



South Coast Air Quality Management District

South Coast
AQMD

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

A G E N D A

MEETING, JANUARY 10, 2020

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

Questions About an Agenda Item

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

Meeting Procedures

- The public meeting of the 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.

Questions About Progress of the Meeting

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

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

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

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
- Opening Comments: William A. Burke, Ed.D., Chair
Other Board Members
Wayne Nastri, Executive Officer
- Swearing in of Chair and Vice Chair for Terms January 2020 – January 2022
- Swearing in of Reappointed Board Member Larry McCallon **Burke**

Staff/Phone (909) 396-

CONSENT CALENDAR (Items 1 through 14)

Note: Consent Calendar items held for discussion will be moved to Item No. 15

1. Approve Minutes of December 6, 2019 Board Meeting **Wayman/2500**
2. Set Public Hearing February 7, 2020 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations **Nastri/3131**

Determine That Proposed Amendments to Rule 1107 – Coating of Metal Parts and Products, Are Exempt from CEQA and Amend Rule 1107 **Nakamura/3105**

Rule 1107 was adopted in 1979 and last amended in 2006 and establishes VOC limits for most metal coatings operations. Proposed Amended Rule 1107 will be amended to be consistent with Reasonably Available Control Technology requirements as recommended in U.S. EPA's Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts Coatings (September 2008). Proposed Amended Rule 1107 revises exemptions, adds work practices for coating-related activities, updates test methods, removes obsolete provisions, and adds clarifications. This action is to adopt the Resolution: 1) Determining that the proposed amendments to Rule 1107 – Coating of Metal Parts and Products, are exempt from the requirements of the California Environmental Quality Act, and 2) Amending Rule 1107 – Coating of Metal Parts and Products. (Review: Stationary Source Committee, January 24, 2020)

Budget/Fiscal Impact

3. **Amend Contract for Kore Infrastructure Project** **Miyasato/3249**

In March 2017, the Board approved a contract with Kore Infrastructure LLC (Kore) for a Renewable Natural Gas Commercial Field Test project, including construction of the pyrolysis system on SoCalGas property in Los Angeles. The project is to test various biomass feedstocks for commercial production of renewable natural gas. Although the project has experienced construction delays, Kore has continued to make progress. This action is to amend the contract with Kore to extend the deadline to complete construction, commissioning and testing efforts to June 30, 2020. (Reviewed: Technology Committee, November 15, 2019)

4. **Reallocate and Appropriate Funds and Execute Purchase Orders for Air Monitoring Programs** **Low/2269**

In 2015, the U.S. EPA awarded \$569,682 to the South Coast AQMD to implement monitoring under the Community-Scale Air Toxics Ambient Monitoring Program. In January, June and December 2018, the Board recognized revenue from CARB to implement the AB 617 program. These actions are to appropriate funds for the Community-Scale Air Toxics Monitoring Program; and to reallocate and appropriate funds and execute purchase orders for the AB 617 program. (Reviewed: Administrative Committee, December 13, 2019; Recommended for Approval)

5. **Approve Transfer of Monies from Health Effects Research Fund to Health Effects of Air Pollution Foundation** **Nastri/3131**

At the June 2008 meeting, the Board established a Health Effects Research Fund. This fund is designated for the Health Effects of Air Pollution Foundation's use to support air pollution health effects research. This action is to transfer \$3,500,000 from the Health Effects Research Fund to the Health Effects of Air Pollution Foundation to fund additional research and to achieve the objectives of the Foundation. (Reviewed: Administrative Committee, December 13, 2019; Recommended for Approval)

6. **Approve Transfer of Monies from General Fund to Health Effects Research Fund** **Jain/2804**

In 2008, the Board established a Health Effects Research Fund initially funded at \$1.5 million from the BP Arco Settlement Fund. The Board further authorized, upon annual Board approval, the transfer of 20 percent of annual penalty money received that exceeds \$4 million in receipts to the Health Effects Research Fund. This action is to transfer 20 percent of annual penalty money received in FY 2018-19 that exceeds \$4 million to the Health Effects Research Fund. (Reviewed: Administrative Committee, December 13, 2019; Recommended for Approval)

7. **Revise Procurement Policy and Procedure** **Jain/2804**

This action is to approve revisions to the South Coast Air Quality Management District Procurement Policy and Procedure to increase the Executive Officer's Procurement Signature Authority Delegation and update terminology to be consistent with Governmental Accounting Standards Board Pronouncements. (Reviewed: Administrative Committee, December 13, 2019; Recommended for Approval)

Items 8 through 14 - Information Only/Receive and File

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

This report highlights the November 2019 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)

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

This reports the actions taken by the Hearing Board during the period of November 1 through November 30, 2019. (No Committee Review)

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

This reports the monthly penalties from November 1, 2019 through November 30, 2019, and legal actions filed by the General Counsel's Office from November 1 through November 30, 2019. An Index of South Coast AQMD Rules is attached with the penalty report. (No Committee Review)

11. **Lead Agency Projects and Environmental Documents Received** **Nakamura/3105**

This report provides a listing of CEQA documents received by the South Coast AQMD between November 1, 2019 and November 30, 2019, and those projects for which the South Coast AQMD is acting as lead agency pursuant to CEQA. (No Committee Review)

12. **Rule and Control Measure Forecast** **Fine/2239**

This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2020, and provides a summary of implementation of the 2016 AQMP in 2019. (No Committee Review)

13. **Report of RFPs/RFQs Scheduled for Release in January** **Jain/2804**

This report summarizes the RFPs/RFQs for budgeted services over \$75,000 scheduled to be released for advertisement for the month of January. (Reviewed: Administrative Committee, December 13, 2019).

14. 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, December 13, 2019)

15. Items Deferred from Consent Calendar

BOARD CALENDAR

Note: The Legislative, Mobile Source, Stationary and Technology Committees did not meet in December. The next regular meeting of the Legislative Committee meeting is January 17, 2020. The next regular meetings of the Mobile Source, Stationary Source and Technology Committees are scheduled for January 24, 2020. The December meeting of the Mobile Source Air Pollution Reduction Review Committee (MSRC) was canceled. The next meeting of the MSRC is scheduled for January 16, 2020.

16. Administrative Committee (Receive & File) **Chair: Burke Natri/3131**
17. California Air Resources Board Monthly Report (Receive & File) **Board Rep: Mitchell Wayman/2500**

PUBLIC HEARINGS

18. Determine That Proposed Amendments to Rule 102 – Definition of Terms, Are Exempt from CEQA and Amend Rule 102 **Nakamura/3105**

Rule 102 defines the terms used in South Coast Air Quality Management District rules and regulations. Staff is proposing to add “South Coast AQMD” as another abbreviation for the South Coast Air Quality Management District. The use of “South Coast AQMD” instead of “District” as an abbreviation of South Coast Air Quality Management District will be included in new and amended rules; therefore, the new definition must be included in Rule 102. This action is to adopt the Resolution: 1) Determining that the proposed amendments to Rule 102 - Definition of Terms, are exempt from the California Environmental Quality Act, and 2) Amending Rule 102 – Definition of Terms. (No Committee Review)

19. Determine That Proposed Amendment to Rule 1100 – Implementation Schedule for NOx Facilities, Is Exempt from CEQA and Amend Rule 1100 **Nakamura/3105**

Rule 1100 establishes the implementation schedule for some NOx source-specific rules for RECLAIM and former RECLAIM facilities. Rule 1100 includes specific provisions for facilities with equipment that are in an “industry-specific category.” Proposed Amended Rule 1100 will modify the definition of industry-specific category to clarify the applicability as originally intended. This action is to adopt the Resolution 1) Determining that the proposed amendment to Rule 1100 – Implementation Schedule for NOx Facilities, is exempt from the California Environmental Quality Act; and 2) Amending Rule 1100 – Implementation Schedule for NOx Facilities. (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., South Coast AQMD 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, South Coast AQMD 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)
- 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);
- In the Matter of SCAQMD v. Southern California Gas Company, Aliso Canyon Storage Facility, South Coast AQMD 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, South Coast AQMD 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); 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 sections 54956.9(a) and 54956.9(d)(4) to consider initiation of litigation (five 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 South Coast AQMD (two cases).

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

Email from Somerset Perry, California Deputy Attorney General, dated March 13, 2019, regarding Notice of Violation P61321.

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

- 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. Please notify the Clerk of the Board, (909) 396-2500, if you wish to do so. 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 will be limited to a total of three (3) minutes for the Consent Calendar and Board Calendar and three (3) minutes or less for 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, provided 25 copies are presented to the Clerk of the Board. Electronic submittals to cob@aqmd.gov of 10 pages or less including attachment, in MS WORD, PDF, plain or HTML format will also be accepted by the Board and made part of the record if received no later than 5:00 p.m., on the Tuesday prior to the Board meeting.

ACRONYMS

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
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

 [Back to Agenda](#)

BOARD MEETING DATE: January 10, 2020

AGENDA NO. 1

MINUTES: Governing Board Monthly Meeting

SYNOPSIS: Attached are the Minutes of the December 6, 2019 meeting.

RECOMMENDED ACTION:

Approve Minutes of the December 6, 2019 Board Meeting.

Carole M. Wayman
Senior Deputy Clerk

cmw

FRIDAY, DECEMBER 6, 2019

Notice having been duly given, the regular meeting of the South Coast Air Quality Management District Board was held at District Headquarters, 21865 Copley Drive, Diamond Bar, California. Members present:

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

Council Member Ben Benoit, Vice Chairman
Cities of Riverside County

Supervisor Kathryn Barger (Left at 12:20 p.m.)
County of Los Angeles

Council Member Joe Buscaino (Left at 10:45 a.m.)
City of Los Angeles

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

Senator Vanessa Delgado (Ret.)
Senate Rules Committee Appointee

Mayor Pro Tem Larry McCallon
Cities of San Bernardino County

Supervisor V. Manuel Perez
County of Riverside

Council Member Dwight Robinson
Cities of Orange County

Supervisor Janice Rutherford
County of San Bernardino

Members absent:

Supervisor Lisa A. Bartlett
County of Orange

Mayor Judith Mitchell
Cities of Los Angeles County – Western Region

Vacant: Governor's Appointee

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

- Pledge of Allegiance: Led by Council Member Robinson.
- Opening Comments

Mayor Pro Tem McCallon highlighted work program projects that the MSRC approved at their last meeting. The first project allocates four million dollars to partner with South Coast AQMD's market acceleration program to fund the early deployment of near-zero emission natural gas trucks and the second project involves the release of a program opportunity notice to owners and the operators of warehouses, distribution centers and logistics facilities located within the portions of the South Coast AQMD that are within the Inland Empire. The initial funding amount of \$20 million solicits pre-proposals describing how organizations would like to partner with the MSRC to implement air pollution reduction strategies and technologies at their facilities. He also announced that the San Bernardino Transportation Authority is moving forward on the Redlands Rail Project which is leading the way in developing zero-emission rail operations. The \$30 million grant will be used to convert three diesel Tier 4 locomotive engines with hydrogen fuel cell engines. He presented a video highlighting the project and noted that it is anticipated that passenger trains will be operational by 2024.

- Swearing in of Newly Appointed Board Member Kathryn Barger

Chairman Burke administered the oath of office to Supervisor Kathryn Barger who was appointed to the Board by the Los Angeles County Board of Supervisors for a term ending January 15, 2023. Supervisor Barger expressed appreciation for the opportunity to serve on the Board.

- Presentation of Retirement Award to Ana Ponce

Chairman Burke presented a retirement award to Ana Ponce in recognition of 43 years of dedicated service to the South Coast AQMD. Ms. Ponce expressed appreciation for the opportunity to serve at the South Coast AQMD.

- Recognize Employees with Twenty, Thirty, Thirty-Five and Forty Years of Service

John Olvera, Assistant DEO/Administrative and Human Resources, introduced a video presentation of employees that have reached employment milestones.

Twenty Years: Jason Aspell, Evett Bradford, Keith Brown, Gian Cavoto, Fortune Chen, Marjorie Eaton, Monica Fernandez-Neild, Carol Gomez, Brett Kimberly, Mary Leonard, Bradley McClung, Ricardo Morales, Don Nguyen, Donna Peterson, Brenda Seewald, Walter Shen, Lawrence Swasey, Brian Vlasich, Hsin-Mei Wang, Victor Yip and Jin Yu.

Thirty Years: Barbara Baird, Rene Bermudez, Bryan Bradford, Rizaldy Calungcagin, Brian Choe, Sean Cullins, Neera Dang, Kevin Durkee, John Eckert, Nancy Feldman, Michael Garibay, Laura Garrett, Annie Genato, Maryann Gomez, Robert Gottschalk, Greta Grier, Mitchell Haimov, Erin Hicks, Derek Hollinshead, Todd Iwata, Peter Ko, Rene Loof, Lourdes Martinez, Jon (Randy) Matsuyama, Henry Pourzand, Rezvan Ramezani, Vanessa Rodriguez, Deborah Rutledge, Alwyn Shaw, Susan Tsai, Gilbert Vita, Denise Witcher, Jill Whynot, Carey Willoughby, Hsing (David) Yeh and Robert Yi.

Thirty-Five Years: Arturo Arreola, Amirkhosrow Dejbakhsh, Nabil Gobrial, Elizabeth Gonzales, Danny Luong, Edward Muehlbacher, Rogelio Olivares Jr, Jeanette Short, William Thompson and Charles Tupac.

Forty Years: Elaine Hara

Chairman Burke thanked the employees on behalf of the Board for their many years of dedicated service to the South Coast AQMD.

