) of Rule 3005. However, the existing language in Rule 3005 does not state exactly when the 180-day clock begins.

The group processing timeline is unique from other application timelines, not so much because of the quantity of time allowed for processing, but mainly because it concerns the processing of multiple applications. That is, unlike the other revision tracks, the review of each application in the group is dependent upon the others before AQMD staff can either issue a permit or deny the applications within the time allowed.

To maintain all of the application processing timelines in one place, the group processing timing requirement has been incorporated into new subparagraph (i)(2)(D) of Rule 3003. In addition, AQMD staff is proposing that the 180-day clock begin after the AQMD receives the first complete application in the group. Furthermore, to make the rule language consistent with the procedures for "regular" minor permit revision applications as found in subparagraph (i)(2)(C), the language "or 15 days after EPA review, whichever is later" has been added.

Timeline for Processing De Minimis Significant Permit Revision Applications

The current application processing time limit in subdivision (i) of this rule is the same for minor and de minimis significant permit revisions. De minimis significant permit revisions are allowed certain levels of emission increases, which require more AQMD review than a minor permit revision. For instance, de minimis significant permit revisions could involve the alteration of existing equipment or permit conditions that increase facility emissions and necessitate a determination of best available control technology (BACT), air quality impacts, and emission offsets. As a result, more processing time is required for this type of evaluation. A time limit of 180 days from the date the application is deemed complete, or 15 days after EPA review, whichever is later, is proposed in subparagraph (i)(2)(E) for this process.

Procedures for Permit Renewal Applications

The language, originally located in paragraph (g)(2) of Rule 3004, that discusses the federal enforcement procedures used when taking action on permit renewal applications has been more appropriately placed in paragraph (i)(5) of this rule.

EPA Review and Objection

In an effort to streamline the timeline for EPA review procedures, paragraph (i)(7) and subdivision (j) of this rule have been amended to allow concurrent public, affected State, and EPA review of proposed Title V permits. To ensure that EPA has the opportunity to review any comments that are received during the public and the affected States review, procedural language has been added to paragraph (j)(4) that requires the AQMD to forward any comments received, and any refusals to accept all recommendations made, including the reasons, to the EPA at least 10 days



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prior to the end of EPA's 45-day review period. In addition, new language has been added to subparagraphs (i)(4)(E) and (j)(1)(C) that clarifies that the EPA will also receive all information regarding any revisions that are made to a proposed permit in response to public or affected State comments

At best, consolidating the review processes could potentially shrink the overall review timeline from 75 days to 45 days. EPA supports this streamlining effort provided that there is a mechanism in place to account for any comments received and responses made by the public and any affected States during the first 30 days of review. At EPA's request, subdivision (k) has been changed to allow EPA to take an additional 45 days to make a final determination if EPA provides a written request to delay the permit issuance on the basis that more time is necessary to review public or affected State comments. However, EPA has committed to expedite the time needed this additional review whenever feasible. Also, the reference to 40 CFR Part 70 in subdivision (k) has been further clarified to mean Section 70.8 (c).

To be consistent with 40 CFR Part 70 and subdivision (k) of this rule, language referring to revising a permit to meet timely objections made by EPA in subparagraph (i)(4)(E) has been deleted because it implied that the permit could be revised and issued without resubmitting the revised permit to EPA for review.

Paragraph (k)(3) has been amended to reflect AQMD's intent to negotiate with EPA over any disagreements with their objection to a permit, prior to denying or revising the permit.

Subparagraph (j)(1)(B) was amended to clarify that proposed permits for administrative permit revisions are not required to undergo EPA review.

### Review by Affected States

Subparagraph (i)(4)(C) and paragraph (m)(1) were amended to clarify that applications for administrative permit revisions are not required to undergo an affected State review. Also, consistent with 40 CFR Part 70, Section 70.8, only notices of proposed permits will be sent to affected States.

Instead of referring to the review timelines established in Rule 3006, paragraph (m)(2) will say that an affected State has 30 days upon receipt of the notice to provide written comments.

Paragraph (m)(3) has been amended to reflect the concurrent review process by simply referring to paragraph (j)(4).

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### Public Petitions to EPA

Paragraph (l)(1) of this rule has been clarified by citing Section 70.8 (d) of 40 CFR Part 70 as reference guidelines in the event that the public may petition the EPA to make an objection to a proposed permit. Also, paragraph (l)(3) was clarified to say that a public petition, objecting to a permit that was issued after EPA's 45-day review and prior to EPA receiving the objection, will not undermine the effectiveness of the permit in question or its requirements.

### Prohibition of Default Issuance

Subdivision (n) of this rule has been clarified to explain that Title V permits cannot be issued without undergoing EPA and affected State review, with the exception of administrative permit revisions. Similarly, additional clarification was added to explain that Title V permits cannot be issued without the opportunity for public review, with the exception of administrative, minor, and de minimis significant permit revisions.

### General Clean-Up

Currently, there are several places in this rule where the terms "draft permit" and "proposed permit" are used. These terms were needed when the public and EPA review processes were not concurrent. This rule has been corrected to be consistent with the deleted definition of "draft permit" and the revised definition of "proposed permit."

Language in old paragraphs (a)(4), (a)(5) and (a)(6) has been deleted because it is redundant to subdivision (a) of Rule 3002.

As previously described, every occurrence of "or designee" has been deleted from this rule.

## RULE 3004 - PERMIT TYPES AND CONTENT

### Monitoring and Recordkeeping

As per EPA's request, subparagraph (a)(4)(C) has been corrected to say that the periodic monitoring or recordkeeping should be representative of the source's compliance *with the terms of the permit*, instead of *for the term of the permit*, as was erroneously stated in the original version of this rule. Also, the sentence, "Recordkeeping provisions may be..." has been added, consistent with 40 CFR Part 70, Section 70.6 (a)(3)(B).

### Certification by a Responsible Official

Subparagraphs (a)(4)(F) and (a)(10)(A) of this rule specify that the permit must state that a responsible official is required to certify specific documents, including compliance documents as necessary. The language

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pertaining to the responsible official certifications in these two paragraphs has been deleted and consolidated into new paragraph (a)(12).

Standard Permit Conditions

An exception from operating in compliance with all regulatory requirements if the permit holder has had an AOC imposed pursuant to Rule 518.2 has been added to the standard permit condition required by subparagraph (a)(7)(A). Also, for consistency with 40 CFR Part 70, Section 70.7 (f)(1), the requirement for all Title V permits to contain a permit condition that describes the criteria for reopening a permit has been added as new subparagraph (a)(7)(1).

Terms and Conditions for Emissions Trading

To enhance a Title V permit's enforceability concerning emissions trading and to meet an EPA requirement for interim approval, additional compliance requirements in accordance with 40 CFR Part 70, Section 70.6 (a)(10) have been proposed in paragraph (a)(9). At this time only the AQMD's RECLAIM program and the Acid Rain program under Title IV of the federal Clean Air Act allow any emission trading without a case-by-case review.

Compliance Schedules

40 CFR Part 70 requires Title V permits to include a compliance schedule if the facility is not in compliance with an applicable requirement. Subparagraph (a)(10)(C) is being amended to reflect the fact that in the AQMD, facilities will have the option to get an AOC (only an AOC can protect a facility from EPA enforcement of a federally enforceable requirement), variance or order for abatement if they are not in compliance. The Title V permit will require compliance with any outstanding AOCs, variances or abatement orders that are in effect at the time the Title V permit is issued. These documents often include a compliance schedule.

Compliance Certifications

The contents of permit terms and conditions for compliance certifications in subparagraph (a)(10)(E) have been clarified to include emission limitations, standards and work practices. Also, the requirement that the compliance status must cover the duration of the reporting period has been added.

Equipment Listing

The obvious requirement that all equipment subject to any source-specific regulatory requirement shall be listed in the Title V permit was erroneously omitted from previous versions of the rule and has been added as new paragraph (a)(13).

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Permit Content for RECLAIM Facilities

To be consistent with 40 CFR Part 70, Section 70.6 (a)(8), paragraph (b)(3) of this rule has been clarified to mean that a permit revision is not required for emissions trading that is allowed by Regulation XX - RECLAIM.

Permit Shield

The reference to 40 CFR Part 70 in subdivision (c) is unnecessary and has been deleted. All requirements regarding permit shields are already found incorporated into this subdivision.

Subparagraphs (c)(1)(A) and (c)(1)(B) have been combined and linked with an "or" to be consistent with the permit shield requirements in 40 CFR Part 70, Section 70.6.(f)(1)(i). Consequently, subparagraph (c)(1)(C) has been renumbered as subparagraph (c)(1)(B).

Temporary Source Permits

Subdivision (d) of this rule has been updated to clarify the criteria and required permit conditions for a temporary source permit, and change the maximum operation at one location or facility from 90 days in a calendar year to 12 consecutive months, consistent with NSR. Also, in response to CARB comment, paragraph (d)(1) has been clarified that state-registered portable equipment, in addition to affected sources under the acid rain program, are not eligible for temporary source permits.

General Permits

As requested by EPA, language was added to subdivision (e) of this rule to explain the enforcement provisions and application procedures for equipment that no longer qualifies for coverage under a general permit pursuant to the requirements established in 40 CFR Part 70, Section 70.6 (d)(1).

Permit Expiration and Renewal

The original version of this rule had three separate subdivisions, (f), (h) and (i), that discussed the circumstances regarding the expiration of a permit and the requirements pertaining to renewing a permit prior to permit expiration. These subdivisions have interrelated requirements and are subsets of one another. Therefore, subdivisions (h) and (i) have been deleted from this rule and the requirements were merged and condensed into subdivision (f).

Equipment Omitted From a Title V PermitRule 219 Equipment

Equipment that are exempt from a written permit by Rule 219, but are subject to a source-specific regulatory requirement, are not allowed by

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EPA to be excluded from the Title V permit. Therefore, old paragraph (h)(3), renumbered to paragraph (h)(1), has been rewritten accordingly. Examples of this include: a) small cold-solvent degreasing tanks subject to Rule 1122 - Solvent Degreasers, or Rule 1171 - Solvent Cleaning Operations; and, b) air conditioning units with a capacity of 50 pounds or more of refrigerant subject to federal regulations regarding ozone-depleting compounds (ODCs).

Although this equipment must be on the Title V permit, EPA allows the equipment to be treated generically rather than specifically. It is AQMD's intent to include this equipment generically in the Title V permit, along with other Rule 219 equipment. Rule 301 - Permit Fees, will not apply to Rule 219-exempt equipment, and no P/C will be required to install Rule 219-exempt equipment. The permit will be updated when the permit is renewed.

### Research Equipment

The limitation of one year or less in old paragraph (h)(4) (or new paragraph (h)(2)) has been deleted because research operations permitted under Rule 441 - Research Operations, must be of limited duration, but may be allowed for more than one year. Also, since the term "major source" is not defined in Rule 3000, a reference to the applicability criteria pursuant to Rule 3001 has been added instead.

### Non-Road Engines

Non-road engines that were manufactured on or after November 15, 1990, were given an exemption from Title V permitting requirements in 40 CFR Part 89, Section 89.2 and will be omitted from the Title V permit as proposed in amended paragraph (h)(3).

### Military Tactical Support Equipment

Military tactical support equipment registered to operate under a statewide registration program for portable equipment are precluded by Sections 2450 through 2463, Statewide Portable Equipment Registration Program, Title 13 of the California Code of Regulations from having to obtain any AQMD permit, and are specifically exempted from Title V. Therefore, this type of equipment will be omitted from an AQMD Title V permit as proposed in amended paragraph (h)(4). CARB adopted this program at a public hearing on March 27, 1997.

### Portable Equipment

The exemption in paragraph (h)(1) for portable equipment has been deleted because EPA commented that portable equipment operating at a stationary facility cannot be so broadly exempted from a Title V permit, with the exception of non-road engines and statewide registered equipment (see previous discussions on Non-Road Engines and Military Tactical Support

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Equipment). Similarly, paragraph (h)(2) has been deleted because the language does not accurately reflect how portable equipment are treated pursuant to the RECLAIM program. In place of these deleted paragraphs, new paragraph (h)(5) incorporates guidance jointly developed by EPA and CARB for portable equipment operating at a stationary Title V facility.

The paragraph allows portable equipment, that has either an AQMD permit or state-issued permit or registration to operate throughout the District, to remain off of the Title V permit of the stationary facility it visits, provided that one of the following requirements are met:

- (1) ~~The equipment is contractor-operated or rental equipment and its operations at the stationary facility aren't routine and predictable;~~
- (12) ~~The equipment has a Title V, temporary source permit, or~~
- (23) ~~The equipment has either an AQMD permit or state-issued permit or registration and is subject only to generic regulatory requirements (such as Rule 401 - Visible Emissions) and not to any source-specific regulations (such as Rule 1140 - Abrasive Blasting). However, the stationary facility's Title V permit must specifically state that the generic requirements apply to portable equipment; or~~
- (3) The equipment has an AQMD permit or registration and the operation of the portable equipment does not conflict with the terms and conditions of the Title V permit and does not occur outside one 365-day period, or window during the term of the Title V permit. The time period may not be extended for portable equipment that is replaced with other portable equipment that performs the same function.

In the first case [Rule 3004 (h)(5)(A)], the portable equipment operator will have a full-fledged Title V permit that allows operation throughout AQMD. The portable equipment operator will be responsible for meeting all Title V permit obligations, such as monitoring, reporting and annual certification.

The second case [Rule 3004 (h)(5)(B)] applies only to any portable equipment not subject to a source-specific regulatory requirement. However, few portable equipment will meet this criterion.

The third case [Rule 3004 (h)(5)(C)] is based on 40 CFR Part 70, Section 70.5 (a)(1)(ii) which allows operation of equipment for one year outside of the Title V permit before an application for a permit revision is required. This section is applicable to equipment that has been permitted and undergone a Regulation XIII - New Source Review (NSR) evaluation by AQMD. EPA stated that state-registered portable equipment does not qualify for this because AQMD is precluded by state law from issuing a

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permit subject to NSR to state-registered equipment. The subparagraph allows operation by portable equipment with a valid AQMD District permit or registration within one one-year period or window during the 5-year term of the Title V permit, provided the portable equipment is not required to have a Title V permit itself. (If the portable equipment has a Title V temporary source permit, subparagraph (h)(5)(A) applies.) During the one-year window, the Title V facility operator would not be subject to any Title V requirements. The one-year time limit can not be circumvented by replacing a portable equipment unit with another unit with the same function.

The proposed amendments do not include a CARB proposal that state-registered portable equipment could be considered as an attachment to a stationary facility's Title V permit, because EPA has not yet agreed to this

EPA's White Paper No. 1 gives states authority to treat short-term activities at a stationary source generically, without emissions unit specificity and AQMD intends to follow this approach in preparing Title V permits for stationary facilities where portable equipment subject to Title V operate. AQMD will work with EPA and CARB on the details of how this will be accomplished. Since it is already authorized by the white paper, it does not require rule language in Regulation XXX to implement.

General Clean-Up

Paragraph (g)(2) has been deleted from this rule and moved to subdivision (i) of Rule 3003 where actions on permit renewal applications are more appropriately discussed.

As previously described, every occurrence of "or designee" has been deleted from this rule. Also, to account for changes made to this rule, some references to paragraphs have been renumbered.

**RULE 3005 - PERMIT REVISIONS**Reorganization

For the sake of brevity, clarity and consistency, the rule has been reorganized so that the common elements of each type of permit revision described are addressed in new subdivision (a) - General Requirements. Requirements found in other Regulation XXX rules are referenced rather than repeated. As a result, several elements in the discussions for Administrative Permit Revisions (now renumbered as subdivision [b]), Minor Permit Revisions (now renumbered as subdivision [c]), and Group Processing Procedures for Multiple Minor Permit Revisions (now renumbered as subdivision [d]), are now redundant or no longer accurate and have been deleted.

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General Requirements

The requirements for administrative, minor (including group processing procedures), de minimis significant, and significant permit revisions all share four common elements: Procedures, Ability of Facilities to Make Changes, Application Shield, and Permit Shield. These requirements were deleted from the individual permit revision descriptions, condensed and moved into new subdivision (a).

Administrative Permit Revisions

The subdivision for administrative permit revisions has been renumbered from (a) to (b). In addition, paragraph (b)(2) has been modified to match the format of the other permit revision subdivisions in the rule such that an administrative permit revision application shall include a description of the change and a certification by a responsible official.

Minor Permit Revisions and Group Processing Procedures

The subdivision for minor permit revisions has been renumbered from (b) to (c) and the subdivision for group processing multiple minor permit revisions has been renumbered from subdivision (c) to (d).

Since separate procedures have been proposed for de minimis significant permit revisions, the reference to the definition of de minimis significant permit revision has been deleted from subdivision (c).

To be consistent with the proposed deletion of the definition of "draft" permit in Rule 3000 and with the changes to Rules 3003 and 3005 regarding a concurrent EPA, public and affected State review process, the reference to a draft permit is no longer necessary and has been deleted from subdivisions (c) and (d).

The requirement in old paragraph (b)(3) to notify EPA and affected States within five days of receipt of a minor permit revision application has been deleted. This is because AQMD's minor revision process requires the notification of EPA and affected States to occur *after* the preparation of the facility's proposed Title V permit revision. For the same reason, old paragraph (c)(3), which required notification of EPA and affected States of group minor permit revisions during the first week of each calendar quarter or within five days of receipt of a minor permit revision application that exceeded the group emission thresholds, has been deleted. Applications will still be sent to EPA in accordance with Rule 3003 (j)(1)(A).

Instead of grouping minor permit revisions each calendar quarter, the proposed subparagraph (d)(1)(C) will allow grouping of applications submitted within any 90 day period.

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EPA commented that without a requirement for timely submittal of the proposed minor or group minor permit revision to EPA for their 45-day review, the 90-day and 180-day deadlines for issuing the permit revisions could not be met. Therefore, staff has added requirements in subparagraph (c)(2)(B) and paragraph (d)(3) for AQMD to submit the proposed permits to EPA 45 days before the deadlines.

Consider a group processing example to illustrate how the proposed changes to Rule 3003 will help assure that AQMD meets the 180-day deadline to issue a permit. Assume a facility submits the first of ten applications that qualify for group processing on January 1. It is subsequently deemed complete without requiring additional information. The facility would then have until April 1 (90 days later) to submit all ten, complete applications. The 180-day clock would start on January 1, and AQMD staff would have until May 16 (135 days later) to submit the proposed permit to EPA for a 45-day review, and until June 30 (180 days later) to issue the permit for the group revision. Even if the last of the ten, complete applications is submitted on the ninetieth day, April 1, there will still be 45 days to complete the review of the entire group and submit the proposed permit to EPA. This is the same amount of time allowed for reviewing one "regular" minor permit revision application. However, if any of the applications are not deemed complete, they will be separated out of the group and processed individually under the appropriate revision track.

For both minor and group minor processing, the requirement that the Executive Officer deny the permit if it is determined that the application should be reviewed under another revision procedure has been deleted. Instead, AQMD will process the application under the appropriate revision procedure. This is reflected in amended clause (c)(2)(B)(i) and subparagraph (d)(3)(B).

Per EPA's request, the group processing thresholds described in new subparagraph (d)(2)(B) have been clarified.

De Minimis Significant Permit Revisions

Subdivision (e) has been added to address the applicability of and procedures for de minimis significant permit revision applications. The procedures are nearly the same as for minor permit revisions. Also, similar to the timelines allowed for staff to take action of grouped minor permit revision requests, subparagraph (e)(2)(B) of Rule 3005 proposes to allow staff 135 days from when an application is deemed complete, to send the permit to EPA for review or determine that the application does not meet the criteria for a de minimis significant permit revision and should be processed under another revision track. The timeline of 135 days is proposed for this determination to assure that the EPA will continue to

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have 45 days to review the application and that the total review time will not exceed the 180 days as proposed in Rule 3003 (i)(2)(E).

Reopening for Cause

This subdivision has been renumbered from (e) to (g). The original language in paragraph (e)(2) of this rule discusses two elements that pertain to the permit reopening process. One portion of this paragraph discusses the authority of the AQMD to revoke and terminate a permit. This is a separate requirement and it has been moved into paragraph (g)(3). The remaining portion of the original paragraph (e)(2) explaining how the reopening procedures will ultimately affect the permit has been renumbered to paragraph (g)(2) and reworded slightly for clarity.

Reopening for Cause by EPA

This subdivision has been renumbered from (f) to (h). This subdivision has been revised to make the procedures for reopening permits for cause by EPA more clear, and consistent with 40 CFR Part 70, Section 70.7 (g). Also, since 40 CFR Part 70 does not state when the Executive Officer should act if EPA agrees with the proposed permit action, new language has been added to this part that will give the Executive Officer 15 days to act after EPA agreement, or the end of the 90-day review period, whichever occurs first. Furthermore, additional clarification has been added to the resolution process if EPA objects to a proposed permit.

Operational Flexibility

This subdivision has been renumbered from (g) to (i). EPA has commented that the operational flexibility provisions under what is now paragraph (i)(1) are slightly inconsistent with the language in Section 70.4 (b)(12) of 40 CFR Part 70. Subparagraphs (i)(1)(A) and (i)(1)(B) require the facility to submit a notice to the EPA and the AQMD indicating when a change under the operational flexibility provisions will occur. A requirement stating that the facility and the AQMD are also required to attach the notice to the current version of the permit is missing from this paragraph. New language to this effect has been added in subparagraph (i)(1)(D) to include this requirement.

Also, the current rule language in this paragraph states that changes that constitute modifications under Title I of the federal Clean Air Act do not qualify for operational flexibility. Subdivision (k) of this rule also has the same restriction. However, neither subdivision explains what a Title I modification really is. Subparagraph (i)(1)(C) restricts some, but not all, actions that are Title I modifications from operational flexibility. Therefore, the references to Title I modifications have been deleted from both the operational flexibility subdivision (i) and subdivision (k). In their place, additional restrictions have been added to subparagraph (i)(1)(C) to describe all actions that are Title I modifications. They include actions

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subject to AQMD's Regulation XVII - Prevention of Significant Deterioration (PSD), NSPS standards as described in 40 CFR Part 60, and NESHAP standards as described in 40 CFR Part 61 and Part 63.

Also, paragraph (k)(1) states that a Title V facility shall not make a change that is subject to the Acid Rain program under Title IV of the federal Clean Air Act without revising the permit. To maintain all of the restrictions to limiting changes without permit revisions in one place, paragraph (k)(1) has been deleted and moved under subparagraph (i)(1)(C).

Prohibitions on Changes Not Specifically Allowed by Permit

This subdivision has been renumbered from (i) to (k). Paragraphs (k)(1) and (k)(3) have been deleted (see previous discussion for Operational Flexibility above) and paragraph (k)(2) has been merged with the subdivision's introductory text. The words "administrative permit revision" have been removed because facilities are not prohibited from making those changes.

General Clean-Up

As previously described, every occurrence of "or designee" has been deleted from this rule. To remove redundant language and combine like requirements, the responsible official certification requirements in old subparagraph (d)(2)(E) have been merged into renumbered subparagraph (d)(2)(A).

## RULE 3006 - PUBLIC PARTICIPATION

Application Content

Subparagraph (a)(1)(C) requires the applicant to prepare and submit a proposed public notice at the time of filing a Title V application. Consistent with Proposed Amended Rules 3003 and 3005, it is now AQMD's intent to prepare each public notice. Therefore, this requirement has been deleted.

Public Notice Contact Person and Public Hearing Request Procedures

Currently, the rule language in subparagraph (a)(1)(F) allows any person, after receiving notification that the AQMD proposes to issue a Title V permit to a facility, to request a public hearing within 10 days of the notice publication date. AQMD staff proposes to increase this amount of time to 15 days so that a person can have more time to read the notice, initial application, and proposed permit, and then complete and submit a public hearing request as appropriate.

To make a public hearing request, the individual must directly notify the Title V facility involved. However, the current rule language does not

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require the identification of a specific individual in the public notice as the intended recipient of this type of Title V correspondence. To assure that the appropriate individual at a Title V facility will be directly notified, subparagraphs (a)(1)(B) and (a)(1)(F) now specify that the facility's contact person be identified in the public notice, and notified by the individual requesting the public hearing.

Subparagraphs (a)(1)(D) and (a)(1)(G) have been revised slightly to clarify that the Executive Officer will notice a proposed permit hearing at least 30 days prior to the scheduled hearing date. Also, subparagraph (a)(1)(G) has been revised to say that AQMD staff will hold a public hearing only if a valid request is received in accordance with the public hearing request procedures in subparagraph (a)(1)(F).

Also, for permit hearings for multiple facilities that share common issues, new subparagraph (a)(1)(H) has been added to allow the Executive Officer to combine permit hearings, provided that the affected facilities do not object.

"Draft Permit" vs. "Proposed Permit"

Currently, there are several places in this rule where the terms "draft permit" and "proposed permit" are used. This rule has been corrected to be consistent with the elimination of the term "draft permit" from Rule 3000 and its replacement with the term "proposed permit," and the corresponding procedures establishing a concurrent public, affected State, and EPA review of the proposed permit in Rules 3003 and 3005.

General Clean-Up

Subdivision (b) of this rule has been clarified to exempt de minimis significant permit revisions from public participation procedures. Subparagraph (a)(1)(F) has been clarified that a public request for a public hearing must contain all the listed information. As previously described, every occurrence of "or designee" has been deleted from this rule.

## RULE 212 - STANDARDS FOR APPROVING PERMITS

Current Requirements

Rule 212 establishes criteria for the approval of permits by the AQMD. The amendments to this rule incorporate the changes to the California Health and Safety Code, Section 42301.6 and streamline and coordinate noticing requirements, particularly those associated with Regulation XXX.

Rule 212 currently includes procedures for notification of persons within a defined proximity of a "significant project," who may be affected by the

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proposed construction or modification. The definition of "significant projects" represents a combination of AQMD policy and state law.

As currently defined, a significant project is:

- a new or modified permit unit that emits air contaminants and located within 1000 feet of a school;
- has emission increases exceeding Regulation XIII's old Community Bank thresholds previously established in the May 3, 1991 version of Rule 1309.1 - (NSR) Community Bank and Priority Reserve, or,
- one that emits carcinogenic air contaminants at levels which may expose an individual to a lifetime cancer risk greater than, or equal to, one in a million ( $1 \times 10^{-6}$ )

The first criterion above is a state-mandated requirement, whereas the latter two reflect AQMD policy decisions, and California Environmental Quality Act (CEQA) requirements

The rule currently requires a public notification to be distributed within a radius of 750 feet of a new or modified source emitting an air contaminant that is located within 1000 feet of a school. For a new or modified source with emission increases exceeding the old Community Bank thresholds, the notice must be distributed to persons within 1/4-mile radius.

The rule also includes the requirement criteria and notification procedures for sources that will undergo construction or modifications resulting in an emissions increase exceeding the old Community Bank thresholds and that are:

- subject to NSR;
- subject to Regulation XX; or,
- Outer Continental Shelf (OCS) facilities located within 25 miles of the state's seaward boundary.

### Proposed Amendments

The proposed amendments to Rule 212 reflect the new changes to the law that requires the radius of public notice distribution to be increased from 750 feet to 1000 feet. This will result in an average increase of 78 percent more people receiving notifications since the distribution radius has increased from 750 feet to 1000 feet.

In addition, due to the comments received, the rule language was modified to require the notices to be distributed to the legal guardians as well as to the parents of children.

The proposed amendments will eliminate the redundant requirement to mail notices to persons located within 1/4-mile radius of a new or modified source with emission increases exceeding the levels specified in subdivision

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(g). This is because facilities are already subject to notification requirements pursuant to procedures specified under 40 CFR Part 51, Section 51.161 (b) and 40 CFR Part 124, Section 124.10. In addition, they may also be subject to Title V notification. This amendment will only change the method of noticing.

In the proposed amendments, public notification is required for facilities emitting toxic air contaminants resulting in an increased cancer risk of greater than or equal to:

- ten in a million ( $10 \times 10^{-6}$ ) for single permitted source facilities; or,
- one in a million ( $1 \times 10^{-6}$ ) for facilities with more than one permitted source, unless the applicant demonstrates to the satisfaction of the Executive Officer that the total facility-wide cancer risk is below  $10 \times 10^{-6}$ .

These proposed changes are the result of reconciling the requirements in AQMD's permitting program, the state's AB2588 program, and CEQA with the current notification procedures in Rule 212. In addition, the proposed changes will reduce the number of facilities affected by noticing requirements. Specifically, these changes will:

- reduce the noticing requirements for small sources with a single permit (i.e., gas stations and small auto body shops) because the significant level for carcinogenic compounds is defined as  $10 \times 10^{-6}$  for the entire facility;
- reduce the unnecessary regulatory burden and permitting delays for small sources; and,
- require noticing for large facilities unless they have minimized their facility's toxic emissions and demonstrated that the facility-wide cancer risk is below  $10 \times 10^{-6}$ .

The Executive Officer shall use Rule 1401 - New Source Review of Carcinogenic Air Contaminants, screening analysis procedures to determine if the cancer risk is below  $10 \times 10^{-6}$  for facilities with a single permitted source and  $1 \times 10^{-6}$  for facilities with multiple permitted sources. However, a facility with more than one permitted source has an option to demonstrate that the total facility-wide cancer risk is below  $10 \times 10^{-6}$  by using the risk assessment procedures and toxic substances specified in Rule 1402 - Control of Toxic Air Contaminants from Existing Sources.

In order to better reflect the nature of Rule 212, staff proposes that the title of the rule be changed to Standards for Approving Permits and Issuing Public Notice. Further, the phrase "Sections 41700, 41701, or 44300 (et sec.)" in subdivision (a) does not completely represent all the necessary requirements under Section 42301 of the California Health and Safety Code and instead, was replaced with the phrase "provisions of Division 26."

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For clarification purposes, a reference to Rule 140I risk assessment procedures was added to subparagraph (c)(2)(B) to determine the cancer risk of toxic substances listed in Table I of Rule 1401.

Based on the comments received during the consultation meeting on October 8, 1997, staff proposes that the phrase "significant project" be replaced with "project requiring notification." This change will remove potential confusion created due to the different definitions for significant project under Rule 212 and CEQA. Also for clarification purposes, "This paragraph" in the last sentence of paragraph (c)(2), was replaced with "Paragraph (c)(2)."

Previous Amendments

Rule 212 was originally adopted on January 9, 1976 to give the authority to the Air Pollution Officer to deny a P/C or P/O for sources emitting air contaminants in violation of Section 41700 or 41701 of the California Health and Safety Code. Since then, the rule has been amended nine times. The following is a summary of the rule's amendment history:

**July 6, 1984:** Rule 212 was amended to:

- Incorporate provisions of Section 39050.5 of the California Health and Safety Code. This amendment gave the authority to the Executive Officer or designee to issue a special conditional P/C for resource recovery projects.
- Require the AQMD to provide 30 days public notice of the intent to issue a P/C for resource recovery projects.

**May 17, 1985:** Rule 212 was amended to:

- Eliminate the public notification requirement for resource recovery projects.