CONSENT CALENDAR

1. Approve Minutes of November 1, 2019 Board Meeting
2. Set Public Hearings January 10, 2020 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations
 - A. Determine That Proposed Amendments to Rule 102 – Definition of Terms, Are Exempt from CEQA and Amend Rule 102
 - B. Determine That Proposed Amendments to Rule 1100 – Implementation Schedule for NOx Facilities, Are Exempt from CEQA and Amend Rule 1100

Budget/Fiscal Impact

3. Execute Contract to Demonstrate Fuel Cell Range-Extended Drayage Trucks
4. Amend Contracts to Develop and Demonstrate Zero Emissions Drayage Trucks and Provide Project Implementation Assistance for Clean Fuels Projects and Execute Easement for Fleet Chargers
5. Recognize and Transfer Funds, Execute and Amend Agreements for Installation and Maintenance of Air Filtration Systems, and Reimburse General Fund for Administrative Costs

6. Adopt Resolution, Execute Contracts, Amend Awards, Transfer Funds and Reimburse Administrative Costs for Carl Moyer and Other Programs
7. Issue Program Announcement for Combustion Freight and Marine Projects Eligible Under Volkswagen Environmental Mitigation Program and Waive Newspaper Publication Requirements
8. Transfer Funds for Enhanced Particulate Monitoring Program
9. Approve Contract Award, Allocation of Funds, and Issue Solicitation as Approved by MSRC

Items 10 through 16 – Information Only/Receive and File

10. Legislative, Public Affairs and Media Report
11. Hearing Board Report
12. Civil Filings and Civil Penalties Report
13. Lead Agency Projects and Environmental Documents Received
14. Rule and Control Measure Forecast
15. Annual Audited Financial Statements for FY Ended June 30, 2019
16. Status Report on Major Ongoing and Upcoming Projects for Information Management

Council Member Cacciotti noted that he is a Deputy Attorney General with the California Attorney General's Office which is involved with Item No. 5.

Supervisor Barger noted that she is a Board Member of the Los Angeles County Sanitation Districts which is involved with Item No. 6 and a Board Member of the Los Angeles County Metropolitan Transportation Authority which are involved with Item Nos. 6 and 9.

Council Member Buscaino noted that he is a Board Member of the Los Angeles County Sanitation Districts of Los Angeles County which is involved with Item No. 6.

Due to a number of requests to speak and Board member questions on Consent and Board Calendar items 1 through 25, the vote on the Consent and Board Calendar items was deferred until after comments were made, and Board member questions were answered.

17. Items Deferred from Consent Calendar

1. Approve Minutes of November 1, 2019 Board Meeting
2. Set Public Hearings January 10, 2020 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations
 - A. Determine That Proposed Amendments to Rule 102 – Definition of Terms, Are Exempt from CEQA and Amend Rule 102
 - B. Determine That Proposed Amendments to Rule 1100 – Implementation Schedule for NOx Facilities, Are Exempt from CEQA and Amend Rule 1100
3. Execute Contract to Demonstrate Fuel Cell Range-Extended Drayage Trucks

Mr. Rangi George expressed support for fuel cell heavy-duty truck projects and thanked Mayor Pro Tem McCallon for his support of hydrogen fuel cell locomotives. He expressed concerns regarding the impacts of battery recycling and waste and urged support for increased funding for hydrogen technologies. He added that the Volkswagen settlement funds and other funding for zero-emissions technology is not supporting hydrogen technologies which has less impacts on the environment than battery production and disposal.

Chairman Burke inquired about funding for hydrogen fuel cell stations.

Matt Miyasato explained that the Energy Commission is required to provide \$20 million a year for 100 hydrogen fuel cell stations, and there is concern about continued funding after that expenditure.

4. Amend Contracts to Develop and Demonstrate Zero Emissions Drayage Trucks and Provide Project Implementation Assistance for Clean Fuels Projects and Execute Easement for Fleet Chargers

5. Recognize and Transfer Funds, Execute and Amend Agreements for Installation and Maintenance of Air Filtration Systems, and Reimburse General Fund for Administrative Costs
6. Adopt Resolution, Execute Contracts, Amend Awards, Transfer Funds and Reimburse Administrative Costs for Carl Moyer and Other Programs
7. Issue Program Announcement for Combustion Freight and Marine Projects Eligible Under Volkswagen Environmental Mitigation Program and Waive Newspaper Publication Requirements
8. Transfer Funds for Enhanced Particulate Monitoring Program
9. Approve Contract Award, Allocation of Funds, and Issue Solicitation as Approved by MSRC

Council Member Cacciotti inquired about the Inland Ports Zero/Near-Zero Emission Warehouse and Distribution Facilities Work Program and noted that the \$20 million in funding is being allocated to Riverside and San Bernardino counties. He inquired about funding that might be available for industrial and warehouse areas in Los Angeles and Orange County.

Mayor Pro Tem McCallon explained the work program had been approved by the MSRC and it would not be possible to amend that award to allocate funding to other counties. Chairman Burke added that he would like to see funding for all counties.

Mr. Nastri explained that staff would explore other funding options, such as settlement funds for other areas. He added that the MSRC can also address other areas when they are evaluating future projects. He noted that staff is working on the warehouse MOU and it is anticipated that there will be additional projects that will be developed to mitigate the impacts of warehouses throughout the Basin.

Council Member Robinson noted the importance of funding environmental projects in local communities in all counties. He commented on the focus on the Inland Empire because of the increased development of warehouses and the growth of the Ports. He proposed additional outreach to other counties to spread the message about grant funding.

Council Member Benoit noted the importance of funding projects that result in the greatest emission reductions. He added that the work program has the potential to impact all areas in the Basin and will better inform the direction of funding for future projects.

Senator Delgado expressed support for funding projects for warehouse areas in Los Angeles County.

10. Legislative, Public Affairs and Media Report
11. Hearing Board Report
12. Civil Filings and Civil Penalties Report
13. Lead Agency Projects and Environmental Documents Received
14. Rule and Control Measure Forecast
15. Annual Audited Financial Statements for FY Ended June 30, 2019
16. Status Report on Major Ongoing and Upcoming Projects for Information Management

Harvey Eder, Public Solar Power Coalition, requested to speak on items 1, 2A, 2B, 4 through 16 and 18 through 25. He expressed concerns about climate change and discrepancies in the reported numbers for greenhouse gas and premature deaths due to air pollution. He also commented on a writ of mandate and stay that he attempted to file in federal court and the difficulties he encountered in filing the paperwork.

MOVED BY CACCIOTTI, SECONDED BY
BENOIT, AGENDA ITEMS 1 THROUGH 16
APPROVED AS RECOMMENDED, BY THE
FOLLOWING VOTE:

AYES: Barger, Benoit, Burke, Buscaino,
Cacciotti, Delgado, McCallon,
Perez, Robinson and Rutherford

NOES: None

ABSENT: Bartlett and Mitchell

BOARD CALENDAR

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

CARB's meeting summary was not available, and therefore, Item 25 was pulled from consideration.

MOVED BY ROBINSON, SECONDED BY CACCIOTTI, AGENDA ITEMS 18 THROUGH 24, APPROVED AS RECOMMENDED, RECEIVING AND FILING THE COMMITTEE, AND MSRC REPORTS, AND APPROVING THE FOLLOWING POSITION ON LEGISLATION, BY THE FOLLOWING VOTE:

AYES: Barger, Benoit, Burke, Buscaino, Cacciotti, Delgado, McCallon, Perez, Robinson and Rutherford

NOES: None

ABSENT: Bartlett and Mitchell

Agenda Item	Recommendation
2020 Legislative Goals and Objectives	Approve

PUBLIC HEARINGS

26. Determine That Proposed Amendments to Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces, Are Exempt from CEQA and Amend Rule 1111

Michael Krause, Planning and Rules Manager, gave the staff presentation on Item No. 26.

The public hearing was opened, and the following individuals addressed the Board on Item 26.

Mr. Eder expressed support for complete and equitable solar conversion and added concerns about climate change. He also expressed concern about importing natural gas.

Angus Lemon, Ingersoll Rand, expressed support for the amendments to Rule 1111 and described a hybrid heat dual fuel system furnace with a heat pump which exceeds the NOx reductions specified in Rule 1111 but is not currently allowed under the rule. He noted that the hybrid furnace is currently available to all major manufacturers and functions at all altitudes. He asked the Board to direct staff to set up working group meetings with OEMs, dealers and distributors to examine the use of hybrid heat dual fuel systems as a performance-based approach to compliance with Rule 1111. He added that Ingersoll is continuing efforts to develop, produce and supply ultra low-NOx furnaces and is shipping units to distributors in the next few weeks. He added concern regarding the implementation deadline for weatherized units and noted that they are not aware of any commercially available ultra low-NOx weatherized units. He noted that hybrid heat dual fuel weatherized units are available from all major OEMs.

Anubhav Ranjan, Rheem Manufacturing, noted that Rheem was the first manufacturer to certify a gas-fired furnace to meet Rule 1111 requirements. He commented on the technical challenges and financial commitments necessary for the manufacturing, commercialization and market training of compliant gas-fired furnaces and noted that Rheem's ultra low-NOx furnaces are certified for installation for up to 5,500 ft. Rheem is currently on track to launch weatherized furnaces for the next deadline of October 1, 2020. He expressed concern about the weather conditioning of units above 5,500 feet and noted the significant investment cost and design time that will be required to certify ultra low-NOx high altitude products. He further noted that they are not in support of a rule amendment for installation above 4,200 feet but support an amendment for installation above 5,500 feet.

Kory Griggs, Indoor Weather HVAC, expressed support for the amendments to Rule 1111 and expressed appreciation to Supervisor Rutherford for her support and assistance in addressing the concerns of furnace contractors in high elevation communities. He also expressed appreciation to Susan Nakamura for her efforts in reaching a workable solution to the challenges of ultra low-NOx furnaces and proposing the amendments to Rule 1111. He added support for exploring dual fuel system technology to meet the requirements of Rule 1111.

Doug Mcleish, Johnson Controls, supports the amendments to Rule 1111 and expressed appreciation to staff for their efforts in responding to the heating needs of high-altitude customers. He expressed concern about the supply of compliant furnaces and technological challenges involved in conducting high altitude testing. He recommended that the South Coast AQMD consider limiting the mitigation fee waiver to OEMs which offer compliant furnace units below 4,200 feet and the elimination of the compliance end date under PAR 1111 for 14 ng/J furnaces at elevations above 4,200 feet. (Submitted Written Comments)

Nelson Dichter, UC Davis Western and Cooling Efficiency Center, shared information about several heating systems that reduce NOx emissions. He provided information on hybrid heating systems that are paired with an electric heat pump and noted the benefits these units provide in reducing NOx emissions. (Submitted Written Comments)

Mike Marcotte, M&M Mechanical, expressed support for the rule amendments and thanked Supervisor Rutherford and staff for their quick response to the installation concerns related to furnaces in high elevation communities. He expressed appreciation to Ms. Nakamura for her diligent efforts in working with contractors to come to a workable solution to the challenges faced with ultra low-NOx furnaces. He added concern regarding the October 2020 deadline for weatherized units at 6,500 feet and higher.

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

Written Comments Submitted by:
Mark Woodruff, Trane

Supervisor Rutherford thanked the speakers who presented testimony and thanked staff for their efforts. She requested that staff continue to conduct working group meetings with OEMs, distributors and dealers regarding hybrid dual fuel technology for furnaces and weatherized or packaged units.

MOVED BY RUTHERFORD, SECONDED BY MCCALLON, AGENDA ITEM NO. 26 APPROVED AS RECOMMENDED DIRECTING STAFF TO CONDUCT WORKING GROUP MEETINGS WITH OEMs, DISTRIBUTORS AND DEALERS REGARDING THE POTENTIAL OF FURTHER AMENDING RULE 1111 TO INCORPORATE HYBRID DUAL FUEL TECHNOLOGY FOR BOTH FURNACES AND WEATHERIZED OR PACKAGE UNITS AND REPORTING BACK TO THE STATIONARY SOURCE COMMITTEE IN MAY 2020 ON THE STATUS OF ULTRA LOW-NO_x TECHNOLOGY AND PROPOSED OPTIONS FOR CONSIDERATION BY THE COMMITTEE AND BOARD, ADOPTING RESOLUTION NO. 19-24 DETERMINING THAT PROPOSED AMENDED RULE 1111 – REDUCTION OF NO_x EMISSIONS FROM NATURAL-GAS-FIRED, FAN-TYPE CENTRAL FURNACES IS EXEMPT FROM THE REQUIREMENTS OF CEQA AND AMENDING RULE 1111 – REDUCTION OF NO_x EMISSIONS FROM NATURAL-GAS-FIRED, FAN-TYPE CENTRAL FURNACES, BY THE FOLLOWING VOTE:

AYES: Barger, Benoit, Burke, Buscaino, Cacciotti, Delgado, McCallon, Perez, Robinson, and Rutherford

NOES: None

ABSENT: Bartlett and Mitchell

27. Determine That Proposed Rule 1480 – Ambient Monitoring and Sampling of Metal Toxic Air Contaminants, Is Exempt from CEQA and Adopt Proposed Rule 1480

Susan Nakamura, Assistant DEO/Planning, Rule Development and Area Sources, gave the staff presentation on Item No. 27.

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

Mr. Eder commented on solar water heaters and expressed concerns about natural gas, methane and climate change.

Wesley Turnbow, Metal Finishing Association of Southern California, expressed support for the proposed rule amendments and thanked the Board and staff for their efforts in addressing the concerns that they raised. He noted the significant costs of monitoring and sampling to small business owners and asked the Board to continue to consider the financial impacts to businesses.

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

MOVED BY BENOIT, SECONDED BY CACCIOTTI, AGENDA ITEM NO. 27 APPROVED AS RECOMMENDED, ADOPTING RESOLUTION NO. 19-25 DETERMINING THAT PROPOSED RULE 1480 – AMBIENT MONITORING AND SAMPLING OF METAL TOXIC AIR CONTAMINANTS IS EXEMPT FROM THE REQUIRMENTS OF CEQA AND ADOPTING PROPOSED RULE 1480 – AMBIENT MONITORING AND SAMPLING OF METAL TOXIC AIR CONTAMINANTS, BY THE FOLLOWING VOTE:

AYES: Barger, Benoit, Burke, Buscaino, Cacciotti, Delgado, McCallon, Perez, Robinson, and Rutherford

NOES: None

ABSENT: Bartlett, and Mitchell

Dr. Burke noted that Item No. 29 would be taken out of order to allow .Council Member Buscaino to testify on the item before leaving the meeting.

29. Determine That Facility-Based Mobile Source Measure for Commercial Airports Is Exempt from CEQA and Approve Facility-Based Mobile Source Measure for Commercial Airports

Zorik Pirveysian, Planning and Rules Manager, gave the staff presentation on Item No. 29.

Council Member Buscaino expressed appreciation to staff and the airports for their efforts on the five MOUs and commented on the complexities and collaboration that is necessary to reach agreement. He noted the importance of reaching further into other areas to meet federal attainment goals and the need to create more collaborative partnerships to achieve those goals.

(Council Member Buscaino left the meeting at 10:45 a.m.)

The public hearing was opened, and the following individuals addressed the Board on Item 29.

Mr. Eder expressed concerns about natural gas and spoke in support of complete solar conversion and the solar new deal.

Emily Spokes, Northeast LA (NELA) Climate Collective
Diana Contreras, Sierra Club
Francis Yang for Linda Cleveland, Watts Clean Air and Energy Committee
Angela Guzman, Sierra Club
John Altounji
Lucy Garcia
Carlo De La Cruz, Sierra Club (Submitted petition with 4,188 digital signatures)
Esperanza Aquino
Angela Darpinian
Britney Cadwallader, Sierra Club
Jolly Hollamon
Jessica Callejas
Eddie Capo, Sierra Club
Katya English, Sierra Club
Alex Wechselberger
Angie Balderas
Jessica Craven, NELA Climate Collective

Expressed concerns about the health effects from breathing polluted air and noise impacts from airports. They urged support for zero-emission technologies for airport ground support equipment (GSE), additional renewable energy options and regulations that mandate zero-emission vehicles. Expressed concerns that MOUs will not achieve the necessary emission reductions and urged for strong regulatory measures.

Christopher Chavez, Coalition for Clean Air, expressed appreciation to staff for their efforts in developing the MOUs and commented on the importance of ensuring that regulatory approaches result in emission reductions. He noted that LAX has a first source hiring process that has resulted in significant vehicle miles traveled reductions that should be SIP creditable. He urged the Board to consider including a first source hiring process in each of the airport MOUs.

Lisa Trifiletti, Los Angeles World Airports, commented on the collaborative process to develop the MOUs which will result in substantial emission reductions in the Basin. She shared information about the reduction programs that have been implemented or proposed at each airport. She highlighted the conversion of airport fleet and ground support equipment to electric or super low emission vehicles, vehicle charging infrastructure, trip reduction programs and cleaner transportation options. She added that LAX is developing transit infrastructure to connect to the Metro rail. She noted that each airport Board and Council has adopted the MOUs.

Chairman Burke commented on the heavy traffic congestion he recently experienced at LAX and inquired if more could be done to reduce the congestion.

Adam Walters, Southwest Airlines, expressed support for the MOUs and commented on the clean air improvement plans that have been developed by each airport to reduce emissions from GSE. He noted that adoption of the MOUs will allow for the tracking of implementation measures to verify emission reductions.

Corrie Zupo, United Airlines, expressed support for the MOUs and commented on the electrification of their GSE and employee shuttle buses. She added that United Airlines has deployed the first electric ground power unit at LAX and is committed to operating sustainably.

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

Council Member Cacciotti inquired about efforts to reduce emissions from aircraft and clean vehicle rentals at airports.

Ms. Zupo commented on the efforts by United Airlines to explore the use of aviation biofuel and noted that there is a shortage of this type of fuel. She added that electrification options for aircraft has also been explored but the batteries, at this time, are too heavy for commercial aircraft use.

Ms. Trifiletti commented on plans at LAX for a consolidated rental car facility and automated parking structures that will include infrastructure for electric vehicles. She added that rental car companies are recognizing the increase demand for electric vehicles and working to accommodate the demand.

Supervisor Barger noted the importance of providing alternative transportation options to and from the airports and commented on efforts by Metrolink to connect with LAX. She also noted the infrastructure improvements being made at Burbank airport.

Senator Delgado expressed support for including local hiring provisions in the reports for each airport.

Ms. Trifiletti commented that LAX has a long history of a local hire program and calculating the reduction of vehicle miles traveled is part of the MOU as it relates to LAX reporting.

Council Member Cacciotti commented that the first report is due 18 months from today and every June thereafter. He asked if a report could be provided every six months.

Mr. Nastri noted that the representatives from the airlines have indicated that they are willing to provide regular updates beyond what is called for in the MOUs. Ms. Trifiletti confirmed.

Chairman Burke and Supervisor Perez asked Ms. Trifiletti if she could provide a brief report on outreach efforts to the Latino community. She responded affirmatively.

Supervisor Perez inquired about reductions through an MOU versus regulations and noted the importance of regular reporting and monitoring to verify progress, and if necessary, the possibility of rulemaking due to a lack of progress. He commended the airports for the good work and progress that has been made thus far to reduce emissions. He commented on local hiring programs and other community benefit programs such as internships and green spaces. He expressed interest in receiving a brief report on outreach efforts to the Latino community and updates on progress at the airports.

Council Member Cacciotti expressed interest in conducting airport site visits or meetings to see the equipment and progress at the airports. Supervisor Perez agreed and also expressed interest in such visits, as well as a visit to Palm Springs airport.

Chairman Burke requested that consideration of potential rulemaking be sent back to the Mobile Source Committee. Mr. Nastri responded that the request will be sent back to Mobile Source Committee.

Mr. Nastri noted that the development of the MOUs was similar to a rulemaking process and includes enforceable provisions and penalties for non-compliance. He noted that he will work with staff and the working group community to provide reports on a semi-annual basis and noted that the Board can pivot to rulemaking if there is a lack of progress in meeting the goals specified in the MOUs.

MOVED BY CACCIOTTI, SECONDED BY PEREZ, AGENDA ITEM NO. 29 APPROVED AS RECOMMENDED, DIRECTING STAFF TO REPORT BACK TO THE MOBILE SOURCE COMMITTEE ON POTENTIAL RULEMAKING, WORK WITH STAKEHOLDERS ON PROVIDING SEMI-ANNUAL REPORTS ON PROGRESS IN MEETING THE GOALS OF THE MOUS, ADOPTING RESOLUTION NO. 19-27 DETERMINING THAT THE FACILITY-BASED MOBILE SOURCE MEASURE FOR COMMERCIAL AIRPORTS IS EXEMPT FROM THE REQUIREMENTS OF CEQA AND APPROVING THE FACILITY-BASED MOBILE SOURCE MEASURE FOR COMMERCIAL AIRPORTS, BY THE FOLLOWING VOTE:

AYES: Barger, Benoit, Burke, Cacciotti, Delgado, McCallon, Perez, Robinson, and Rutherford

NOES: None

ABSENT: Bartlett, Buscaino and Mitchell

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28. Determine That the Contingency Measure Plan for the 1997 8-Hour Ozone Standard Is Within the Scope of the March 2017 Final Program Environmental Impact Report for the 2016 AQMP Such That Neither a New Environmental Document nor a Subsequent Environmental Document Is Required Under CEQA, and Approve Contingency Measure Plan for the 1997 8-Hour Ozone Standard

Dr. Sarah Rees, Assistant DEO/Planning, Rule Development and Area Sources, gave the staff presentation on Item No. 28.

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

Mr. Eder expressed concerns about fossil fuel use.

Jessica Craven, NELA Climate Collective
Regina Hsu, Earthjustice
Emily Spokes, NELA Climate Collective
Amanda Baker
Mallory Warhurst
John Altounji
Carlo De La Cruz, Sierra Club
Francis Yang

Expressed concerns that the South Coast AQMD has failed to meet any ozone standard since 1979 and expressed support for strong regulatory measures to ensure emission reductions. Urged support for including emission reduction standards for residential appliances such as water and pool heaters and gasoline powered garden equipment. Expressed support for zero-emission requirements in the industrial sector through BARCT rules and urging CARB to identify enforceable measures to achieve greater reductions for mobile sources.

Christopher Chavez, Coalition for Clean Air, commented on the improvements that have been made in air quality over the past few decades but noted that the South Coast AQMD still fails to meet federal and state air quality standards and may be subject to sanctions. Expressed concerns for the health impacts of pollution and urged strong facility-based measures, a swift transition from RECLAIM, full implementation of AB 617 BARCT requirements and stronger community emission reduction plans for AB 617 communities.

Yvonne Martinez Watson, Sierra Club, expressed concerns that there will not be a new CEQA environmental review for the Contingency Measure Plan. She also inquired about a contract to evaluate meteorological factors contributing to poor air quality in the Basin.

(Supervisor Barger left the meeting at 12:20 p.m.)

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

Council Member Benoit thanked those who gave public testimony for their respectful and thoughtful comments.

Council Member Cacciotti commented on funding that has been approved by the Board for commercial and residential lawn equipment.

MOVED BY CACCIOTTI, SECONDED BY PEREZ, AGENDA ITEM NO. 28 APPROVED AS RECOMMENDED, ADOPTING RESOLUTION NO. 19-26 DETERMINING THAT THE CONTINGENCY MEASURE PLAN FOR THE 1997 8-HOUR OZONE STANDARD FOR THE SOUTH COAST AIR BASIN IS WITHIN THE SCOPE OF THE MARCH 2017 FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE 2016 AIR QUALITY MANAGEMENT PLAN SUCH THAT NEITHER A NEW ENVIRONMENTAL DOCUMENT NOR A SUBSEQUENT ENVIRONMENTAL DOCUMENT IS REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING THE CONTINGENCY MEASURE PLAN FOR THE 1997 8-HOUR OZONE STANDARD FOR THE SOUTH COAST AIR BASIN AND DIRECTING THE EXECUTIVE OFFICER TO SUBMIT THE APPROVED CONTINGENCY MEASURE PLAN TO THE CALIFORNIA AIR RESOURCES BOARD FOR ITS APPROVAL AND SUBSEQUENT SUBMITTAL TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY FOR INCLUSION INTO THE STATE IMPLEMENTATION PLAN, BY THE FOLLOWING VOTE:

AYES: Benoit, Burke, Cacciotti, Delgado, McCallon, Perez, Robinson, and Rutherford

NOES: None

ABSENT: Barger, Bartlett, Buscaino and Mitchell

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

Mr. Eder noted the cost effectiveness of solar energy and urged for immediate, equitable and just transition to solar. He added that solar should be evaluated as BARCT.

CLOSED SESSION

Mr. Eder commented that all litigation by the South Coast AQMD should be considered for equitable and just low-income solar projects. Solar technology should be considered BARCT.

The Board recessed to closed session at 12:30 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 South Coast AQMD 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; and
- 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).

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

- 54956.9(d)(2) to confer with its counsel because there is a significant exposure to litigation against the South Coast AQMD (two cases).

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

Email from Somerset Perry, California Deputy Attorney General, dated March 13, 2019, regarding Notice of Violation P61321.

Following closed session, Bayron Gilchrist, General Counsel, announced that a report of any reportable actions taken in closed session will be filed with the Clerk of the Board's office and made available to the public upon request.

ADJOURNMENT

There being no further business, the meeting was adjourned by Mr. Gilchrist at 1:00 p.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on December 6, 2019.

Respectfully Submitted,

Carole M. Wayman
Senior Deputy Clerk

Date Minutes Approved: _____

Dr. William A. Burke, Chairman

ACRONYMS

AQMP = Air Quality Management Plan
BARCT = Best Available Retrofit Control Technology
CARB = California Air Resources Board
CEQA = California Environmental Quality Act
FY = Fiscal Year
GSE = Ground Support Equipment
LAX = Los Angeles International Airport
MOU = Memorandum of Understanding
MSRC = Mobile Source (Air Pollution Reduction) Review Committee
NOx = Oxides of Nitrogen
OEM = Original Equipment Manufacturer
RECLAIM = Regional Clean Air Incentives Market

BOARD MEETING DATE: January 10, 2020

AGENDA NO. 2

PROPOSAL: Set Public Hearing February 7, 2020 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations:

Determine That Proposed Amendments to Rule 1107 – Coating of Metal Parts and Products, Are Exempt from CEQA and Amend Rule 1107

Rule 1107 was adopted in 1979 and last amended in 2006 and establishes VOC limits for most metal coatings operations. Proposed Amended Rule 1107 will be amended to be consistent with Reasonably Available Control Technology requirements as recommended in U.S. EPA’s Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts Coatings (September 2008). Proposed Amended Rule 1107 revises exemptions, adds work practices for coating-related activities, updates test methods, removes obsolete provisions, and adds clarifications. This action is to adopt the Resolution: 1) Determining that the proposed amendments to Rule 1107 – Coating of Metal Parts and Products, are exempt from the requirements of the California Environmental Quality Act, and 2) Amending Rule 1107 – Coating of Metal Parts and Products. (Review: Stationary Source Committee, January 24, 2020)

The complete text of the proposed amendments, staff report and other supporting documents will be available from the South Coast AQMD’s Public Information Center, (909) 396-2001 and on the Internet (www.aqmd.gov) as of January 8, 2020.

RECOMMENDED ACTION:

Set Public Hearing February 7, 2020 to Amend Rule 1107.

Wayne Natri
Executive Officer

BOARD MEETING DATE: January 10, 2020

AGENDA NO. 3

PROPOSAL: Amend Contract for Kore Infrastructure Project

SYNOPSIS: In March 2017, the Board approved a contract with Kore Infrastructure LLC (Kore) for a Renewable Natural Gas Commercial Field Test project, including construction of the pyrolysis system on SoCalGas property in Los Angeles. The project is to test various biomass feedstocks for commercial production of renewable natural gas. Although the project has experienced construction delays, Kore has continued to make progress. This action is to amend the contract with Kore to extend the deadline to complete construction, commissioning and testing efforts to June 30, 2020.

COMMITTEE: Technology, November 15, 2019, Reviewed

RECOMMENDED ACTION:

Amend contract with Kore Infrastructure LLC to extend the deadline to complete construction, commissioning and testing efforts to June 30, 2020.

Wayne Nastri
Executive Officer

MMM:NB:JI:PMB

Background

In 2016, the South Coast AQMD awarded \$2.5 million to Kore Infrastructure LLC towards the construction and operation of a commercial renewable natural gas (RNG) production facility in Rialto. Prior to commencing construction of the commercial facility, Kore and SoCalGas developed a proposal to field test Kore's technology on commercial property owned by SoCalGas in downtown Los Angeles (the Olympic site) and assess the renewable fuels potential of various biomass feedstocks. In early 2017, Kore presented the field test proposal to staff; and in March 2017, the Board approved contracting with Kore to cost-share \$1 million from the SoCalGas Settlement Special Revenue Fund (76). By December 2017, Kore had completed the asphalt capping of the Olympic site to fulfill California Department of Toxic Substances Control requirements and initiated permitting efforts with the City of Los Angeles and South Coast AQMD.

In May 2018, prior to initiating construction at either the Rialto or Olympic locations, Kore informed staff of the sale of the Rialto property, plans to expand the scope of the project to produce renewable hydrogen transportation fuel, and interest in re-locating the commercial operation in Los Angeles. Sale of the Rialto site triggered a reimbursement claim in the contract for Kore's termination without cause, and Kore was given until June 30, 2019 to provide: (1) the results of the interim test at the Olympic site; and (2) a proposal for the South Coast AQMD to consider as a viable alternative project that would accomplish the purpose of the Rialto site.