**May 1, 1987:** Rule 212 was amended to:

- Include the NSR requirement of publishing a notice before a P/C was granted to a NSR project.
- Include the notification requirements for significant projects or one which had the potential to emit toxics.
- Define significant projects as:
  - All new plants subject to NSR;
  - Modifications to certain existing facilities subject to NSR (resource recovery, cogeneration, sewage plants, electric power plants, or refineries); and,
  - All plants emitting toxic or potentially toxic air contaminants.

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(Potentially toxic air contaminants are defined as substances currently under review by CARB for possible identification as a toxic under the tanner process pursuant to AB1807 or any other material determined by the Executive Officer to be potentially toxic.)

- Require the public notice to be distributed to each address in a 2-mile radius instead of publishing a notice in a local newspaper.

**July 10, 1987:** Rule 212 was amended to:

- Include a significant threshold level for toxic and potentially toxic air contaminants for notification purposes.
- Specify the toxic significant threshold level as any toxic air contaminants which result in a cancer risk of greater than or equal to  $1 \times 10^{-6}$ .
- Define toxic and potentially toxic air contaminants as substances identified or currently under review by CARB for possible identification as toxic air contaminants, or those categorized by the EPA as carcinogens. These definitions were modified in March 1989 and September 1991 amendments.

**March 3, 1989:** Rule 212 was amended to:

- Include changes to the California Health and Safety Code, Section 42301.6. The changes include notification requirement to the parents of children in any school within 1/4-mile of the source and to each address within a radius of 750 feet from the outer property line of the source.
- Define significant projects as all new or modified sources that emit air contaminants and are located within 1000 feet from the outer boundary of school; all new plants subject to NSR; modifications to certain existing facilities subject to NSR (resource recovery, cogeneration, sewage plants, electric power plants or refineries); and all plants emitting toxic which executive officer has made a determination that a person may be exposed to an individual cancer risk greater than or equal to  $1 \times 10^{-6}$ .

**June 28, 1990:** Rule 212 was amended to:

- Include the amendments to NSR in order to meet the state law requirements in the California Clean Air Act (that all emissions are mitigated from newly permitted equipment) and 1989 AQMP (that all emissions are offset from new or modified sources).
- Include the NSR Community Bank threshold limits for public notice.
- Remove the conditional P/C provisions given to resource recovery projects.



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**September 6, 1991:** Rule 212 was amended to:

- Include the exemption from notification for all new and modified sources located within 1000 feet from a school with no increase in emissions pursuant to State of California Senate Bill (SB) 274.
- Include the list of carcinogenic compounds regulated by Rule 1401.
- Add the new area of notification for the sources subject to Rule 1401. This gives the AQMD the authority to choose other appropriate radius.
- Include procedures to file written requests.

**August 12, 1994:** Rule 212 was amended to:

- Include the federal notification requirements for OCS facilities.

**December 7, 1995:** Rule 212 was amended to:

- Add federal notification requirements for facilities subject to NSR and RECLAIM.
- Clarify the rule language.

### General Clean-Up

The phrase "Executive Officer or designee" is used throughout this rule. The words "or designee" are part of the definition of "Executive Officer" in Rule 102 and do not need to be repeated. Therefore, every occurrence of "or designee" has been deleted from this rule.

## EMISSION IMPACT

The proposed amendments to Regulation XXX and Rule 212 have no impact on emission limits, and no direct impact on air quality. However, one purpose of Regulation XXX is to improve compliance of major sources with their permit conditions. To the extent that the regulation succeeds in this regard, air quality will benefit. The primary impact of the proposed Regulation XXX amendments is to allow sources of actual emissions that had made permanent reductions subsequent to 1992 to qualify for an exemption during the first three years of the program. Sources must continue to comply with all other applicable rules. Therefore, staff expects no significant emission impact.

## CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

AQMD staff has reviewed the proposed amendments to Rule 212 and Regulation XXX, pursuant to State CEQA Guidelines Section 15002 (k)(1) and AQMD CEQA Implementation Guideline Section 1.2 (k)(1), and has determined with certainty that the proposed project is exempt from

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the requirements of CEQA pursuant to State CEQA Guidelines Section 15061 (b)(3) and AQMD Implementation Guideline Section 5.1 (b)(3). The proposed project does not cause any potential significant impacts to air quality or any other environmental area. A Notice of Exemption has been prepared pursuant to State CEQA Guidelines Section 15062 and will be filed with the county clerks immediately following the adoption of the proposed amendments.

## SOCIOECONOMIC ANALYSIS

The purpose of the proposed amendments to Regulation XXX is to improve the clarity, increase flexibility and enhance enforceability of the Title V permit rules. The proposed amendments to Rule 212 would make the public notice requirements consistent with state law and would eliminate duplicative or unnecessary noticing.

The proposed amendments to Regulation XXX and Rule 212 are administrative in nature and do not impose any additional requirements on affected sources. As such, the amendments to Regulation XXX and Rule 212 will not result in any adverse socioeconomic impacts.

On October 14, 1994, the Governing Board adopted a resolution that requires staff to address whether rules being proposed for adoption or amendment are being considered in order of cost-effectiveness. The 1997 AQMP ranks, in order of cost-effectiveness, all of the proposed control measures for which costs were quantified. The amendments to Regulation XXX and Rule 212 are not part of the 1997 AQMP, but to respond to issues raised by the public and affected sources. Consideration in order of cost-effectiveness is, therefore, not applicable.

California Health and Safety Code Section 40920.6 requires an incremental cost-effectiveness analysis for other potential control options which would achieve the emission reduction objective in the proposed regulations. No emission reductions are attributed to the amendments to Regulation XXX and Rule 212. Therefore, incremental cost-effectiveness analysis is not applicable for the proposed amendments.

## DRAFT FINDINGS UNDER THE CALIFORNIA HEALTH AND SAFETY CODE

Before adopting, amending or repealing a rule, the California Health and Safety Code requires AQMD to adopt written findings of necessity, authority, clarity,

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consistency, non-duplication, and reference, as defined in Health and Safety Code Section 40727. The draft findings are as follows:

**Necessity** - The Governing Board of the AQMD has determined that a need exists to amend Rule 3000 - General, Rule 3001 - Applicability, Rule 3002 - Requirements, Rule 3003 - Applications, Rule 3004 - Permit Types and Content, Rule 3005 - Permit Revisions, Rule 3006 - Public Participation, and Rule 212 - Standards for Approving Permits, to clarify rule requirements, improve application and permitting procedures for Title V facilities, address EPA conditions for full approval of AQMD's Title V program, make Rule 212 consistent with state law, and avoid unnecessary or duplicative noticing.

**Authority** - The AQMD Governing Board obtains its authority to adopt, amend or repeal rules and regulations from Health and Safety Code Sections 39620, 40000, 40001, 40440, 40441, 40463, 40702, 40725 through 40728.5, 42300, and 42301.

**Clarity** - The AQMD Governing Board has determined that the proposed amendments to Rule 3000 - General, Rule 3001 - Applicability, Rule 3002 - Requirements, Rule 3003 - Applications, Rule 3004 - Permit Types and Content, Rule 3005 - Permit Revisions, Rule 3006 - Public Participation, and Rule 212 - Standards for Approving Permits, are written or displayed so that their meaning can be easily understood by persons directly affected by it.

**Consistency** - The AQMD Governing Board has determined that proposed amendments to Rule 3000 - General, Rule 3001 - Applicability, Rule 3002 - Requirements, Rule 3003 - Applications, Rule 3004 - Permit Types and Content, Rule 3005 - Permit Revisions, Rule 3006 - Public Participation, and Rule 212 - Standards for Approving Permits, are in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, federal or state regulations.

**Non-Duplication** - The AQMD Governing Board has determined the proposed amendments to Rule 3000 - General, Rule 3001 - Applicability, Rule 3002 - Requirements, Rule 3003 - Applications, Rule 3004 - Permit Types and Content, Rule 3005 - Permit Revisions, Rule 3006 - Public Participation, and Rule 212 - Standards for Approving Permits, do not impose the same requirements as any existing state or federal regulation, except to the extent necessary to implement federal regulations under Title V of the federal Clean Air Act and 40 CFR Part 70, and the proposed rules are necessary and proper to execute the powers and duties granted to, and imposed upon, AQMD.

**Reference** - In adopting these amended rules, the AQMD Governing Board references the following statutes which AQMD hereby implements, interprets or makes specific: federal Clean Air Act Sections 501-507 (Title 42 USC Sections 7410, 7502, 7503, 7661-7661f); 40 CFR Part 70 (Operating Permit Program);

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Health and Safety Code Sections 39002, 40001 (rules to achieve ambient air quality standards), 42300 and 42301 (permit system).

## EPA COMMENTS AND RESPONSES

Proposed Amended Regulation XXX

- Comment:** The definition of "potential to emit" in Rule 3000 (b)(16) should only refer to "federally enforceable" permit conditions and not to ones that are "legally and practically enforceable by the District" because this will be the subject of future EPA rulemaking and may have to be changed.

**Response:** The proposed amendment has been removed. However, to be consistent with EPA's guidance memo dated August 27, 1996 (John Seitz), "Extension of January 25, 1995 Potential to Emit Transition Policy," the AQMD will interpret this definition to allow limitations that are not federally enforceable, but are legally and practically enforceable by AQMD, to also be considered in determining the potential to emit. The AQMD will follow this policy which is in effect until July 31, 1998 or until further EPA rulemaking, whichever is sooner. AQMD will amend Regulation XXX in accordance with and upon adoption of future revisions to 40 CFR Part 70 or other relevant regulations.

- Comment:** The proposed amendments in Rule 3001 (e)(2) that provide for exclusions from Phase Two of program implementation based on a facility-wide cap do not satisfy the requirements of EPA's model synthetic minor rule.

**Response:** Staff has withdrawn the proposal.

- Comment:** The proposed language in Rule 3002 (a)(4) would allow, pursuant to Rule 202 - Temporary Permit to Operate, (c), a Title V facility to operate under an unwritten, temporary, permit to operate after altering or installing equipment without first obtaining a P/C. This is not consistent with 40 CFR Part 70, Sections 70.5 (a)(1)(ii) and 70.7 (b), which require a Title V facility to operate in compliance with its Title V permit and to obtain a permit revision prior to commencing operation of new or modified equipment (when preconstruction review is integrated with Title V).

**Response:** Staff has withdrawn the proposal.

- Comment:** The proposed language in Rule 3004 (h)(1) incorrectly exempts temporary sources (portable equipment) that operate at a Title V facility from being on the Title V permit. Nothing in 40 CFR Part 70 excuses temporary sources from having a Title V permit.

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**Response:** Staff has deleted paragraph (h)(1) and proposed new paragraph (h)(5) to address portable equipment.

5. **Comment:** The exemption for research operations in Rule 3004 (h)(4)(B) should be limited to those that "do not contribute to the product produced or service rendered in greater than a de minimis manner," consistent with the proposed amendments to 40 CFR Part 70.

**Response:** The current rule and proposed amendments are consistent with EPA's White Paper No. 1. It is not appropriate to require AQMD to amend its Title V regulation in advance of EPA adopting the same amendments. However, if and when EPA does adopt such regulations, Regulation XXX will be amended accordingly.

6. **Comment:** The proposed amendments to paragraphs (c)(3) and (d)(3) of Rule 3005 should maintain the requirement for the AQMD to send the application to EPA within five business days of receipt, in order to assure that minor permit revisions are processed expeditiously within the allotted 90 days. Otherwise, there should be a mechanism that assures the AQMD will submit the proposed permit to EPA in sufficient time to meet the 90-day overall permit processing requirement.

**Response:** To assure that there is sufficient time for a 45-day EPA review prior to the 90-day deadline, the proposed amendments now require the Executive Officer to submit the proposed minor permit revision to EPA within 45 days of the deemed complete date. Similarly, the Executive Officer is required to submit all of the grouped minor applications within 135 days of receipt of the first complete application in the group. Both timelines take into account the 45 days allotted for EPA review, such that the overall processing time allowed for minor and group minor procedures, respectively, is consistent with the 90- and 180-day limits in paragraph (i)(2) of Rule 3003.

## CARB COMMENTS AND RESPONSES

### Proposed Amended Rule 3004

1. According to California Health and Safety Code (H&SC) Section 41753 (a)(1), the AQMD is preempted from issuing a Temporary Source Permit, or any other permit, to portable equipment registered under the State Portable Equipment Registration Program. To avoid conflict with state law, AQMD should revise paragraph (d)(1) to: "Except in the case of an affected source under the acid rain program or portable equipment registered by the State, an applicant..."

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**Response:** Staff agrees and instead, has added similar clarifying language to paragraph (d)(1).

2. **Comment:** Proposed subparagraph (h)(5)(A) of Rule 3004 provides that contractor-owned portable equipment should not be identified in a facility's Title V permit unless the operation of such equipment at the facility is "routine and predictable." This provision is based on the document "Draft Title V Permitting Obligations for Portable Equipment Operating at a Title V Source" released by the CARB and EPA (Region IX) on May 22, 1997. Subsequent to the document's release, EPA (Region IX) commented that the phrase "routine and predictable" should be deleted from the guidance. Considering this objection, CARB cannot recommend that the phrase be used as a basis for excluding sources from a Title V permit at this time. Instead, CARB recommends that the AQMD follow the guidance provided in EPA's White Paper No. 1 for short-term activities when considering exclusions for certain portable equipment.

**Response:** Staff has deleted the previously proposed subparagraph (h)(5)(A) that was based on "routine and predictable" operations of contractor-operated or rental equipment.

## PUBLIC COMMENTS AND RESPONSES

### Proposed Amended Regulation XXX

#### General

1. **Comment:** When will a facility be able to apply for a federal AOC pursuant to Rule 518.2?
- Response:** Rule 505 - Lack of Permit, prohibits the Hearing Board from accepting a petition for a variance or AOC until a P/O is granted or denied. Similarly, all Title V facilities will be eligible to request an AOC beginning when their final Title V permits is issued.
2. **Comment:** Any Title V facility should be able to obtain an AOC and protection from federal enforcement pursuant to Rule 518.2 prior to issuance of a Title V permit.
- Response:** See response to comment 1.
3. **Comment:** The AQMD should publish an updated list of rules that are pending approval into the SIP.

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**Response:** On a quarterly basis, EPA currently provides AQMD with a "SIP Action Log" containing a list of all rules that have had final action (approval or disapproval) taken to date. If rule pending SIP action becomes approved or disapproved, the compliance certification Form 500-C1 is updated to reflect the change in SIP status.

Proposed Amended Rule 3000

1. **Comment:** Based on the definition of "major source" in 40 CFR Part 70, Section 70.2, other states allow the splitting-up of a facility into separate facilities based on different, two-digit standard industrial classification (SIC) codes. The definition of "facility" in Rule 3000 (b)(9) should be changed to reflect this approach.

**Response:** The recommendation to change the Title V definition of facility would make the definition conflict with the AQMD's definition of a facility in both Regulation XX and Regulation XIII. Since the AQMD's preconstruction review for both RECLAIM and non-RECLAIM facilities are integrated with Title V, the definition of facilities must remain consistent between these programs.

2. **Comment:** Rules 3000 (b)(5), 3003 (i)(1), and 3004 (a)(10)(C), all need to be corrected to consistently use the term "order for abatement."

**Response:** Staff is in agreement with this recommendation and has made the necessary changes.

3. **Comment:** The way Rule 3000 (b)(12)(viii) is written, it seems to preclude any modification at a facility that is already subject to a NSPS or NESHAP from utilizing the minor or de minimis significant permit revision track. This could be problematic, since most activities at a refinery are subject to existing NSPS and MACT requirements for refineries. Therefore, this provision virtually makes several common changes at a refinery ineligible for the minor and de minimis significant permit revision tracks.

Considering all of the modifications that occur at a refinery, this provision will create a permitting backlog and impede a refinery's ability to receive expedited permit revisions for relatively minor changes. Furthermore, excessive project delays will place refineries and other facilities in this district subject to the proposed language at a competitive disadvantage to facilities in other areas of the nation. The AQMD should reconsider making this proposed amendment at this time and, instead, wait until the revised 40 CFR Part 70 is promulgated by EPA.

**Response:** Based on the criteria for minor permit revisions in 40 CFR Part 70, Section 70.7 (e)(2)(i)(A)(4), EPA requires this provision to be added. However, this subparagraph has been clarified to require only installations of new equipment

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and modifications or reconstructions of existing equipment subject to new or additional NSPS or NESHAP requirements to be put through the significant permit revision process

4. **Comment:** Rule 3000 should contain language that would allow the AQMD to issue more than one Title V permit to a military installation if it meets the criteria provided in the August 2, 1996 EPA guidance document regarding major source determinations

**Response:** Although the definition of "facility" in Rule 3000 does not specifically state how a military installation would be treated, the AQMD has the discretion, as provided for in the above-mentioned EPA guidance document, to split up a military installation into separate Title V facilities and issue multiple Title V permits. Upon written request, AQMD staff will follow EPA's guidance and determine whether the military installation is eligible to be divided. If the criteria is met and the separation will not cause a conflict with other AQMD rules (such as Regulation XIII), multiple Title V permits will be issued accordingly. The rule does not need to be amended to accomplish this.

5. **Comment:** A temporary source should not be considered as a "facility" as proposed in Rule 3000 (b)(30), especially since the temporary source emissions are excluded from a facility's total reported emissions as proposed in Rule 3000 (b)(25).

**Response:** For the purpose of this definition, a facility may consist of a single piece of portable equipment or several pieces of portable equipment that must operate together, such as a portable concrete batch plant. Some portable equipment or facilities operate independently and will be considered individually for determining applicability to Title V. Some portable equipment or facilities are owned by a Title V facility and operated on a temporary basis at various locations.

While Rule 3000 (b)(25) does exclude "off-site" emissions from temporary sources when determining the Title V applicability of a stationary facility, it does not exclude emissions from temporary sources that occur at the stationary facility. Both 40 CFR Part 70 and Regulation XXX require that the emissions from all equipment that operate together at the same location be considered for applicability to Title V, regardless of whether the equipment is portable or not.

6. **Comment:** The definition of temporary source in paragraph (b)(30) of Rule 3000 is inconsistent with the Statewide Portable Equipment Registration Program and AQMD's Regulation XIII in that a temporary source is a source operating at a location within a facility.

**Response:** The definition is consistent with 40 CFR Part 70. What EPA calls a "source," the AQMD calls a "facility." The temporary source may consist of several permit units operating together.

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7. **Comment:** Emissions from sources opened to the atmosphere (e.g., open channels at wastewater treatment plants) should be added to the definition of "fugitive emissions" in Rule 3000 (b)(10).

**Response:** EPA's definition of "fugitive emissions" in 40 CFR Part 70 is generic, and includes no specific examples. Whether emissions are fugitive or not must be determined on a case-by-case basis.

8. **Comment:** The definition of "minor permit revision" as proposed in Rule 3000 is too restrictive and should be restored to its original language except that subparagraph (b)(12)(vi) should be deleted or modified to allow applications with insignificant increases in HAPs to use the minor permit revision track.

**Response:** The minor permit revision track is meant for relatively simple permit revisions and, except for RECLAIM facilities, is for applications that do not have an increase in emissions, including HAPs. Since all increases in HAPs must also undergo a Rule 1401 evaluation for toxics, the procedures for evaluating a revision with an increase in HAPs is beyond the scope of what constitutes a minor permit revision. Instead, the application would be evaluated as a de minimis significant or significant permit revision depending on the quantity of the HAPs increase. Also, see response to comment 3.

9. **Comment:** The definition of "proposed permit" as described in Rule 3000 (b)(18) needs to be clarified that the public and affected States do not review all types of proposed permits.

**Response:** Rules 3006 (b) and 3003 (m)(1) already describe the types of permit revisions that are exempt from public participation and affected State review, respectively. Staff has modified the Rule 3000 (b)(18) definition to substitute "or" for "and" (as was previously proposed in an earlier version of the rule) to clarify it.

10. **Comment:** The statement in the definition of "renewal" in Rule 3000 (b)(24) that prevents a concurrent submittal of a permit revision with a permit renewal application isn't a requirement in 40 CFR Part 70 and should therefore be removed.

**Response:** Staff agrees with this recommendation and has deleted this part. In fact, it is the AQMD's intent to require one application at the time a Title V facility is applying for a permit renewal and also requests a permit revision. However, permit revisions have different deadlines for the Executive Officer to act than do permit renewals, so they may have to be processed separately. If a request for a permit revision is submitted after the filing of a permit renewal application, a separate application is required.

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11. **Comment:** Rule 3000 (b)(3) needs to explain whether or not tribal lands are included in the definition of "affected State."

**Response:** Practically speaking, for the AQMD, the definition of "affected State" means Arizona and Nevada. EPA has proposed to revise this definition in 40 CFR Part 70 to include tribal lands. However, EPA's proposal has not been promulgated and as a result, the definition in Rule 3000 is the most correct and current version.

12. **Comment:** The term "status" in Rule 3000 (b)(1)(D) needs to be defined.

**Response:** In accordance with comment 28, subparagraph (b)(1)(D) has been reworded and as a result the term "status" that was originally in this part has been deleted from this rule.

13. **Comment:** There is some confusion regarding AQMD's list of Rule 219-exempt equipment and EPA's list of "trivial activities" published in the TGD, and how they affect making a Title V applicability determination. The definition of "reported emissions" in Rule 3000 (b)(24) or the list of exemptions if Rule 3004 (h) needs to clarify how applicability determinations are to be made for equipment that are on both lists.

**Response:** Rule 301 requires facilities to report all emissions, including those from Rule 219-exempt equipment. However, in the rare event that any emissions were reported from equipment listed by EPA as a trivial activity (this list can be found in the TGD), they are not counted towards a Title V applicability determination. This situation is more appropriately described in the TGD than in the rule.

14. **Comment:** The definition of "compliance documents" in Rule 3000 (b)(5) should include the submittal of deviation reports, Rule 430 - Breakdown Provisions, and Rule 2004 - (RECLAIM) Requirements, breakdown reports, and Rule 218 - Stack Monitoring, reports.

**Response:** The AQMD agrees with this recommendation and has changed this definition to require "compliance reports" which can include deviation and breakdown reports.

15. **Comment:** Limiting the minor permit revision process to no increase in HAP emissions means that almost all emission increases will be excluded from this process because of trace HAP emission increases that will inadvertently accompany the non-HAP emission increase.

**Response:** The minor permit revision track excludes any increase in HAPs because such a change would require a risk analysis calculation which could result in a more in-depth and lengthy evaluation process. If the proposed increase in

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HAPs is no more than 30 pounds per day (cumulative over the 5-year life of the permit), the de minimis significant track could be utilized. The de minimis track has the same permit review process by EPA and affected States as minor permit revisions. The only difference is AQMD will have more time (180 days versus 90 days) to complete the evaluation and review processes.

16. **Comment:** Title V does not allow any Title I modification (including a modification subject to NSR) to go through the minor permit revision process, so how can any permit revision resulting in an emission increase use the minor track?

**Response:** Staff agrees that 40 CFR Part 70 does not allow a Title I modification to be processed as a minor permit revision. Therefore, the definition of minor permit revision has been amended. However, because AQMD requires all emission increases to go through NSR, EPA is not requiring that all modifications subject to AQMD's NSR to go through the significant revision track. Permit revisions with emission increases below certain cumulative emission thresholds may still qualify as a de minimis significant permit revision, which has the same review process as a minor permit revision, but allows more processing time.

17. **Comment:** A permit revision to change a RECLAIM concentration limit that does not trigger RECLAIM NSR should be eligible for an administrative permit revision.

**Response:** AQMD staff does not believe that a change in a RECLAIM concentration limit matches the simplistic nature of what constitutes an administrative revision.

18. **Comment:** Permit revisions to incorporate changes that have already been subject to public and EPA review (such as credit approvals in trading programs) should be processed as administrative or minor permit revisions.

**Response:** That is the case for most RECLAIM trading credit (RTC) transactions where all monitoring, reporting and recordkeeping requirements are clearly specified by the regulation, the transfer is a routine, and AQMD approval is not required.

While EPA and the public may review a new program (regulation) when the rule is adopted, they will continue to be entitled by 40 CFR Part 70 to review how the program is implemented for a specific facility if AQMD pre-approval is required, and the approval results in significant changes to the permit.

19. **Comment:** The proposed language in Rule 3000 (b)(12)(viii) for minor permit revisions needs to be revised to exclude only revisions that trigger either NSPS or NESHAP requirements. Otherwise, no change at a facility that is subject to NSPS

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or NESHAP requirements could qualify for processing under the minor permit revision track.

**Response:** Staff has further clarified this part of the definition to say that installations of new equipment subject to NSPS or NESHAP requirements cannot qualify for minor permit revision processing. Also, staff proposed language in new subparagraph (b)(12)(ix) that prevents only modifications or reconstructions of existing equipment subject to new or additional NSPS or NESHAP requirements from being processed as a minor permit revision. Also, see response to comment 3.

20. **Comment:** To be consistent with 40 CFR Part 70, a definition of periodic monitoring should be added to Rule 3000. Furthermore, the rules should be clarified to say that recordkeeping can be considered sufficient to satisfy periodic monitoring requirements.

**Response:** Staff has added a definition of "monitoring," instead of "periodic monitoring," to Rule 3000 to include emission testing, continuous emissions monitoring, material testing, and instrumental and non-instrumental monitoring of process conditions. Staff has also added a statement to Rule 3004 (a)(4)(C) that allows recordkeeping to satisfy periodic monitoring requirements, as allowed by 40 CFR Part 70.

21. **Comment:** In addition to device numbers, equipment in existing RECLAIM permits have been assigned process and system numbers. This numbering system prevents equipment that would otherwise be eligible to be moved elsewhere within the facility from moving until after the permit is revised. Under Title V, these types of permit revisions should be handled under the administrative revision track.

**Response:** Staff agrees with this recommendation, provided that there is no change to permit conditions and that such move does not require an evaluation of regulatory requirements, such as Rule 1401. Proposed language has been added to the administrative permit revision definition under Rule 3000 (b)(1)(G).

22. **Comment:** The definitions of de minimis significant permit revision and RECLAIM pollutant in Rule 3000 seem to indirectly define non-RECLAIM pollutants as VOCs and PM-10 only.

**Response:** Actually, non-RECLAIM pollutants can be any of the following: hazardous air pollutant (HAP), VOC, NO<sub>x</sub>, SO<sub>x</sub>, CO, and PM-10. However, NO<sub>x</sub> and SO<sub>x</sub> are non-RECLAIM pollutants, only if emitted from a facility that is not subject to the RECLAIM program for either pollutant.

23. **Comment:** The definition of emergency in Rule 3000 needs to be modified to include situations that may be caused by improperly designed or otherwise faulty equipment of another facility under different ownership. For example, a failure of

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a utility company's power lines may cause a wastewater treatment facility to operate its power generators in violation of the Title V permit and the facility operator may not be able to take immediate corrective action to restore normal operations

**Response:** The definition of emergency already covers this situation

24. **Comment:** Paragraph (b)(12) of Rule 3000 for minor permit revisions is organized in a way that seems to require all minor permit revision requests to involve the incorporation of an existing general permit. Since not all minor permit revisions will involve general permits, this part should be clarified by adding an "or" between subparagraphs (b)(12)(A) and (B).

**Response:** Staff agrees and has corrected the language accordingly.

25. **Comment:** The inclusion of fugitive HAP emissions in the definition of reported emissions in Rule 3000 for the determination of Title V applicability goes beyond what is required by 40 CFR Part 70.

**Response:** The definition of "major source" in 40 CFR Part 70, Section 70.2 requires fugitive HAP emissions to be considered for Title V applicability determinations.

26. **Comment:** Several modifications with individually small increases in emissions, each qualifying for the de minimis significant permit revision track but that collectively are large enough to trigger the significant permit revision track, should be processed as a de minimis significant permit revision up until the emission threshold is exceeded.

**Response:** Regulation XXX allows for this.

27. **Comment:** The proposed changes to the definition of reported emissions in Rule 3000 seem to say by default, that all other emissions from portable equipment and engines permitted under NSR would be included in a calculation to determine Title V applicability. If this is correct, this definition needs to be clarified.

**Response:** Reported emissions from a stationary facility should include emissions occurring at the facility from portable equipment and engines not specifically excluded by the definition. Also, see response to comment 5.

28. **Comment:** The staff report for Regulation XXX and the TGD need to explain that generic permit conditions at the P/C stage may change to more equipment-specific information at the P/O stage as part of an administrative clean-up procedure.

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**Response:** Rule 3000 (b)(1)(D) has been amended to allow the use of administrative permit revision procedures to issue a final P/O that is different from the P/C, only if conditions that are no longer applicable are removed, or if the changes meet the other criteria in the administrative permit revision definition.

29. **Comment:** Once a RECLAIM facility increases its starting allocation plus non-tradeables by acquiring and incorporating RTCs to offset emissions from new or modified equipment, there should be a mechanism for "re-setting" the applicability threshold to avoid the significant revision track for a new emission increase.

**Response:** Staff agrees and has proposed changes to clause (b)(12)(A)(v) that will allow emission increases below the new threshold to undergo a minor, instead of a significant, permit revision.

30. **Comment:** The definition of temporary source should be clarified to consider a temporary source as a facility only if its emissions alone exceed levels established in Table 1 or Table 2 of Rule 3001.

**Response:** There is no need or benefit to have the definition for temporary source be dependent upon emissions.

31. **Comment:** The definition of monitoring, in addition to Rule 3004, should say that recordkeeping may suffice as monitoring.

**Response:** Staff does not believe recordkeeping meets the definition of monitoring. However, recordkeeping can meet the periodic monitoring requirement in Rule 3004.

32. **Comment:** The definition of "potential to emit," which requires limitations to be federally enforceable, is not consistent with EPA policy guidance memoranda.

**Response:** See EPA comment 1.

33. **Comment:** The word "another" in subparagraph (b)(12)(B) needs to be clarified. Does this mean that a minor permit revision requires the issuance of another general permit?

**Response:** The word "another" in this definition refers to the issuance of another Title V permit that is issued after a request is made to add a separately issued general permit into a new or existing Title V permit.

34. **Comment:** Since not all process units need to be monitored continuously, the definition of "monitoring" needs to specifically include periodic monitoring also.

**Response:** See response to comment 20.

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35. **Comment:** The addition of new restrictions to the definition of "significant permit revision," specifically subparagraph (b)(28)(F), will make almost all changes at a facility significant and should be deleted.

**Response:** Case-by-case evaluations of RACT are required to be a significant permit revision process, but this criterion wasn't originally stated in the definition. Instead, the definitions of minor and de minimis significant permit revisions contained this restriction, implying that a RACT evaluation had to be processed as a significant permit revision. Subparagraph (b)(28)(F) was added to the definition of significant permit revision to make it consistent with the EPA-required changes made to the definition of minor permit revision in paragraph (b)(12). Also, see the discussion in Rule 3000 of the staff report for the changes to the definition of minor permit revisions.

36. **Comment:** Clause (b)(12)(A)(vi) should be deleted from the definition of minor permit revision so that applications with an insignificant increase of HIAPs at a facility that has used up the 30 lbs/day limit over a five-year period can avoid a significant permit revision.

**Response:** See response to comment 15.

37. **Comment:** The phrase "essentially unchanged" in subparagraph (b)(1)(D) needs to be clarified.