In November 2018, Kore received permits from the City of Los Angeles for the field test project at the Olympic site, including Fire Department approvals. Kore initiated the transfer and placement of equipment to the Olympic site in December 2018. Construction efforts were hampered in the first quarter of 2019 by a greater than normal rainy season and the unavailability of on-site electrical power. Construction efforts regained momentum in May 2019 with improved weather conditions and resolution of the electrical power, which was solved by renting a portable electric generator permitted by South Coast AQMD. These project delays prevented Kore from meeting the June 30, 2019 project timeline, and subsequently staff agreed to extend the June 30, 2019 deadline by 60 days to allow Kore to demonstrate reasonable further progress efforts in completing site construction.

On September 6, 2019, the Board approved extending completion of construction, testing and data collection efforts through December 31, 2019.

Proposal

Kore is continuing to demonstrate progress on completing construction efforts but has not yet commenced start-up and testing efforts. SoCalGas has agreed to extend the term of the land-use agreement with Kore through 2020 to continue support of completing field testing, data collection and analysis efforts. Kore is also requesting extensions to South Coast AQMD research permits and permits with other authorities having jurisdiction, including the City of Los Angeles. Since the Board approved the extension in September, Kore has demonstrated consistent progress in completing construction efforts and moving the project closer to site commissioning and feedstock testing phases. Staff continues site visits to assess progress and provided the Technology Committee with an update on the project status on November 15, 2019, documenting the incremental progress observed on each site visit. This action is to amend the contract with Kore to extend the deadline to complete construction, commissioning and testing efforts to June 30, 2020.

Benefits to South Coast AQMD

The South Coast Air Basin is classified as an extreme nonattainment area for ozone under the federal Clean Air Act. A wide-scale deployment of advanced technologies, including near-zero emission engines and fuel cells, is a critical step toward achieving the air quality standards with considerable public health benefits for our region. When combined with renewable fuels and its near-zero carbon footprint, these technologies are expected to provide a near-term, cost-effective option for addressing criteria pollutants and achieving greenhouse gas benefits. Ensuring greater supply of locally produced renewable fuels will address local, state and federal environmental regulations and goals. This proposed project is included in the *Technology Advancement Office Clean Fuels Program 2019 Plan Update* under the category of “Infrastructure and Deployment,” specifically as “Demonstrate Natural Gas Manufacturing and Distribution Technologies including Renewables.”

Resource Impacts

There is no fiscal impact associated with this no-cost time extension to an existing contract.

BOARD MEETING DATE: January 10, 2020

AGENDA NO. 4

PROPOSAL: Reallocate and Appropriate Funds and Execute Purchase Orders for Air Monitoring Programs

SYNOPSIS: In 2015, the U.S. EPA awarded \$569,682 to the South Coast AQMD to implement monitoring under the Community-Scale Air Toxics Ambient Monitoring Program. In January, June and December 2018, the Board recognized revenue from CARB to implement the AB 617 program. These actions are to appropriate funds for the Community-Scale Air Toxics Monitoring Program; and to reallocate and appropriate funds and execute purchase orders for the AB 617 program.

COMMITTEE: Administrative, December 13, 2019; Recommended for Approval

RECOMMENDED ACTIONS:

- 1) Appropriate up to \$62,000 from the General Fund Undesignated (Unassigned) Fund Balance into Science & Technology Advancement's FYs 2019-20 and/or 2020-21 Budgets, Services and Supplies Major Object, Professional & Special Services Account, for the Community-Scale Air Toxics Monitoring Program.
- 2) Reallocate funds up to \$160,000 between Capital Outlay items within Science & Technology Advancement's FY 2019-20 Budget and appropriate, as necessary, to the FY 2020-21 Budget for AB 617 expenditures as set forth in Table 1.
- 3) Authorize the Procurement Manager, in accordance with South Coast AQMD Procurement Policy and Procedure, to issue sole source purchase orders for the following equipment (as listed in Table 2 and described in this letter):
 - a) One Field X-ray Fluorescence Instrument Package (model Xact® 625i) from Cooper Environmental Services, LLC, in an amount not to exceed \$125,000; and
 - b) Up to three 8872B SiteNode Data Loggers from Agilaire, LLC, in an amount not to exceed \$35,000.

Wayne Nastri
Executive Officer

Background

Community-Scale Air Toxics Ambient Monitoring Program

In October 2015, the Board recognized \$569,682 in U.S. EPA Section 103 Grant funds to implement Community-Scale Air Toxics Ambient Monitoring projects. This comprehensive effort was to apply next generation air monitoring methods to characterize hazardous air pollutant (HAP) emissions from refineries and assess potential impacts to surrounding communities. Since then, staff has been conducting air monitoring activities in communities near refineries and other potential sources of air toxics using optical remote sensing and other advanced air monitoring technologies.

AB 617 Program

AB 617 requires CARB to select communities on an annual basis to be included in the program for the development of Community Air Monitoring Plans and Community Emission Reduction Plans (CAMPs and CERPs, respectively). In September 2018, CARB approved the selection of three communities in the South Coast Air Basin (Basin): Wilmington/Carson/West Long Beach; East Los Angeles/Boyle Heights/West Commerce; and San Bernardino/Muscoy. Community Steering Committees were formed (one for each community), and staff have been working with these steering committees to gather input and feedback for the development and implementation of the CAMPs and CERPs.

In January, June and December 2018, the Board recognized revenue from CARB for AB 617 expenditures and approved adding new positions and funding allocations for contracts, equipment purchases (capital outlays), and other services and supplies using first-year AB 617 funding. In December 2018, the Board authorized an appropriation of \$220,000 for the purchase of one Field X-ray Fluorescence Instrument for in-situ measurements of air toxic metals in either FY 2018-19 or 2019-20. In May 2019, Cooper Environmental Services, LLC, provided a demonstration to staff of the Field X-ray Fluorescence Instrument Package (model Xact® 625i) for evaluation.

Proposal

Community-Scale Air Toxics Ambient Monitoring Program

There is a need to reallocate the remaining program funds to conduct additional community air monitoring in the Basin. This action is to appropriate up to \$62,000 into Science & Technology Advancement's FYs 2019-20 and/or 2020-21 Budgets, Services and Supplies Major Object, Professional & Special Services Account, for the Community-Scale Air Toxics Monitoring Program. U.S. EPA concurs with staff's proposed allocations.

AB 617 Program

Based on an assessment of the AB 617 expenditures, including input from multiple Community Steering Committee meetings, there is a need to reallocate some of the available funds. In December 2018, the Board authorized the purchase of a Field X-ray Fluorescence Instrument through an RFQ process. Subsequently, staff identified a

specific Field X-ray Fluorescence Instrument Package which provides specific capabilities and enhanced features to satisfy current and future air monitoring needs for AB 617 implementation. Additional data loggers are needed to record data from monitoring instruments that are being deployed in AB 617 communities. These actions are to reallocate funds up to \$160,000 between Capital Outlay items within Science & Technology Advancement's FY 2019-20 Budget and appropriate, as necessary, to the FY 2020-21 Budget for AB 617 expenditures as set forth in Table 1. These reallocations are further described below and summarized in Table 2.

Proposed Purchases through Sole Source Purchase Orders

This action is to authorize the Procurement Manager, in accordance with South Coast AQMD Procurement Policy and Procedure, to execute sole source purchase orders for the following equipment.

Field X-ray Fluorescence Instrument Package (Model Xact® 625i)

The Field X-ray Fluorescence multi-metals monitoring system package (model Xact® 625i), manufactured by Cooper Environmental Services, LLC, has unique features that will improve measurement capabilities and detection limits for measurement of certain metal pollutants in AB 617 communities. The purchase order for one instrument package will not exceed \$125,000.

8872B SiteNode Data Loggers

Several pieces of monitoring and measurement equipment required for AB 617 implementation are only available from a single source. Agilaire, LLC, is the only manufacturer of the 8872B SiteNode Data Loggers that are needed to process and send the monitoring equipment data to the centralized database at headquarters. The purchase order for up to three loggers will not exceed \$35,000.

Sole Source Justification

Field X-ray Fluorescence Instrument Package (Xact® 625i)

Section VIII.B.2 of the Procurement Policy and Procedure identifies provisions under which sole source awards can be made. This request for sole source purchase is made under provision VIII.B.3.a.: This item is available only from a single source. The Xact® 625i sold by Cooper Environmental Services, LLC, is the only field x-ray fluorescence instrument that offers an Automated Data Analysis Plotting Toolset (ADAPT) package to manage and analyze the measurements of over 40 different metals in ambient particles in real-time through a number of relevant graphical tools. The ADAPT package includes the hardware for on-site meteorological measurement and intuitive software which is accessed in the field or remotely through the on-board computer. The software platform generates multiple graphical reports in near real-time over user-selected time periods to deliver insights on the temporal and directional variability trends of the measured metals. This enables ADAPT to provide improved directionality estimation of metal sources impacting the monitoring site. In addition, the Xact® 625i is the only multi-metal monitor with demonstrated ability to provide

near-real time measurements of air toxic metals on a mobile platform. Overall, the ADAPT package drastically reduces data processing time and resources towards reaching AB 617 air quality objectives.

8872B SiteNode Data Loggers

Section VIII.B.2 of the Procurement Policy identifies provisions under which sole source awards can be made. This request for sole source purchase is made under provision VIII.B.2.c(2): The project involves the use of proprietary technology. Agilaire, LLC is the only manufacturer who produces data loggers to work with their AirVision® air quality data collection software. The South Coast AQMD uses the Agilaire LLC AirVision® software as the primary telemetry system for continuous measurements at all fixed air monitoring network sites. Therefore, only Agilaire’s 8872B SiteNode Data Loggers can be purchased.

Benefits to South Coast AQMD

The equipment and related services and supplies, as described in this Board letter, will allow South Coast AQMD to fulfill the goals and objectives of the Community-Scale Air Toxics Monitoring Program and the legislative directives of AB 617, which will result in benefits to environmental justice communities and to all residents in the Basin.

Resource Impacts

U.S. EPA Section 103 Grant funding will support the continuation of the Community-Scale Air Toxics Monitoring Program.

Existing funding from CARB’s Community Air Protection Program will be used for these purchases.

Attachments

- Table 1 - Proposed AB 617 Reallocations from the December 2018 Board Letter #10
- Table 2 - Proposed Capital Outlay Expenditures through Sole Source Purchase Orders for AB 617 for FYs 2019-20 and/or 2020-21

Table 1
Proposed AB 617 Reallocations from the December 2018 Board Letter #10

December 2018 #10 Board Letter (Table 7)	Estimated Amount	November 2019 Proposed Board Letter	Estimated Amount
Field X-ray Fluorescence Instrument	(\$220,000)	Purchase Field X-ray Fluorescence Instrument Package (Xact® 625i) (Qty 1)	\$125,000
		Purchase 8872B SiteNode Data Logger (Up to Qty 3)	\$35,000
Total	(\$220,000)	Total	\$160,000

Note: A proposal to use the remaining \$60,000 from the Field X-ray Fluorescence Instrument will be presented in a future Board letter.

Table 2
Proposed Capital Outlay Expenditures through Sole Source Purchase Orders for AB 617 for FYs 2019-20 and/or 2020-21

Description	Quantity	Estimated Amount
Purchase Field X-ray Fluorescence Instrument Package (Xact® 625i)	1	\$125,000
8872B SiteNode Data Logger	Up to 3*	\$35,000
	Total	\$160,000

*Note: Quantities may be adjusted as monitoring needs are identified (not to exceed total estimated amount)

BOARD MEETING DATE: January 10, 2020

AGENDA NO. 5

PROPOSAL: Approve Transfer of Monies from Health Effects Research Fund to Health Effects of Air Pollution Foundation

SYNOPSIS: At the June 2008 meeting, the Board established a Health Effects Research Fund. This fund is designated for the Health Effects of Air Pollution Foundation's use to support air pollution health effects research. This action is to transfer \$3,500,000 from the Health Effects Research Fund to the Health Effects of Air Pollution Foundation to fund additional research and to help achieve the objectives of the Foundation.

COMMITTEE: Administrative, December 13, 2019; Recommended for Approval

RECOMMENDED ACTION:

Authorize the transfer of \$3,500,000 from the Health Effects Research Fund (Fund 48) to the Health Effects of Air Pollution Foundation.

Wayne Nastri
Executive Officer

JG:as

Background

At the June 2008 meeting, the Board established a Health Effects Research Fund and initially funded it with \$1.5 million from the BP Arco Settlement Fund. The Board further authorized, upon annual Board approval, the transfer of up to 20% of annual penalty money received that exceeds \$4 million in receipts to the Health Effects Research Fund. The available balance in this Fund as of November 2019 is \$4,720,374.

In 2003, the Board established the Brain Tumor and Air Pollution Foundation. In 2004, the Foundation amended its Articles of Incorporation to change its name to Brain & Lung Tumor and Air Pollution Foundation and to specify that its purpose is related to the effects of air pollution on brain tumors and lung cancer. In 2017, the Foundation again amended its Articles of Incorporation to change its name to the Health Effects of Air Pollution Foundation (Foundation) and to specify its purpose is to aid, assist, and

support research on the incidence, detection and causes and cures of various health conditions that may be caused or aggravated by air pollution.

The Board has funded the Health Effects of Air Pollution Foundation from penalty revenues since 2003. To carry out its purpose, the Foundation has sponsored over \$8.9 million in studies with leading medical researchers in Southern California. As a result of these studies, it has been learned that exposure of laboratory animals to particulate pollutants is associated with biochemical changes in the brain tissue that are consistent with the biochemical patterns found in human brain tumors and neurodegenerative diseases, such as Alzheimer's disease. Other projects found preliminary associations between particulate matter exposure and the risk of childhood brain tumors. These findings are of significant interest and are being followed up with additional study proposals. Results from these studies are expected to provide scientific information to help inform air pollution policies and better understand the health risks of exposure to air pollutants.

Proposal

Staff is proposing that the Board authorize the transfer of \$3,500,000 from the Health Effects Research Fund to the Health Effects of Air Pollution Foundation. The Foundation will evaluate and fund proposals with the available monies.