**Response:** The previously proposed phrase "essentially unchanged" has been replaced with "no change" and new clauses (b)(1)(D)(i-ii) to allow administrative changes and the removal of P/C conditions that are no longer applicable when updating a P/C to a P/O.

38. **Comment:** The definition of "potential to emit" should exclude the same types of emissions that are excluded in the definition of "reported emissions."

**Response:** Staff agrees and has revised the definition of "potential to emit" accordingly.

Proposed Amended Rule 3001

1. **Comment:** Regulation XXX should include rule language to address the concept of Plantwide Applicability Limits (PAL).

**Response:** The PAL concept has not been included in Regulation XXX because it is not exclusive to Title V facilities. Instead, the PAL approach may be implemented as part of the Regulation XIII reform package. If adopted, Title V facilities will be eligible to apply to revise their Title V permits to obtain a PAL according to the guidelines in Regulation XIII.

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2. **Comment:** Some facilities have made recent changes to reduce emissions but emission fee billing (EFB) reports do not yet reflect these reductions. In order for these facilities to avoid Title V permitting requirements, the exclusion provisions in Rule 3001 should be clarified to allow interim emissions data (i.e., reports submitted prior to the deadline for submitting annual EFB reports) to be used as evidence to support exclusion requests of this nature. Furthermore, if these facilities do not receive exclusion in time to avoid the initial application filing deadlines, these facilities should be able to qualify for a facility-wide emissions cap that would limit both permitted and unpermitted activities.

**Response:** Facilities can apply for a local permit to limit their facility-wide potential to emit below applicability thresholds, provided that the facility accepts enforceable permit conditions to ensure that emissions remain below the permitted limit.

3. **Comment:** A temporary source should only be considered a facility-if-its emissions meet or exceed the thresholds in Table 1 or 2 of Rule 3001.

**Response:** See response to comment 5 for Proposed Amended Rule 3000.

4. **Comment:** The requirement in Rule 3001 (c)(2) for a potential to emit calculation to be performed over an entire facility, for every modification proposed at what once would have been a non-Title V facility, is onerous and needs to be changed. During the first three years (Phase One) of the Title V program, all modifications of this nature should have applicability determinations based on actual emissions only.

**Response:** Both Rule 3001 (c)(2) and Rule 3002 (a)(3)(C) allow a facility to construct modifications and operate with non-Title V permits for up to three years after the effective date (Phase One). Then, after three years, a facility is required to apply for a Title V permit. Conducting potential to emit calculations at the time modifications are proposed will be helpful to both the facility and to AQMD staff to assess whether the facility will later be required to apply for a Title V permit.

5. **Comment:** Does Rule 3001 (e)(1) allow facilities with actual emissions less than the levels in Table 1 of Rule 3001 but with a potential to emit that is greater than the levels in Table 2 to be excluded from Phase One of the Title V program?

**Response:** Yes. However, in Phase Two, the facility would be required to obtain a Title V permit unless the facility can demonstrate pursuant to Rule 3001 (d)(2) that the facility's potential to emit has been reduced.

6. **Comment:** If a facility applies for an emissions cap, is the facility required to obtain a cap for each pollutant emitted?



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**Response:** No. The facility will only need a cap for those pollutants whose potential to emit would exceed the Title V applicability thresholds in Table 2 of Rule 3001. Until a rule to limit potential to emit is promulgated by EPA, an emission cap on an existing facility can be established through the locally enforceable permit program.

7. **Comment:** Rule 3001 (b)(2) should explain that RTCs held by a source in certificate form are not considered for the purpose of Title V applicability.

**Response:** Staff agrees and has added such language.

8. **Comment:** A facility should not have to demonstrate that emissions have declined as a result of a permanent change, as required by Rule 3001 (e)(1)(A)(ii), in order to be excluded. This requirement sets up a dual standard because facilities whose emissions were above eight tons in 1992, but below in 1993, 1994 and 1995, would not have to demonstrate a permanent change. Also, facilities should be excluded if they correct over-reported emissions.

**Response:** Contrary to the comment, a facility that reported emissions exceeding any of the Phase One thresholds only in 1992 must also demonstrate that emissions were later reduced by a permanent change in order to gain exclusion. Regarding the second point, AQMD has and will continue to allow over-reported emissions to be corrected, without requiring a demonstration that a permanent change occurred.

9. **Comment:** To prevent relatively low emitting facilities from being required to obtain Title V permits, the AQMD should continue to work with EPA to limit Title V applicability during Phase Two of the program to actual emissions, instead of potential to emit.

**Response:** EPA does not believe they are authorized by law to extend Phase One beyond the first three years of the program. However, AQMD staff will continue to pursue this issue with EPA.

10. **Comment:** Because of Rule 3001 (b)(2), RECLAIM facilities are currently precluded from assuming a cap to get out of the Title V program. There should be a mechanism for a RECLAIM facility to assume a cap that would prevent the acquisition of RTCs in excess of the Phase Two potential to emit thresholds.

**Response:** See responses to comments 2 and 6.

11. **Comment:** If the AQMD intends to base Phase One applicability for existing, new and modified facilities on actual emissions, then Rule 3001 (c)(1) and (c)(2) need to be corrected to reflect this intent.

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**Response:** Staff agrees with this recommendation and has proposed additional language to paragraphs (c)(1) and (c)(2) of Rule 3001 to use potential to emit to determine Title V applicability only for new or modified facilities that have applications for P/Cs and P/Os deemed complete after March 31, 2000.

12. **Comment:** The criteria for determining what type of change is "permanent" in Rule 3001 (e)(1)(A)(ii) needs to be explained.

**Response:** "Permanent" means an equipment modification such as reduced ratings by removing burners, or process changes such as a switch from solvent-based cleaners to aqueous-based cleaners.

13. **Comment:** Facilities should be able to voluntarily accept federally enforceable emission caps pursuant to Regulation XIII to stay out of Title V.

**Response:** See responses to comments 2 and 6.

14. **Comment:** AQMD should not require in Rule 3001 (e) that a facility demonstrate that actual emissions were reduced by a permanent change at the facility, in order to be excluded from Phase One of the Title V program.

**Response:** Title V, as it is promulgated in the federal Clean Air Act and 40 CFR Part 70, is based solely on potential to emit, rather than actual emissions. However, EPA is giving AQMD the flexibility to base Phase One on actual emissions. Nevertheless, staff believes that emission reductions should be the result of permanent changes at the facility, not just reduced sales or production. Nearly all exclusion requests have qualified based on the proposed criterion. Also, see responses to comments 8 and 12.

15. **Comment:** Tables 1 and 2 of Rule 3001 should say they apply to only the Riverside County portions of the Salton Sea Air Basin.

**Response:** Staff agrees and has made the change.

16. **Comment:** One option to get out of the Title V program would be pursuant to Rule 3001 (d)(2) which requires a demonstration that the facility potential to emit has been reduced to levels below those listed in Table 2 of Rule 3001. Would surrendering a permit be considered a reduction in potential to emit?

**Response:** Yes.

### Proposed Amended Rule 3002

1. **Comment:** Because temporary changes due to research operations should not be subject to a Title V permit revision, Rule 3002 (a)(4) (as proposed in the March

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18, 1997 version of the rule package) needs to include the following language at the end of the sentence: "or under a research permit, as authorized by Rule 441."

**Response:** There is already an exclusion of this type in proposed Rule 3004 (h)(2).

2. **Comment:** Non-technology based limitations such as fuel throughput should also be covered by the emergency provisions in Rule 3002 (g). Also, paragraph (g)(1) should include language that requires a facility to retain records for no more than two years.

**Response:** 40 CFR Part 70 only allows these emergency provisions for technology-based limitations. Consistent with 40 CFR Part 70, Rule 3004(a)(4)(E) requires all records to be kept for five years.

3. **Comment:** Rule 3002 (a) restricts the construction of equipment without first obtaining a Title V permit. However, Title V facilities should be able to initiate the construction of non-emitting structural and utility service hook-up facilities prior to obtaining a P/C. Rule 3000 needs to contain a definition of "construction" to explain this situation.

**Response:** Current EPA policy, based on 40 CFR Part 51, Section 51.165 (a)(1)(v), does not allow this type of construction to occur without first obtaining a permit for all facilities, not just those affected by Title V. EPA is considering amendments to the law which could change this situation. If EPA promulgates amended regulations, the AQMD could implement it by defining the term "construction" in Rule 102.

4. **Comment:** Rule 3002 (c)(2) says that non-compliance with a permit condition is a violation of the Clean Air Act, but this is only true if the permit term is federally enforceable.

**Response:** Staff agrees and has amended the paragraph.

Proposed Amended Rule 3003

1. **Comment:** The proposed language in Rule 3003 (a)(4) allows a Title V facility to amend their initial application if a P/C or P/O is issued at least 30 days or more before the proposed permit is issued. In addition, the proposed language in Rule 3002 (a)(3-4) allows a Title V facility to construct, modify, relocate, or operate the P/C or P/O without first obtaining or revising a Title V permit. The proposed language in these rules makes a Title V facility vulnerable to a citizen suit because the facility would be operating the P/C or P/O without a current Title V permit and without an application shield.

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**Response:** Staff believes that the proposed rule language is consistent with EPA's guidance about the procedures for incorporating changes such as new P/Cs and P/Os into a Title V application before final permit issuance. That is, a timely and complete initial application that is submitted to the AQMD and receives an application shield, and is later supplemented with additional information such as an application for a P/C or P/O, the facility's initial application including the supplemental information is still covered by the application shield. For non-Title V permits issued too late to incorporate into the initial application, Rule 3002 (a)(3) allows operation without a Title V permit. This has the same effect as an application shield. A citizen and EPA can only enforce the requirements of Regulation XXX.

2. **Comment:** Rule 3003 (a)(1)(A) should explain what document, if it isn't the TGD, will govern the Title V application format and forms.

**Response:** Subdivision (b) of Rule 3003 is the more appropriate place to specify application content. Because AQMD has prepared Title V-specific forms for applying for a Title V permit, it is sufficient to just refer to those forms.

3. **Comment:** The language in Rule 3003 (a)(7) needs to be clarified to explain that it applies to Title III major sources only.

**Response:** Staff agrees and has changed the language to refer to the definition of "major source" in 40 CFR Part 70, Section 70.2.

4. **Comment:** Rule 3003 (n) needs to also explain the applicant's options when the AQMD fails to take action on a Title V application within the designated timeline.

**Response:** If the applicant filed a timely and complete application for an initial or renewal Title V permit, the facility will be protected by the application shield from enforcement of the requirement to have a permit even if the Executive Officer fails to take action in a timely manner. In addition, under state law the applicant has the right to seek a writ of mandate (Code of Civil Procedure §1085) to compel action on the permit application. Finally, under AQMD rules the applicant has the option to deem the application denied and seek review by the AQMD Hearing Board.

5. **Comment:** New facilities entering the Title V program should be allowed more than 180 days to apply for a Title V permit. In fact, 40 CFR Part 70, Section 70.5 (a)(1) allows 12 months. Rule 3003 should be changed to match the timeline allowed in 40 CFR Part 70.

**Response:** According to Rule 3002 (a)(3)(B), new facilities are allowed to operate with non-Title V permits during Phase One of the Title V program. During Phase Two, Rule 3003 (a)(2)(A) requires these new facilities to submit a

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Title V application within 90 days of the AQMD's notice or by the end of 3 1/2 years after the effective date, whichever occurs first. During Phase Two, there is no deadline for a new facility to apply, but the new facility may not be constructed until the Title V permit is issued, because AQMD's Title V and NSR programs are integrated. The 180-day deadline could apply to an existing facility that reports in Phase One, for the first time, the emission of a pollutant that exceeds one of the levels in Rule 3001, Table 1.

6. **Comment:** Determining fees for a Title V application is complicated and could potentially cause some Title V applications that would otherwise be complete, to be deemed incomplete because of incorrect fees. Therefore, the requirement in Rule 3003 (c)(1) referring to the completeness criteria in the TGD should exclude the reference to fees.

**Response:** The federal Clean Air Act, EPA's 40 CFR Part 70, and AQMD's Rule 301 all require fees to accompany a Title V permit application. Rule 301 is very specific about the amounts required for certain types of Title V applications. AQMD staff is available to help applicants to determine the proper fee prior to filing the application.

7. **Comment:** Rule 3003 (i)(3)(D) inappropriately allows the AQMD an extra 180 days to process a Title V application that requires an Environmental Impact Report (EIR). This rule should be changed to streamline the amount of time allowed to handle this sort of Title V application.

**Response:** The timeframe allowing an extra 180 days for processing time is to accommodate the possibility that the AQMD will be the lead agency on a project that requires an EIR. This provision in the rule does not necessarily mean that the AQMD will automatically take the entire 180 days to process such an application.

8. **Comment:** Currently there is no place in Regulation XXX that explicitly states that the public, affected State, and EPA review periods will occur concurrently. The definition of "proposed permit" in Rule 3000, Rule 3003 (j) & (m), and Rule 3006 need to be amended to explain this intent.

**Response:** The AQMD agrees with this recommendation and has added clarifying language to Rule 3003 (i)(7).

9. **Comment:** If EPA objects to a final Title V permit, Rule 3003 (k)(2) allows 14 days for the AQMD to notify the applicants of the objection. Fourteen days is much too long to complete a simple notification process and instead, should be reduced to five business days.

**Response:** Because the objection must be resolved between the AQMD and EPA, this time is necessary to evaluate the objection, discuss any discrepancies,

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and negotiate a resolution. However, the AQMD will attempt to notify the applicant sooner than the time allowed whenever practicable.

10. **Comment:** Rule 3003 (k)(3) should be amended to reflect AQMD's intention to petition the EPA on behalf of the applicant if an objection appears to be made in error.

**Response:** This part of the rule has been amended accordingly.

11. **Comment:** Section 505 (b)(2) of the federal Clean Air Act requires EPA to respond to public petitions within 60 days of receipt. Rule 3003 (l)(3) should be amended to reflect this requirement.

**Response:** Although Title V of the federal Clean Air Act is the basis for Regulation XXX, it is the requirements promulgated by EPA in 40 CFR Part 70 that determine the contents and rule language in Regulation XXX. Since this requirement is not reiterated in 40 CFR Part 70, AQMD does not have the authority to add this requirement to Rule 3003 or to require EPA to act within the 60 day timeframe. Regardless of whether this requirement is reiterated in the rule, EPA is still subject to this particular requirement of the federal Clean Air Act.

12. **Comment:** Over what time frame must the emissions from minor permit revisions be accumulated to show they are less than the allowed 5 tpy, and eligible for group processing?

**Response:** All permit revision applications with collective emissions totaling less than 5 tpy and submitted to the AQMD within 90 days of receipt of the first complete application in the series can be grouped. Another series of applications comprising a new group, and with an additional 5 tpy of emissions, may be submitted and processed within another 90-day window.

13. **Comment:** Title V facilities should not be prohibited by Rule 3003 (i)(6)(B) from requesting a group change.

**Response:** 40 CFR Part 70 and Rule 3003 (i)(6) require AQMD to issue 1/3 of the total Phase One Title V permits in each of the first three years. AQMD cannot meet this requirement if facilities are allowed to request group changes.

14. **Comment:** Comments from EPA, affected States, or the public received by AQMD regarding a proposed permit should be provided immediately to the facility.

**Response:** 40 CFR Part 70 does not require this. However, during the evaluation of comments and resolution of pending issues within the permit, whenever feasible and appropriate, AQMD staff will keep the facility informed of

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relevant comments and any additional changes that may need to be made to the proposed permit.

15. **Comment:** The proposed amendments to Regulation XXX need to include language that addresses potential compliance problems (SIP-gap) that all Title V facilities will face when two versions of the same rule are in effect during the term of a Title V permit. This rule change is necessary especially in the event where there is a rule relaxation involved, such that there is one older, federally enforceable version of a rule and one newer, locally enforceable, less stringent version in effect. When a portion of a Title V permit is affected by a rule relaxation, only the unaffected part of the permit should be issued. The permit should also contain a permit shield to protect the facility from having to comply with the more stringent (and federally enforceable) version of the rule. Then, upon SIP-approval of the rule relaxation, the previously delayed portion of the permit can be issued.

Since the EPA's SIP-approval process already has a public review process built-in, the mechanism to add the delayed portion of the permit into the main permit should not be required to undergo another public or EPA review via the significant permit revision track. Otherwise, significant review of changes to Title V permits caused by SIP-approvals will be never-ending to the point of creating an onerous permit revision backlog. (See definition of applicable requirements in Rule 3000 [b](4))

**Response:** According to EPA's White Paper No. 2, the AQMD is authorized, and intends to, delay the issuance of portions of a Title V permit for any locally-approved rule that is awaiting EPA approval into the SIP. However, the delay is only warranted when the rule is considered a relaxation and the facility proposes in its permit application that the permit should be based on the local rule until EPA approves the relaxation into the SIP.

AQMD has prepared a list of rules that represent relaxations from previous SIP-approved versions. AQMD and EPA have agreed to prepare a plan regarding the timing and review of the pending rules that represent relaxations within one year of the program's effective date. For rules that will be listed in this agreement, the AQMD will then be authorized to delay issuance of the portion of the permit affected by the pending rule until it becomes SIP-approved. However, the portions of the Title V permit which are delayed because of awaiting EPA approval of applicable rules into the SIP will continue to be subject to AQMD permit requirements.

For locally-approved rules that are more or equally stringent as the SIP-approved version, the AQMD will issue the Title V permit with the locally-approved rule. The procedures for handling this type of permitting will be included in the upcoming version of the Technical Guidance Document.

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16. **Comment:** The compliance certification language that is referred to in Rule 3003 (c)(7) and Rule 3004 (a)(12) should be no more stringent than what is required by 40 CFR Part 70 and EPA's White Papers. It is unreasonable to expect the responsible official to have personal knowledge of the information in the package and to certify every Title V related document submitted to the AQMD.

**Response:** The rule language pertaining to the responsible official's compliance certification is no more stringent than 40 CFR Part 70.

17. **Comment:** Title V facilities should be able to receive protection similar to that provided by a federal AOC pursuant to Rule 518.2 under Rule 3003 (i)(1) for sources emitting HAPs that are regulated by Section 112 of the federal Clean Air Act.

**Response:** Rule 518.2 (c)(2) is very specific about the circumstances under which federal AOCs applies. Both variances and federal AOCs are restricted from protecting facilities from having to comply with federally promulgated requirements such as Section 112 of the federal Clean Air Act.

18. **Comment:** The 180-day application processing timeline for de minimis significant permit revisions is too long, considering that any increase in HAP emissions would trigger the de minimis track.

**Response:** Of all the procedures and timelines for processing non-Title V applications, the de minimis track is the one that most closely mirrors the AQMD's current permitting schedules. A non-Title V application with any increase in HAPs would automatically fall under the 180-day processing because of necessary calculations to determine compliance for emitting HAPs. Staff's proposal of 180-days is consistent with current evaluation timelines for permit actions that involve the alteration of existing equipment or permit conditions that increase facility emissions and necessitate a determination of BACT, air quality impacts, and emission offsets.

19. **Comment:** Rule 3003 (i)(4) should have additional language that requires the applicant to review the proposed permit prior to any public, affected State, and EPA review.

**Response:** Although 40 CFR Part 70 and Regulation XXX do not require this, AQMD staff intends to provide proposed permits to facilities for review.

20. **Comment:** For EPA to terminate, revoke, or revise a permit by adding conditions to a P/C pursuant to Rule 3003 (l)(4) after construction has begun is unfair and could be financially catastrophic to a Title V facility. Instead, no permit should be issued until all possible objections are addressed.

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**Response:** Subdivision (l) of Rule 3003 is directly from the requirements in 40 CFR Part 70 and contains strict criteria in order for the public to object to a permit after its issuance. Because of this, staff doesn't anticipate many permit actions of this nature. Instead, staff believes that the public participation procedures for reviewing and commenting on a proposed permit are thorough and should adequately address the public's concerns prior to final permit issuance.

21. **Comment:** The application shield provisions should be extended to amendments made to a Title V application for any addition or modification that would be issued a permit 30 days prior to the issuance of the draft Title V permit, in accordance with Rule 3003 (a)(4).

**Response:** Non-Title V permits are expressly authorized by proposed amendments in Rule 3002 (a)(3) for facility changes applied for before a facility's initial Title V permit is issued. Therefore, an application shield from the requirements of Rule 3002 (a) is not required for this equipment.

22. **Comment:** Rule 3003 (i)(1) should also require that a facility submit a compliance plan and schedule for any non-compliance in order to be granted a permit.

**Response:** Staff agrees and has amended the paragraph.

23. **Comment:** As proposed in paragraph (i)(7), the Executive Officer should not commence public notice and review of Title V documents even if there is no request by the public. The public, upon receiving all required notifications and other related information, should, by itself, decide if it is willing to submit review and comments.

**Response:** Paragraph (i)(7) means that if an application is required to have a public or affected State notice, to shorten the overall review time needed to evaluate the application, the Executive Officer will attempt to coordinate the publishing of the notices for the appropriate review periods near or about the same time. The notice mentioned in this paragraph refers to the notice of intent to issue a Title V permit and not to a notice to hold a public hearing.

24. **Comment:** AQMD staff's interpretation of the rule language proposed in paragraph (n)(2) (see page 13 in the staff report) that "permits cannot be issued without undergoing public review" incorrectly assumes that the public is willing to provide comments and is unsatisfied with the proposed permit.

**Response:** The staff report has been revised to say that the permits can't be issued without the opportunity for public review.

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### Proposed Amended Rule 3004

1. **Comment:** The proposed changes to Rule 3004 (h) seem to require certain Rule 219-exempt equipment to be permitted and later subject to permit revision requirements if changes are proposed. If this is the case, then the exemption under Rule 219 is meaningless for Title V facilities. The way this portion of the rule is written, it is unclear as to the AQMD's intent to handle such equipment, and therefore, needs further clarification. If, in fact, it is only necessary to periodically update Rule 219-exempt equipment in a Title V permit, Title V facilities could update their exempt equipment listing in their permits at the time of submitting annual compliance certifications instead of triggering a full-blown permit revision.

**Response:** In order to obtain full EPA approval, AQMD must include all equipment that has source-specific regulatory requirements, regardless if the equipment is listed in Rule 219. However, Rule 219-exempt equipment will be listed in a separate part of the Title V permit, will only be generically described by equipment category, will not have to have a P/C, and will not be charged permit fees.

RECLAIM facilities are already required to annually update their permits with the most recent exempt equipment listing at the time of filing Annual Permit Emissions Program (APEP) reports. In addition, all Title V facilities will be required to update this listing at the time of filing a permit renewal application. Facilities revising their Title V permits, for other reasons than updating the exempt equipment list, may provide an updated list in the permit revision application. For these reasons, staff does not anticipate a need for non-RECLAIM facilities to annually update their Rule 219 equipment listing.

2. **Comment:** The requirement that all documents required by a Title V permit or Regulation XXX must be certified by a responsible official as proposed in Rule 3004 (a)(12) is too broad and should, instead, be limited to application forms, compliance plans, and annual compliance certifications only.

**Response:** The following citations in 40 CFR Part 70 support the proposed rule language as it is written: Section 70.5 (c)(9) and (d), Section 70.6 (a)(3)(iii)(A) and (c)(1), and Section 70.7 (e)(2)(ii)(C) and (e)(3)(ii)(C).

3. **Comment:** For equipment that is later determined not to qualify for a general permit after being approved for a general permit as stated in Rule 3004 (e)(8), the AQMD should be required to notify the facility of this determination, and the Title V facility should be allowed to submit a "regular" Title V application in accordance with the timelines in Rule 3003 (a) and (c).

**Response:** EPA is requiring language in Rule 3004 to make the facility subject to enforcement action for operating without a Title V permit, consistent with 40 CFR Part 70, Section 70.6 (d)(1), if the facility is found to not be eligible for the

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general permit. There is no grace period to allow time for submittal of a new Title V application.

4. **Comment:** The requirement for public, affected State and EPA review of a permit renewal as proposed in Rule 3004 (f)(6) should be removed if there are no changes in operations at a Title V facility and no change in applicable requirements.

**Response:** Regardless of whether or not there are any changes that need to be made to a Title V permit at the time of permit renewal, 40 CFR Part 70, Section 70.7 (a)(ii), (iii) and (v) require public, affected State and EPA review. The proposed language is consistent with these requirements.

5. **Comment:** Because some research operations take more than one year to complete, the phrase "for a duration of one year or less" should be deleted from Rule 3004 (h)(2).

**Response:** Staff agrees and has deleted the language. Rule 441 requires that the permit duration be limited, but it could be for more than one year.

6. **Comment:** Rule 3004 (a)(5) requires "prompt reporting" of monitoring data. The term "prompt" is too broad, subject to interpretation that could vary between AQMD permitting staff, and should be further defined.

**Response:** Title V gives the AQMD authority to define "prompt" but it will not be defined in the rule. Instead, an implementation policy will be developed for permitting staff to assure consistent implementation in Title V permits.

7. **Comment:** Rule 3004 (a)(5) contains a requirement to report deviations from permit requirements. The AQMD should develop and include in Volume II of the TGD (Title V application form package) a standard deviation report form. In addition, a deviation report should only be required for breakdowns reported in accordance with Rule 430 or Rule 2004 and emission violations measured by a continuous emissions monitoring system (CEMS) required by Rule 218.

**Response:** To address upcoming compliance issues after Title V permits have been issued, AQMD staff will be preparing compliance forms, including a deviation report. Also, a deviation is not restricted to a breakdown or an exceedance measured by a CEMS. In fact, a deviation can occur from non-compliance with any requirement on a Title V permit.

8. **Comment:** Rule 3004 (a)(9) should be clarified to explain that emissions trading among facilities is not forbidden.

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**Response:** This portion of the rule neither limits nor allows trading among facilities. Subdivision (b) of Rule 3004 assures that RECLAIM facilities will continue to be able to trade emissions in accordance with Regulation XX.

9. **Comment:** When referring to a temporary source in Rule 3004 (d)(2) and Rule 3000 (b)(29), all uses of the term "site" should be replaced with the term "location."

**Response:** AQMD staff agrees with this recommendation and has corrected the rule language accordingly.

10. **Comment:** Will solid waste incinerator units subject to Rule 3004 (f)(2) have to file an application and pay fees for the five-year review?

**Response:** Regulation XXX does not require a solid waste incinerator facility to either submit an application or pay application fees for the five year permit review. The Title V Technical Guidance Document will be updated later to describe the procedures pertaining to this type of review.

11. **Comment:** The provision in Rule 3004 (f)(4) is good and necessary to protect facilities from enforcement action if the AQMD doesn't issue or renew the current Title V permit before it expires.

**Response:** The AQMD agrees with this comment.

12. **Comment:** The requirement in Rule 3004 (c)(1)(C)(ii) for a facility to provide the "reason that a permit shield is sought" should be clarified. It could result in superfluous or inappropriate responses. Isn't AQMD really after the rationale for each requirement determined not to be applicable?

**Response:** Knowing the rationale for requesting a permit shield may be helpful to clarify the intent of a facility, but it might not be correct or consistent with the criteria used for determining the approvability of a permit shield request. This is why AQMD staff prefers to have the facility simply provide the reason(s) why it is requesting a permit shield so that the engineer reviewing the request can better understand what the facility's concerns are.

13. **Comment:** Temporary sources (portable equipment) should not be required to be listed on a Title V permit if the portable equipment has either valid AQMD permits or state registrations.

**Response:** Staff has included limited exemptions in Rule 3004 (h), to the extent allowed by federal and state law. See the explanation of the proposed amendments in the staff report. Also, see EPA comment 4.

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14. **Comment:** The previously proposed requirement in Rule 3004 (a)(13) for Title V facility operators to keep records of all temporary sources operating under a non-Title V permit or registration at the host facility will increase the Title V permitting burdens of monitoring, recordkeeping, and certification. There will also be a substantial cost impact incurred to monitor and certify the operations of visiting temporary sources. This language should be deleted. Instead, to alleviate these unnecessary burdens, the AQMD should require the operator of the temporary source to directly submit reports and certifications pertaining to visits made to Title V facilities to the AQMD.

**Response:** That particular paragraph has been deleted. However, stationary Title V facilities are still obligated to comply with Title V requirements, including recordkeeping, reporting and certification, for portable equipment operating at their facility that are not exempted by paragraph (h)(5) or other provisions of subdivision (h) of Rule 3004.

15. **Comment:** The term "temporary source" is mentioned several times throughout Regulation XXX with each reference contradicting the other. Rule 3004 (d)(2) describes a temporary source as equipment that doesn't operate at any one location or facility for more than 12 consecutive months. Yet, Rule 3004 (h)(1) describes a temporary source as portable equipment and Rule 3000 (b)(29) says the temporary source can be considered its own facility that operates at multiple-temporary locations.

**Response:** All equipment operated together at the same location is defined by EPA's terms "stationary source" and "temporary source." AQMD also uses the term "facility" to refer to both stationary and temporary sources. "Temporary sources" is also used synonymously with "portable equipment."

16. **Comment:** CARB's Statewide Portable Equipment Registration Program and AQMD's Regulation XIII make a distinction between portable equipment and portable engines but Rules 3000 and 3004 (h)(1) do not. Both rules need to be changed to include both portable engines and portable equipment.

**Response:** Rule 3004 does not need to differentiate between portable engines and other portable equipment. The terms "temporary source" and "portable equipment" include both portable engines and other portable equipment.

17. **Comment:** Subdivision (g) of Rule 3004 is too broad and may be interpreted to say that all Title V permit terms and conditions are federally enforceable. Instead, this part should say, "...all terms and conditions that are specifically designated as federal requirements in a Title V permit..."

**Response:** To eliminate any potential confusion regarding which portions of the permit are federally enforceable, subdivision (g) of Rule 3004 has been changed to include the phrase, "unless the term or condition is designated as not

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federally enforceable." AQMD will identify in the permit which terms and conditions are federally enforceable and which are not.

18. **Comment:** Industry supports the AQMD staff in working with EPA to determine a low-cost procedure to remove portable equipment from the Title V permitting system. However, temporary sources such as portable engines could theoretically exceed the potential to emit applicability threshold for NOx emissions, depending on their hourly operations. Unless an annual operating limit for each engine can be federally enforced, a Title V permit will have to be obtained for each engine. The permitting fees for this type of equipment could be substantial.

**Response:** If a portable engine has large enough actual emissions to earn its own Title V permit in Phase One, the fee would be \$786.50 for each temporary source permit. However, each source can request a facility-wide emission cap through a locally enforceable permit to remain out of Title V in either Phase One or Phase Two.

19. **Comment:** The requirement under Rule 3004 (d)(3) for the facility to give the AQMD 10 calendar days advance notice of location changes of temporary sources is burdensome, and, in emergencies, cannot be complied with. Therefore, it is imperative to limit the potential to emit of temporary sources so that they can stay out of Title V and avoid having to comply with this noticing requirement.

**Response:** The 10-day noticing requirement in Rule 3004 (d)(3) is consistent with the requirement in 40 CFR Part 70, Section 70.6 (e)(2). Also, see response to comment 18.

20. **Comment:** Rule 3004 (d)(1) seems to restrict temporary sources operating at acid rain facilities from obtaining a separate temporary source permit.