Resource Impacts

Funds are available from the Health Effects Research Fund (Fund 48).

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BOARD MEETING DATE: January 10, 2020

AGENDA NO. 6

PROPOSAL: Approve Transfer of Monies from General Fund to Health Effects Research Fund

SYNOPSIS: In 2008, the Board established a Health Effects Research Fund initially funded at \$1.5 million from the BP ARCO Settlement Fund. The Board further authorized, upon annual Board approval, the transfer of 20 percent of annual penalty money received that exceeds \$4 million in receipts to the Health Effects Research Fund. This action is to transfer 20 percent of annual penalty money received in FY 2018-19 that exceeds \$4 million to the Health Effects Research Fund.

COMMITTEE: Administrative, December 13, 2019; Recommended for Approval

RECOMMENDED ACTION:

Authorize the transfer of \$639,239 from the General Fund, Undesignated Fund Balance to the Health Effects Research Fund (Fund 48).

Wayne Natri
Executive Officer

SJ:JKG:tm

Background

At the June 2008 Governing Board meeting, the Board established a Health Effects Research Fund and initially funded it with \$1.5 million from the BP ARCO Settlement Fund. The Board further authorized, upon annual Board approval, the transfer of 20 percent of annual penalty money received that exceeds \$4 million in receipts to the Health Effects Research Fund. For FY 2018-19, this amount was \$639,239.

These monies have been used to fund a number of research projects at local universities and research institutions. The funding of the Health Effects Research Fund has been used to fund research through the Health Effects of Air Pollution Foundation. Findings from research funded by the Health Effects of Air Pollution Foundation indicates that fine particulate exposure is associated with biochemical changes in the brains of

laboratory animals that are consistent with the biochemical pattern found in human brain tumors and neurodegenerative diseases, such as Alzheimer's disease. Another funded project found preliminary associations of particulate matter levels and the risk of childhood brain tumors. In recently funded studies laboratory animals were exposed to ambient particulate matter, including ultrafine particles, for investigation of potential stem cell activation into cancer precursor cells. The elucidation of molecular pathways involved in survival, proliferation, and differentiation of cancer stem cells may be fundamental information to help develop therapies for brain tumors and to develop potential preventive measures.

The requested Board action will make funding available to conduct additional health effects research, which may include follow-up on the results described above, and will provide information to better assess the health risks of exposure to air pollutants.

Results from these studies will provide scientific information to inform policy choices for reducing emissions and exposures to pollutants in the South Coast Air Basin and in other areas.

Proposal

Staff is proposing that the Board authorize the transfer of 20 percent of annual penalty money received in FY 2018-19 that exceeds \$4 million in receipts, which is \$639,239, to the Health Effects Research Fund.

Resource Impacts

Funds are available from the General Fund, Unreserved (Unassigned) Fund Balance.

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BOARD MEETING DATE: January 10, 2020

AGENDA NO. 7

PROPOSAL: Revise Procurement Policy and Procedure

SYNOPSIS: This action is to approve revisions to the South Coast Air Quality Management District Procurement Policy and Procedure to increase the Executive Officer's Procurement Signature Authority Delegation and update terminology to be consistent with Governmental Accounting Standards Board Pronouncements

COMMITTEE: Administrative, December 13, 2019; Recommended for Approval

RECOMMENDED ACTIONS:

Adopt the revised Procurement Policy and Procedure.

Wayne Nastri
Executive Officer

JW:SJ:DH

Background

The South Coast Air Quality Management District's (South Coast AQMD) Procurement Policy and Procedure, adopted January 9, 1998 and last amended May 3, 2019, establishes the Executive Officer's procurement signature authority at \$75,000 for budgeted and \$10,000 for unbudgeted expenditures. This authority level has been unchanged for many years and has been effectively reduced due to inflationary factors. In addition to increasing the Executive Officer's signature authority, there is also a need to increase spending limits if a Continuity of Operations (COOP) plan is implemented during an emergency.

Proposal

It is recommended that South Coast AQMD's Procurement Policy and Procedure, Sections IV, V and VIII be amended to reflect an increase in the Executive Officer's procurement signature authority from \$75,000 to \$100,000 which will reset for each

contract, every fiscal year. An increase in purchases of budgeted fixed assets would also be amended to change the range of \$10,000 - \$75,000 to \$10,000 - \$100,000. Adoption of this proposal will further increase procurement efficiency and will align the Executive Officer's signature authority with some other local agency benchmarks.

The Executive Officer currently has the authority to approve purchases of unbudgeted fixed assets up to \$50,000 in an emergency. However, additional funding may be required for implementing South Coast AQMD's COOP plan in order to ensure the agency is capable of conducting its mission essential functions under all threats and conditions. This proposal would increase the Executive Officer signature authority up to \$500,000, in the aggregate, for fixed assets and contracts for the duration of a COOP event. A report of the expenditures would be provided to the Administrative Committee and the Board should this occur.

Additionally, references to fixed assets throughout the Policy shall now be referred to as capital assets to be consistent with Governmental Accounting Standards Board (GASB) pronouncements.

Resource Impacts

No resource impacts anticipated from these changes.

Attachment

Revised Procurement Policy and Procedure

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

PROCUREMENT POLICY AND PROCEDURE

SECTION I: PURPOSE

- A. It is the policy of the South Coast Air Quality Management District (South Coast AQMD) to make available to all its offices and employees those services, supplies, equipment, materials, and ~~fixed assets~~capital assets which are essential to the operation of the South Coast AQMD.
- B. The execution of this policy is the function of the responsible officer as set forth herein.
- C. The procedures set forth in this policy govern contracting and/or purchasing of services, materials, equipment, supplies, and ~~fixed assets~~capital assets by the South Coast AQMD.
- D. The South Coast AQMD Board may contract for services, materials, equipment, supplies, and ~~fixed assets~~capital assets as may be necessary or convenient for the exercise of duties imposed upon the South Coast AQMD.

SECTION II: GOVERNING BODY AND APPLICABLE LAWS

- A. The South Coast AQMD is organized pursuant to Chapter 5.5, Part 3, Division 26 of the Health and Safety Code.
- B. The governing body of the South Coast AQMD is a Board of Directors composed in accordance with Health and Safety Code Section 40420 ("South Coast AQMD Board").
- C. The South Coast AQMD is required to adopt a purchasing policy pursuant to Government Code Section 54202.

SECTION III: PARTICIPATION IN THE PROCUREMENT PROCESS

A. General

It is the policy of the 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 and disadvantaged business enterprises set forth below is included for purposes of determining compliance with the affirmative steps requirement described in paragraph (F) below on procurements funded in whole or in part with federal funds which involve the use of subcontractors. The definitions provided for disabled veteran

business enterprise, local business, small business enterprise, zero or near-zero emission vehicle business, off-peak hours delivery business and benefits incentive business are provided for purposes of determining eligibility for point or cost considerations in the evaluation process.

1. "Women business enterprise" (WBE) as used in this policy means a business enterprise that meets all of the following criteria:
 - a. a business that is at least 51 percent owned by one or more women, or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more women.
 - b. a business whose management and daily business operations are controlled by one or more women.
 - c. a business which is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign-based business.
2. "Disabled veteran" as used in this policy is a United States military, naval, or air service veteran with at least 10 percent service-connected disability who is a resident of California.
3. "Disabled veteran business enterprise" (DVBE) as used in this policy means a business enterprise that meets all of the following criteria:
 - a. is a sole proprietorship or partnership of which at least 51 percent is owned by one or more disabled veterans or, in the case of a publicly owned business, at least 51 percent of its stock is owned by one or more disabled veterans; a subsidiary which is wholly owned by a parent corporation but only if at least 51 percent of the voting stock of the parent corporation is owned by one or more disabled veterans; or a joint venture in which at least 51 percent of the joint venture's management and control and earnings are held by one or more disabled veterans.
 - b. the management and control of the daily business operations are by one or more disabled veterans. The disabled veterans who exercise management and control are not required to be the same disabled veterans as the owners of the business.
 - c. is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, firm, or other foreign-based business.
4. "Local business" as used in this policy means a company that has an ongoing business within the South Coast AQMD at the time of bid or proposal submittal and performs 90% of the work related to the contract within the South Coast AQMD and satisfies the requirements of subparagraph H below.

5. "Small business" as used in this policy means a business that meets the following criteria:
 - a. 1) an independently owned and operated business; 2) not dominant in its field of operation; 3) together with affiliates is either:
 - A service, construction, or non-manufacturer with 100 or fewer employees, and average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years, or
 - A manufacturer with 100 or fewer employees.
 - b. Manufacturer means a business that is both of the following:
 - 1) Primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products.
 - 2) Classified between Codes 311000 and 339000, inclusive, of the North American Industrial Classification System (NAICS) Manual published by the United States Office of Management and Budget, 2007 edition.
6. "Joint ventures" as defined in this policy pertaining to certification means that one party to the joint venture is a DVBE or small business and owns at least 51 percent of the joint venture.
7. "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 the 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, hydrogen and are certified to 90% or lower than 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 the 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 the 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.
- D. Under Request for Proposals (RFP), DVBEs, DVBE joint ventures, small businesses, small business joint ventures and benefits incentive businesses 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 25 percent of the total contract value to a DVBE or small business. Zero or Near-Zero Emission Vehicle Businesses shall be awarded five (5) points in the evaluation process. On procurements that are not funded in whole or in part by federal grant funds local businesses shall receive five (5) points. Off-Peak Hours Delivery Businesses shall be awarded two (2) points in the evaluation process.
- E. The 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. When contracts are funded in whole or in part by federal funds, and if subcontracts are to be let, the Contractor must comply with the following, evidencing a good faith effort to solicit disadvantaged businesses. Contractor shall submit a certification signed by an authorized official affirming its status as a MBE or WBE, as applicable, at the time of contract execution. The 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.
- G. To the extent that any conflict exists between this policy and any requirements imposed by federal and state law relating to participation in a contract by a MBE, WBE, and/or DVBE as a condition of receipt of federal or state funds, the federal or state requirements shall prevail.
- H. When contracts are not funded in whole or in part by federal funds, a local business preference will be awarded. For such contracts that involve the purchase of commercial off-the-shelf products, local business preference will be given to suppliers or distributors of commercial off-the-shelf products who maintain an ongoing business within the geographical boundaries of the 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% of the manufacturing or fabrication effort within the geographical boundaries of the South Coast AQMD shall be entitled to the local business preference.
- I. For federally funded procurements, the South Coast AQMD shall comply, where applicable, with federal fair share requirements set forth in 40 CFR 33, or equivalent federal regulations.

J. 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. To this purpose, formal bidding procedures, sole source awards, and RFP/RFQ processes will include a certification for “most favored customer” status. 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.

K. Responsibilities of South Coast AQMD Personnel:

1. The Manager of the Procurement Section shall be responsible for:

- a. Developing and maintaining South Coast AQMD procedures to ensure proper implementation of this policy.
- b. Reviewing solicitations to ensure compliance with this policy prior to public release.
- c. Preparing a monthly report to the South Coast AQMD Board on solicitations scheduled to be released within the next month and preparing a semi-annual report to the South Coast AQMD Board on contract activity.
- d. Reviewing contracts and purchase orders to ensure compliance with this policy and applicable laws and regulations.
- e. Providing periodic training to South Coast AQMD personnel on contracting and purchasing policies and procedures.
- f. Developing and maintaining a database of vendors seeking to do business with the South Coast AQMD.
- g. Participating at trade fairs and other procurement outreach programs.
- h. Publication of Notices Inviting Bids or Proposals.
- i. Maintaining records sufficient to detail the significant elements of the procurement, including, but not limited to: authorizing Board Letter or memorandum to authorizing contract signatory; the Contract Request Authorization Memorandum from the originating organization; the Request for Proposal, if applicable; the contractor’s final proposal; and any miscellaneous South Coast AQMD internal correspondence concerning the terms of the contract.

2. South Coast AQMD Legal Counsel shall be responsible for:

- a. Representing the South Coast AQMD in all litigation actions involving implementation of this policy.
- b. Providing legal opinions regarding the interpretation of bid specifications, proposal requirements, and contract provisions.

3. South Coast AQMD staff is responsible for:

- a. Taking all necessary and reasonable steps in accordance with applicable South Coast AQMD requirements to execute this policy and to ensure that all businesses including MBEs, WBEs, DVBEs and small businesses have fair and equitable participation in the solicitation process.

- b. Screening the South Coast AQMD's vendor database to obtain names of companies which have expressed an interest in doing business with the South Coast AQMD.
- c. Ensuring that relevant business enterprises listed in the database will receive copies of solicitations.
- d. Coordinating the advertising of solicitations with the Manager of the Procurement Section or his or her designee in conformance with the policies and procedures of this policy.
- e. Providing the Manager of the Procurement Section with a draft of the solicitation for review prior to public release and issuance of an RFQ or RFP number by the procurement staff.
- f. For contracts funded in whole or in part with federal funds, performing and documenting a cost or price analysis as appropriate, including a lease versus purchase analysis, as set forth in 40 CFR 31.36(f) and 31.36(b)(4). Appropriate staff shall also maintain records sufficient to detail the significant history of a procurement, including the method of procurement, selection of the contract type, contractor selection or rejection, and the basis for the contract price.
- g. Providing the Manager of the Procurement Section with all documents showing the history of the procurement as set forth in Section III(K)(1)(i).

SECTION IV: PURCHASING OF SUPPLIES, SERVICES AND EQUIPMENT

A. Manager of the Procurement Section Authority and Responsibilities

- 1. The Manager of the Procurement Section may purchase, upon appropriate authorization, services, materials, equipment, supplies, and ~~fixed assets~~ capital assets.
- 2. The Manager of the Procurement Section shall designate those persons who will have authority to make purchases.
- 3. The Manager of the Procurement Section shall act in the best interests of the South Coast AQMD in negotiating the best price on all goods and services, cost and other factors considered; and in accordance with all rules, regulations, and policies herein set forth, and all applicable provisions of law.
- 4. For non-consultant services and supplies which can reasonably be expected to exceed \$50,000 on an annual basis, the Manager of the Procurement Section may use a competitive prequalification process. As used in this policy, the term "prequalified vendors" shall be defined as the list of vendors whom the South Coast AQMD has determined to be qualified to provide particular services or supplies. As requirements become identified, competitive bids will be sought only from those vendors on the prequalified vendor list.
- 5. Whenever possible, to effect economies of scale purchasing, the Manager of the Procurement Section shall pursue the policy of cooperative purchasing, provided that the quality of the available items meets South Coast AQMD requirements. Cooperative or

leveraged purchasing is the policy of utilizing pricing established from competitively bid state or national contracts to procure required materials, i.e., the California Department of General Services sponsored California Multiple Award Schedules (CMAS) or equivalent. This allows the South Coast AQMD to enjoy the same terms, discounts, prices, and availability of items that would not be possible in all cases under small-scale purchasing.

6. The Manager of the Procurement Section shall advertise for public bidding, as set forth in Section VII hereof, any item directed by the South Coast AQMD Board or Executive Officer. In any event, the procedure described in Section VI must be followed for purchases in excess of \$25,000.
7. Subject to the supervision and direction of the Executive Officer, it shall be the duty of the Manager of the Procurement Section to purchase from time to time such quantities of supplies as may be required for official use and keep same in such storeroom or rooms as the South Coast AQMD shall provide. Such supplies shall be disbursed upon receipt of regular requisitions presented to the Manager of the Procurement Section or his or her designee.

B. Purchasing Methods:

The following purchasing methods shall be utilized, as applicable:

1. Formal Bid - A written bid solicited through public advertising and submitted under sealed bid procedures and which is opened and read on a specified date and time. This method is primarily used for equipment or services costing \$25,000 or more.
2. Informal bid – For procurements above \$2,500 and below \$25,000 an unadvertised written bid from a vendor may be utilized when the cost of the equipment or supplies is so low as to not justify the costs of the formal bidding procedure.
3. Telephone Bid – For procurements not to exceed \$2,500, telephone bids may be utilized by the Manager of the Procurement Section or his or her designee when the best interests of the South Coast AQMD may be served due to the need for immediate delivery or for other valid reasons.
4. Sole or Single Source – For procurements in excess of \$10,000, the Executive Officer may approve that the award may be made without a formal bid when the item or service to be purchased may be obtained from only one source and the item or service is one which does not lend itself to substitution. Said bids must be confirmed in writing and justified in accordance with the provisions of Section VIII.(B) using a Single/Sole-Source Procurement Request form approved by the Executive Officer.
5. Prior Bid, Last Price - After confirming the validity of a prior price, an award may be made on the basis of a prior bid or on the basis of a last price, if the conditions of a previous purchase are similar.
6. Request for Quotation - A written request describing materials, equipment, ~~fixed assets~~ capital assets, supplies or services sought which may contain certain plans and

specifications. Quotations may be solicited through either formal or informal bid procedures.

7. Formal bidding shall be used when economies of scale can be achieved, when there are equal and competitive products, or when discounts are applicable.

C. ~~Fixed Assets~~Capital assets purchases shall be defined as purchases of assets that have a life of at least ~~three~~one years and a total acquisition cost of \$5,000 or more. Purchases of ~~fixed assets~~capital assets are governed by the following:

1. The Manager of the Procurement Section shall be the responsible officer authorized to approve the purchase of budgeted ~~fixed assets~~capital assets up to the amount of \$10,000 upon the request of the appropriate Deputy or Assistant Deputy Executive Officer.
2. The Executive Officer may approve purchases of budgeted ~~fixed assets~~capital assets from \$10,000 to ~~\$100,000~~\$75,000 and unbudgeted ~~fixed assets~~capital assets up to \$10,000, or in case of an emergency or interruption of South Coast AQMD operations, up to ~~\$50~~\$75,000.
3. Purchases of budgeted ~~fixed assets~~capital assets over ~~\$100,000~~\$75,000 and unbudgeted ~~fixed assets~~capital assets over \$10,000, except as provided in paragraph two above, require Board approval.
4. The Manager of the Procurement Section may, by direct sales or otherwise, sell or dispose of any ~~fixed assets~~capital assets belonging to the South Coast AQMD and found by the South Coast AQMD Board not to be required for public use. ~~Fixed assets~~Capital assets procured with federal funds may require prior approval from the awarding federal agency, which if required, shall be secured by South Coast AQMD staff prior to requesting the South Coast AQMD Board to approve disposal of the applicable asset(s).
 - a. All moneys collected from the proceeds of sales are to be deposited in the South Coast AQMD's bank account.
 - b. No member of the South Coast AQMD Board or family member and no South Coast AQMD employee or family member shall be permitted to purchase any assets or supplies of the South Coast AQMD, except those items disposed of in an open public auction.
 - c. Upon finding that it is in the best interests of the South Coast AQMD, the South Coast AQMD Board may authorize transfer of equipment, supplies, and materials for nominal monetary consideration to public agencies, nonprofit organizations that meet the requirements of Section 501(c) of the Internal Revenue Code, or educational institutions for use in air quality improvement or other activities in the public interest.
5. The Manager of the Procurement Section may upon written approval of the Executive Officer or his or her designee purchase unbudgeted fixed asset items having a total unit cost not exceeding \$10,000, (including freight and taxes). The purchase of unbudgeted ~~fixed assets~~capital assets having a total unit cost in excess of \$10,000 shall be made by

the Manager of the Procurement Section only after approval of such purchase by the South Coast AQMD Board.

SECTION V: CONSTRUCTION, ALTERATION, OR IMPROVEMENT OF SOUTH COAST AQMD FACILITIES

A. Executive Officer approval required:

1. The Executive Officer may contract for the construction, alteration, or improvement of South Coast AQMD facilities when the total cost of the proposed, budgeted construction, alteration, or improvement does not exceed ~~\$100,000~~\$75,000. The Executive Officer may approve up to an additional ~~\$100,000~~\$75,000 in costs in each subsequent fiscal year.
2. Depending on the nature of the work to be performed, detailed plans and specifications are not required. However, any change or alteration of such plans and specifications shall be in writing.
3. The contracting methods utilized by the Executive Officer under these provisions shall be in accordance with Section IV.B.

B. Governing Board approval required:

1. The South Coast AQMD Board may contract for the construction, alteration, or improvement of South Coast AQMD facilities.
2. The South Coast AQMD Board shall adopt detailed plans and specifications for the work.
3. All bidders shall be afforded the opportunity to examine the plans and specifications. Any changes or alterations of the plans and specifications shall be in writing.
- ~~4. The bidding procedures set forth in Section VI of this policy shall be followed for idle projects when the cost of proposed construction alteration or improvement is estimated to exceed \$75,000.~~
- ~~5~~4. The South Coast AQMD Board shall, to the greatest extent practicable, award the contract to the lowest cost responsive bidder, except as provided in Section VI.(B). The person to whom the contract is awarded shall perform the work in accordance with the plans and specifications.
- ~~6~~5. The Contractor to whom the contract is awarded shall execute a completion and performance bond, to be approved by the Executive Officer or designee, for the faithful performance of contracts over ~~\$100,000~~\$75,000 per fiscal year
- ~~7~~6. If the cost of work is reduced by reason of any modification of the plans and specifications, such reduced cost shall be credited to the South Coast AQMD.
- ~~8~~7. If the cost of the work increases for any reason, the Executive Officer may authorize the additional work up to an amount not to exceed ~~\$100,000~~\$75,000 in any one fiscal year.

The Executive Officer may approve up to an additional ~~\$100,000~~\$75,000 in costs in each subsequent fiscal year. If the cost exceeds the original contract by over ~~\$100,000~~\$75,000 in any one fiscal year, Board approval will be required.

- C. All solicitations for construction, alteration, or improvement of South Coast AQMD facilities shall require contractors to comply with applicable federal laws including but not limited to the Copeland Anti-Kickback Act, the Davis Bacon Act, the Contract Work Hours and Safety Standards Act, Occupational Safety and Health Act and applicable state laws governing health and safety, workers compensation, prevailing wage rates, and labor hours.

SECTION VI: BIDDING PROCEDURES

A. Request for Quotations or Proposals

1. When the term "Request for Quotations" (RFQ) or "Request for Proposal" (RFP) is used in this policy, the following is meant: The responsible staff person shall, in writing, solicit quotations from qualified bidders. The prospective bidders shall be sent an RFQ or RFP which specifies the materials, equipment, ~~fixed assets~~capital assets, supplies, or services sought and the date by which bids are required, which date shall be at least 30 days from the date and time the RFQ or RFP is sent or posted on the South Coast AQMD website. For RFQs or RFPs approved by the Executive Officer, waiver of the 30-day period may be approved by the Executive Officer. For any RFP or RFQ, the Executive Officer may extend the response period.
2. In all cases in which written specifications are prepared and submitted for public bid and a trade name is specified, the specifications shall contain the phrase "or equal" and a bidder shall be allowed to bid upon a specific trade name product or its equivalent in quality and performance.
3. Subject to other provisions of this policy, a bid will be awarded to the lowest responsive, qualified bidder whose bid is in accordance with prescribed requirements and/or specifications.
4. The preparation of detailed specifications or obtaining of bids may be waived by the Executive Officer or his or her designee if proper justification has been provided that:
 - a. The items are available from only one source;
 - b. Public health or property may be endangered by delay;
 - c. An emergency or interruption of South Coast AQMD operations has occurred;
 - d. Required construction, repair, or project completion dates cannot be met;
 - e. Used or surplus equipment or supplies cannot be covered by specifications or plans;
or
 - f. Other circumstances exist which, in the determination of the Executive Officer, require waiver in the best interests of the South Coast AQMD.

B. Acceptance or Rejection of Bids

1. The South Coast AQMD Board or appropriate officer may accept or reject all or any bids and quotations or may accept or reject a part of any bid and to waive technical defects if to do so best serves the interests of the South Coast AQMD. Preference will be given, however, to the lowest cost responsive bidder.
2. In the event all bids or quotations are rejected, the South Coast AQMD Board or appropriate officer, may take any of the following actions:
 - a. Solicit new bids or quotations. In the event that a "Notice Inviting Bids/Proposals" was required, the notice must be re-advertised.
 - b. Proceed to purchase equipment, materials, services, ~~fixed assets~~capital assets or supplies through the State General Services Agency pursuant to Government Code Section 54205, or other leveraged/cooperative purchasing opportunities, if feasible.
3. The Executive Officer and/or Governing Board may award the contract to a bidder, other than the bidder determined to be the lowest bidder, in the event the Executive Officer and/or the Governing Board determine that another bidder would provide the best value to the South Coast AQMD. In such case, the supporting rationale for such a determination must be provided. The determination shall be on the bids or quotations and on evidence provided in the quotation and/or any other evidence provided during the bid review process. Evidence provided during the bid review process is limited to clarification by the bidder of information presented in his/her proposal/quotation.
4. In the event that no bids were received after a written solicitation or advertising, the South Coast AQMD Board or Executive Officer, may reissue the solicitations, or contract for the equipment, ~~fixed assets~~capital assets supplies, materials, or services on a sole-source basis.

SECTION VII: PUBLICATION REQUIREMENTS FOR ADVERTISED PROCUREMENTS

- A. For any purchase of alterations or improvements to South Coast AQMD facilities, services, materials, equipment, or ~~fixed assets~~capital assets estimated to exceed \$25,000, the following procedures apply unless a written determination has been made by the Executive Officer or his or her designee that the estimated cost of the procurement does not justify the cost of advertising:
 1. A "Notice Inviting Bids/Proposals" shall be published in a newspaper of general circulation at least once a week for two successive weeks. Two publications in a newspaper published once a week or more often, with at least five days intervening between the respective publication dates are sufficient. The period of notice commences on the first day of publication and terminates at the close of business on the fourteenth day.

2. One or more "Notices Inviting Bids/Proposals" shall be published in one or more of the following, whichever would allow the notice to be distributed to the largest number of persons or firms qualified to do the work:
 - a. Newspapers of general circulation (mandatory)
 - b. California State Contracts Register
 - c. Journal of the Air & Waste Management Association
 - d. ARB Computer Bulletin Board
 - e. Professional journals and trade publications including small, minority, women, and veteran business publications, and
 - f. South Coast AQMD Website on the Internet
3. The "Notice Inviting Bids/Proposals" shall contain a brief description of the equipment, materials, supplies, or services sought, the address where the plans and/or specifications may be inspected or where additional information may be obtained, and time and place of delivery of the Bid or Proposal.
4. A listing of open RFQs and RFPs will be made available to various legislative caucuses, community groups, trade organizations, chambers of commerce and other interested parties at the time the Notice Inviting Bids/Proposals is submitted for publication. Parties desiring copies of any of the RFQs or RFPs will be advised that a complete copy can be obtained by downloading it from the South Coast AQMD website or requesting a hard copy from the designated South Coast AQMD contact.

SECTION VIII: CONTRACTING FOR CONSULTING AND PROFESSIONAL SERVICES

A. General

1. It is the policy of the South Coast AQMD to utilize the most highly qualified professional services to carry out the responsibilities of the South Coast AQMD.
2. Due to the nature of the work to be performed or the staffing level required, it may, from time to time, be necessary to utilize the services of outside contractors/consultants who are not employees of the South Coast AQMD.

B. Contracting Methods

1. Proposals subject to this Section shall be advertised pursuant to the provisions of Section VII unless the Executive Officer waives the bidding requirements of this Section based upon a written documentation justifying a sole-source award, as described below
2. Except for contracts funded in whole or in part with federal funds, written justification for a sole-source award must be provided documenting that:

- a. The cost of labor for preparation of the described documents exceeds the possible savings that could be derived from such detailed documents; or
 - b. Public health or property may be endangered by delay; or
 - c. The desired services are available from only the sole-source based upon one or more of the following reasons:
 - (1) The unique experience and capabilities of the proposed contractor or contractor team;
 - (2) The project involves the use of proprietary technology;
 - (3) The contractor has ownership of key assets required for project performance; or
 - d. Other circumstances exist which in the determination of the Executive Officer require such waiver in the best interests of the South Coast AQMD. Such circumstances may include but are not limited to:
 - (1) Projects involving cost sharing by multiple sponsors
 - (2) Time extension of an existing contract;
 - (3) Projects involving a commitment to multiple project phases;
 - (4) Level-of-effort expert consultation services;
 - (5) Performance of South Coast AQMD work concurrent with local government official duties;
 - (6) Projects requiring compatibility with existing specialized equipment;
 - (7) Cooperative internship programs with accredited colleges and universities;
 - (8) Research and development efforts with educational institutions or nonprofit organizations.
3. For contracts funded in whole or in part with federal funds, written justification for sole-source award must be provided documenting that awarding a contract is infeasible under small purchase procedures, sealed bids or competitive proposals and that one of the following circumstances applies:
- a. The item is available only from a single source;
 - b. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;

- c. The awarding Federal agency or pass-through entity expressly authorizes non-competitive proposals in response to a written request from the non-Federal entity; or
- d. After solicitation of a number of sources, competition is determined inadequate.