**Response:** This provision does not restrict temporary sources with individual permits (either by temporary source permitting or by statewide registration) from visiting and operating at an acid rain facility.

21. **Comment:** Rule 3004 (e)(2)(B) seems to require emission limits to be added to a general permit. However, diesel-fired portable internal combustion engines are not required to have emission limits on their permits. In this example, it is unclear if an emission limit would be added to the permit.

**Response:** The general permit must include emission limits only if there are regulatory requirements placing emission limits on the equipment.

22. **Comment:** Monitoring, recordkeeping and reporting requirements to ensure compliance with an emissions cap need to be simple and streamlined - especially

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- for those facilities that wish to assume a cap to avoid Title V permitting requirements.
- Response:** See responses to comments 2 and 6 for Proposed Amended Rule 3001.
23. **Comment:** The following language should be added to the end of Rule 3004 (a)(7)(A): "or in an AOC imposed pursuant to Rule 518.2"
- Response:** Staff agrees this is an appropriate amendment.
24. **Comment:** Rule 3004 (h)(3) incorrectly specifies that non-road engines manufactured on or after July 18, 1994 should not be listed on a Title V permit. Instead, the cut-off date needs to be changed to January 1, 1990 in accordance with the changes made to the statewide registration program.
- Response:** CARB is interpreting the cutoff date to be on or after November 15, 1990. Staff has changed the rule language accordingly.
25. **Comment:** Rule 3004 (h) should be changed to exclude non-major temporary sources from Title V consideration.
- Response:** See response to comment 13 and EPA comment 4.
26. **Comment:** Rule 3004 (a)(4)(A) doesn't explain how a test method is chosen and whether or not it has to be approved in the SIP in order to comply with the monitoring, reporting and recordkeeping requirements. For clarification, a definition of "test methods" needs to be added to Rule 3000 to allow AQMD's Source Test Manual, test procedures in the NSPS, NESHAP or AQMD Rules and Regulations to satisfy this part.
- Response:** Regardless of whether a rule is approved into the SIP, Rule 3004 (a)(4)(A) requires that a test method specified in a rule shall be included in the permit. For rules that do not specify a test method, AQMD staff will put an appropriate test method into the permit. AQMD doesn't believe that a definition of test method is necessary.
27. **Comment:** The Title V Ad Hoc Committee has sent a letter to EPA objecting to making a Title V facility responsible for contractor emissions and certifications.
- Response:** Staff is aware of this and has—but-must deferred to EPA for a resolution. Up to this time, EPA has said that Title V facility operators are responsible for portable equipment operated at their facility by a contractor (unless the equipment is exempt for other reasons by Rule 3004 [(h)].)

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28. **Comment:** What is the status of the effort to develop criteria for periodic monitoring?
- Response:** Staff has been is-working on draft criteria and a version was for released to the public for review at by the end of August, 1997. Staff has invited industry to submit recommended criteria and is in the process of producing another draft for release to the public by the end of December 1997; although none has yet been received.
29. **Comment:** Are Group A facilities required to include information regarding portable equipment in their Title V applications due July 28, 1997?
- Response:** No, but these facilities will be asked to supplement their Title V application with this information at a later date.
30. **Comment:** Is there a difference between the use of the words "...listed on a Title V permit..." in Rule 3004 (h) and "...included in the Title V permit..." in Rule 3004 (i)?
- Response:** No, but the rule has been revised to use the same terms.
31. **Comment:** Proposed paragraph (i)(3) of Rule 3004 says that portable equipment subject only to generic requirements does not have to be included in the Title V permit, but the generic requirements must say they apply to the portable equipment. Does a facility have to certify to compliance for the portable equipment? Is the equipment subject to periodic monitoring?
- Response:** The facility would have to certify to compliance with the generic requirements for the portable equipment. Periodic monitoring may or may not be required depending on the nature of the equipment. If it is required, it will be specified in the permit. (The requirement in question has been moved to subparagraph [h][5][B].)
32. **Comment:** If an engine has a permit or registration that says it is a Part 89 non-road engine, and the Title V facility has a copy of that permit, would the Title V facility need any additional evidence that the engine is a non-road engine?
- Response:** No additional evidence would be required.
33. **Comment:** Rule 3004 (d)(2) should not limit a temporary source to operating at a stationary facility for 12 months or less. It is not consistent with the definitions in Regulation XIII, Part 89, and Proposed Amended Rule 1110.2 - Emissions from Gaseous- and Liquid-Fueled Internal Combustion Engines.
- Response:** Paragraphs (a)(7) and (a)(8) of Rule 1304 - (NSR) Exemptions, only allow portable equipment to operate at a facility for up to 12 consecutive



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months. Operation for more than 12 consecutive months requires compliance with the same NSR requirements as a stationary facility. Part 89 non-road engines are exempt from Title V.

34. **Comment:** Title V should not apply to ski resorts whose engines are exempted from complying with Rule 1110.2.

**Response:** The engines require an AQMD permit, are subject to applicable requirements, and may not be excluded from Title V simply because they are not subject to Rule 1110.2.

35. **Comment:** The phrase "routine and predictable" proposed in Rule 3004 (i)(1)(B) used to describe contractor-operated equipment needs to be defined.

**Response:** The commenter is referring to a previous version of a proposed amendment that was later replaced by a newer version of subparagraph (h)(5)(A) and then removed in accordance with CARB comment 2. Previously proposed subdivision (i) has been replaced with a provision in new paragraph (h)(5)(A) that exempts "non-routine and non-predictable" operations of portable equipment. AQMD is awaiting EPA's and CARB's policy regarding the meaning of "routine and predictable." Once finalized, this policy will be incorporated into the TGD to ensure consistent implementation in AQMD's Title V permits.

36. **Comment:** In Rule 3004 (d)(2) and (d)(5)(C), the term "facility" should not be used to determine if a source is "temporary." The source may operate at different locations at the same stationary facility and still remain temporary.

**Response:** If a portable major source moves around within a facility, but operates at the same facility for more than 12 consecutive months, it would not be eligible for a temporary source permit. The equipment would have to be issued a Title V permit for that location only, or be included in the Title V permit of the stationary facility. This is consistent with Rule 1304 (a)(7) and (a)(8) NSR provisions.

37. **Comment:** Old paragraph (h)(1) should not be deleted from Rule 3004. AQMD should try to persuade EPA staff to come up with a better way to handle the issue of portable equipment. Further, portable equipment with a permit or registration issued to the same owner as the stationary facility should not necessarily be subject to Title V. Only portable equipment with the same AQMD facility identification number as the stationary Title V facility it visits should be subject to Title V. Otherwise, all portable equipment operating within the county will need a Title V permit even if it doesn't visit a Title V facility.

**Response:** Portable equipment that aren't major sources and that don't visit a Title V facility will certainly not require a Title V permit. Many other portable equipment will also not require a Title V permit, even if they do visit a Title V

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facility. See the staff report for a full explanation. All portable equipment will not require a Title V permit. Also, see EPA comment 4.

38. **Comment:** The latest addition to new paragraph (h)(1) should be excluded or reworded, otherwise many pieces of equipment that are subject to Rule 219 will be required to be included in the Title V permit. For example, motor vehicles, which are excluded from AQMD permitting, are subject to numerous, source-specific regulations, and therefore, may need to be included in the Title V permit.

**Response:** Most Rule 219-exempt equipment, including motor vehicles, are not subject to source-specific AQMD Rules and Regulations and will not be included in the Title V permit.

39. **Comment:** There exists a conflict between subparagraphs (i)(1)(A) and (i)(1)(B). For example, a contractor or rental yard could provide a facility with a Part 89 non-road engine for "routine and predictable" use. Will this require the Part 89 non-road engine to be added to the permit despite the exemption provided by Part 89?

**Response:** These previously proposed subparagraphs have been revised and moved to paragraph (h)(5) without the inclusion of the phrase "routine and predictable." Part 89 non-road engines, as described in Rule 3004 (h)(3), will not be listed on a Title V permit regardless of whether or not they are operating in a "routine and predictable" manner. Also, see CARB comment 2.

40. **Comment:** What type of portable equipment would qualify under paragraph (i)(3)? Will Rule 219-exempt gasoline-powered lawnmowers and leaf blowers be listed in the Title V permit along with generic permit conditions and periodic monitoring requirements?

**Response:** Previously proposed paragraph (i)(3) is now subparagraph (h)(5)(B)(C). Lawnmowers and leaf blowers used in groundskeeping activities are identified by EPA as trivial activities not subject to Title V. Furthermore, paragraph (h)(1) exempts this equipment from Title V.

41. **Comment:** Rule 3004 (i)(2) requires facilities to maintain copies of state registrations of portable equipment because the registrations will be considered part of the Title V permit. Must facilities annually certify compliance with the requirements in registration permits?

**Response:** Proposed paragraph (i)(2) has been removed and replaced by language in paragraph (h)(5). Until an agreement is reached by EPA. Therefore, unless the portable equipment is exempted by a provision in Rule 3004 (h), the facility must certify to compliance with permit terms and conditions. See the discussion of portable equipment in the staff report.

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42. Comment: Will a Title V permit revision be triggered each time a state-registered piece of equipment is added, removed or modified?

Response: Many portable equipment should be exempt from Title V based on various provisions of Rule 3004 (h). For other portable equipment that operates only temporarily at a Title V facility, AQMD intends to treat it in a generic manner that will not require a permit revision each time portable equipment visits the facility, only list general categories of portable equipment in the Title V permit, along with their regulatory requirements, rather than list each item of portable equipment. As long as a stationary facility's Title V permit includes a general category of portable equipment, such as open abrasive blasting, and the portable equipment has a valid AQMD or state permit or registration, it would not matter which or how many abrasive blasting units operate at the Title V facility.

43. Comment: Does registered equipment need to be included on all stationary facility Title V permits for owners with multiple Title V facilities?

Response: Only facilities where the registered equipment will actually operate at would have to be generically include require the general category of portable equipment to be on their Title V permit (assuming the equipment isn't otherwise exempt by Rule 3004(f)(h).)

44. Comment: Facilities should not be required to provide "evidence that the engine meets the criteria of paragraph (h)(3)" as required by Rule 3004 (i)(5) for Part 89 non-road engines. The contractor or rental yard should have already provided evidence upon receipt of the permit for these engines.

Response: Although previously proposed paragraph (i)(5) has been deleted from the rule, there is a general obligation for a Title V facility to comply with all regulatory requirements. If a contractor operates an engine at a Title V facility that is not a Part 89, non-road engine, the Title V facility could be responsible for operating without a permit and violating other Title V requirements. Accordingly, it would be prudent to ask for a copy of the contractor's permit, or other evidence, and keep a record of it.

Proposed Amended Rule 3005

1. Comment: If you are going to define the meaning of a "Title I modification" in Rule 3005 (k)(3), it should match EPA guidance that defines modifications that are considered to be subject to either major or minor NSR requirements. For this district, a Title I modification can be subject to local NSR requirements, pursuant to AQMD's Regulation XIII, as well as the federal requirements for PSD permits.

Response: Title I encompasses a multitude of requirements, specifically, AQMD's NSR program, and federal NSPS, NESHAP, and PSD requirements.

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Staff agrees with the commenter that the current rule language needs to specify these individual requirements. However the requirements are now in subparagraph (i)(1)(C) of Rule 3005.

2. Comment: To update a Title V permit to reflect changes resulting from the adoption of rule amendments, requires a significant permit revision. To avert the significant permit revision process but still satisfy the public notice at the time of rule adoption, the AQMD should instead publish a list of all affected facilities in the public notice of the amended rule and then use the administrative permit revision process to update the Title V permits.

Response: AQMD staff has begun negotiating with EPA for this type of process. EPA says changes to the permit revision process in the rule are dependent upon EPA's promulgation of amendments to 40 CFR Part 70 expected in 1997. However, based on paragraph (g)(4) of Proposed Amended Rule 3005, some rule changes could be processed without going through the significant revision process. Take, for example, a rule amendment that only delayed a future compliance date from 1999 to 2002. It could qualify for a minor permit revision because it would not fall under any of the exclusions in Rule 3000 (b)(12). On the other hand, a rule amendment that significantly changed monitoring requirements could not qualify for a minor permit revision.

3. Comment: Regulation XXX does not address how the proposed Intercredit Trading (ICT) Program will operate under Title V.

Response: The ICT program is not yet a rule. However, Regulation XXX can be reopened later to address ICT requirements if the program is adopted.

4. Comment: To avoid exhausting the amount of emissions allowed under the de minimis significant revision track, a facility proposing a permit revision should be able to opt to use the significant permit revision track instead.

Response: Just because a permit revision meets the criteria to use less stringent procedures, nothing in Regulation XXX would prevent a Title V facility from utilizing another, more stringent revision track.

5. Comment: New subparagraph (e)(2)(A) of Rule 3005 incorrectly refers to the minor permit revision process instead of the de minimis significant permit revision procedures. Also, clause (e)(2)(A)(iii) is misnumbered.

Response: Staff agrees; and these corrections have been made.

6. Comment: Rule 3005 (g) and (h) should contain a requirement for the AQMD to notify facilities within five business days of a permit reopening.

# ATTACHMENT D1

## PROPOSED AMENDED REGULATION XXX AND RULE 212

**Response:** Consistent with 40 CFR Part 70, Rule 3005 (g)(5) already requires AQMD to notify the facility at least 30 days prior to reopening the permit. Neither 40 CFR Part 70 nor Regulation XXX require a notice to the facility if EPA reopens the permit.

7. **Comment:** With all the restrictions in subdivisions (i) and (k) of Rule 3005, there is little a facility can do under operational flexibility without going through a permit revision.

**Response:** Staff agrees that the operational flexibility provisions are very limited.

8. **Comment:** The response to Rule 3005, comment 3 states that Regulation XXX can be reopened later to address ICT, but we understand that an alternative operating scenario (AOS) is a mechanism by which ICT could be used now.

**Response:** An AOS could be used for ICT once the rule and protocols are developed, adopted and approved into the SIP.

9. **Comment:** What permit revision mechanism would be used for an application that needs to contain a demonstration of compliance with new air toxics emissions requirements in Rules 1401 and 1402?

**Response:** Depending on the amount of toxics involved, the application could follow either the de minimis significant or significant permit revision track.

10. **Comment:** If a facility chooses to use the significant track for an application with an emissions increase that would otherwise qualify as a de minimis significant permit revision, will the emissions increase be attributed to the de minimis track?

**Response:** No, the emissions will be attributed to the significant track instead. In other words, the facility could still have future applications proposing emission increases to go through the de minimis track.

### Proposed Amended Rule 3006

1. **Comment:** Rule 3006 (a)(1)(B)(ii) should be changed to allow the facility's contact person, not the responsible official, to be identified in the public notice. Likewise, Rule 3006 (a)(1)(F) should be changed to require the person requesting a proposed permit hearing to send a copy of the request to the facility's contact person, instead of the responsible official.

**Response:** Staff is in agreement with these recommendations and has made the requested changes.

## PROPOSED AMENDED REGULATION XXX AND RULE 212

2. **Comment:** Rule 3006 (a)(1)(F)(i-vi) lists all of the information that is required in a request for a proposed permit hearing. This part should be clarified to read as follows: "A complete request for a proposed permit hearing shall include all of the following information."

**Response:** Staff agrees and has added the recommended language.

3. **Comment:** Facilities should be allowed to opt out of a combined permit hearing if they choose.

**Response:** Staff agrees and has accordingly added subparagraph (a)(1)(H) to Rule 3006.

4. **Comment:** We are concerned that extending the time for the public to request a permit hearing from 10 days to 15 days may delay the permitting process.

**Response:** The public deserves sufficient time to review a Title V permit and request a permit hearing. Because of the concurrent public and EPA review, the process should be shorter with the proposed amendments.

5. **Comment:** The Title V Ad Hoc Committee strongly believes that the Executive Officer should not have the discretion to schedule a public hearing without a valid public request when in the "...best public interest...".

**Response:** Staff has withdrawn the previously proposed language in subparagraph (a)(1)(G) pertaining to this discretion.

### Proposed Amended Rule 212

1. **Comment:** Facilities subject to public notification under paragraph (c)(2) of Rule 212 should be required to distribute the public notice to each address within 1/4-mile radius from the facility boundary and not from the source.

**Response:** Even though subdivision (d) of Rule 212 specifies the 1/4-mile distribution radius is to be measured from the source and not from the facility boundary, this subdivision includes language which allows the Executive Officer to require the facility to distribute the public notifications to other areas if he determines there are health impacts from the source. Therefore, no change to the rule is required.

2. **Comment:** California Health and Safety Code, Section 42301.6 requires facilities with a source located within 1,000 feet of a school provide public notification to parents of children in any school located within 1/4-mile from the source and not from the facility boundary. For notifications performed pursuant to

## PROPOSED AMENDED REGULATION XXX AND RULE 212

paragraph (c)(1), the word "facility" should be changed to "source" in subdivision (d) of Rule 212.

**Response:** This section of the rule applies to sources near a school where children are more vulnerable to the health impact from these sources. AQMD's rule is more stringent than the state law since it requires the facilities to distribute public notices to a wider area. Therefore, the distribution radius is to be measured from the facility boundary and not from the source. No change to the rule is necessary.

3. **Comment:** The California Health and Safety Code Section 42301.6 referenced in paragraph (c)(1) of Rule 212 describes a significant project as a "source" or a specific piece of equipment. Meanwhile, subdivision (d) describes the notification requirements for a "facility" or site boundary. Because of the term "facility," large facilities with sources far from the property boundary will be required to provide notification of insignificant impacts. The term "facility" should be replaced with "source" to prevent unnecessary noticing.

**Response:** See response to comment 2.

4. **Comment:** The proposed language in clauses (c)(2)(A)(i) and (c)(2)(A)(ii) of Rule 212 is unclear as to whether the cancer risk is determined on an individual source or facility-wide basis.

**Response:** According to clauses (c)(2)(A)(i) and (c)(2)(A)(ii), a facility will be exempt from public notification, if the total facility-wide cancer risk is below  $10 \times 10^{-6}$  or the individual cancer risk is below  $1 \times 10^{-6}$ . For example, for facilities with a single permitted unit (a source under Regulation XX, or equipment under Regulation XXX), the total facility-wide cancer risk is the same as the individual cancer risk. Therefore, the facility has to demonstrate that the total cancer risk of the permit unit, source, or equipment is below  $10 \times 10^{-6}$  to avoid the public notification requirement. For facilities with more than one permitted unit, source, or equipment, the facility has an option to demonstrate that either the increased cancer risk of the individual permit unit is below  $1 \times 10^{-6}$  or the total facility-wide cancer risk (for all sources within the facility) is below  $10 \times 10^{-6}$  in order to be relieved from the public notification requirement.

5. **Comment:** The deletion of the phrase "or designee" throughout the rule places an undue burden on the Executive Officer which could lead to delays or inaction on AQMD permitting activities.

**Response:** The words "or designee" are part of the definition of "Executive Officer" in Rule 102 and do not need to be repeated. The deletion of every occurrence of "or designee" from this rule in no way shifts the burden solely to the Executive Officer.

## PROPOSED AMENDED REGULATION XXX AND RULE 212

6. **Comment:** For facilities subject to both Rule 212 and Rule 3006, language should be added to paragraph (c)(1) of Rule 212 to coordinate the public notification process with the notification required by Title V.

**Response:** The public notification process, pursuant to Rule 212, does not share common requirements or procedures with Rule 3006. Rule 212 addresses both local and federal notification procedures, while Rule 3006 addresses only federal requirements. For example, the local procedures in Rule 212 require a door to door notification if there is a school located within 1000 feet of a facility's new construction or modification and if a risk analysis determines that there is an increase in emissions of toxic air contaminants that meets the criteria in paragraph (c)(2). Meanwhile, Rule 3006 does not contain any local noticing requirements at all.

Rule 212's federal notification procedures are handled through a newspaper and are applicable to a facility if the criteria in subdivision (g) is met. Again, the criteria for triggering federal notification requirements under Rule 212 is not the same as the federally enforceable criteria for public participation and notification procedures under Regulation XXX. For example, a Title V facility subject to both a door to door notification pursuant to Rule 212 and a notification pursuant to Regulation XXX will be required to conduct both notifications separately. However, if the equipment listed in a Title V permit is subject to federal notification requirements (in a newspaper) pursuant to Rule 212 and Regulation XXX, both notifications may be combined provided that all other public notice requirements are satisfied.

7. **Comment:** The word "and" that originally linked paragraphs (c)(1) and (c)(2) appears to have been deleted. Now, the rule language is not clear as to whether a significant project shall meet either or both requirements in paragraphs (c)(1) and (c)(2).

**Response:** A project is significant if it meets either requirement in paragraphs (c)(1) and (c)(2). Therefore, the word "or" has been added to the end of paragraph (c)(1).

8. **Comment:** Subdivision (d) requires the applicant to distribute a public notice to each address within 1/4-mile radius of the project. However, for certain facilities, the 1/4-mile radius from the project falls within the boundary of the facility such that no notices would be sent out. Instead, the public notice should be mailed to each address located within 1/4-mile radius from the facility.

**Response:** See response to comment 1.

9. **Comment:** The rule language in subdivision (d) should be revised to require distribution of notices to parents or legal guardians of children.

# ATTACHMENT D1

## PROPOSED AMENDED REGULATION XXX AND RULE 212

**Response:** AQMD staff agrees with this suggestion and has added the phrase "legal guardians" to subdivision (d).

10. **Comment:** The intent of the phrase "sources under Regulation XX, or equipment under Regulation XXX" in paragraph (c)(2) is unclear.

**Response:** The purpose of this phrase is to make the distinction that a permit unit is referred to differently in Regulation XX and Regulation XXX. That is, Regulation XX refers to a permit unit as a "source" and Regulation XXX refers to a permit unit as "equipment." Since Rule 212 is meant to apply all permit units, for clarity purposes, the aliases referenced in Regulation XX and Regulation XXX have been included in the rule language.

11. **Comment:** To avoid duplicative noticing, subdivision (h) needs to clearly state that the Executive Officer may combine public notices for the same facility.

**Response:** According to subdivision (h), the Executive Officer may combine any types of public notices for the same facility to avoid duplication, provided that all public notice requirements are satisfied. This includes public notices required by Rule 212 and Regulation XXX. Therefore, no change to the rule is required.

12. **Comment:** We believe that the proposed amendments to Rule 212 that will require notifications for facilities are overbroad and not consistent with current SCAQMD Rules 1401 and 1402. In our view, notification should only be required for new or modified facilities where there would be an increase greater than  $1 \times 10^{-6}$ . The current proposal would require notification whenever there is an insignificant increase in toxic emissions where the facility-wide health risk is greater than  $10 \times 10^{-6}$ . We do not believe that that is consistent with Rule 1402.

**Response:** A facility installing or modifying equipment, that has an increase in risk at level less than  $1 \times 10^{-6}$ , is not subject to public notification requirements under Rule 212, even if the facility-wide cancer risk is greater than  $10 \times 10^{-6}$ , unless the equipment is located within 1000 feet of a school. For facilities with multiple permit units, if the risk associated with the new or modified equipment is greater than  $1 \times 10^{-6}$ , Rule 212 requires the facility to conduct public notification, unless the facility exercises an option to avoid public notification by demonstrating that the total facility-wide cancer risk (for all sources within the facility, including the proposed source) is below  $10 \times 10^{-6}$ . Rule 212 is not inconsistent with Rules 1401 or 1402 since Rules 1401 and 1402 address the actual control of toxic emissions and not public notification.

13. **Comment:** The definition for "hazardous air emissions" under Rule 212 (c)(1) contradicts the definition of "HAP" in Rule 3000 (b)(11). Further, the lists of compounds in the California Health and Safety Code are not the same as the carcinogenic compounds identified in Rule 1401. AQMD should use a uniform

## PROPOSED AMENDED REGULATION XXX AND RULE 212

approach when defining toxic and HAP compounds throughout all related rules and regulations.

**Response:** This comment is based on an earlier version of the proposed rule and is no longer applicable.

14. **Comment:** Facilities should have the option to not have their public notices and public hearings combined with other facilities.

**Response:** Rule 212 only deals with public notices, not public hearings. Meanwhile, Rule 3006 addresses both public notices and public hearings. Unless specific circumstances make it necessary, AQMD does not anticipate combining Rule 212 notices for multiple facilities. However, for a facility that is subject to both Rule 212 and Rule 3006 noticing requirements, one notice can be published.

In addition, Volume II of the Title V Technical Guidance Document mentions that a Rule 3006 public notice can be combined for multiple Title V facilities whenever feasible. In the event that there are multiple facilities that are subject to both Rule 212 and Rule 3006, separate public notices can be issued and facilities can opt out of combined public hearings. Also, see responses to comments 6 and 11. For additional discussion regarding combined public hearings under the Title V program, see response to comment 3 for Proposed Amended Rule 3006.

15. **Comment:** The proposed amendments to Rule 212 (c)(1) do not prescribe any method of determining how the risk from a facility would increase or decrease as a result of modification. Rule 212, subdivision (c) reference specific risk assessment guidelines for facilities under Rule 1402 and limit applicability to increases as determined pursuant to AQMD Rule 1401. We believe that clauses (c)(2)(A)(i) and (c)(2)(A)(ii) should both contain a clearer reference to increases under Rule 1401. We recommend inserting "per Rule 1401" after "Regulation XXX" in the two locations that phrase appears.

**Response:** Rule 212 requires public notification for all new or modified permit units with an increase of emissions of any air contaminant (there is no de minimis level) located within 1000 feet of school. This section does not require any determination of cancer risk due to an increase of the emissions. Therefore, there is no need to specify any procedures to estimate the cancer risk.

With respect to comment regarding clauses (c)(2)(A)(i) and (c)(2)(A)(ii), after a meeting with the commenter, staff believes that the reference to Rule 1401 is satisfactory.

16. **Comment:** The proposed definition of hazardous air emissions does not identify hazardous air emissions as those substances identified in Section 44321 (a) through (f) of Health and Safety Code which must be included by separate rule making.

**Response:** AQMD had defined hazardous air emissions to include all those substances identified under Section 42301.6 (h)(1) which includes all substances identified as toxic air contaminants by the Air Resources Board which includes all hazardous air pollutants listed in federal Clean Air Act, all substances listed in Rules 1401 and 1402, and all substances identified in subdivisions (a) through (f) of Health and Safety Code Section 44321 (AB2588 toxic compounds). Since the definition of hazardous air emissions is very broad, any equipment located within 1000 feet of a school with an increase in emissions of any air contaminant will be characterized as hazardous air emissions and therefore subject to notification. This reflects the requirement under the current Rule 212, and as a result, AQMD decided to retain the requirement that notification be given for all permit units near schools emitting air contaminants.

17. **Comment:** Rule 212 is an "omnibus" public notice rule that will apply to NSR, Toxic NSR, RECLAIM, and Title V permitting actions. Given that many permit actions will fall under more than one provision, we believe that subdivision (h) of the rule should allow the permit applicant input into combining public notices. We are requesting the Rule 212, subdivision (h) read: "The Executive Officer should consult with the permit applicant before finalizing the public notice and may combine public notices to avoid duplication provided that all required public notice requirements are satisfied."

**Response:** It is already AQMD's practice to consult with the applicant prior to finalizing a public notice. Staff does not believe it is appropriate to add this to the rule but instead has included the suggested language in the Board Resolution.

18. **Comment:** Rule 212 requires public notification for all new or modified permit units with an increase of emissions of any air contaminant (there is no de minimis level) located within 1000 feet of school. Rule 212 should have some de minimis level so that the equipment with emissions below this de minimis level will not be required to do public notification.

**Response:** Notification of the public for equipment located within 1000 feet of school is required by Section 42301.6 of the California Health and Safety Code. The state law does not provide any de minimis level for avoiding notification. The law allows exemption from notification only when there is no increase of emissions which is already in the rule.

19. **Comment:** Rule 212 refers to public notification requirements for significant projects. Significant projects should be referred to projects with significant emission levels or toxic health effects. An equipment with low non toxic emissions located within 1000 feet of school should not be considered a significant project. Change the word significant with something less alarming.

**Response:** AQMD staff believes that there may be some confusion between the CEQA significance level and the notification level for Rule 212, and as a result has agreed to replace the phrase "significant project" with "project requiring notification."

20. **Comment:** The proposed Rule 212 requires public notifications for new or modified equipment emitting carcinogenic substances at certain toxic threshold levels. There is also a provision in the rule that requires public notification for other toxic substances that pose a potential risk of nuisance. Eliminate this requirement from the rule.

**Response:** The intention of this requirement was to provide the Executive Officer with some flexibility to deal with toxic substances which are either not listed in Rule 1401 or currently unknown and may pose a potential risk. Examples include respiratory irritants such as caustics, acids, and ammonia.

21. **Comment:** Make the information contained in the public notices simple and understandable. The current notices contain unclear and complex information.

**Response:** AQMD staff agrees with this suggestion and will work to make the public notices simpler and more understandable.

**Appendix A: Title V 60% - 80% Demonstration**

In accordance with the requirements of EPA, AQMD staff has prepared this demonstration to show that: 1) at least 60 percent of all potential Title V facilities will be required to obtain Title V permits within the first three years of program implementation (Phase One); and 2) the Phase One facilities emit at least 80 percent of the emissions of all Title V facilities.

This demonstration is an update to the one that was submitted to EPA on May 16, 1996 and is based on the proposed amendments to the Phase One applicability criteria in Rule 3001, and on the 1993 inventory of Emissions Fee Billing reports submitted to the AQMD by facilities emitting four tons per year (tpy) or more.

There are 938 facilities that will be subject to the proposed Phase One, Title V, applicability criteria. The number of facilities subject to Phase Two Title V, based on potential to emit is unknown. However, EPA allows an estimate to be made based on the number of facilities that have actual, reported emissions of 50 percent or more of any of the Phase Two applicability criteria. Using this approach, AQMD estimates that 1522 facilities will eventually be subject to Title V. As shown in Table I, 62 percent of the facilities will require Title V permits in Phase One.

Table II shows the results of the emissions demonstration. Column (a) of Table II below reflects the emissions from the 938 Phase One facilities. Column (b) of Table II below reflects the emissions from the 1,522 facilities eventually subject to Title V. Both of these columns reflect adjustments made in response to corrections submitted by facilities listed on the previous Title V universe of sources and validated by AQMD staff. The adjustments include (on a pollutant-by-pollutant basis):

- Deducting the following from 1993 reported emissions:
  - ⇒ Fugitive emissions in accordance with Proposed Amended Rule 3000, subparagraph (b)(24)(A);
  - ⇒ On-road and off-road mobile equipment emissions in accordance with Proposed Amended Rule 3000, subparagraph (b)(25)(B);
  - ⇒ Off-site emissions from permitted portable equipment in accordance with Proposed Amended Rule 3000, subparagraph (b)(25)(C);
- Substituting 1994-5 emissions for facilities that reduced emissions below Title V thresholds due to a permanent reduction after 1992;
- Eliminating facilities, and their emissions, that are no longer in operation.

**Table I: Adjusted 60% Demonstration of Title V Facilities for 1993**

(a) Number of Phase One Facilities	(b) Number of Phase One and Phase Two Facilities	(c) Percent of All Facilities in Phase One
938	1522	62

**Table II: Adjusted 80% Demonstration of Title V Emissions for 1993**

Pollutant	(a) Reported Emissions From Phase One Facilities (tons)	(b) Reported Emissions From All Title V Facilities (tons)	(c) Percent of All Emissions Represented in Phase One (%)
CO	15,005	17,356	86
NOx	30,444	34,497	88
ROG	28,036	34,534	81
SOx	7,695	7,804	99
TSP	4,531	5,243	86

The data in Tables I and II show that the amendments to AQMD's Title V program will continue to include more than 60 percent of all Title V sources in Phase One, and that the emissions from these Phase One facilities exceed 80 percent of the emissions from all Title V facilities.

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

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**Draft Staff Report**

**Proposed Amended Rules**

**212 – Standards for Approving Permits and Issuing Public Notice**

**1401 – New Source Review of Toxic Air Contaminants**

**1401.1 – Requirements for New and Relocated Facilities Near Schools, and**

**1402 – Control of Toxic Air Contaminants from Existing Sources**

**~~March~~ June 2015**

**Deputy Executive Officer**

Planning, Rule Development, and Area Sources  
Philip M. Fine, Ph.D.

**Assistant Deputy Executive Officer**

Planning, Rule Development, and Area Sources  
Jill Whynot

**Director of Strategic Initiatives**

Planning, Rule Development, and Area Sources  
Susan Nakamura

---

Authors: Eugene Kang – Program Supervisor  
Mike Morris – Program Supervisor

Technical Assistance: Ian MacMillan – ~~Program Supervisor~~ Manager  
Jillian Wong – Program Supervisor  
Victoria Moaveni – Senior Air Quality Engineer  
Hoshik Yoo – Air Quality Specialist  
Jack Cheng – Air Quality Specialist  
James Koizumi – Air Quality Specialist  
Robert Wu – Air Quality Specialist

Reviewed by: Barbara Baird – Chief Deputy Counsel  
William Wong – Principal Deputy District Counsel



## **ATTACHMENT D2**

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

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Speaker of the Assembly Appointee

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Mayor, Chino  
Cities of San Bernardino

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Mayor, Wildomar  
Cities of Riverside County

JOHN BENOIT  
Supervisor, Fourth District  
County of Riverside

JOE BUSCAINO  
Councilmember, 15<sup>th</sup> District  
City of Los Angeles Representative

MICHAEL A. CACCIOTTI  
Councilmember, South Pasadena  
Cities of Los Angeles County/Eastern Region

JOSEPH K. LYOU, Ph.D.  
Governor's Appointee

JUDITH MITCHELL  
Councilmember, Rolling Hills Estates  
Cities of Los Angeles County/Western Region

SHAWN NELSON  
Supervisor, Fourth District  
County of Orange

DR. CLARK E. PARKER, SR.  
Senate Rules Appointee

MIGUEL PULIDO  
Mayor, Santa Ana  
Cities of Orange County

JANICE RUTHERFORD  
Supervisor, Second District  
County of San Bernardino

**EXECUTIVE OFFICER:** BARRY R. WALLERSTEIN, D.Env.

# ATTACHMENT D2

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# ATTACHMENT D2

## **EXECUTIVE SUMMARY**

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**BACKGROUND**

**PROPOSED AMENDMENTS TO RULES 212, 1401, 1401.1, AND 1402**

**PUBLIC PROCESS AND OUTREACH EFFORTS**

**CALIFORNIA ENVIRONMENTAL QUALITY ACT ANALYSIS**

## BACKGROUND

The California Office of Environmental Health Hazard Assessment (OEHHA) establishes risk exposure information (i.e., risk values) for toxic air contaminants (TACs). Additionally, AB2588 requires that OEHHA develop health risk assessment guidelines for implementation of the Hot Spots Program (Health and Safety Code Section 44360(b)(2)). In 2003, OEHHA developed and approved the Health Risk Assessment Guidance (2003 OEHHA Guidelines). Since the adoption of the 2003 guidelines, new scientific information has shown that early-life exposures to air toxics contribute to an increased estimated lifetime risk of developing cancer and other adverse health effects, compared to exposures that occur in adulthood. Based on this information, OEHHA approved the Air Toxics Hot Spots Program Guidance Manual for Preparation of Risk Assessments (Revised OEHHA Guidelines) on March 6, 2015. The Revised OEHHA Guidelines incorporate age sensitivity factors which will increase estimated cancer risk estimates to residential and sensitive receptors, based on the change in methodology, by approximately 3 times, and more than 3 times in some cases depending on whether the toxic air contaminant has multiple pathways of exposure in addition to inhalation. Under the Revised OEHHA Guidelines, even though the toxic emissions from a facility have not increased, estimated cancer risk to a residential receptor will increase. Cancer risks for off-site worker receptors are similar between the existing and revised methodology because the methodology for adulthood exposures remains relatively unchanged.

## PROPOSED AMENDMENTS TO RULES 1401, 1401.1, 1402, AND 212

The SCAQMD relies on OEHHA's health risk assessment guidelines in various aspects of its toxics regulatory program including the permitting program, AB2588 Hot Spots Program, and existing regulatory program. Amendments to the following rules are being proposed to reference the Revised OEHHA Guidelines for estimation of health risks:

- Rule 1401 – New Source Review of Toxic Air Contaminants
- Rule 1401.1 – Requirements for New and Relocated Facilities Near Schools
- Rule 1402 – Control of Toxic Air Contaminants from Existing Sources
- Rule 212 – Standards for Approving Permits and Issuing Public Notice

The proposed amended rules will revise definitions and risk assessment procedures to be consistent with the Revised OEHHA Guidelines. Proposed amendments are to ensure SCAQMD staff can implement the Revised OEHHA Guidelines regarding how health risks are calculated. Staff is not recommending revisions to the health risk thresholds in Rules 1401, 1401.1 or 1402. Staff is preparing Risk Assessment Procedures for Rules 1401, 1401.1, and 212, Version 8.0 and Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics "Hot Spots" Information and Assessment Act (AB2588). Both documents will incorporate the Revised OEHHA Guidelines and will be used to implement Rules 1401, 1401.1, 1402, and 212.

The California Air Resources Board (CARB) and the California Air Pollution Control Officers Association's (CAPCOA) are finalizing Risk Management Guidelines for Permitting and AB2588 to be consistent with the Revised OEHHA Guidelines that are expected to recommend ~~the~~ using the 95<sup>th</sup> percentile breathing rate for children under two years of age to the last trimester of pregnancy and the 80<sup>th</sup> percentile breathing rate for all other ages. CARB and CAPCOA's Risk Management Guidelines are expected to be considered by the CARB Board in ~~May~~ 2015.

The SCAQMD's Risk Assessment Procedures for Rules 1401, 1401.1, and 212 and the Supplemental Guidelines for Preparing Risk Assessments for AB2588 will also incorporate these modified breathing rates.

## PUBLIC PROCESS AND OUTREACH EFFORTS

Development of PAR 212, 1401, 1401.1, and 1402 is being conducted through a public process. As part of the generalized work plan presented at the March 2015 Governing Board meeting, SCAQMD staff ~~began~~~~has begun~~ an extensive outreach and communication effort, including mailing 22,000 public workshop notices, to immediately engage all stakeholders regarding the Revised OEHHA Guidelines, including amendments to Rules 212, 1401, 1401.1, and 1402. SCAQMD staff has ~~been meeting~~ with industry groups to discuss the Revised OEHHA Guidelines. As part of the outreach efforts, staff ~~will~~~~hosted~~ five regional Public Workshops in March and April of 2015 throughout the Basin. The five public workshops ~~were~~~~are~~ as follows:

- **March 31, 2015 at 10:00 a.m.**  
Norton Regional Events Center  
Auditorium  
1601 E. 3<sup>rd</sup> Street, San Bernardino, CA 92408
- **March 31, 2015 at 2:00 p.m.**  
Louis Robidoux Public Library  
Community Room  
5840 Mission Boulevard, Riverside, CA 92509
- **April 1, 2015 at 10:00 a.m.**  
SCAQMD Auditorium  
21865 Copley Drive, Diamond Bar, CA 91765
- **April 2, 2015 at 10:00 a.m.**  
Buena Park Community Center Ballroom  
6688 Beach Boulevard, Buena Park, CA 90621
- **April 2, 2015 at 4:00 p.m.**  
Wilmington Senior Citizen Center  
Community Room  
1371 Eubank Avenue, Wilmington, CA 90744

All responses to comments received at the Public Workshops ~~have~~~~will~~ been included in ~~an~~ Appendix A of this report to the Final Staff Report. The SCAQMD also conducted additional workshops for the following business groups requesting further information on the subject rule development and the Revised OEHHA Guidelines:

- Southern California Alliance of Publicly Owned Treatment Works (SCAP)
- San Gabriel Valley Legislative Coalition of Chambers
- California Small Business Alliance
- California Health Care Association
- California Council for Environmental and Economic Balance
- Western States Petroleum Association
- City of Industry Chamber of Commerce
- Greater Riverside Chambers of Commerce
- City of Santa Monica Chamber of Commerce

**CALIFORNIA ENVIRONMENTAL QUALITY ACT ANALYSIS**

Pursuant to the California Environmental Quality Act (CEQA) and SCAQMD Rule 110, SCAQMD staff has evaluated the proposed project and made the appropriate CEQA determination. The public workshop meetings ~~will~~ also ~~solicit~~ solicited public input on any potential environmental impacts from the proposed project. Comments received at the public workshops on any environmental impacts ~~will~~ were ~~be~~ considered when developing the final CEQA document for this rulemaking.

**CHAPTER 1: BACKGROUND**

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**INTRODUCTION**

**SCAQMD'S AIR TOXIC REGULATORY PROGRAM**

**PROPOSED AMENDMENTS TO RULES 1401, 1401.1, 1402, AND 212**

**PUBLIC PROCESS AND OUTREACH EFFORTS**

**OEHHA**

**TOXIC AIR CONTAMINANTS**

**HEALTH RISK ASSESSMENT**

**SCAQMD RISK ASSESSMENT PROCEDURES**

**SUMMARY OF SCAQMD RISK-BASED RULES**

## INTRODUCTION

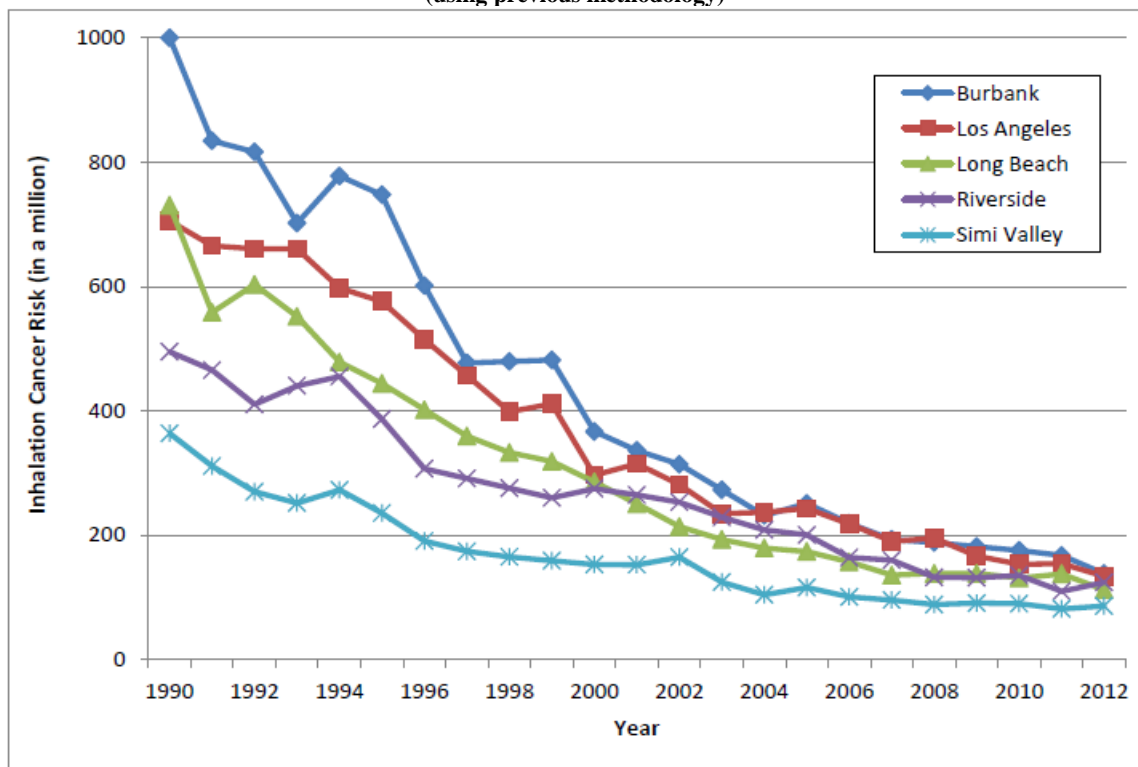
On March 6, 2015, the California Office of Environmental Health Hazard Assessment (OEHHA) approved revisions to their Risk Assessment Guidelines (Revised OEHHA Guidelines). The Revised OEHHA Guidelines were triggered by the passage of the Children’s Health Protection Act of 1999 (SB 25, Escutia) requiring OEHHA to ensure infants and children are explicitly addressed in assessing risk. Over the past decade, advances in science have shown that early-life exposures to air toxics contribute to an increased estimated lifetime risk of developing cancer, or other adverse health effects, compared to exposures that occur in adulthood. The new risk assessment methodology addresses this greater sensitivity and incorporates the most recent data on infants and childhood and adult exposure to air toxics. The Revised OEHHA Guidelines incorporate age sensitivity factors and other changes which will increase estimated cancer risk estimates to residential and sensitive receptors, based on the change in methodology, by approximately 3 times, and more than 3 times in some cases depending on whether the toxic air contaminant has multiple pathways of exposure in addition to inhalation. Health risks for off-site worker receptors are similar between the existing and revised methodology because the methodology for adulthood exposures remains relatively unchanged. Even though there may be no increase in toxic emissions at a facility, the estimated cancer risk using the Revised OEHHA Guidelines is expected to increase.

## SCAQMD’S AIR TOXICS REGULATORY PROGRAM

The SCAQMD has a robust and comprehensive air toxics regulatory program that consists of rules to address new and modified toxic sources, AB2588 facilities (existing toxic sources), and source-specific toxic rules. Rules 1401, 1401.1, and 1402 are referred to as the “umbrella” rules that specify requires-requirements for all new and modified permitted sources (Rules 1401 and 1401.1 for sources near schools) and requirements for the existing sources under the Air Toxics Hot Spots program (Rule 1402). In addition to these umbrella toxics rules, the SCAQMD’s regulatory program includes over fifteen source-specific toxic rules regulating specific equipment or industry categories such as chrome plating, asbestos remediation, lead emission reductions, perchloroethylene dry cleaners, diesel internal combustion engines, and others. Over the past few decades, implementation of these programs by the SCAQMD has resulted in significant reductions in toxic emissions by businesses throughout the Basin from a variety of sources. Since the development of SCAQMD’s Air Toxics Program in 1990, trends in estimated non-diesel inhalation cancer risks, as illustrated in Figure 1-1, have greatly declined. Although the Revised OEHHA Guidelines would change the estimated cancer risk values in Figure 1-1, this does not change the fact that estimated cancer risks have been significantly reduced between 75 to 86 percent, depending on the location within the Basin. The Revised OEHHA Guidelines do not change the toxic emission reductions already achieved by facilities in the Basin, nor do they change the overall percent reduction in estimated cancer risks. Rather, the Revised OEHHA Guidelines represents a change to the methodologies and calculations used to estimate health risk based on the most recent scientific data on exposure, childhood sensitivity, and breathing rates.



**Figure 1-1**  
**Trends in Non-Diesel Inhalation Cancer Risks in the South Coast Air Basin**  
 (using previous methodology)\*



\*values do not consider OEHHA Revised Guidelines

## PROPOSED AMENDMENTS TO RULES 1401, 1401.1, 1402, AND 212

The SCAQMD relies on OEHHA's health risk assessment guidelines in various aspects of its toxics regulatory program including the permitting program, AB2588 Hot Spots Program, and existing regulatory program. Amendments to the following rules are being proposed to reference the Revised OEHHA Guidelines for estimation health risks:

- Rule 1401 – New Source Review of Toxic Air Contaminants;
- Rule 1401.1 – Requirements for New and Relocated Facilities Near Schools;
- Rule 1402 – Control of Toxic Air Contaminants from Existing Sources; and
- Rule 212 – Standards for Approving Permits and Issuing Public Notice

The proposed amended rules will revise definitions and risk assessment procedures to be consistent with the Revised OEHHA Guidelines. Proposed amendments are to ensure SCAQMD staff can implement the Revised OEHHA Guidelines regarding how health risks are calculated, and staff is not recommending revisions to the health risk thresholds in Rules 1401, 1401.1 or 1402. The SCAQMD staff is preparing Risk Assessment Procedures for Rules 1401, 1401.1, and 212, Version 8.0 and the 2015 Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics "Hot Spots" Information and Assessment Act (AB2588). Both documents will incorporate the Revised OEHHA Guidelines and will be used to implement Rules 1401, 1401.1, 1402, and 212.

The California Air Resources Board (CARB) and the California Air Pollution Control Officers Association's (CAPCOA) are finalizing Risk Management Guidelines for Permitting and AB2588 to be consistent with the Revised OEHHA Guidelines that are expected to maintain the breathing rate using the 95<sup>th</sup> percentile breathing rate for children under two years of age and the 80<sup>th</sup> percentile breathing rate for all other ages. CARB and CAPCOA's Risk Management Guidelines are expected to be approved by the CARB Board in ~~May~~ 2015. The SCAQMD's Risk Assessment Procedures for Rules 1401, 1401.1, and 212 and the Supplemental Guidelines for Preparing Risk Assessments for AB2588 will also incorporate these modified breathing rates. These modified breathing rates are consistent with CARB's 2003 Interim Risk Management Policy for Residential-Based Cancer Risk that was applied for Health Risk Assessments (HRAs) prepared using OEHHA's 2003 version of its HRA Guidance Manual. This policy recommended that HRAs utilize an 80<sup>th</sup> percentile breathing rate for inhalation residential cancer risks instead of the 95<sup>th</sup> percentile recommended in OEHHA's 2003 HRA Guidance Manual. This approach has been used in risk assessments state-wide since that time.

## PUBLIC PROCESS AND OUTREACH EFFORTS

At the Governing Board Meeting on May 16, 2014, SCAQMD staff presented *Potential Impacts of the New OEHHA Risk Guidelines on SCAQMD Programs*. The presentation explained that several SCAQMD toxic rules that establish permitting requirements and implement the SCAQMD's Toxics Hot Spots Program, reference the OEHHA's health risk assessment guidelines and that the Revised OEHHA Guidelines would affect these programs. In addition, at the March 6, 2015 Governing Board Meeting, SCAQMD staff presented a Work Plan for implementing the OEHHA's Revised Air Toxics Hot Spots Program Risk Assessment Guidelines. The Work Plan included the following recommendations:

- Implement enhanced outreach and risk communication activities;
- Proceed with development of adjustments to SCAQMD's various programs related to Risk Assessment (Proposed Amended Rules 1401, 1401.1, 1402, and 212); and
- Provide updates to the Stationary Source Committee during rule development process.

Development of PAR 1401, 1401.1, 1402, and 212 is being conducted through a public process. As part of the generalized work plan presented at the March 2015 Governing Board meeting, SCAQMD staff ~~began~~~~has begun~~ an extensive outreach and communication effort, including mailing 22,000 public workshop notices, to immediately engage all stakeholders regarding the Revised OEHHA Guidelines, including amendments to Rules 212, 1401, 1401.1, and 1402. SCAQMD staff has ~~met~~~~been meeting~~ with industry groups to discuss the Revised OEHHA Guidelines. As part of the outreach efforts, staff ~~will~~~~hosted~~ five regional Public Workshops in March and April of 2015 throughout the Basin. The five public workshops ~~were~~~~are~~ as follows:

- **March 31, 2015 at 10:00 a.m.**  
Norton Regional Events Center  
Auditorium  
1601 E. 3<sup>rd</sup> Street, San Bernardino, CA 92408
- **March 31, 2015 at 2:00 p.m.**  
Louis Robidoux Public Library  
Community Room  
5840 Mission Boulevard, Riverside, CA 92509

- **April 1, 2015 at 10:00 a.m.**  
SCAQMD Auditorium  
21865 Copley Drive, Diamond Bar, CA 91765
- **April 2, 2015 at 10:00 a.m.**  
Buena Park Community Center Ballroom  
6688 Beach Boulevard, Buena Park, CA 90621
- **April 2, 2015 at 4:00 p.m.**  
Wilmington Senior Citizen Center  
Community Room  
1371 Eubank Avenue, Wilmington, CA 90744

All responses to comments received at the Public Workshops ~~havewill~~ been included in Appendix A ~~of this report of the Final Staff Report.~~ The SCAQMD also conducted additional workshops to the following business groups requesting further education on the subject rule development and the Revised OEHHA Guidelines:

- Southern California Alliance of Publicly Owned Treatment Works (SCAP)
- San Gabriel Valley Legislative Coalition of Chambers
- California Small Business Alliance
- California Health Care Association
- California Council for Environmental and Economic Balance
- Western States Petroleum Association
- City of Industry Chamber of Commerce
- Greater Riverside Chambers of Commerce
- City of Santa Monica Chamber of Commerce

## OEHHA

OEHHA is a state agency under the California Environmental Protection Agency that establishes risk exposure information (i.e., risk values) for toxic air contaminants and is responsible for developing health risk assessment guidance for the state of California. The Scientific Review Panel (SRP) reviews and approves the methodologies used to develop these risk values, thereby finalizing the values for use by state and local agencies in assessing health risks related ~~with-to~~ exposure to toxic air contaminants. In addition, AB2588 requires that OEHHA develop health risk assessment guidelines for implementation of the Hot Spots Program (Health and Safety Code Section 44360(b)(2)). In 2003, OEHHA developed and approved the Health Risk Assessment Guidance document (2003 OEHHA Guidelines) supported by Technical Support ~~documents~~ Documents (TSDs) reviewed and approved by OEHHA and the SRP. Since 2003, OEHHA and the SRP developed and approved three additional TSDs: TSD for the Derivation of Noncancer Reference Exposure Levels (2008), TSD for Cancer Potency Factors (2009), and TSD for Exposure Assessment and Stochastic Analysis (2012). The three TSDs provide new scientific information showing that early-life exposures to air toxics contribute to an increased estimated lifetime risk of developing cancer and other adverse health effects, compared to exposures that occur in adulthood. As a result, OEHHA developed and adopted the Revised OEHHA Guidelines on March 6, 2015 which incorporates the new scientific information.

## TOXIC AIR CONTAMINANTS

A substance is considered toxic if it has the potential to cause adverse health effects in humans. A toxic substance released to the air is considered a toxic air contaminant (TAC) or “air toxic”. TACs are identified by state and federal agencies based on a review of available scientific evidence. Federal agencies also use the term hazardous air pollutant.

Exposure to TACs can potentially increase the estimated risk of contracting cancer or result in other adverse health effects. Compounds with cancer risk values (carcinogens) may cause an increase in the probability that an exposed individual would develop cancer. Compounds with non-cancer risk values (chronic and acute) may cause other health effects including nausea or difficulty breathing and may contribute to immunological, neurological, reproductive, developmental, and respiratory problems. Rules 1401, 1401.1, and 1402 are designed to help protect the public from the health risks posed by TACs that are emitted by stationary sources. A health risk assessment is used to estimate the increased probability that an individual would contract cancer or experience other adverse health effects as a result of exposure to listed TACs. TACs are regulated by the SCAQMD based on risk values identified pursuant to the recommendations by OEHHA.

## HEALTH RISK ASSESSMENT

A health risk assessment is used to estimate the likelihood that an individual would contract cancer or experience adverse health effects as a result of exposure to TACs. Risk assessment is a methodology for estimating the probability or likelihood that an adverse health effect will occur. OEHHA is the state agency with primary responsibility for developing and recommending risk assessment methods.

Risk assessment consists of four components:

- **Hazard identification:** The evaluation of compounds to determine whether they may cause adverse health effects;
- **Dose-response assessment:** The estimation of the biological response to a given exposure to a compound;
- **Exposure assessment:** The estimation of the level of exposure to a compound; and
- **Risk characterization:** The estimation of the health risk to individuals based on the estimate of exposure and the dose-response relationship.

Hazard identification and dose-response assessments are the responsibility of other regulatory agencies, such as OEHHA. Health risk assessments for particular facilities are conducted by integrating this information with a site-specific exposure assessment to develop an estimate of health risk from the facility’s emissions. The latter two elements are conducted or reviewed by the air permitting agencies. To determine the potential health risk, factors such as the emission rate of the TAC, facility location, type of receptor (resident/worker), receptor distance, and meteorology in the area are used. Rule 1401 relies on OEHHA guidelines for calculating toxic risks. These guidelines are incorporated in the SCAQMD’s Risk Assessment Procedures for Rule 1401 and 212.

## SCAQMD RISK ASSESSMENT PROCEDURES

The SCAQMD staff ~~is preparing~~has prepared revisions to its risk assessment procedures used for permitting and the AB2588 Hot Spots program. Both risk assessment procedures have been based on OEHHA's risk assessment procedures. Revisions to Risk Assessment Procedures for Rules 1401, 1401.1, and 212, Version 8.0 and the 2015 Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics "Hot Spots" Information and Assessment Act (AB2588) ~~are~~ were being-developed to incorporate the Revised OEHHA Guidelines as well as incorporate CARB's proposed modified breathing rates. Both documents ~~will~~-incorporate the Revised OEHHA Guidelines and will be used to implement Rules 1401, 1401.1, 1402, and 212.

### SCAQMD Risk Assessment Procedures for Rules 1401 and 212

The SCAQMD Risk Assessment Procedures for Rules 1401 and 212, Version 7.0 (July 1, 2005) are used by SCAQMD permitting staff and the regulated community to estimate toxic risk from new, relocated, and modified permitted sources. The SCAQMD's Risk Assessment Procedures incorporate OEHHA's previous guidance for determining health risks. The SCAQMD's Risk Assessment Procedures provide four levels of screening risks: Tiers 1, 2, 3, and 4. The tiers are progressively more complex, require increasingly more site-specific details, and give increasingly more refined estimates of risk. Tier 1 uses a table of emission levels for screening based on worst-case assumptions and back-calculating to 1 in one million cancer risk or a hazard index of 1.0, whichever is more stringent. The user determines the emission level for the source and compares it to the table. If it is less than the screening level, no further analysis is needed and no control is required for toxics. Tier 2 provides a formula and the used inputs basic site-specific information to calculate risks. If the source does not pass Tier 2, then dispersion modeling (Tier 3 or Tier 4) can be used to do a more accurate site-specific risk analysis.

The current SCAQMD Risk Assessment Procedures are based on the 2003 OEHHA Guidelines. As a result, the SCAQMD staff is ~~working to update~~has updated these procedures to incorporate the Revised OEHHA Guidance and CARB's proposed modified breathing rates in Risk Assessment Procedures for Rules 1401, 1401.1, and 212, Version 8.0. In addition to refining Tier screening tables for consistency with the Revised OEHHA Guidelines, additional tables ~~may~~ behave been added for specific parameters for select source categories and equipment, including adding modified breathing rates consistent with the California Air Resources Board (CARB) and the California Air Pollution Control Officers Association's (CAPCOA) Risk Management Guidelines for Permitting and AB2588 to the Risk Assessment Procedures, to ensure consistency with the Revised OEHHA Guidelines. The CARB and CAPCOA document is expected to be approved by the CARB Board in ~~May~~-2015.

### Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics "Hot Spots" Information and Assessment Act

District staff ~~is updating~~has updated its Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics "Hot Spots" Information and Assessment Act (AB2588 Supplemental Guidelines) to be consistent with the updated OEHHA Guidelines. Revisions to the AB2588 Supplemental Guidelines include updated SCAQMD-specific guidance on default parameters to use in HARP2 software, default exposure parameters (e.g., breathing rates, exposure durations, etc.), and guidance for dispersion modeling conducted with AERMOD. The AB2588

Supplemental Guidelines ~~will~~ also incorporate<sup>s</sup> the adjusted breathing rates provided in ARB's updated Risk Management Guidance.

### **Exposure Assessment**

The estimated probability of contracting cancer due to exposure to a carcinogen is a function of the dose received, which is based on the airborne concentration of the toxic air contaminant in the vicinity of the source. This is usually estimated through air dispersion modeling. For some TACs, additional receptor exposure can occur due to deposition from the air onto surfaces such as skin, soil, or vegetation, which can then be ingested or otherwise absorbed by the exposed population. These exposures are also quantified. Since exposures to individuals will vary with distance from the source and other factors (such as meteorological or geographical conditions), exposure estimates are calculated for the most exposed individual. Based on the Revised OEHHA Guidelines, this estimate assumes that the potential maximally exposed individual will be exposed continuously for a 30-year lifetime if exposure occurs in a residential area. It should be noted that this is change from the 2003 OEHHA Guidelines assumption of a 70-year lifetime exposure. At commercial and industrial locations, under the Revised OEHHA Guidelines, the exposure duration is a 25 years. The 2003 OEHHA Guidelines assumed a worker exposure of 40 years.

### **Cancer Risk Characterization**

Exposure to TACs can potentially increase the estimated risk of contracting cancer or result in other adverse health effects. Compounds with cancer risk values (carcinogens) may cause an increase in the probability that an exposed individual would develop cancer. Compounds with non-cancer risk values (chronic and acute) may cause other health effects including nausea or difficulty breathing and may contribute to immunological, neurological, reproductive, developmental, and respiratory problems. Rule 1401 is designed to help protect the public from the health risks posed by TACs that are emitted by stationary sources.

Risks from carcinogens are expressed as an added lifetime probability of contracting cancer as a result of a given exposure. For example, if the emissions from a facility are estimated to produce a risk of 1 in one million to the most exposed individual, this means that the individual's chance of contracting cancer has been increased by one chance in one million over and above his or her chance of contracting cancer from all other factors (for example, diet, smoking, heredity and other factors). This added risk to a maximally exposed individual is referred to as a "maximum individual cancer risk" or MICR. In Rule 1401, the risk to the exposed population is also characterized as an estimate of the number of excess cancer cases which may occur in the population as a result of exposure, or "cancer burden." For example, if one million people were subjected to an increased estimated risk of one in one million due to a given exposure, it would be estimated that over a lifetime, one excess cancer case may result in this population from this exposure.

## **SUMMARY OF SCAQMD RULES 1401, 1401.1, 1402, AND 212**

### **RULE 1401**

Rule 1401 – New Source Review for Toxic Air Contaminants was adopted by the SCAQMD Governing Board in June 1990. The rule establishes cancer and non-cancer health risk

requirements for new, relocated, or modified permitted sources of toxic air pollutants. Under Rule 1401, new and modified permitted sources cannot exceed an MICR of 1 in one million, if the source is not equipped with best available control technology for toxics (T-BACT). If T-BACT is installed, the MICR cannot exceed 10 in one million. The MICR is the estimated probability of a potential maximally exposed individual contracting cancer as a result of exposure to toxic air contaminants. Rule 1401 also has requirements for cancer burden which represents the estimated increase in the occurrence of cancer cases in a given population due to exposure to TACs as well as non-cancer chronic and acute hazard thresholds. Rule 1401 has been amended several times to add or modify new compounds or risk values to the list of TACs as they are identified and risk values are finalized or amended by the state.