C. Selecting the Appropriate Contracting Method

1. Prior to the letting of a contract for consulting or professional services, South Coast AQMD staff shall prepare the following, as applicable:
 - a. A written assessment of the objectives of the project or study in which previous work, if any, on the same subject shall be reviewed, including an assessment of current and future South Coast AQMD needs for the project and an estimate of the project cost;
 - b. A statement of work to be performed in carrying out the project or study;
 - c. A statement of the qualifications of persons necessary to perform the work including a description of experience, education, and training, and related work in general and specific fields; and
 - d. An assessment of the resources needed to carry out the project or study including, facilities, laboratory, equipment, and computer hardware and software.
2. Based upon an evaluation of the documentation prepared pursuant to Paragraph C1 and any other information deemed necessary, the Executive Officer or his or her designee shall:
 - a. Evaluate the ability of South Coast AQMD staff to perform all or part of the work, taking into consideration South Coast AQMD staff resources and other work being performed by South Coast AQMD staff; or
 - b. If it is determined that all or part of the work should be done pursuant to a contract for professional consulting services, the Executive Officer shall determine if the services shall be procured on a sole-source basis in accordance with the criteria set forth in Paragraph B2 above or a competitive basis. On federally funded procurements, the requirements of Paragraph B3 above shall be applicable in accordance with 40 CFR 31.36 or applicable federal regulation. On contracts for budgeted ~~items~~consulting or professional services over ~~\$100,000~~\$75,000 or unbudgeted ~~items~~consulting or professional services over \$10,000, the Executive Officer shall recommend to the South Coast AQMD Board that a sole-source contract be awarded. If a sole-source contract is approved by the South Coast AQMD Board, it may designate who is authorized to execute the contract.
3. If it is determined that the services should be procured competitively, the South Coast AQMD staff member responsible for originating the requirement shall prepare an RFP using the most current version of the sample RFP contained on the South Coast AQMD computer network and prepare a Bidders Mailing List. At a minimum, the RFP should contain the following areas specifically tailored to the requirement:
 - a. Background/Schedule of Events

- b. Section III of the South Coast AQMD Procurement Policy
 - c. Work Statement/Schedule of Deliverables
 - d. Required Qualifications
 - e. Proposal Submittal Requirements
 - f. Proposal Evaluation Criteria
 - g. Draft Contract
 - h. Certifications and Representations
4. All RFPs must be reviewed by the Manager of the Procurement Section prior to assignment of an RFP number by Procurement staff. RFPs for budgeted ~~items~~ consulting or professional services over ~~\$100,000~~\$75,000 that deviate from approved South Coast AQMD RFP evaluation criteria and RFPs for unbudgeted ~~items~~ consulting or professional services over \$10,000 must be approved by the South Coast AQMD Board prior to release. RFPs for budgeted ~~items~~ consulting or professional services up to ~~\$100,000~~\$75,000 and unbudgeted ~~items~~ consulting or professional services under \$10,000 that comply with South Coast AQMD RFP evaluation criteria shall be approved by the Executive Officer or his or her designee.
 5. RFPs estimated to exceed \$25,000 will be advertised in accordance with the procedures set forth in Section VII. The Notice Inviting Proposals shall specify the services sought and the date by which proposals are required, which date shall be at least 30 days from the date and time the RFP is mailed. Waiver of the 30-day period may be approved by the Executive Officer.

D. Proposal Evaluation and Contract Award

1. Sole-source proposals or a competitive proposal which is the sole response to an RFP should be evaluated by the originator of the requirement to ensure that the proposal is technically acceptable and that the proposed amount is reasonable based on previous proposals for similar work, knowledge of the marketplace, and South Coast AQMD's independent cost estimate. Documentation regarding the reasonableness of the proposed cost must be included in the project file compiled by the originator. The Single/Sole-Source Procurement Request form approved by the Executive Officer, shall be included with the documentation supplied to the Contracts Unit as detailed in Section III.K.i.
2. Competitive proposals will be evaluated by a panel of three-to-five South Coast AQMD staff familiar with the subject matter of the project. The panel shall be appointed by the Executive Officer or his or her designee to evaluate the submitted proposals. In addition, the evaluation panel may include such outside public sector or academic community expertise as deemed desirable by the Executive Officer. The Executive Officer or his or her designee shall appoint a chairman from this group.
 - a. Evaluation of Proposals.

Each member of the evaluation panel shall be accorded equal weight in his or her rating of the proposals. The evaluation panel members shall evaluate the proposals

according to specified criteria and shall assign a numerical score to each evaluation factor. Suggested guidelines for technical criteria and weightings are set forth below, but may be modified by the RFP originator based upon the specific project requirements and approval by the responsible Deputy Executive Officer.

b. Sample Proposal Evaluation Criteria

(1)	Standardized Services	<u>Points</u>
	Understanding of Requirement	20
	Contractor Qualification	20
	Past Experience	10
	Cost	<u>50</u>
	TOTAL:	100
(2)	R&D Projects Requiring Technical or Scientific Expertise, or Special Projects Requiring Unique Knowledge or Abilities	
	Understanding the Problem	20
	Technical/Management Approach	20
	Contractor Qualifications	20
	Previous Experience on Similar Projects	10
	Cost	<u>30</u>
	TOTAL	100
(3)	Additional Points	
	Small Business or Small Business Joint Venture	10
	DVBE or DVBE Joint Venture	10
	Benefits Incentive Business	10
	Use of DVBE or Small Business Subcontractors	7
	Zero or Near-Zero	
	Emission Vehicle Business (for supply contracts)	5
	Local Business (Non-Federal Funded Projects)	5
	Off-Peak Hours Delivery Business	2
	Most Favored Customer	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-federal funded projects), the proposer must submit a self-certification or certification from the State of California Office of Small Business Certification and Resources at the time of proposal submission certifying that the proposer meets the requirements set forth in Section III. To receive points for the use of DVBE and/or Small Business subcontractors, at least 25 percent of the total contract value must be subcontracted to DVBEs and/or Small Businesses. To receive points as a Zero or Near-Zero Emission Vehicle Business, the proposer must demonstrate to the Executive Officer, or designee, that supplies and materials

delivered to the South Coast AQMD are delivered in vehicles that operate in accordance with the definition provided in Section III.B.7. 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. To receive points as a Benefits Incentive Business, the proposer must provide, at a minimum, health insurance at one of the levels identified in Paragraph d below. Documentation showing proof of such insurance coverage must be submitted with the proposal. The cumulative points awarded for Small Business, DVBE, use of Small Business or DVBE Subcontractors, Benefits Incentive Business, Local Business, Zero or Near-Zero Emission Vehicle Business and Off-Peak Hour Delivery Business shall not exceed 15 points. An additional 2 points can be awarded to those firms certifying Most Favored Customer pricing, for a total of 17 points possible.

- c. The Procurement Section will be responsible for monitoring compliance of suppliers awarded purchase orders based upon use of zero or near-zero emission vehicles or off-peak traffic hour delivery commitments through the use of vendor logs which will identify the contractor awarded the incentive. The purchase order shall incorporate terms which obligate the supplier to deliver materials in zero or near-zero emission vehicles or deliver during off-peak traffic hours. The Receiving department will monitor those qualified supplier deliveries to ensure compliance to the purchase order requirements. Suppliers in non-compliance will be subject to a two percent of total purchase order value penalty. The Procurement Manager will adjudicate any disputes regarding either zero or near-zero emission vehicle or off-peak hour deliveries.
- d. Benefits Incentive Businesses, in order to receive 10 additional points, must provide affordable health insurance to full-time employees, which are defined as employees who work 30 hours or more per week. Affordable health insurance is defined to mean meeting or exceeding the following minimum levels of coverage:

Employee Deductibles/Fees

PPO Plan Design

In-Network Deductible \$500 single

In-Network Out-of-Pocket Maximum \$2,500

Out-of-Network Co-pay 30%

Office Visit Co-pay \$20 per visit

Retail Drug Co-pay \$11 (generic)/\$24(premium)/\$44(nonformulary)

Mail Order Drug Co-pay \$14 (generic) /\$32 (premium)/\$57 (nonformulary)

Single Contribution 10% or less of premium

HMO Plan Design

Office Visit Co-pay \$20

Inpatient Hospitalization \$250 deductible

Emergency Room Co-pay \$50 per visit

Retail Drug Co-pay \$11 (generic)/\$24(premium)/\$44(nonformulary)

Mail Order Drug Co-pay \$14 (generic) /\$32 (premium)/\$57 (nonformulary)

Single Contribution 10% or less of premium

Documentation to prove insurance coverage may include quotes from health insurance providers or a copy of the most recent health insurance invoice, with an attached Plan Summary. Documentation must not include medical information, employee names, or any personal employee information. An officer of the bidding company must certify in writing that the health insurance information provided is true and accurate and that, if selected, the company will provide health insurance to its full-time employees for the duration of the contract term at the same levels shown above or better. The selected Contractor will be required to update the proof of health insurance on an annual basis and to provide a certified copy of payroll if requested.

- e. For procurement of standardized services, technical factors including past experience shall be weighted at 50 points and cost shall be weighted at 50 points. For procurement of Research and Development (R & D) projects or projects requiring technical or scientific expertise or special projects requiring unique knowledge and abilities, technical factors including past experience shall be weighted at 70 points and cost shall be weighted at 30 points, subject to other provisions of this policy. A proposal must receive at least 56 out of 70 points, or 80 percent of the possible technical points, as applicable, on R & D projects and projects for unique technical expertise in order to be deemed qualified for award.
- f. The responsible staff person shall prepare a summary of the proposal evaluations and a recommendation for the award to his or her responsible Deputy Executive Officer.
- g. The Executive Officer and/or Governing Board may award the contract to a proposer other than the proposer receiving the highest rating. In the event the Executive Officer and/or Governing Board determine that another proposer from among those technically qualified would provide the best value to the South Coast AQMD considering cost and technical factors, supporting rationale for such a determination must be provided. The determination shall be based solely on the Evaluation Criteria contained in the RFP, on evidence provided in the proposal and on any other evidence provided during the proposal review process. Evidence provided during the proposal review process is limited to clarification by the proposer of information presented in proposal.
- h. Contracts for budgeted ~~items~~consulting or professional services over ~~\$100,000~~\$75,000 and for unbudgeted ~~items~~consulting or professional services over ~~\$10,000~~ must be approved by the South Coast AQMD Board. The Executive Officer may approve up to an additional ~~\$100,000~~\$75,000 in costs in each subsequent fiscal year. Contracts for budgeted ~~items~~consulting or professional services of ~~\$100,000~~\$75,000 or less and contracts for unbudgeted ~~items~~consulting or

professional services of \$10,000 or less shall be approved by the Executive Officer and the Executive Officer may approve up to an additional ~~\$100,000~~\$75,000 in costs in each subsequent fiscal year. After approval by the Executive Officer or South Coast AQMD Board, the responsible staff person shall prepare a Contract Request Approval Memorandum, Scope Statement, Work Statement, and Cost or Payment Schedule and forward these documents to the Contracts Unit.

- i. The Contracts Unit will prepare the contract and forward all documents to the responsible staff person for final approvals by the DEO, or ADEO as applicable, Manager of the Procurement Section, South Coast AQMD Counsel and the Executive Officer. If the contract is funded in whole or in part with federal funds, the contract shall incorporate the awarding federal agency's applicable contract provisions as specified in the awarding agency's regulations (e.g. 40 CFR Part 31.36(i) for EPA grants, and 10 CFR Part 600.148 for DOE grants).
- j. Once approved, the Executive Officer or his or her designee or the Chair of the South Coast AQMD Board, and the successful proposer's authorized official will execute the contract.

SECTION IX: BID PROTEST PROCEDURE

- A. It is the policy of the South Coast AQMD to consider protests from bidders or prospective bidders regarding South Coast AQMD's procurement actions. South Coast AQMD will respond to valid and timely protests. If South Coast AQMD determines that the protest is frivolous, the protester may be deemed ineligible for future contract awards.
- B. Procedure
- A. General – The procedure set forth in this subsection is mandatory. Failure by a protester to comply with this subsection will constitute a waiver of any right to further pursue the protest, including the filing of a claim under the relevant Government Code section or initiating legal proceedings. In no event will a protest be considered if all proposals are rejected.
- B. Submission of Protests – Protests must be submitted in writing to the South Coast AQMD Procurement Manager, 21865 Copley Drive, Diamond Bar, CA, 91765. A valid protest must include at a minimum:
- a. Name, address and telephone number of the protester or its representative;
 - b. The procurement action being protested;
 - c. Detailed description of the specific legal and factual grounds of the protest, which include identifying the specific provisions of the solicitation, rules, regulations or laws upon which the protest is based;
 - d. Copies of all (or any) documentation supporting the allegations in the protest; and
 - e. The specific relief requested.
- C. Types of Protests and Deadlines to File – South Coast AQMD will recognize the following types of protests:
- a. Protest Regarding Solicitation – An interested party that is an actual or prospective bidder with a direct economic interest in the procurement may file a protest based on unduly restrictive or defective specifications or other apparent improprieties in the solicitation process affecting the interested party's ability to submit a proposal and/or qualifications statements. Such protests must be received no later than ten (10) days prior to the deadline to submit proposals.
 - b. Protest Regarding Award of Contract – An actual bidder may file a protest regarding the award of a contract, based on South Coast AQMD's determination of the responsiveness of the proposals, errors in calculation, or other apparent improprieties in the evaluation of proposals affecting the ranking/scoring of the proposals. In addition, a protest may be made on the grounds that the party awarded the contract fraudulently represented itself as a responsible bidder or that South Coast AQMD

violated any local, State or federal laws in awarding the contract. Such protests must be received no later than ten (10) days after the contract has been awarded by the Governing Board. If the contract is not required to be awarded by the Governing Board and is awarded by the Executive Officer, or designee, in accordance with the Procurement Policy and Procedures, such protests must be received no later than ten (10) days after the contract is signed and executed by the Executive Officer, or designee.