### **RULE 1401.1**

Rule 1401.1 – Requirements for New and Relocated Facilities Near Schools was adopted by the SCAQMD Governing Board in November 2005. The rule is designed to be more health protective for school children by establishing more stringent risk requirements related to facility-wide cancer risk and non-cancer acute and chronic HI for new and relocated facilities emitting toxic air contaminants located near schools, thereby reducing the exposure of toxic emissions to school children. For new facilities, the rule requires the facility-wide cancer risk to be less than 1 in one million at any school or school under construction within 500 feet of the facility. If there are no schools within 500 feet, the same risk levels must be met at any school or school under construction within 500 to 1,000 feet unless there is a residential or sensitive receptor within 150 feet of the facility. For relocated facilities, if a facility is relocating, the facility must demonstrate, for each school or school under construction within 500 feet of the facility, that either: 1) the risk at the school from the facility in its new location is no greater than the risk at that same school when the facility was at its previous location, or 2) the facility-wide cancer risk at the school does not exceed 1 in one million. Unlike other SCAQMD risk-based rules, the required risk thresholds of Rule 1401.1 do not change based on whether or not the source is equipped with T-BACT.

### **RULE 1402**

Rule 1402 – Control of Toxic Air Contaminants from Existing Sources was adopted in April 1994. Rule 1402 establishes facility-wide risk requirements for existing facilities that emit TACs and implements the state AB2588 Air Toxics “Hot Spots” program. It contains requirements for toxic emissions inventories, health risk assessments, public notification and risk reduction. A maximum individual cancer risk exceeding 10 in one million, as demonstrated by an approved HRA, triggers the need for public notice. A maximum individual cancer risk of 25 in one million, as demonstrated by an approved HRA, triggers the need for the facility to reduce their facility-wide risk. Any facility whose facility-wide emissions of TACs exceed the significant risk level of 100 in one million is required to achieve risk reductions to achieve a level below 100 in one million within three years from initial risk reduction plan submittal.

### **RULE 212**

Rule 212 – Standards for Approving Permits and Issuing Public Notice was adopted in January 1976 and contains public notification requirements for new, modified, or relocated sources of air contaminants based on proximity to schools, increases to emissions above rule-specified daily maximums, and increases in toxic air contaminant emissions resulting in a MICR of greater than

## ATTACHMENT D2

or equal to 10 in one million for single permitted source facilities, or 1 in one million for facilities with more than one permitted source, unless the applicant demonstrates to the satisfaction of the Executive Officer that the total facility-wide cancer risk is below 10 in one million.



## **ATTACHMENT D2**

### **CHAPTER 2: SUMMARY OF PROPOSED AMENDED RULES**

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#### **OVERVIEW**

**PROPOSED AMENDMENTS TO RULE 1401**

**PROPOSED AMENDMENTS TO RULE 1401.1**

**PROPOSED AMENDMENTS TO RULE 1402**

**PROPOSED AMENDMENTS TO RULE 212**

## OVERVIEW

The primary purpose of amending Rules 1401, 1401.1, 1402, and 212 is to update rule language relating to cancer risk calculation methodologies so that they are consistent with the Revised OEHHA Guidelines adopted on March 6, 2015.

### *Proposed Amendments to Rule 1401*

Considerations for SCAQMD's permitting approach to implement the Revised OEHHA Guidelines included maintaining public health protection and avoiding backsliding of emission reductions that result in toxic exposure. SCAQMD staff considered if implementation of the guidelines would not unduly impede business activities, and identified approaches to streamline the process to minimize business impacts and SCAQMD resources consistent with principles of transparency and public participation. The proposed amendments to implement the Revised OEHHA Guidelines will be forward-looking. The SCAQMD staff will not retroactively review previously issued permits relative to the Revised OEHHA Guidelines, only permits for new and modified equipment that have been deemed complete 30 days after Proposed Amended Rule 1401 has been adopted. Public notification pursuant to Rule 212 will not be applied retroactively but will apply to new and modified sources.

Proposed Amended Rule 1401 includes a provision to allow spray booths and retail gasoline transfer and dispensing facilities to continue to use the previous OEHHA risk guidelines which are used in SCAQMD Risk Assessment Procedures for Rules 1401 and 212 (Version 7.0, July 1, 2005) to calculate the cancer risk until the SCAQMD staff returns to the Board with specific ~~proposals-regulations and/or procedures~~ for these industries. The SCAQMD staff evaluated permits received between October 1, 2009 and October 1, 2014 and found that some spray booths may have difficulties meeting the Rule 1401 risk thresholds using the Revised OEHHA Guidelines. Over the five year permitting period, the SCAQMD received issued approximately 1,400 permits to operate or permits to construct for spray booths. Because of the large number of permits issued and consideration that this particular source category tends to be associated with smaller businesses such as wood coating operations and autobody facilities, SCAQMD staff is recommending that spray booths continue to use the previous health risk guidelines for permitting under Rules 1401. The SCAQMD staff will begin ~~rulemaking~~ to identify regulatory and/or procedural approaches by which industries using spray booths can reduce their toxic emissions and/or toxic exposure.

The SCAQMD staff is also recommending that retail gasoline transfer and dispensing facilities continue to use the previous OEHHA risk guidelines. Based on permitted data, there are approximately 3,300 retail gasoline stations in the district. The SCAQMD receives approximately 15 permit applications annually for new gas stations and 18 permit applications annually for modifications to increase throughput at a gasoline dispensing facilities. The SCAQMD staff just received new emissions data from CARB ~~this month in March 2015~~ that could potentially change the emission estimates from gasoline dispensing facilities. Additional time is needed to better assess and understand the impacts from gasoline dispensing facilities before use of the Revised OEHHA Guidelines. All new gasoline stations are permitted with toxics best available controls and are required to comply with SCAQMD Rule 461 – Gasoline Transfer and Dispensing. PAR 1401 includes a commitment from the Executive Officer to

return to the Governing Board as quickly as practicable with Staff's analysis of emissions data from gasoline dispensing activities and applicable regulations and/or procedures.

The definition for "MAXIMUM INDIVIDUAL CANCER RISK (MICR)" in existing Rule 1401 is defined as the estimated probability of a potentially maximally exposed individual contracting cancer as a result of exposure to toxic air contaminants over "a period of 70 years" for residential receptor locations. The assumption for lifetime exposure relating to a residential receptor in the Revised OEHHA Guidelines has been changed from 70 years to 30 years. In order for consistency with the Revised OEHHA Guidelines, paragraph (c)(8) has been amended to omit the assumption of "70 years" and add language that MICR at residential receptor locations be "calculated pursuant to the Risk Assessment Procedures referenced in subdivision (e)" which will be reflected in SCAQMD's Risk Assessment Procedures for Rules 1401, 1401.1, and 212, Version 8.0 and Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics "Hot Spots" Information and Assessment Act (AB2588).

Rule 1401 currently states that Executive Officer shall deny a permit to construct a new, relocated or modified permit unit if emissions of any listed toxic air contaminant occur, unless the applicant substantiates to the satisfaction of the Executive Officer that among other ~~criteria~~criteria, the "Risk Per Year" does not exceed "1/70 of the maximum allowable risk specified in the rule. The calculation for "Risk Per Year" is based on the 2003 OEHHA Guidelines relating to a residential exposure period of 70 years. The "Risk Per Year" requirement of Rule 1401 was established in order to cover specific instances where a permit application was submitted for a piece of equipment that would be in a particular location for a limited number of years, for example, equipment installed for short-term (i.e., 3 to 5 years) such as soil vapor extraction project. SCAQMD's Risk Assessment Procedures for Rules 1401, 1401.1, and 212, Version 8.0, which incorporates the Revised OEHHA Guidelines, includes provisions that address short term projects. Therefore the "Risk Per Year" requirement in the rule is no longer necessary and has been removed.~~For consistency with the 30-year exposure period of the Revised OEHHA Guidelines, paragraph (d)(4) has been amended to require that the risk per year shall not exceed the maximum allowable risk specified in the rule divided by the applicable exposure period referenced SCAQMD's Risk Assessment Procedures for Rules 1401, 1401.1, and 212, Version 8.0 and Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics "Hot Spots" Information and Assessment Act (AB2588) at any receptor locations in residential areas.~~

PAR 1401 also adds paragraph (g)(5) to allow the equipment category of "spray booths" and the industry category of "retail gasoline transfer and dispensing facilities" to continue using the SCAQMD Risk Assessment Procedures for Rules 1401 and 212 (Version 7.0, July 1, 2005) in order to calculate the cumulative increase in MICR pursuant to paragraph (d)(1).

#### ***Proposed Amendments to Rule 1401.1***

The definition for "CANCER RISK" in paragraph (c)(1) is defined as the estimated probability of an exposed individual contracting cancer as a result of exposure to toxic air contaminants at a school or school under construction assuming "an exposure duration of 70 years". The assumption for lifetime exposure relating to a residential receptor in the Revised OEHHA

Guidelines has been changed from 70 years to 30 years. ~~In order to~~For consistency with the Revised OEHHA Guidelines, paragraph (c)(1) has been amended to omit the assumption of “70 years”.

#### ***Proposed Amendments to Rule 1402***

The definition for “MAXIMUM INDIVIDUAL CANCER RISK (MICR)” in paragraph (c)(9) is defined as the estimated probability of a potentially maximally exposed individual contracting cancer as a result of exposure to toxic air contaminants over “a period of 70 years” for residential receptor locations. The assumption for lifetime exposure relating to a residential receptor in the Revised OEHHA Guidelines has been changed from 70 years to 30 years. ~~In order to~~For consistency with the Revised OEHHA Guidelines, paragraph (c)(8) has been amended to omit the assumption of “70 years” and add language that MICR at residential receptor locations be “calculated pursuant to the Risk Assessment Procedures referenced in subdivision (j)” which will be reflected in SCAQMD’s Risk Assessment Procedures for Rules 1401, 1401.1, and 212, Version 8.0 and Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics “Hot Spots” Information and Assessment Act (AB2588). Amendments have also been made to subparagraphs (j)(1)(C) and (j)(1)(D) to omit references to the “70 year exposure”. Other amendments include revisions to Tables I and II to revise emission reporting thresholds for specific TACs and industries for consistency with calculations and methodologies of the Revised OEHHA Guidelines.

#### ***Proposed Amendments to Rule 212***

Rule 212 requires public notification if any new or modified permit unit results in increases in emission of toxic air contaminants, for which the Executive Officer has made a determination that a person may be exposed to a MICR greater than or equal to 1 in a million for facilities with more than one permitted unit, or greater than or equal to 10 in a million for facilities with a single permitted unit “during a lifetime exposure period of 70 years”. The assumption for lifetime exposure relating to a residential receptor in the Revised OEHHA Guidelines has been changed from 70 years to 30 years. ~~In order to~~For consistency with the Revised OEHHA Guidelines, clause (c)(3)(A)(i) and (c)(3)(A)(ii) has omitted the “during a lifetime (70 years)” language from the rule.

**CHAPTER 3: IMPACT ASSESSMENT**

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**AFFECTED INDUSTRIES**

**IMPACT ANALYSIS APPROACH**

**SOCIOECONOMIC ASSESSMENT**

**CEQA ANALYSIS**

**DRAFT FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY  
CODE SECTION 40727**

**COMPARATIVE ANALYSIS**

## AFFECTED INDUSTRIES

Implementation of Proposed Amended Rules 1401, 1401.1, 1402, and 212 affects many industry categories. As a result, it is challenging to predict the type, number, and size of new and modified sources that will be seeking permit applications. As previously discussed, implementation of the Revised OEHHA Guidelines is expected to increase the estimated inhalation health risk by about 3 times for residential receptors due to the change in calculation methodology. SCAQMD staff conducted an analysis to better understand the potential number of sources that could be affected by the Revised OEHHA Guidelines for permitting new and modified sources (Rule 1401) and facilities under the AB2588 Hot Spots Program (Rule 1402). A discussion of the assumptions and basis for the number of facilities that could potentially require additional pollution controls is discussed below. A summary of the type of pollution controls is provided in Table 3-1 below. Table 3-1 identifies pollution control options, however to reduce toxic emissions an operator could choose other options such as less toxic coatings and solvents, process throughput limits, and distancing sources from receptors.

## IMPACT ANALYSIS APPROACH

### *Rule 1401 and 1401.1 Analysis*

To identify new and modified permitted equipment source categories that under Rule 1401 and 1401.1 could potentially need new or additional air pollution controls as a result of using the Revised OEHHA Guidelines, the SCAQMD staff evaluated permits that were issued over a five year period from October 2009 to October 2014. Based on this evaluation, the SCAQMD staff identified three general groups of equipment source categories based on the need for new or additional pollution controls using the Revised OEHHA Guidelines:

- 1) No new or additional air pollution controls needed;
- 2) New or additional pollution controls likely needed and/or additional time needed to understand potential impacts; and
- 3) Potential for new or additional air pollution controls could be required for some permits within an equipment source category.

Under the first group, no new or additional pollution controls are expected using the Revised OEHHA Guidelines because either the cancer risk was well below the Rule 1401 risk thresholds of 1 in one million without T-BACT, and 10 in one million with T-BACT, or there were no toxic emissions associated with the permitted source. Under the second group, SCAQMD staff found two equipment source categories (1) coating and solvents used in spray booths, and (2) retail gasoline dispensing facilities. For coating and solvents used in spray booths, for a percentage of permits reviewed it is likely that new or additional pollution controls would be needed to meet the Rule 1401 cancer risk threshold using the Revised OEHHA Guidelines. For retail gas stations, the SCAQMD staff has received new information from CARB staff regarding the latest speciation of emissions from gasoline dispensing. The SCAQMD staff needs additional time to assess the effects of this information and how it could affect new and modified gasoline dispensing facilities combined with the Revised OEHHA Guidelines. Therefore, Rule 1401 includes a provision to allow these two source categories to continue to use the existing OEHHA Guidelines. The SCAQMD staff will develop source-specific requirements-regulations and/or procedures for these source categories to reduce toxic emissions and to address potential permitting issues. For gasoline dispensing facilities, the SCAQMD staff will expedite review of

emissions data for gasoline dispensing to better understand potential impacts from gasoline dispensing facilities before using the Revised OEHHA Guidelines.

Lastly under the third group, based on review of five years of permitted data there were five equipment source categories that the estimated cancer risk with the Revised OEHHA Guidelines could require additional controls: metal plating facilities, crematories, plasma arc and laser cutting, wet gate printing and film cleaning, and asphalt and concrete batch blending. Table 3-1 provides a summary for the number of permits annually expected to need additional controls, affected toxic air contaminants, and the possible air pollution control technology for ~~these~~ each of the identified source categories. For plasma arc and laser cutting, most permits are currently close to 1 in one million so it is reasonable to expect for this source category nearly all permits for plasma arc and laser cutting will need additional air pollution controls in order to satisfy T-BACT requirements in Rule 1401, for sources exceeding 1 in a million cancer risk. The SCAQMD staff is working on a rule for metal grinding and cutting that will address emissions from plasma arc and laser cutting. Based on the permitted data, staff estimates that approximately 24 plasma arc and laser cutting permits annually could have estimated health risks greater than 1 in a million requiring pollution additional controls such as a bag house to capture metal particulates. For the remaining equipment or industry categories in Table 3-1, based on the five years of permitted data approximately one permit per year could potentially require additional air pollution controls.

**Table 3-1**  
**New or Modified Permits that Potentially Could Require**  
**Additional Pollution Controls Using the Revised OEHHA Guidelines<sup>1</sup>**

<b>Equipment Category</b>	<b>Number of Permits (Annually)</b>	<b>Toxic Air Contaminants</b>	<b>Typical Control Device</b>
Metal Plating Facilities – Plating Tanks	1	Metal – nickel, hexavalent chromium, cadmium	HEPA filter for nickel <del>or chrome</del> plating tank
Crematory – Furnace	1	Combustion emissions – PAHs	Oxidation catalysts
Plasma Arc and Laser Cutting	24	Nickel and hexavalent chromium emissions	Baghouse for metal particulates
Wet Gate Printing and Film Cleaning (Perc)	1	Perchloroethylene emissions from film cleaning	Carbon adsorber
Asphalt Blending and Concrete Batch (Diesel ICEs)	1	Diesel particulate	Diesel particulate filter on diesel engine

<sup>1</sup> Based on SCAQMD analysis of permits issued between 2009 and 2014.

SCAQMD staff did not include equipment or industry categories that are exempt from Rule 1401 such as emergency internal combustion engines and wood product stripping. SCAQMD staff also did not analyze impacts for permits related to change of ownerships, alterations, or modifications that did not result in an increase in toxic emissions. District Rule 1421 – Control

of Perchloroethylene Emissions from Dry Cleaning Systems contain requirements for the phase out of perchloroethylene dry cleaning equipment by 2020 and the state ATCM does not allow purchase of new perchloroethylene dry cleaning equipment. SCAQMD staff did not include the permitting of this equipment category into the impact analysis for this rule development since permitting data shows no permits issued for new perchloroethylene dry cleaning machines over the past five years.

***AB2588 Air Toxics Hot Spots Program (Core Facilities) – Rule 1402 Analysis***

Since Rule 1402 adoption in 1994, the SCAQMD staff has approved approximately 300 facility HRAs. Based on the most recent approved HRAs for each facility, the SCAQMD staff estimates that 21 facilities could potentially have a cancer risk greater than or equal to 25 in a million when using the Revised OEHHA Guidelines. Under Rule 1402, if the facility-wide health risk is greater than or equal to the action risk level the operator is required to implement risk reduction measures specified in a risk reduction plan to reduce the impact of total facility emissions below the action risk level as quickly as feasible, but by no later than three years. Regarding facilities that are in the AB2588 program, but have not been required to submit an HRA, the SCAQMD staff found that although more facilities will likely be required to submit an HRA, it is not expected that their cancer risk will be over the action risk threshold of 25 in one million. Therefore, no additional pollution controls are assumed for those facilities.

SCAQMD staff evaluated the main toxic driver(s) for the 22 AB2588 facilities that could potentially be required to implement risk reduction measures to make an estimate of the types of additional pollution controls that could potentially be implemented. Rule 1402 establishes a “facility-wide” risk threshold, so there are a variety of options which can be implemented such as process changes, material changes, additional air pollution controls, and reduced throughput. Table 3-2 summarizes the type of facility, key toxic air contaminant that is contributing to the cancer risk, and the type of air pollution controls that could be implemented to reduce the cancer risk.



**Table 3-2**  
**Potential Air Pollution Control Device(s)**  
**For Use to Reduce Cancer Risk by AB2588 Facilities**

Facility Type	Key Toxic Driver	Air Pollution Control Device(s)
Aerospace	hexavalent chromium, perchloroethylene, tetrachloroethylene	Scrubber/Carbon Adsorber
Aerospace	hexavalent chromium, cadmium	HEPA/Scrubber
Aerospace	perchloroethylene, tetrachloroethylene, hexavalent chromium	Carbon Adsorber/HEPA/Scrubber
Aerospace	hexavalent chromium	HEPA/Scrubber
Aerospace	hexavalent chromium	HEPA/Scrubber
Aerospace	lead	HEPA/Scrubber
Asphalt Manufacturer	PAHs, formaldehyde	Scrubber/Carbon Adsorber
Hospital	formaldehyde, PAHs	Thermal oxidizer/Oxidation catalysts
Metal Forging and Heat Treating	nickel	HEPA/Scrubber
Metal Melting	cadmium, lead	HEPA/Scrubber
Metal Melting	cadmium, lead	HEPA/Scrubber
Metal Melting	arsenic, cadmium	Scrubber
Metal Plating and Finishing	hexavalent chromium, nickel, cadmium	HEPA/Scrubber
Metal Plating and Finishing	hexavalent chromium	HEPA/Scrubber
Metal Plating and Finishing	hexavalent chromium	HEPA/Scrubber
Petroleum Refining	1,3-butadiene, hexavalent chromium	Thermal oxidizer/HEPA
Petroleum Refining	diesel particulate matter, 1,3-butadiene (engines)	Diesel particulate filters/Thermal Oxidizer
Petroleum Refining	benzene, PAHs	Thermal oxidizer/Oxidation catalyst
Petroleum Refining	diesel particulate matter (engines), arsenic	Diesel particulate filters/Scrubber
Waste Management	dioxins, furans	Scrubber
Waste Management	formaldehyde	Carbon Adsorber
Waste Management	formaldehyde	Carbon Adsorber

It is assumed that 22 facilities could potentially need to install additional air pollution controls due to the Revised OEHHA Guidelines. This is likely a conservative estimate (meaning there are not likely to be more such facilities) where staff estimated based on previously approved HRAs. It is possible that some facilities could have implemented emission reduction projects that have reduced air toxic emissions and health risks since the HRA was approved.

AB2588 is the state-required Air Toxics Hot Spots Program required by Health and Safety Code §44360(b)(2) which is implemented here in the SCAQMD through Rule 1402. Under the AB2588 program, facilities are divided into four implementation groups. During the “quadrennial” review, AB2588 facilities are required to submit a more detailed emissions inventory for 177 toxic air contaminants. (During the three years between the quadrennial review

AB2588 facilities submit a toxics inventory for 23 toxic air contaminants.) Based on the quadrennial toxics emissions inventory, SCAQMD staff prioritizes facilities and sends a letter to those facilities with a high Priority Score to submit an even more detailed emissions inventory and HRA. Implementing the AB2588 program using the quadrennial review approach provides a more even workflow and reduces the impact on affected facilities to provide a detailed inventory. Implementation of the Revised OEHHA Guidelines will follow the existing quadrennial review process.

The type of control device(s) necessary for implementing risk reduction measures will vary by the pollutant(s) creating the risk. A summary of the type of pollution controls to address the particular TAC is identified in Table 3-2. Possible control options depending on the TAC could be carbon adsorbers, thermal oxidizers, baghouses with high efficiency particulate arrestors (HEPA), diesel particulate filters, and scrubbers. A facility could potentially use one or all of the possible pollution controls depending on the amount of risk reduction needed.

### ***Rule 212 Analysis***

Currently, the SCAQMD staff issues approximately five Rule 212 notices annually, on average, for increases in toxic emissions. Rule 212 notices are also issued for increases in criteria pollutant emissions and for projects that are within 1,000 feet of a school. Under Rule 212, a toxics notice is issued if the cancer risk is greater than 1 in a million for facilities with more than one permitted piece of equipment unless the facility-wide cancer risk is less than 10 in a million. A Rule 212 notice is also required if the permitted source is 10 in a million.

## **SOCIOECONOMIC ASSESSMENT**

A socioeconomic assessment for PAR 1401, 1401.1, 1402, and 212 ~~will be~~ will be available to the public ~~at least 30 days prior to the SCAQMD Governing Board Meeting anticipated for May 1, 2015.~~ Compliance costs are analyzed for PAR 1401, 1401.1, 1402, and 212 and the additional pollution control equipment and their permitting costs, submitting or updating HRAs, and the costs of issuing additional public notices. Assuming a 4% real interest rate, the estimated annual cost of compliance is \$0.3 million for PAR 1401 and \$1.6 million for PAR 1402, for a total overall annual cost of \$1.9 million. The compliance costs conservatively assume that previously reported health risks and emission inventories apply today, even though they were reported in the previously approved HRAs and may not reflect the most recent status at the AB2588 facilities. Additional facilities were included where the calculated risks were near rule thresholds and emissions have remained stable or have increased.

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT ANALYSIS**

Pursuant to the California Environmental Quality Act (CEQA) and SCAQMD Rule 110, SCAQMD staff has evaluated the proposed project and is preparing the appropriate CEQA determination. The public workshop meetings ~~will also serve~~ will also serve to solicit public input on any potential environmental impacts from the proposed project. Comments received at the public workshops on any environmental impacts ~~will be~~ will be considered when developing the final CEQA document for this rulemaking.

## DRAFT FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE SECTION 40727

### Requirements to Make Findings

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.

### Necessity

PAR 1401, 1401.1, 1402, and 212 are needed to update rule language relating to risk assessment calculations such that they are consistent ~~to~~with those specified in the state OEHHA Risk Assessment Guidelines adopted on March 6, 2015.

### Authority

The AQMD Governing Board has authority to adopt amendments to Rules 1401, 1401.1, 1402, and 212 pursuant to the California Health and Safety Code Sections 39002, 39650 et. seq., 40000, 40001, 40440, 40441, 40702, 40725 through 40728, 41508, 41700, 41706, 44360 through 44366, and 44390 through 44394.

### Clarity

PAR 1401, 1401.1, 1402, and 212 are written or displayed so that its meaning can be easily understood by the persons directly affected by them.

### Consistency

PAR 1401, 1401.1, 1402, and 212 are in harmony with and not in conflict with or contradictory to, existing statutes, court decisions or state or federal regulations.

### Non-Duplication

PAR 1401, 1401.1, 1402, and 212 will not impose the same requirements as any existing state or federal regulations. The proposed amended rules are necessary and proper to execute the powers and duties granted to, and imposed upon, the SCAQMD.

### Reference

By adopting PAR 1401, 1401.1, 1402, and 212, the SCAQMD Governing Board will be implementing, interpreting or making specific the provisions of the California Health and Safety Code Sections 39666 (District new source review rules for toxics), 41700 (prohibited discharges), 44360 through 44366 (Risk Assessment), and 44390 et seq. (Risk Reduction Audits and Plans).

### Rule Adoption Relative to Cost-effectiveness

On October 14, 1994, the Governing Board adopted a resolution that requires staff to address whether rules being proposed for adoption are considered in the order of cost-effectiveness. The 2012 Air Quality Management Plan (AQMP) ranked, in the order of cost-effectiveness, all of the control measures for which costs were quantified. It is generally recommended that the most cost-effective actions be taken first. PAR 1401, 1401.1, 1402, and 212 are not control measures in the 2012 Air Quality Management Plan (AQMP) and, thus, was not ranked by cost-

effectiveness relative to other AQMP control measures in the 2012 AQMP. In addition, cost-effectiveness defined as cost per ton of emission reductions is not meaningful for toxic risk since risk depends on several factors in addition to emission numbers such as geography, meteorology, and location of receptors.

**Incremental Cost-effectiveness**

Health and Safety Code Section 40920.6 requires an incremental cost effectiveness analysis for Best Available Retrofit Control Technology (BARCT) rules or emission reduction strategies when there is more than one control option which would achieve the emission reduction objective of the proposed amendments, relative to ozone, CO, SO<sub>x</sub>, NO<sub>x</sub>, and their precursors. Since the proposed amended rule applies to toxic air contaminants, the incremental cost effectiveness analysis requirement does not apply.

**COMPARATIVE ANALYSIS**

Health and Safety Code section 40727.2 requires a comparative analysis of the proposed amended rule with any Federal or District rules and regulations applicable to the same source. See Table 3-3 below.

**Table 3-3  
Comparative Analysis of PAR 212, 1401, 1401.1 and 1402 with Federal Regulations**

<b>Rule Element</b>	<b>PAR 212</b>	<b>PAR 1401</b>	<b>PAR 1401.1</b>	<b>PAR 1402</b>	<b>Equivalent Federal Regulation</b>
Applicability	New or modified permit unit	New, relocated or modified permit unit	New or relocated permit unit	Existing facilities subject to Air Toxics “Hot Spots” Information and Assessment Act of 1987 and facilities with total facility emissions exceeding any significant or action risk level	None
Requirements	Provide public notice to all nearby addresses projects that are located within 1,000 feet of a school, increase risk or nuisance, or increase criteria pollutants above specified thresholds	Limits maximum individual cancer risk, cancer burden and chronic and acute hazards	Limits cancer risk and chronic and acute hazards near schools	Submittal of health risk assessment for total facility emissions when notified. Implement risk reduction measures if facility-wide risk is greater than or equal to action risk level	None
Reporting	Verification that public notice has been distributed	None	None	Progress reports and updates to risk reduction plans	None
Monitoring	None	None	None	None	None
Recordkeeping	None	None	None	None	None

## ATTACHMENT D2

### **REFERENCES**

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**REFERENCES**

“2010 Clean Communities Plan,” South Coast Air Quality Management District, November 2010.

“Air Toxics Hot Spots Program, Risk Assessment Guidelines, Guidance Manual for Preparation of Health Risk Assessments,” Office of Environmental Health Hazard Assessment, February 2015.

“Annual Report on AB 2588 Air Toxics “Hot Spots” Program,” South Coast Air Quality Management District, June 2014.

“Final Staff Report for Proposed Rule 1402: Control of Toxic Air Contaminants From Existing Sources and Proposed Amended Rule 1401: New Source Review of Toxic Air Contaminants,” South Coast Air Quality Management District, February 4, 1994.

“Risk Assessment Procedures for Rules 1401 and 212, Version 7.0,” South Coast Air Quality Management District, July 1, 2005

“Staff Report for Proposed Amended Rule 1401 – New Source Review of Toxic Air Contaminants and 1402 – Control of Toxic Air Contaminants from Existing Sources,” South Coast Air Quality Management District, March 2005.

“Staff Report for Proposed Amended Rule 1401.1 – Requirements for New and Relocated Facilities Near Schools,” South Coast Air Quality Management District, October 2005.

“The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments,” Office of Environmental Health Hazard Assessment (OEHHA), March 2015.

## **ATTACHMENT D2**

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### **APPENDIX A: RESPONSE TO COMMENTS**

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**Response to Comments Received as of March 2015**

**1. Comment:** For nearly 30 years, California businesses have worked with state and local air quality officials to reduce emissions and air toxic risks by 80 percent. OEHHA's latest proposed risk notification guidelines could force local businesses to notify surrounding communities that health risk from their operations is on the rise – even though their facility emissions have stayed the same or even decreased. It is important that the public realize air toxics emissions have not increased; rather, the state has changed the way it estimates air toxics risk. Failure to do so will leave the public with the false impression that air emissions have worsened, when the exact opposite is true.

**Response:** The SCAQMD staff acknowledges the collective efforts made by state and local air quality agencies and business owners and operators in the Basin to significantly reduce emissions and air toxic risk over the past few decades. Since 1990, toxic risks, excluding diesel particulate have decreased between 75 and 86 percent depending on the location. Staff also understands the concerns of business owners regarding public perception of actual versus estimated health implications resulting from the Revised OEHHA Guidelines. As a result, the staff report has been revised to expand the discussion regarding this concern in Chapter 1 to emphasize the significant decreases in toxic emissions and estimated cancer risks through SCAQMD programs and by businesses in the Basin since 1990. The SCAQMD ~~will also be hosting~~ hosted five regional Public Workshops prior to the hearing on the amended rules by the Governing Board as part of an extensive outreach effort to inform business owners and the public of the Revised OEHHA Guidelines and the affected SCAQMD rules and programs. During these workshops, SCAQMD staff ~~will also reiterate~~ reiterated the achievements in actual air toxic emission and estimated cancer risk reductions throughout the Basin, and ~~emphasize~~ emphasized that it is the calculation methodologies to estimate health risks that have changed rather than the levels of emissions.

**2. Comment:** We urge the SCAQMD to develop and implement reasonable and realistic policies, including both risk communication and risk management guidelines. Risk communication policies must be developed in a way that the public is offered clear and credible explanations of why the health risk assessment guidelines have changed and what the changes really mean in terms of actual health risks.

**Response:** The proposed amended rules do not change the approach regarding existing health risk thresholds for permitting, public noticing, and risk reduction that facilities have been subject to prior to the adoption of the Revised OEHHA Guidelines. Regarding risk communication, the SCAQMD ~~will be developing documents or~~ fact sheets explaining the Revised OEHHA Guidelines to include in public notifications that result

from implementation of the Revised OEHHA Guidelines. In addition, during the Regional Public Workshops, the presentation included background information about health risks and risk communication based on public input the SCAQMD staff received.

- 3. Comment:** Before adopting your updated AB2588 communications and risk management guidelines, we urge you to listen and work with local business leaders in order to avoid unnecessarily alarming the public while harming local businesses and our economy.

**Response:** The SCAQMD staff has already begun an extensive outreach and communication effort to immediately engage all stakeholders regarding the Revised OEHHA Guidelines. Staff has met and will continue to meet with industry groups to discuss the implementation of the guidelines to SCAQMD toxic rules and programs. Additionally, five regional Public Workshops ~~were have been scheduled~~ held in March and April of 2015 throughout the Basin in order to inform the public of the Revised OEHHA Guidelines and to receive any comments, questions, or concerns regarding this rule development.

- 4. Comment:** We are concerned that onerous new policies could significantly harm our members' operations or jeopardize their ability to obtain local permits. Our members need reasonable policies that will allow them to operate their business without excessive new costs for risk reduction measures or delaying their permitting renewal process. As such, we urge you to work with local businesses and organizations in developing your risk communications and risk management guidelines.

**Response:** Staff has conducted an impact analysis based on reviewing permits received over a five year period between 2009 and 2014. Because the majority of permits issued were well under the risk thresholds, even with the Revised Guidelines, the number of new and modified permits that will be affected is not expected to be significant as discussed in Chapter 3. As discussed in the Draft Staff Report, the SCAQMD staff is recommending that spray booths and retail gasoline stations use the current SCAQMD 1401 and 212 Guidelines – Version 7.0 (July 1, 2005) until further analysis can be performed and a determination made as to whether a separate source specific rule or procedures is warranted. Refer to Chapter 3 of the Final Staff Report for a more detailed assessment of impacts to facilities. As also discussed in Chapter 3, the SCAQMD staff does anticipate that there will be some permits that will be affected by the Revised Guidelines based on past permitting data. Based on the five year review of permitted data, the SCAQMD staff estimates about 30 permits a year could require additional controls due to implementation of the Revised OEHHA Guidelines. There are a variety of options that an applicant has in addition to adding pollution controls such as equipment location, product replacement particularly for coatings and solvents, and reduction in

throughput. In the Environmental Assessment and Socioeconomic analysis the SCAQMD staff assumed that facilities would install pollution controls. As described in the response to the previous comment, SCAQMD staff is working with all stakeholders on risk communication.

- 5. Comment:** We are concerned about the potential impact these new guidelines will have on projects that already are currently in the pipeline, and urge you to work to adjust the guidelines accordingly to eliminate potentially duplicative effort and costly delays.

**Response:** The proposed amendments to implement the Revised OEHHA Guidelines will be forward-looking. Under PAR 1401, SCAQMD staff will not retroactively review previously issued permits relative to the Revised OEHHA Guidelines; only permits that are for new and modified equipment that have been deemed complete 30 days after Proposed Amended Rule 1401 has been adopted will be subject to the new Guidelines. Additionally, based on staff analysis of facility impacts, two equipment source categories that have been identified to have potential significant impacts due to the Revised OEHHA Guidelines will be allowed to continue using the 2003 OEHHA Guidelines under PAR 1401 until staff determines the full extent of impacts, if any, and/or source-specific rules are developed for the specified equipment source categories.

- 6. Comment:** California hospitals are in the midst of complying with a \$110 billion seismic safety mandate. A number of these hospitals are in your District. While renovating, retrofitting and constructing new buildings, hospitals are replacing old diesel backup generators, boilers, and installing newer and cleaner equipment in conformance with their seismic implementation schedule. At the same time, under state hospital licensing and national accreditation standards, hospitals are required to conduct weekly startups and monthly testing of their generators resulting in the emission of additional diesel particulate matter. As a result, a significant portion of diesel particulate matter generated by hospitals is from meeting requirements mandated by state law and national standards. New risk estimates resulting from changes to air toxics health risk assessment guidelines recently adopted by OEHHA could force hospitals to notify the communities they serve that health risk from their operations is on the rise even though their facility emissions have stayed the same or even decreased. It is our understanding that while hospital diesel particulate emissions have dropped by as much as 80 percent since 1990, the new OEHHA projections may increase the actual cancer risk by 250 to 300 percent.

**Response:** Emergency diesel generators are exempt from Rule 1401 requirements. However, they are subject to Rule 1470 which requires that new emergency generators at or near a sensitive receptor meet a PM emission rate of between 0.01 and 0.02 grams/BHP-hr for engines greater than 175

BHP. At this low emission rate, these engines are expected to be less than 1 in a million, based on the limited testing hours that are allowed under Rule 1470. Emergency back-up engines are also subject to Rule 212 public noticing, however, it is expected that hospitals will likely be below risk levels for noticing under Rule 212 when meeting the requirements of Rule 1470.

Based on staff's analysis of potential impacts relating to the permitting of boilers, it was found that boilers that are located further than 50 meters from a receptor would not result in an estimated cancer risk of greater than 1 in a million using a Tier 2 screening, and therefore would not have any additional requirements under PAR 1401. Under the SCAQMD's Tier 2 screening, it is expected that some boilers between 25 and 50 meters may need to go to a higher Tier screening level, such a Tier 3 and in some rare situations Tier 4 but these boilers are expected to meet a 1 in a million risk threshold with no additional controls. Health risk screening approaches used in Tier 3 and 4 incorporate more site specific information such as the location of the sensitive receptor, specific stack parameters, and air dispersion modeling specific to the location the inputs for that specific piece of equipment.

The SCAQMD staff will be re-evaluating its public notices to provide additional information to alleviate concerns of potential misconceptions of increased emissions in situations where the change in the estimated risk is attributed solely to the calculation methodology. The SCAQMD will be looking into risk communication tools such as developing documents or fact sheets explaining the Revised OEHHA Guidelines to include in public notifications that result from implementation of the Revised OEHHA Guidelines.

**7. Comment:** We request that SCAQMD reconsider its preliminary decision to leave unchanged the existing health risk action levels in Rules 1401, 1401.1 and 1402. Both District staff and Board members acknowledged that the expected increase in facility risk estimates are artifacts of OEHHA's changes to state risk assessment methodology, not actual increases in facility air toxics emissions. The risk is spread so far and wide that common activities will create hot spots. The proposal needs much more work including consideration for how it will be implemented and how the District should choose to manage risk thresholds instead of abrogating its risk management authority to OEHHA. For facilities whose air toxics emissions are unchanged or reduced from the most recent District approved air toxics emission inventory, we recommend that the District increase the current action levels to normalize the artificial increase.

**Response:** SCAQMD staff believes that Rule 1401 and 1402 thresholds are health protective and is recommending maintaining the existing thresholds. While the risk calculation procedure has been revised, the underlying

purpose of minimizing the risk to the public remains the same. Rule 1401 acts as gatekeeper for new permits to ensure that excessive new risks are avoided. Similarly, Rule 1402 addresses existing operations to identify and reduce risk. Altering the thresholds would set a precedent for the acceptable risk thresholds for all communities in the South Coast Basin in order to provide some temporary cost reduction relief for a handful of facilities that continue to present the highest risks to their surrounding communities.

As requested, a sensitivity analysis was conducted to evaluate the impacts of alternative risk thresholds. Staff examined the impacts at the alternative Rule 1402 action risk level thresholds of 30 in one million and 20 in one million compared to the existing action risk level of 25 in one million. The table below lists the number of impacted facilities and the estimated cost increase.

<u>Risk Threshold</u>	<u>20 in one million</u>	<u>25 in one million</u>	<u>30 in one million</u>
<u>Additional Facilities Conducting Risk Reduction</u>	<u>28</u>	<u>22</u>	<u>10</u>
<u>Annual Cost</u>	<u>\$1.86 million (+26%)</u>	<u>\$1.48 million</u>	<u>\$1.27 million (-14%)</u>

In estimating the number of facilities that could potentially be subject to risk reduction under the Revised OEHHA Guidelines, the SCAQMD was conservative to include more facilities. For example, facilities whose previously approved Health Risk Assessment could potentially be just under or slightly above 25 in a million were included potentially impacted under the Revised Guidelines and subject to risk reduction. As shown in the table, increasing the risk threshold to 30 in a million would decrease the number of facilities by more than 50 percent, with a modest 14% decrease in cost.

**8. Comment:** SCAP recommends that facilities be provided with the opportunity to voluntarily commit to an early risk reduction program. Under this proposal, a facility would commit to reducing their facility risk to below 10 in one million and be granted four years to complete associated construction. Additionally, we request that early risk reduction facilities not be subject to notification and that the cost for any necessary permits be significantly reduced and expedited. Such a voluntary program would expedite risk reduction for many more facilities that currently proposed and reduce the burden on District staff.

**Response:** Staff intends to work closely with facilities committed to early risk reduction. The opportunity to both accelerate risk reductions and have the

reductions 60 percent lower than rule requirements is, as the commenter suggests, a win-win proposal. However, state law does not allow for eliminating public notification entirely (Health and Safety Code § 44362(b)). Staff is prepared to look at different notification strategies that fulfill regulatory requirements for public not but focus on explaining facilities commitment to early, enhanced risk reductions. However, staff does not agree that permit fees should be discounted as that would merely transfer the cost of risk reduction from the facility creating the risk to other fee-paying facilities.

**9. Comment:** Staff noted that a handful of facilities have pending HRAs and will be required to use the revised OEHHA guidelines. Additionally, staff indicated that these facilities would be handled on a case-by-case basis to determine timing and what inventory year should be used. WSPA requests that pending HRAs that were submitted prior to the release of the revised OEHHA Guidelines be allowed to use the existing 2003 OEHHA guidelines, unless the HRAs were not submitted in a timely manner.

**Response:** The SCAQMD staff is working with affected facilities to update their Health Risk Assessment using the Revised OEHHA Guidelines and doing the work itself rather than requiring the facilities to do so. Staff will use the best and most recent information when conducting risk assessments. Facilities have the opportunity to provide additional supporting information and evidence. However, staff also has the responsibility to ensure that recent information and supporting data is representative of operations over the long term and that review procedures are applied consistently. Staff believes that it is more efficient to update the HRA and understand the overall risks up front, rather than prepare an HRA with the previous OEHHA Guidelines and potentially be asked to prepare another HRA under the Revised OEHHA Guidelines. Also, the SCAQMD staff believes that it streamlines implementation for the facility, particularly if risk reduction is needed such that the facility is not required to conduct notification, and engineering designs, permitting, implementation of controls if risk reduction is needed.

**10. Comment:** WSPA requests that the District provide four years from an approved HRA to complete risk reduction measures before asking for an updated HRA. This practice would uniformly be applied to all facilities to ensure that there is adequate time for both permitting and implementation.

**Response:** When requesting an updated HRA, staff takes into account the facility's progress on conducting risk reductions. Generally, an updated HRA is not requested if further risk reductions are imminent.

**11. Comment:** We understand that although the health risk from emergency diesel ICEs emissions is included in the overall calculation of facility risk, a Board-

approved industry-wide policy states that it is not included for purposes of triggering risk reduction or public notification. We requests that staff confirm this interpretation and incorporate this policy into Rule 1402.

**Response:** Under the current AB2588 Air Toxics “Hot Spots” Emission Inventory Criteria and Guidelines Regulation, facility operators are required to include health risk impacts of any diesel exhaust particulate emissions from stationary emergency internal combustion engines. The data is used for risk determination but not for risk reduction or notification purposes.

**12. Comment:** Some facilities with an approved HRA may request an updated prioritization score mid-cycle to determine the impact of the revised OEHHA Guidelines and to potentially implement risk reduction measures prior to submitting an updated HRA or providing public notice. Rule 1402 should clarify that 1) providing an updated prioritization score does not immediately trigger a new request for an HRA, and 2) the facility will remain in their current quadrennial cycle.

**Response:** Facilities subject to AB2588 are required to submit a detailed list of their toxic emissions every four years (referred to as a quadrennial update). Based on their level of toxic and criteria pollutant emissions, each year a different group of facilities will report a detailed list of its toxic emissions. Upon initial prioritization of facilities, the SCAQMD staff conducts further analyses to verify the Priority Score such as confirming the distance to the sensitive receptors and workers, reviewing emissions trends and facility changes such as new or modified permitted equipment or pollution controls, and comparing the Priority Score results with the last Health Risk Assessment submittal or Risk Reduction Plan, if applicable. This additional information obtained through Priority Score auditing will often negate the need to ask for a Health Risk Assessment. If, however, the Prioritization Score remains high, the facility is asked to prepare an Air Toxics Inventory Report and Health Risk Assessment.

**13. Comment:** We are concerned that the SCAQMD has not considered the significance thresholds when conducting risk analysis for CEQA determinations. This deferral of CEQA creates some chaos for facilities now in the process of conducting risk analyses for a CEQA determination. Facilities are currently investing significant financial resources and are in the middle of health risk analysis for CEQA determination. Based on the significant impact, we believe that additional time and effort needs to be put into revising the Proposed Amended Rules to address the risk thresholds and improve clarity of implementation for CEQA. Facilities undertaking costly analysis for determinations need this information to adapt in a timely and cost effective manner.

**Response:** The SCAQMD staff understands your concern. The Proposed Amended Rules are separate from the CEQA significance thresholds. The

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SCAQMD staff is currently evaluating how to implement the Revised OEHHA Guidelines under CEQA. The SCAQMD staff will evaluate a variety of options on how to evaluate health risks under the Revised OEHHA Guidelines under CEQA. The SCAQMD staff will conduct public workshops to gather input before bringing recommendations to the Governing Board. In the interim, staff will continue to use the previous guidelines for CEQA determinations.



**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

**Final Staff Report**

**Proposed Amended Rule 110 – Rule Adoption Procedures to Assure Protection and Enhancement of the Environment**

**Proposed Amended Rule 212 – Standards for Approving Permits and Issuing Public Notice**

**Proposed Amended Rule 301 – Permitting and Associated Fees**

**Proposed Amended Rule 303 – Hearing Board Fees**

**Proposed Amended Rule 306 – Plan Fees**

**Proposed Amended Rule 307.1 – Alternative Fees for Air Toxics Emissions Inventory**

**Proposed Amended Rule 309 – Fees for Regulation XVI and Regulation XXV**

**Proposed Amended Rule 315 – Fees for Training Classes and License Renewal**

**Proposed Amended Rule 518.2 – Federal Alternative Operating Conditions**

**Proposed Amended Rule 1310 – Analysis and Reporting**

**Proposed Amended Rule 1605 – Credits For The Voluntary Repair of On-Road Motor Vehicles Identified Through Remote Sensing Devices**

**Proposed Amended Rule 1610 – Old-Vehicle Scrapping**

**Proposed Amended Rule 1612 – Credits for Clean On-Road Vehicles**

**Proposed Amended Rule 1620 – Credits for Clean Off-Road Mobile Equipment**

**Proposed Amended Rule 1623 – Credits for Clean Lawn and Garden Equipment**

**Proposed Amended Rule 1710 – Analysis, Notice, and Reporting**

**Proposed Amended Rule 1714 – Prevention of Significant Deterioration for Greenhouse Gases**

**Proposed Amended Rule 3006 – Public Participation**

**March 2019**

**Deputy Executive Officer**

Planning, Rule Development, and Area Sources  
Philip M. Fine, Ph.D.

**Assistant Deputy Executive Officer**

Planning, Rule Development, and Area Sources  
Susan Nakamura

**Planning and Rules Manager**

Planning, Rule Development, and Area Sources  
Michael Morris

## ATTACHMENT D3

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Authors: James McCreary – Assistant Air Quality Specialist

Contributors: Amir Dejbakhsh – Assistant Deputy Executive Officer  
Robert Gottschalk – Air Quality Specialist  
David Hauck – Senior Air Quality Engineer  
Mark Henninger – Technology Implementation Manager  
Elaine-Joy Hills – Air Quality Inspector II  
Saad Karam – Systems & Programming Supervisor  
Kevin McDaniel – Mail/Subscription Services Supervisor  
David Ono – Program Supervisor  
Barbara Radlein – Program Supervisor  
Tracy Tang – Air Quality Specialist

Reviewed By: Barbara Baird – Chief Deputy Counsel  
Brian Tomasovic – Senior Deputy District Counsel  
Uyen-Uyen Vo – Program Supervisor

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## SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT GOVERNING BOARD

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Speaker of the Assembly Appointee

Vice Chairman: DR. CLARK E. PARKER, SR.  
Senate Rules Committee Appointee

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Council Member, Lake Forest  
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JANICE RUTHERFORD  
Supervisor, Second District  
County of San Bernardino

### EXECUTIVE OFFICER:

WAYNE NASTRI

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## **CHAPTER 1: BACKGROUND**

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**INTRODUCTION**

**BACKGROUND**

**AFFECTED INDUSTRIES**

**PUBLIC PROCESS**

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### INTRODUCTION

Based on SCAQMD's concept to modernize public noticing, California Senate Bill (SB) 1502 was approved in June 2018, allowing air districts to electronically mail (email) public notices in lieu of mail for any person who requests noticing by email. Additionally, in 2016, the U.S. Environmental Protection Agency (U.S. EPA) revised the public notice provisions for Clean Air Act permitting programs (81 ~~Fed. Reg.~~FR 71613), requiring electronic notice (e-notice) for permit actions for federal permit programs in lieu of providing public notice by newspaper publication. U.S. EPA's rule further allows for e-notice as an option for permit actions by permitting authorities implementing U.S. EPA-approved programs, including but not limited to, New Source Review and Title V permitting. Permitting authorities that implement ~~e-notice~~ e-noticing are also required to make the draft permit available electronically, such as by posting on a permitting authority's South Coast Air Quality Management District's (SCAQMD) public website or on a public website identified by the permitting authority SCAQMD, for the duration of the comment period (e-access).

In an effort to streamline and modernize public noticing and communications with the public, staff reviewed all public noticing and communications in its regulatory program. SCAQMD is proposing amendments to Proposed Amended Rules 110, 212, 301, 303, 306, 307.1, 309, 315, 518.2, 1310, 1605, 1610, 1612, 1620, 1623, 1710, 1714, and 3006 (Proposed Amended Rules) will to modernize and extend flexibilities for public ~~notice~~ noticing and other communications and to allow electronic payment of certain fee invoices. Pursuant to SB 1502, SCAQMD is also proposing procedures to develop a process to collect email addresses for those stakeholders that elect to receive public notices via email instead of mail and procedures to update email addresses and preferences for email or mail.

### BACKGROUND

In response to SB 1502 and 81 ~~Fed. Reg.~~FR 71613, SCAQMD is proposing amendments to modernize communications and streamline public notification. The Proposed Amended Rules ~~which~~ can be divided into four categories of amendments: 1) Public Notifications for New Source Review and Federal Permit Programs; 2) Public Notifications for Rulemaking Activities; 3) Communications for Implementing Fee Rules; and 4) Public Notifications for Offset Program Rules.

California Health and Safety Code Sections 40440.5 and 40440.7 require ~~air districts~~ SCAQMD to send public workshop and public hearing notices for rule adoption, amendment, or repeal by mail. In June 2018, SB 1502<sup>1</sup> was approved which allows air districts to send public notices by email in lieu of by mail. Under SB 1502, air districts are required to send notices by mail to any person who requests noticing by mail and to adopt procedures for the public to request public notices to be sent by mail and ~~a process~~ to update ~~their~~ email addresses. These procedures must be adopted, and updated as needed, by the air districts' Governing Board. The requirements of SB 1502 are now codified in relevant part at California Health and Safety Code Section 40006. Consistent with state law, proposed amendments to Rule 110 will allow for both email and mail distribution of public notifications for rulemaking activities.

In October 2016, the U.S. EPA revised the public notice and public participation provisions for federal permit programs including the New Source Review (NSR), Title V, Prevention of

<sup>1</sup> California Senate Bill 1502:

[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180SB1502](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB1502)

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Significant Deterioration (PSD),<sup>2</sup> and Outer Continental Shelf (OCS) permit programs of the Clean Air Act by revising permitting provisions in 40 Code of Federal Regulations (CFR) Parts 51, 52, 55, 70, 71, and 124 to update permit processing requirements.<sup>2</sup> The 2016 final rule removed the mandatory requirement for public notice of a draft air permit through publication in a newspaper, and instead requires ~~e-notice e-noticing~~ for U.S. EPA actions and actions by permitting authorities implementing the federal permitting rules, and allows for ~~e-notice e-noticing, such as posting on an air district's website,~~ as an option for actions by permitting authorities implementing U.S. EPA-approved programs. When ~~e-notice e-noticing~~ is provided, there must also be e-access to the draft permit. U.S. EPA defines “e-notice” as electronic posting on a publicly accessible website identified by the permitting authority and “e-access” as making a draft permit available electronically on a publicly accessible website identified by the permitting authority for the duration of the public comment period.

SCAQMD has received delegated authority to implement two programs under federal permitting rules. For these two permit programs, e-notice instead of newspaper publication is now mandated. The first program is a 2007 “Agreement for Partial Delegation of Authority” between SCAQMD and the U.S. EPA which partially delegated authority to issue PSD initial permits and to modify certain existing PSD permits, subject to the terms and conditions of the agreement.<sup>3</sup> The proposed changes in PAR 212 and Regulation XVII – Prevention of Significant Deterioration, specifically PAR 1710 and 1714, will ensure federal permitting rules are followed for permitting actions in keeping with the partial delegation. -The second program is a 1994 “Agreement for Delegation of Authority” between SCAQMD and the U.S. EPA which delegated the authority to implement and enforce the requirements of the OCS Air Regulations (40 CFR Part 55) within 25 miles of the state’s seaward boundary.<sup>4</sup> The delegation was expressly premised on SCAQMD working to ensure Rule 212 was interpreted (and amended, as needed) to incorporate the “public notice and comment procedures for permitting of OCS facilities.”<sup>5</sup> The proposed changes in PAR 212 will also accomplish consistency with this historical delegation.<sup>6</sup>

Additionally, U.S. EPA’s final rule on e-noticing includes the option of e-noticing for permits issued under the authority of U.S. EPA-approved programs. ~~Given~~ With reference to this option, SCAQMD implements an U.S. EPA-approved Title V permit program and is also the permitting authority of Nonattainment NSR permits. In June 2018, California Air Resources Board (CARB)

<sup>2</sup> Revisions to Public Notice Provisions in Clean Air Act Permitting Programs, 81 ~~Fed. Reg.~~ FR 71613 (Oct. 18, 2016). <https://www.gpo.gov/fdsys/pkg/FR-2016-10-18/pdf/2016-24911.pdf>. New Source Review includes the minor NSR, Prevention of Significant Deterioration (PSD), and Nonattainment NSR programs.

<sup>3</sup> U.S. EPA-South Coast Air Quality Management District Agreement for Partial Delegation of Authority to Issue and Modify Prevention of Significant Deterioration Permits Subject to 40 CFR 52.21, July 25, 2017, [https://www.epa.gov/sites/production/files/2015-08/documents/south\\_coast\\_aqmd\\_psd\\_delegation\\_agreement.pdf](https://www.epa.gov/sites/production/files/2015-08/documents/south_coast_aqmd_psd_delegation_agreement.pdf)

<sup>4</sup> U.S. EPA-South Coast Air Quality Management District Agreement for Delegation of Authority for Outer Continental Shelf Air Regulations (40 CFR Part 55), May 9, 1994, [https://www.epa.gov/sites/production/files/2015-08/documents/south\\_coast\\_ocs\\_agreement.pdf](https://www.epa.gov/sites/production/files/2015-08/documents/south_coast_ocs_agreement.pdf); Notice of the delegation was published in the Federal Register on July 15, 1994.

<sup>5</sup> Updating Rule 212 is “mandatory” and appropriate according to the terms of the delegation agreement. In the fine print of the rule on e-noticing, U.S. EPA explained that e-notice and e-access was not generally required for “permitting authorities that are delegated authority to issue permits under 40 CFR part 55,” and that this was not proposed. 81 ~~Fed. Reg.~~ FR at 71618, n. 11.

<sup>6</sup> The District adopted Rule 1183-Outer Continental Shelf (OCS) Air Regulations on March 12, 1993, to enable its exercise of authority under the delegation. Changes to Rule 1183 which only incorporates provisions of 40 CFR Part 55, ~~and are~~ are not presently warranted or needed.

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Advisory 299<sup>7</sup> addressed the availability of this option for air districts, explaining that air districts can permissibly change their rules and practices for approved permit programs to accord with federally-authorized e-noticing and that such changes would not violate the Protect California Air Act of 2003<sup>8</sup>. CARB Advisory 299 also recommends a dedicated web page for listing all public notices related to NSR permitting and that all public notices contain certain minimum information requirements. U.S. EPA and CARB allow e-noticing to enhance public participation and to better inform the public. As CARB Advisory 299 indicates, newspaper publication of public notices may still be required under other provisions of the California Health and Safety Code and other laws and regulations, such as the California Environmental Quality Act.

Proposed amendments to Rules 212, 518.2, 1710, 1714, and 3006 are ~~offered~~ in direct response to the U.S. EPA rule changes in 2016 that allow or require e-noticing. Rules 1310, 1605, 1610, 1612, 1620, and 1623 were identified by staff. These rules concern permit-type actions (or actions ancillary to permitting actions) that involve offsets and emission reduction credits. California Health and Safety Code Section 40713 requires that there be procedures for the approval of reductions under offset programs, specifying that they provide “for public comment within 30 days after notice of any proposed approval” and that the procedures be “comparable to district permit procedures.” There is no Health and Safety Code or federal requirement for notice by newspaper advertisement for these types of actions, and staff has therefore identified these rules as eligible for amendment ~~that also warrant updates~~ to enable e-noticing. Neither the U.S. EPA rule on e-noticing nor CARB Advisory 299 had reason to address these types of actions or to mandate requirements for them, but the stated justifications and rationale for e-noticing are the same, and the proposed amendments will serve to ensure that procedures remain “comparable to district permit procedures.”

Proposed amendments to Rules 301, 303, 306, 307.1, 309, and 315 would also authorize modern means of communications and correspondence in the implementation of SCAQMD rules under Regulation III – Fees. These rules are subject to amendment under SCAQMD’s general authority to adopt and revise rules, and they are eligible for amendment apart from the enactment of SB 1502. These changes would generally enable SCAQMD to mail, email, or electronically issue notices, communications, and invoices in the implementation of fee rules. The changes would also recognize that certain fee invoices may be paid electronically.

Rules 510 – Notice of Hearing, 515 – Findings and Decision, and 812 – Notice of Hearing, were initially identified as eligible for amendment by SB 1502. These rules call for the mailing or delivery of certain notices in the conduct of Hearing Board activities. Under further review, these notices are not necessarily “public notices” under the terms of Health and Safety Code Section 40006. Staff now recommends Rules 510, 515, and 812 not be amended, because SB 1502 does not specifically enable or invite such changes. Delivery of notices by email may be consistent with current rule text, yet staff has determined that the previously contemplated rule changes for these rules that had been considered in reference to SB 1502 are no longer warranted.

Staff had additionally studied Rule 1309 – Emission Reduction Credits and Short Term Credits, as eligible for amendment to also allow for e-noticing in lieu of notice by newspaper advertisement, but that rule’s requirement to publish a newspaper notice (Rule 1309(f)(3)) is strictly the

<sup>7</sup> California Air Resources Board Advisory 299: <https://www.arb.ca.gov/enf/advs/advs299.pdf>

<sup>8</sup> California Senate Bill 288: [http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=200320040SB288](http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=200320040SB288); California: Health and Safety Code §§ 42501-42507.



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responsibility of a facility that would request to generate or use Short Term Credits. It also bears noting that facilities have not been known to use this provision since its adoption. The rationale for e-noticing that applies when SCAQMD seeks public comment on its own proposed actions is not germane to this part of Rule 1309, and staff accordingly does not recommend amending Rule 1309.

### AFFECTED INDUSTRIES

The proposed amendments are for permit actions, public notices required for rulemaking, and fee invoices. Therefore these amendments potentially affect every industry within the SCAQMD's jurisdiction.

### PUBLIC PROCESS

~~The~~ A Public Workshop was held at the SCAQMD Headquarters in Diamond Bar on November 29, 2018. ~~The proposed rule amendments are administrative changes, and were deemed to not have a material impact on subject businesses, given the retention of the right to opt in to remain on a mailing list for rules made eligible for amendment by SB 1502. A Public Hearing will be held, during which the public may provide input on the proposed amendments. The Public Hearing is scheduled to be held at the SCAQMD Headquarters in Diamond Bar on March 1, 2019.~~

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## **CHAPTER 2: SUMMARY OF PROPOSAL**

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**INTRODUCTION**

**PROPOSED RULE AMENDMENTS**

**PROPOSED IMPLEMENTATION**

# ATTACHMENT D3

## INTRODUCTION

The purpose of the proposed amendments is to allow for the option to send public notices by electronic mail (email), electronically notice (e-notice) permit actions, and email fee invoices. Proposed Amended Rule 110 incorporates the option provided by California Senate Bill (SB) 1502 to email public notices regarding rule development to stakeholders that indicate their preference to receive such notices by email.

Rules 212, 518.2, 1710, 1714, and 3006 pertain to approved or delegated Clean Air Act permit programs, specifically New Source Review (NSR) permitting, which includes Prevention of Significant Deterioration (PSD) permitting; Outer Continental Shelf (OCS) permitting; and the Title V operating permits program. These rules are proposed for amendment to align with new amendments to the U.S. Environmental Protection Agency's (U.S. EPA's) permitting rules for the e-noticing of draft permits. These changes for Clean Air Act permit programs were published as a final rule on October 18, 2016 at 81 ~~Fed. Reg.~~ FR 71613. Accordingly, for South Coast Air Quality Management District's (SCAQMD's) delegated permit programs, e-noticing of draft permits has been required per 40 Code of Federal Regulations (CFR) parts 52, 55, 71, and 124 since the effective date in 2016. For SCAQMD's approved permit programs, the final rule authorizes permitting authorities to adopt e-noticing when it is adopted as the "consistent noticing method". Permitting authorities that conduct e-noticing are not precluded from supplementing ~~e-notice~~ e-noticing with additional means of notification to the public, which may include newspaper advertisement. SCAQMD staff has coordinated with California Air Resources Board (CARB) staff in its development of the proposed changes to permit rules to ensure appropriate adherence to CARB Advisory 299. The text of the proposed amendments has been made to align with the regulatory text that U.S. EPA promulgated in its final rule, as now found in the pertinent paragraphs on public participation at 40 CFR sections 51.165, 51.166, 52.21, 70.7, and 124.10. To satisfy the final rule's requirement for electronic access (e-access) to draft permits, SCAQMD will host its existing, dedicated public web pages for permit actions to meet requirements for e-notice and e-access, as federally required. Adjusting changes to the website will be made, as appropriate, to reflect that ~~e-notice~~ e-noticing will serve as the consistent noticing method for permit actions. The provision of e-access will not affect the SCAQMD's record retention policies.

SCAQMD proposes to enable options for electronic notification or communication in multiple other rules. The proposed rule amendments are administrative changes.

Additional details regarding the implementation of these options for electronic notification or communication are found in Appendix 1 – Procedures for Including Electronic Public Notice ~~and Invoice Delivery.~~

## PROPOSED RULE AMENDMENTS

The rules proposed for amendment include:

- Rule 110 – Rule Adoption Procedures to Assure Protection and Enhancement of the Environment
- Rule 212 – Standards for Approving Permits and Issuing Public Notice
- Rule 301 – Permitting and Associated Fees
- Rule 303 – Hearing Board Fees
- Rule 306 – Plan Fees
- Rule 307.1 – Alternative Fees for Air Toxics Emissions Inventory

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- Rule 309 – Fees for Regulation XVI and Regulation XXV
- Rule 315 – Fees for Training Classes and License Renewal
- Rule 518.2 – Federal Alternative Operating Conditions
- Rule 1310 – Analysis and Reporting
- Rule 1605 – Credits For The Voluntary Repair of On-Road Motor Vehicles Identified Through Remote Sensing Devices
- Rule 1610 – Old-Vehicle Scrapping
- Rule 1612 – Credits for Clean On-Road Vehicles
- Rule 1620 – Credits for Clean Off-Road Mobile Equipment
- Rule 1623 – Credits for Clean Lawn and Garden Equipment
- Rule 1710 – Analysis, Notice, and Reporting
- Rule 1714 – Prevention of Significant Deterioration for Greenhouse Gases
- Rule 3006 – Public Participation

The proposed amendments are categorized into four groups:

### 1. Public Notifications for New Source Review and Federal Permit Programs

Proposed Amended Rules 212, 518.2, 1710, 1714, and 3006 ~~are proposed for amendment to~~ will satisfy U.S. EPA's modernized requirements for public ~~noticing~~notice and public participation for delegated and approved Clean Air Act permit programs. The proposed amendments include removing provisions requiring public notification by newspaper and adding requirements to post draft air permits and public notices for permit actions on the SCAQMD website. These changes ensure SCAQMD permit processing will follow the e-notice and e-access requirements in U.S. EPA regulations.

### 2. Public Notifications for Rulemaking Activities

Proposed Amended Rule 110 ~~is proposed for amendment to~~ will allow SCAQMD to send public notices by email if an email address is available; by other electronic means; and by mail should an individual opt-in to receive public notices by mail only or has not registered his or her noticing preferences. SB 1502 enables the SCAQMD to amend its rules to expand public noticing options to include by email.

### 3. Communications for Implementing Fee Rules

Proposed Amended Rules 301, 303, 306, 307.1, 309, and 315 ~~will~~ ~~are proposed for amendment to~~ allow SCAQMD to email certain fee invoices to be emailed and expand. ~~Additionally, payment options for certain fee invoices~~ ~~payment options are expanded~~ to include electronic payment.

### 4. Public Notifications for Offset Program Rules

Proposed Amended Rules 1310, 1605, 1610, 1612, 1620, and 1623 ~~will~~ ~~are proposed for amendment to~~ allow SCAQMD to post notices for public comment on the publicly accessible SCAQMD website. remove the requirement to conduct public noticing by newspaper publishing and instead require posting public notices on the SCAQMD website. Additionally, changes clarify that information required at the time the public notice is posted will now be available for public inspection upon request instead of immediately available.

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Tables 1 through 4 summarizes the categories of categorical amendments for each rule:

**Table 1.** Public Notifications for New Source Review and Federal Permit Programs

Rule Number	Rule Title
212	Standards for Approving Permits and Issuing Public Notice
518.2	Federal Alternative Operating Conditions
1710	Analysis, Notice, and Reporting
1714	Prevention of Significant Deterioration for Greenhouse Gases
3006	Public Participation

**Table 2.** Public Notifications for Rulemaking Activities

Rule Number	Rule Title
110	Rule Adoption Procedures to Assure Protection and Enhancement of the Environment

**Table 3.** Communications for Implementing Fee Rules

Rule Number	Rule Title
301	Permitting and Associated Fees
303	Hearing Board Fees
306	Plan Fees
307.1	Alternative Fees for Air Toxics Emissions Inventory
309	Fees for Regulation XVI and Regulation XXV
315	Fees for Training Classes and License Renewal

**Table 4.** Public Notifications for Offset Program Rules

Rule Number	Rule Title
1310	Analysis and Reporting
1605	Credits For The Voluntary Repair of On-Road Motor Vehicles Identified Through Remote Sensing Devices
1610	Old-Vehicle Scrapping
1612	Credits for Clean On-Road Vehicles
1620	Credits for Clean Off-Road Mobile Equipment
1623	Credits for Clean Lawn and Garden Equipment

An example of each type of change is below:

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### **Public Notifications for New Source Review and ~~Title V Permit Programs~~ Federal Permit Programs**

#### Proposed Amended Rule 3006 - Subparagraph (a)(1)(A)

*The District shall give ~~public~~ notice by posting a public notice on the District public website for the duration of the public comment period. In addition, public notice shall be given to persons on a mailing or electronic mailing list that has been developed to enable interested parties to subscribe to the mailing list. The Executive Officer may update the mailing list from time to time by requesting written indication of continued interest from those listed and may delete from the list the name of any person who fails to respond to such request within a reasonable timeframe. ~~publication in a newspaper of general circulation in the county where the source is located, by mail to those who request in writing to be on a list to receive all such notices, and by any other means determined by the Executive Officer to be necessary to assure adequate notice to the affected public.~~*

### **Public Notifications for Rulemaking Activities**

#### Proposed Amended Rule 110 - Subdivision (a)

*In addition to providing the public notice of District Board meetings and hearings as required by Health and Safety Code Section 40725, the District shall consult with state and local governmental agencies having jurisdiction by law with respect to the subject matter of a proposed rule or regulation, and public notice shall be sent by mail, electronic mail, or other electronic means, mailed to all persons who have requested such notice in writing. For informational purposes, public notice may be posted on the District public website and may be provided to newspapers of general circulation, to all persons believed to be interested in the proceeding, and to the State Clearinghouse for circulation to public agencies.*

### **Communications for Implementing Fee Rules**

#### Proposed Amended Rule 301 - Subparagraph (c)(1)(B)

*For fees due upon notification, such notice may be given by personal service ~~or by deposit, postpaid, in the United States~~ or sent by mail, electronic mail, or other electronic means, and shall be due thirty (30) days from the date of personal service, ~~or mailing, or electronic transmission.~~ For the purpose of this subparagraph, the fee payment will be considered to be received by the District if it is delivered, postmarked by the United States Postal Service, or electronically paid on or before the expiration date stated on the billing notice. If the expiration date falls on a Saturday, Sunday, or a state holiday, the fee payment may be delivered, postmarked, or electronically paid on the next business day following the Saturday, Sunday, or the state holiday with the same effect as if it had been delivered, postmarked, or electronically paid on the expiration date.*

### **Public Notifications for Offset Program Rules**

#### Proposed Amended 1310 – Paragraph (c)(2)

*Within ten calendar days following such decision, post a public notice on the District public website ~~publish a notice by prominent advertisement in at least one newspaper of general circulation in the District~~ stating the preliminary decision of the Executive Officer or designee and where the public may inspect the information required to be made available*

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*under paragraph (c)(3). The public notice shall provide 30 days from the date of publication ~~public notice~~posting for the public to submit written comments on the preliminary decision; and*

### PROPOSED IMPLEMENTATION

These administrative amendments will facilitate: e-noticing of permit actions and providing e-access to draft permits; sending public notices by email; and sending certain fee invoices by email and allowing electronic payment for certain fee invoices when possible and appropriate. Public notices required for rulemaking activities will continue to be delivered by mail until a facility or interested party submits a confirmation that notice by email ~~or e-notice~~ is preferred.

~~Air Districts~~ districts utilizing the flexibilities extended by SB 1502 are required to have their district board “adopt, and update as needed, procedures for a person to request public notices to be sent by mail and update an electronic email address.” These procedures are included in Appendix 1 – Procedures for Including Electronic Public Notice, and Invoice Delivery. ~~and will occur in two phases. Phase I will be a data gathering campaign to collect email addresses and preferences. During Phase I, public notices will be mailed in addition to being emailed. Phase II will continue to collect email addresses and preferences and will remove public noticing by mail for individuals who have requested public noticing by email. In addition, Appendix 1 discusses procedures regarding how permitted facilities and interested parties may receive other types of public notices and fee invoices regularly sent by SCAQMD, but these procedures are not in the purview of SB 1502 and the requirement for procedures that is codified at Health and Safety Code Section 40006(e).~~

In order to comply with U.S. EPA rules for e-noticing in the administration of Clean Air Act permit programs and CARB Advisory 299, SCAQMD will maintain and enhance a dedicated web page on its website to e-notice all public notices related to permit actions. This web page will provide e-access to the public and contain the draft permit. Supplementary material such as the permit application and preliminary determination materials will be made available for public inspection, upon request. These public notices will be available for e-access by the public for the duration of the public comment period for each permit action. Information on permitting actions that require public notice is maintained on the website beyond the end of the comment period, up to a maximum duration of six (6) months, under existing practices. The posted public notice provides directions on how to submit comments on a draft permit.

Noticing of permit actions by newspaper publication may continue to be retained as an additional and supplemental means of public noticing while SCAQMD pursues web page enhancements to better promote public participation in keeping with the e-notice and e-access requirements for Clean Air Act permit programs. An existing dedicated web page already serves to ensure SCAQMD satisfies e-noticing requirements for the issuance of federal Prevention of Significant Deterioration permits, and public notices for permit actions under Rule 3006 are already posted on the SCAQMD website. Changes will be made to specifically indicate that the website provides these notices to accomplish a consistent noticing method. Historically, public notices for permit-related actions, e.g., Rule 1310 or in the Rules under Regulation XVI, have been rare, but they would have the potential to be posted on the same dedicated web page.

**ATTACHMENT D3**



**CHAPTER 3: IMPACT ASSESSMENT**

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**INTRODUCTION**

**RULE ADOPTION RELATIVE TO COST-EFFECTIVENESS**

**COMPLIANCE COSTS**

**SOCIOECONOMIC ASSESSMENT**

**CALIFORNIA ENVIRONMENTAL QUALITY ACT ANALYSIS**

**DRAFT FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE  
SECTION 40727**

**COMPARATIVE ANALYSIS**

## **ATTACHMENT D3**

### **INTRODUCTION**

The proposed amendments allow for the option to send public notices by electronic mail (email), to electronically notice (e-notice) permit actions and provide electronic access (e-access) to these permit actions, and to email and allow for electronic payment of fee invoices.

### **RULE ADOPTION RELATIVE TO COST EFFECTIVENESS**

The proposed amendments are administrative and have been determined to have no negative impact on air quality.

### **COMPLIANCE COSTS**

South Coast Air Quality Management District (SCAQMD) has determined that no additional costs will be incurred to stakeholders. All elections to remain on a mailing list will be made either on the SCAQMD website or on existing print material presented to an individual, such as a sign-in sheet.

### **SOCIOECONOMIC ASSESSMENT**

The amendments proposed are administrative in nature and will not impose any additional costs to facilities or result in other socioeconomic impacts. The proposed amendments do not significantly affect air quality and do not establish an emission limit or standard, and therefore, no socioeconomic analysis is required under California Health and Safety Code Sections 40440.8 and 40728.5.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT ANALYSIS**

Pursuant to the California Environmental Quality Act (CEQA) and SCAQMD Rule 110, the SCAQMD, as lead agency for the proposed project, has reviewed the proposed amendments to the rules identified above (the proposed project) pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. SCAQMD staff has determined that it can be seen with certainty that there is no possibility that the proposed project may have a significant adverse effect on the environment. Therefore, the project is considered to be exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Activities Covered by General Rule. A Notice of Exemption will be prepared pursuant to CEQA Guidelines Section 15062 – Notice of Exemption. If the proposed project is approved, the Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties.

### **DRAFT FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE SECTION 40727**

#### **Requirements to Make Findings**

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.

## ATTACHMENT D3

### **Necessity**

Proposed Amended Rules 110, 212, 301, 303, 306, 307.1, 309, 315, 518.2, 1310, 1605, 1610, 1612, 1620, 1623, 1710, 1714, and 3006 are needed to align SCAQMD's rule language with U.S. Environmental Protection Agency, California Air Resources Board, and California Senate directives and recommendations. These proposed amendments are necessary to facilitate email public noticing and fee invoicing and to increase the public awareness of permit actions such as those triggered by New Source Review via e-noticing on the SCAQMD website. The proposed amendments also address the need that persons may still desire to receive communications from SCAQMD by mail, which the proposed amendments, in alignment with California Senate Bill 1502, allow. The adoption of these proposed amendments will allow for more efficient communication between SCAQMD and facilities and interested parties, promoting increased public engagement and improved communication.

### **Authority**

The SCAQMD obtains its authority to adopt, amend, or repeal rules and regulations pursuant to California Health and Safety Code Sections 39002, 39650 et. seq., 40000, 40440, 40441, 40506, 40702, 40709, 40725 through 40728, 41508, 42300 et. seq., and 44380 et. seq.~~41511~~.

### **Clarity**

Proposed Amended Rules 110, 212, 301, 303, 306, 307.1, 309, 315, 518.2, 1310, 1605, 1610, 1612, 1620, 1623, 1710, 1714, and 3006 are written or displayed so that their meaning can be easily understood by the persons directly affected by them.

### **Consistency**

Proposed Amended Rules 110, 212, 301, 303, 306, 307.1, 309, 315, 518.2, 1310, 1605, 1610, 1612, 1620, 1623, 1710, 1714, and 3006 are in harmony with and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations.

### **Non-Duplication**

Proposed Amended Rules 110, 212, 301, 303, 306, 307.1, 309, 315, 518.2, 1310, 1605, 1610, 1612, 1620, 1623, 1710, 1714, and 3006 will not impose the same requirements as any existing state or federal regulations. The proposed amended rules are necessary and proper to execute the powers and duties granted to, and imposed upon, the SCAQMD.

### **Reference**

In amending these rules, the following statutes which the SCAQMD hereby implements, interprets, or makes specific are referenced: Health and Safety Code Sections 39002, 40001, 40506, 40006, 40702, 40709, 40713, 40440(a), 40725 through 40728.5, and 41511.

## **COMPARATIVE ANALYSIS**

Pursuant to Health and Safety Code 40727.2(g), the SCAQMD is electing to comply with subdivision (a) by finding that the proposed amended rules do not impose new or more stringent monitoring, reporting, or recordkeeping requirements.

## ATTACHMENT D3

### **APPENDIX 1: PROCEDURES FOR INCLUDING ELECTRONIC PUBLIC NOTICE AND INVOICE DELIVERY**

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**INTRODUCTION**

**~~RULE ADOPTION RELATIVE TO COST-EFFECTIVENESS~~**

**~~COMPLIANCE COSTS~~**

**~~SOCIOECONOMIC ASSESSMENT~~**

**~~CALIFORNIA ENVIRONMENTAL QUALITY ACT ANALYSIS~~**

**~~DRAFT FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE  
SECTION 40727~~**

**~~COMPARATIVE ANALYSIS~~**

## ATTACHMENT D3

### BACKGROUND

California Senate Bill (SB) 1502, adopted on June 28, 2018, requires the South Coast Air Quality Management District (SCAQMD) Governing Board to adopt and update procedures that must identify how a person:

~~Requests public notices to be sent by mail;~~ and

~~Updates an electronic mail (email) address.~~

The procedures in this ~~appendix~~ Appendix describe how certain email distribution and ~~e-noticing~~ noticing processes will take place ~~and how permitted facilities and interested parties may receive other types of public notices and fee invoices regularly sent by SCAQMD.~~

~~Separately, this appendix also provides details on programmatic compliance with U.S. Environmental Protection Agency rules for e-noticing in the administration of Clean Air Act permit programs and California Air Resources Board Advisory 299.~~

### CURRENT PRACTICE FOR MANAGING EMAIL SUBSCRIPTION AND PUBLIC NOTICE LISTS

SCAQMD currently collects and manages email subscription and public notice lists for various purposes. These lists are used to send communications via mail, email, or both, and utilize various means of data collection and storage for mailing addresses, email addresses, and other similar contact information.

Currently, the SCAQMD website includes a link for individuals to sign up for email distribution of public notices and other information of specific interest to that person at <http://www.aqmd.gov/sign-up>. The list of subscriptions for which an individual may enroll includes:

- General Notifications
- Clean Air Plans/CEQA Updates
- Equipment Exchange
- Incentive Programs
- Permit/Compliance Notifications
- Refinery Flare Emission Notification
- New Technology
- Rule Updates

Additionally, SCAQMD offers newsletter updates on these topics through its subscription-based public outreach tool. The subscriber is allowed to manage and update his or her subscription information including unsubscribing from lists, subscribing to additional lists, or updating his or her email address and other additional information. Subscription information is stored and managed at SCAQMD and communications are distributed to subscribers via automated public notices, for example Air Alerts for daily pollution forecasts or specific pollution levels in a particular area. In addition, subscribers may receive targeted information on selected and subscribed topics.

## ATTACHMENT D3

### PROCEDURES TO COMPLY WITH SB 1502

SCAQMD will develop a program to collect and manage preferences for public noticing required by SCAQMD rules and regulations and a mechanism to provide and update an email address from approximately 22,000 permitted facilities as well as from interested parties. The procedures will be developed in ~~three~~ two phases: 1) Data Gathering and Basic Email Noticing; and 2) Advanced Email Noticing; ~~and 3) Email Delivery of Fee Invoices.~~

Once completed, the program will allow SCAQMD to send notices:

1. By email to all facilities required to receive these public notices;
2. By mail to all facilities requesting to receive these public notices by mail; and
3. By email or mail to all interested parties that specify an interest in receiving these public notices either by email or mail, respectively.

#### **Phase I: Data Gathering and Basic Email Noticing**

The first phase of these procedures is to provide a means for permit holders and interested parties to provide their email addresses for notification. The primary objective is to collect email addresses and associated contact information, as well as public notice preferences (e.g.i.e., “All Permit Actions” or “All Title V Permit Actions”). Subsection “Notifying Permit Holders and Interested Parties of Procedures” within this Appendix 1 lists outreach methods for notifying individuals and permit holders to register their public notice preferences. Phase I will use the SCAQMD’s existing subscription-based public outreach program which can be accessed at <http://aqmd.gov/sign-up>. This tool will be used for emailing public notices, but will not replace any required mail-outs to permit holders and interested parties. Persons who specify an email notice preference will receive that public notice by both mail and email until Phase II is complete. The information collected in Phase I will be transferred to the new tool in Phase II.

#### **Phase II: Advanced Email Noticing**

Phase II will create a dedicated tool for emailing the appropriate public notices to permit holders and interested parties. This phase of the procedures is to enhance Phase I by adding additional, more-specific noticing preferences (e.g., noticing by NAICS code). The new tool will require an input field for mailing address in order to remove duplicate mailed public notices for those that ~~specified~~ specify the email noticing preference.

#### **Phase III: Email Delivery of Fee Invoices**

~~This phase of the procedures is to provide a means for permit holders and interested parties to receive fee invoices by email instead of by mail. This phase will require a separate and more complex system to be developed and released in the future. Appropriate and advance notice will be given to all permit holders and interested parties when that project is complete and will include instructions for how to register their information to receive such items by email.~~

SCAQMD proposes to establish through these procedures the process to collect email addresses for all permit holders and for other interested parties who wish to receive certain notices ~~through the Procedures~~. The electronic infrastructure to collect and update email addresses needs to be developed. This document will be updated as necessary.

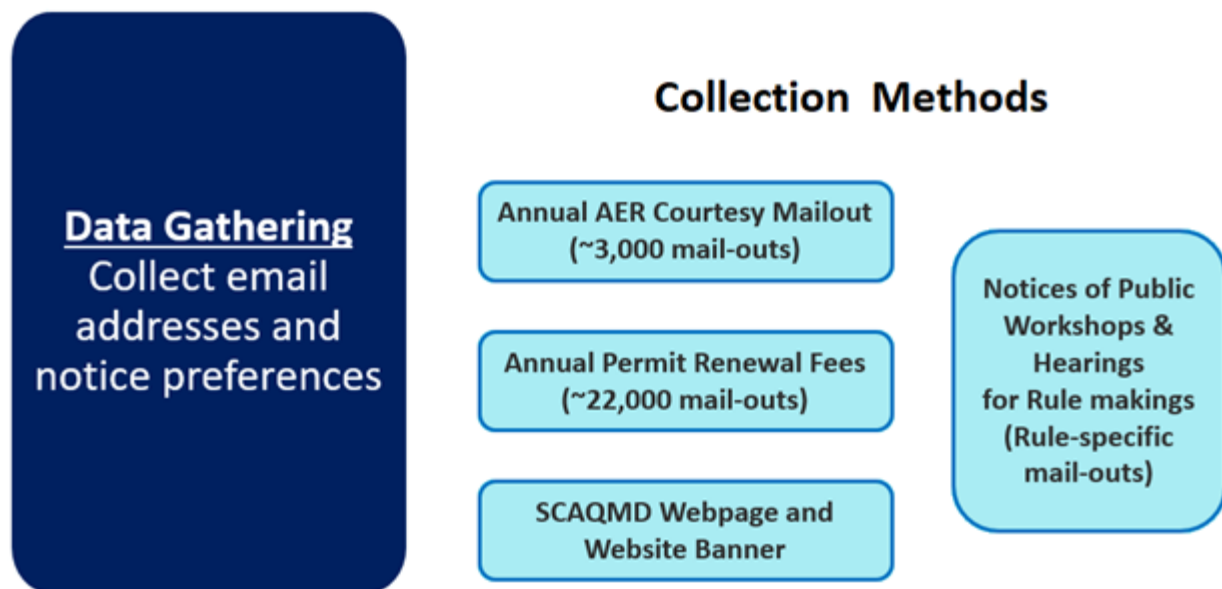
## ATTACHMENT D3

### NOTIFYING PERMIT HOLDERS OF INTERESTED PARTIES OF PROCEDURES

To facilitate the transition to email noticing and, web-based e-noticing, ~~and email invoicing~~, SCAQMD will conduct outreach efforts to permitted facilities and interested parties as part of a Data Gathering campaign to collect notice preference information. Figure 1 illustrates some, but not all, avenues SCAQMD may utilize for its Data Gathering campaign. These include mail-outs that are normally distributed to permit holders and interested parties which will include language to submit the recipients' notice preferences on the SCAQMD website.

With regard to delivery of public notices required under rulemakings, SCAQMD will make the effort to contact each permit holder a minimum of three times to obtain an email address and noticing preferences, using the methods described above in Phase I.

Figure 1. Data Gathering Collection Methods



### ~~PROCEDURES TO ELECTRONICALLY NOTICE PERMIT ACTIONS SUBJECT TO PUBLIC NOTIFICATION AS ALLOWED OR REQUIRED BY THE CODE OF FEDERAL REGULATIONS AND CALIFORNIA AREA RESOURCES BOARD ADVISORY 299~~

~~SCAQMD will maintain and enhance a dedicated web page on its website to e-notice all public notices related to permit actions. This web page will provide e-access to the public and contain the draft permit. with any sSupplementary material such as the permit application and preliminary determination materials will be made available for public inspection, upon request, at the SCAQMD officemade available, upon request. These public notices will be available for e-access by the public for the duration of the public comment period for each permit action. Information on permitting actions that require public notice is already maintained on the website beyond the~~

## ATTACHMENT D3

~~end of the comment period, up to a maximum duration of six (6) months, under existing practices. The posted public notice provides directions on how to submit comments on a draft permit.~~

~~Noticing of permit actions by newspaper publication may continue to be retained as an additional and supplemental means of public notice while SCAQMD pursues web page enhancements to better promote public participation in keeping with the e-notice and e-access requirements for Clean Air Act permit programs. An existing dedicated web page already serves to ensure SCAQMD satisfies e-noticing requirements for the issuance of federal Prevention of Significant Deterioration permits, and public notices for permit actions under Rule 3006 are already posted on the SCAQMD website. Changes will be made to specifically indicate that the website provides these notices to accomplish a consistent noticing method. Historically, public notices for permit-related actions, e.g., Rule 1310 or in the Rules under Regulation XVI, have been rare, but they would have the potential to be posted on the same dedicated web page.~~



# ATTACHMENT D3

## **APPENDIX 2: PUBLIC COMMENTS**

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## ATTACHMENT D3

### Public Comments

Comments on the preliminary proposed amended rules ~~draft rule~~ were provided by stakeholders at the November 29, 2018 Public Workshop. Comments received at the Public Workshop and South Coast Air Quality Management District (SCAQMD) staff's responses are summarized below.

### Comments Made During the Public Workshop

#### **Todd Paxman, Environmental Consultant for AECOM**

Comment 1: Facilities will have difficulty verifying delivery of public notices for permit actions to recipients within a quarter-mile for permit actions if they are delivered by email.

Response to Comment 1: The proposed language has been removed. The requirement for facilities to mail or distribute public notices for permit actions to recipients will remain unchanged. If an email address is provided by an individual within the quarter-mile area, they will receive an email version of the public notice in addition to the facility's mailed public notice.

#### **Curtis Coleman, Executive Director for Southern California Air Quality Alliance**

Comment 2: I have concern over if there is a designee for a facility for receipt of public notices by email that then leaves or retires and the email does not reach the facility or bounces back. How will SCAQMD handle this?

Response to Comment 2: Under the proposal, SCAQMD will deliver public notices to permitted facilities by mail until a facility affirmatively indicates a preference for email. The email option will allow for multiple individuals from a facility to receive the email, mitigating the single-point-of-contact issue.

#### **Bill La Marr, Executive Director for the California Small Business Alliance**

Comment 3: An individual may receive multiple copies of the same public notice and/or receive the same public notice under different titles and affiliations the individual has had.

Response to Comment 3: Staff will make an effort to minimize duplicate delivery of public notices to the same recipient. As stated in Phase I of ~~the Procedures~~ Appendix 1, an individual may update his or her subscription information, including email address and other contact information.

Comment 4: Who is the permit holder for a facility? What happens when an individual retires from the company? A physical mailed notice coming to a mailing address will draw the attention of someone there, another manager or owner or some responsible person, and will hopefully get forwarded to the proper channel.

Response to Comment 4: Please see Response to Comment 2.

## ATTACHMENT D3

### **Susan Stark, Marathon Oil**

Comment 5: It appears that occasionally an individual will be dropped from an email list and said individual will not find out about the notice of the working group until a friend or colleague forwards it to him/her. Occasionally the forward recipient will unsubscribe, thus indirectly unsubscribing the original recipient.

Response to Comment 5: Under the proposal, SCAQMD will develop a data management tool to ensure that emails are sent to the email addresses provided by a facility or interested party. This issue will be taken into consideration in the development of this tool.

ATTACHMENT E



**South Coast  
Air Quality Management District**

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

**SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**PROJECT TITLE: SUBMISSION OF AMENDED RULE 212 – STANDARDS FOR APPROVING PERMITS AND ISSUING PUBLIC NOTICE, FOR INCORPORATION INTO THE STATE IMPLEMENTATION PLAN**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (South Coast AQMD), as Lead Agency, has prepared a Notice of Exemption pursuant to CEQA Guidelines Section 15062 – Notice of Exemption for the project identified above.

The proposed project is to forward Rule 212 – Standards for Approving Permits and Issuing Public Notice, as amended on March 1, 2019 and all previous amendments since December 7, 1995, to the California Air Resources Board for approval and submission to the United States Environmental Protection Agency for incorporation into the State Implementation Plan.

The proposed project has been reviewed pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. Since the proposed project is administrative in nature and would not cause any physical changes that would adversely affect any environmental topic area, it can be seen with certainty that there is no possibility that the proposed project may have a significant adverse effect on the environment. Therefore, the project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. If the project is approved, this Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties. In addition, this Notice of Exemption will be electronically filed with the State Clearinghouse to be posted on their CEQAnet Web Portal which may be accessed via the following weblink: <https://ceqanet.opr.ca.gov/search/recent>.

Any questions regarding this Notice of Exemption should be directed to Kendra Reif (c/o Planning, Rule Development and Area Sources) at the above address. Ms. Reif can also be reached at (909) 396-3479. Mr. Michael Morris is also available at (909) 396-3282 to answer any questions regarding the submittal of Rule 212 into the State Implementation Plan.

**Date:** July 28, 2020

**Signature:**   
\_\_\_\_\_  
Barbara Radlein  
Program Supervisor, CEQA  
Planning, Rule Development, and Area Sources

**NOTICE OF EXEMPTION FROM THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

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**To:** County Clerks: Counties of Los Angeles, Orange, Riverside and San Bernardino; and Governor's Office of Planning and Research - State Clearinghouse  
**From:** South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, CA 91765

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**Project Title:** Submission of Amended Rule 212 – Standards for Approving Permits and Issuing Public Notice, for Incorporation Into the State Implementation Plan

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**Project Location:** The project is located within the South Coast Air Quality Management District (South Coast AQMD) jurisdiction which includes the four-county South Coast Air Basin (all of 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).

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**Description of Nature, Purpose, and Beneficiaries of Project:** The proposed project is to forward Rule 212 – Standards for Approving Permits and Issuing Public Notice, as amended on March 1, 2019 and all previous amendments since December 7, 1995, to the California Air Resources Board for approval and submission to the United States Environmental Protection Agency for incorporation into the State Implementation Plan.

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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:** CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption

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**Reasons why project is exempt:** Pursuant to the California Environmental Quality Act (CEQA), South Coast AQMD, as Lead Agency, has reviewed the proposed project pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. Since the proposed project is administrative in nature and would not cause any physical changes that would adversely affect any environmental topic area, it can be seen with certainty that there is no possibility that the proposed project may have a significant adverse effect on the environment. Therefore, the project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption.

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**Date When Project Will Be Considered for Approval (subject to change):**  
South Coast AQMD Governing Board Hearing: August 7, 2020

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<b>CEQA Contact Person:</b>	<b>Phone Number:</b>	<b>Email:</b>	<b>Fax:</b>
Ms. Kendra Reif	(909) 396-3479	<a href="mailto:kreif@aqmd.gov">kreif@aqmd.gov</a>	(909) 396-3982

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<b>Regulation Contact Person:</b>	<b>Phone Number:</b>	<b>Email:</b>	<b>Fax:</b>
Mr. Michael Morris	(909) 396-3282	<a href="mailto:mmorris@aqmd.gov">mmorris@aqmd.gov</a>	(909) 396-3324

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**Date Received for Filing:** \_\_\_\_\_ **Signature:** \_\_\_\_\_ *(Signed Upon Board Approval)*  
Barbara Radlein  
Program Supervisor, CEQA  
Planning, Rule Development, and Area Sources