- D. South Coast AQMD's Response to Protests – Upon receipt of a valid and timely protest, the Executive Officer, or designee, will investigate the protest and will provide a written response to the protester within a reasonable time. If necessary, the Executive Officer, or designee, may extend the deadline to submit proposals to allow for a reasonable time to review the protest. The Executive Officer, or designee, at his or her sole discretion, may elect to withhold the contract award until the protest is resolved or denied or proceed with the award and implementation of the contract.

Protest Remedies – If the protest is upheld, the Executive officer, or designee, will consider all circumstances surrounding the procurement in his or her decision for a fair and reasonable remedy, including the degree of prejudice to the protester or to the integrity of the competitive procurement process, the urgency of the procurement, the extent of performance if the contract has already been executed and implemented, the cost to South Coast AQMD, and the impact of the proposed remedy. The remedy may include, but is not limited to, reissuance of the solicitation, revised evaluation of the proposals, or termination of the contract.

SECTION X: CONTINUITY OF OPERATIONS PLAN PROCUREMENT AUTHORITY

- A. If a Continuity of Operations (COOP) plan is implemented for an interruption of South Coast AQMD operations or an event of regional significance, the Executive Officer may approve expenses in accordance with this Section up to \$500,000, in the aggregate, during the period the COOP is in effect. A report of such expenditures will be provided to the Administrative Committee and the South Coast AQMD Board.
- B. The Executive Officer's procurement authority under a COOP shall include the purchase of necessary supplies, capital assets and consulting, professional, or other services to aid in the continuity of South Coast AQMD operations.
- C. While the COOP is in effect, the Executive Officer or designee may waive the solicitation, bidding, advertising, publication and sole-source justification requirements to expedite the purchase and receipt of needed supplies, capital assets and consulting, professional, or other services.

BOARD MEETING DATE: January 10, 2020

AGENDA NO. 8

REPORT: Legislative, Public Affairs and Media Report

SYNOPSIS: This report highlights the November 2019 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 Nastri
Executive Officer

DJA:FW:LTO:DM:jf

BACKGROUND

This report summarizes the activities of the Legislative, Public Affairs and Media Office for November 2019. 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 a number of major events throughout the South Coast AQMD's four county areas to promote, educate and provide important information to the public regarding reducing air pollution, protecting public health, and improving air quality and the economy.

November 7

Staff held a Community Faith Based Leaders event at the Delhi Center in Santa Ana to educate faith leaders about South Coast AQMD and air quality issues and programs, including AB 617. The event featured a viewing of the Right to Breathe video, a panel discussion with community and health leaders and provide information on the importance of air quality and how to get involved to help clean the air.

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 November 2019 events:

November 1

Staff exhibited at the seventh STEMopalooza Student Conference at San Bernardino Valley College. The event was attended by approximately 800 students from middle and high schools in San Bernardino. Staff provided information on South Coast AQMD, air quality issues and displayed a clean air vehicle.

November 13

Staff assisted with the organization, outreach and implementation of the AB 2588 public meeting related to Kirkhill Inc. in Brea. The meeting was held at Brea Junior High School in the evening.

November 14

Staff held a community meeting to provide information on permit applications filed by the Los Angeles County Chief Executive Office to construct and operate a landfill gas collection and control system at a portion of the Cogen Landfill in the community of City Terrace. Staff also provided information about South Coast AQMD, including AB 617.

November 16

Staffed exhibited at the Diamond Bar America Recycles Day event held at the South Coast AQMD headquarters and provided information on air quality issues, the Check Before You Burn video, residential incentive programs, and South Coast AQMD's mobile phone App.

November 17

Staff participated in the first Meet on the Beach in Orange County, a community event co-hosted by seven cities including La Habra, Buena Park, Anaheim, Stanton, Garden Grove, Westminster and Huntington Beach. The event featured 1.5-miles of open streets for bike and pedestrian friendly activities. South Coast AQMD staff provided information on air quality issues such as Check Before You Burn, residential incentive programs, and the South Coast AQMD mobile phone App.

ENVIRONMENTAL JUSTICE UPDATE

The following are key environmental justice-related activities in which staff participated throughout the month of November 2019. These events involve communities affected disproportionately from adverse air quality impacts.

November 1 and 2

Staff participated in the Imperial Environmental Justice Summit at Imperial Valley College where AB 617 was the focus of discussion. South Coast AQMD's Executive Officer was a panelist discussing lessons learned for Year 1 of AB 617 implementation.

November 5

Staff hosted the Clean Air Ranger Education (CARE) Assembly for third grade students at Cesar Chavez Elementary School in the City of Coachella. The assembly included information on air pollution, the school flag program, South Coast AQMD's mobile phone App, a demonstration of zero-emission landscaping equipment, and an interactive dry ice experiment.

November 6

Staff held a subcommittee meeting of the Environmental Justice Community Partnership Inter-Agency Task Force. The focus of the discussion was on staff training and a draft Inter-Agency directory.

November 8

Staff participated in a tour of Sunline Transit Agency which serves the Coachella Valley to learn about Sunline Transit Agency's facilities and services including hydrogen buses and fueling infrastructure. Staff provided an overview of the AB 617 program as Coachella Valley was recommended by South Coast AQMD as a Year 2 AB 617 Community to CARB.

November 15

Staff hosted the Clean Air Ranger Education (CARE) Program to 150 fourth and fifth grade students at North Verdemon Elementary School in San Bernardino. The assembly included information on air pollution, the school flag program, South Coast AQMD's mobile phone App, a demonstration of zero-emission landscaping equipment, and an interactive dry ice experiment. Staff also interacted with 540 students during their lunch by showing them an electric vehicle, zero-emission landscaping equipment, and providing information on ways they can help clean the air.

November 19

Staff participated in the Latino Health Collaborative Meeting at the Dorothy Inghram Learning Center in San Bernardino. Staff provided information on AB 617 with a focus on the opportunity to submit an interest form to participate in the second year of the San Bernardino, Muscoy Community Steering Committee.

November 20

Staff hosted a joint public workshop with CARB on concepts to reduce emissions from locomotives and railyards. The meeting held in East Los Angeles was attended by more than 80 representatives from the community, environmental justice organizations and health organizations, elected officials, industry, and academia. The meeting focused on gathering input from stakeholders. A similar meeting will be held in the Inland Empire.

Staff participated in the Coachella Valley Environmental Justice Task Force meeting in Indio to provide an update on AB 617 and feedback from the Imperial Environmental Justice Summit on Year 1 implementation of the program.

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.

November 12

Staff presented at the Temescal Valley Municipal Advisory Council on local air quality issues. The presentation included an overview of air monitoring, compliance with rules and regulations, and a question and answer period.

November 20

A delegation of 13 representatives from the Sichuan Ecosystem Bureau in China visited South Coast AQMD. Staff presented information on a wide range of air quality issues such as federal state and local jurisdiction, air monitoring, regulations, permitting, emission estimates, rules development and clean air technologies.

November 21

Staff presented to the Association of Public Safety Communication Officials and the California Public Safety Radio Association on rules, permitting, and registration of back-up generators related to public safety. There were approximately 45 attendees at the meeting that was held in South Coast AQMD’s auditorium.

November 22

A delegation from Ulsan Development Institute in South Korea visited South Coast AQMD. Staff presented information on air monitoring, consumer assistance programs, the Multiple Air Toxics Exposure Study, and major stationary sources of hazardous air pollutants and other information.

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 November were:

Calls to South Coast AQMD’s Main Line and 1-800-CUT-SMOG® Line	3,608
Calls to South Coast AQMD’s Spanish-language Line	38
Calls to Clean Air Connections	<u>6</u>
Total Calls	3,652

PUBLIC INFORMATION CENTER STATISTICS

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

Calls Received by PIC Staff	160
Calls to Automated System	<u>813</u>
Total Calls	973
Visitor Transactions	209
Email Advisories Sent emails	11,109

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 November 2019.

- Provided permit application assistance to 159 companies

- Conducted 3 free on-site consultations
- Processed 61 Air Quality Permit Checklists

Types of businesses assisted:

Auto Body Shops	Gas Stations	Furniture Refinishing Facilities
Auto Repair Centers	Restaurants	Construction Firms
Printing Facilities	Plating Facilities	Architecture Firms
Manufacturing Facilities	Dry Cleaners	Engineering Firms
		Warehouses

MEDIA RELATIONS

The Media Office handles all South Coast AQMD outreach and communications with television, radio, newspapers and all other publications and media operations. November 2019 reports are listed:

Major Media Interactions: 19
 Press Releases: 3
 Air Quality Advisories Issued: 15

Major Media Topics For November

- Fuel Efficiency Standards — TV Tokyo inquired about the recent California waiver and other emissions regulations.
- Air Quality Sensors — KQED followed up on a previous request for additional information on low cost sensors, their accuracy and use during wildfires.
- Air Quality in LA — City News Service and KPCC requested updates on general air quality in Los Angeles.
- Smoke and Air Quality — KSCI and Bitterroot Magazine inquired about wildfires, smoke, and air quality in Los Angeles.
- Andrew Wheeler and EPA — E&E News inquired about South Coast AQMD's previous work with Andrew Wheeler and our response to actions regarding the California waiver. They also requested information on Wayne Nastri's duty station during his time at EPA, and his EPA travel.
- Torrance Refinery Emissions—Torrance Daily Breeze requested refinery emissions data from 2018 to present.
- Governing Board Chair Re-elections—The L.A. Sentinel spoke to Dr. Burke about his re-election as Chairman of the Governing Board.
- California's EV Requirements — Golden Globes requested information on California EV requirements.

- South Coast AQMD’s district voter authorization bill — Whittier Daily News requested an update on the proposed bill.
- Facility Information Detail (F.I.N.D.)— L.A. Times requested guidance on the best method for locating records of violations or other enforcement actions against facilities.
- Nitrous Oxide/Exhaust Emissions and Plants — L.A. Times requested an interview to discuss the effects of air pollution on plant life.
- Ozone Standard — Clean Energy Fuels requested information on the number of days the Basin exceeded the ozone standard.
- Abandoned Oil/Gas Wells — Reuters reached out for an interview/demonstration on measuring emissions from abandoned oil and gas wells.
- American Reclamation Fire — L.A. Magazine requested information on the fire at a Glendale recycling facility.
- Rule 1111 — The Sun Newspaper requested information regarding Rule 1111 and HVAC contractors above 5,000 ft in elevation.
- Indirect Source Rule — L.A. Times requested an update on changes to the proposed Indirect Source Rule 2305, the indirect source rule for warehouses.
- Odor Control Chemicals — A freelance reporter submitted questions regarding the use of odor-controlling chemicals at drill sites.

News Releases and Announcements

- New Project Provides Local Air Quality Monitoring in the City of Torrance, at Refinery Fenceline - November 1, 2019 — Announced the Torrance Air monitoring initiative.
- South Coast AQMD Continues Smoke Advisory Due to Martinez Fire in Thermal - November 1, 2019 — Advised residents of smoke conditions.
- Dr. William A. Burke Re-elected as Chair, and Ben Benoit as Vice Chair of Governing Board - November 1, 2019 — Advised residents of Governing Board re-elections.
- South Coast AQMD Continues Smoke Advisory Due to Martinez Fire in Thermal - November 2, 2019 — Advised residents of smoke conditions.
- South Coast AQMD Issues Smoke Advisory Due to “Outside Fire” at a Recycling Facility in Glendale - November 2, 2019 — Advised residents of smoke conditions.
- South Coast AQMD Continues Smoke Advisory Due to Martinez Fire in Thermal - November 3, 2019 — Advised residents of smoke conditions.
- Mandatory Wood-Burning Ban In Effect For Residents Of The South Coast Air Basin - November 3, 2019 — Advised residents about a no-burn day

- South Coast AQMD Continues Smoke Advisory Due to Martinez Fire in Thermal - November 4, 2019 — Advised residents of smoke conditions.
- Mandatory Wood-Burning Ban In Effect For Residents Of The South Coast Air Basin - November 4, 2019 — Advised residents about a no-burn day
- South Coast AQMD Continues Smoke Advisory Due to Martinez Fire in Thermal - November 5, 2019 — Advised residents of smoke conditions.
- Mandatory Wood-Burning Ban In Effect For Residents Of The South Coast Air Basin - November 5, 2019 – Advised residents about a no-burn day
- New Wood Smoke Forecasting Techniques Will More Precisely Predict Check Before You Burn Days This Season - November 5, 2019 — Advised residents of new techniques for predicting PM levels.
- Mandatory Wood-Burning Ban In Effect For Residents Of The South Coast Air Basin - November 6, 2019 — Advised residents about a no-burn day
- South Coast AQMD Continues Smoke Advisory Due to Martinez Fire in Thermal - November 6, 2019 – Advised residents of smoke conditions.
- Mandatory Wood-Burning Ban In Effect For Residents Of The South Coast Air Basin - November 7, 2019 — Advised residents about a no-burn day
- No-Burn Day - Mandatory Wood-Burning Ban In Effect For Residents Of The South Coast Air Basin - November 8, 2019 — Advised residents of a No-burn day.
- No-Burn Day - Mandatory Wood-Burning Ban In Effect For Residents Of The South Coast Air Basin - November 12, 2019 — Advised residents of a No-burn day.
- No-Burn Day - Mandatory Wood-Burning Ban In Effect For Residents Of The South Coast Air Basin - November 13, 2019 — Advised residents of a No-burn day.
- No-Burn Day - Mandatory Wood-Burning Ban In Effect For Residents Of The South Coast Air Basin - November 14, 2019 — Advised residents of a No-burn day.

Media/Google Campaign:

During the month of November, the *Right to Breathe* Google Ads played 3,545,580 times (Impressions), received 1,627,590 Views (counted when users watch at least 30 seconds of the ad), and were clicked 7,592 times.

Check Before You Burn

Nine no-burn days have been declared since November 1, 2019.

Social Media Notable posts:

Smoke Advisory (11/2): 8,786 Twitter Impressions

CBYB Extension (11/4): 4,461 Twitter Impressions

CBYB Reminder (11/4): 2,063 Facebook Users Reached

Smoke Advisory (11/7): 4,128 Twitter Impressions

CBYB Extension (11/13): 6,112 Twitter Impressions

Kirkhill Public Meeting (11/13): 1,119 Twitter Impressions

Cogen Public Meeting (11/14): 1,169 Twitter Impressions

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

Field visits and/or communications in November 2019 were conducted with elected officials or staff from the following cities:

Alhambra
Anaheim
Arcadia
Azusa
Baldwin Park
Brea
Big Bear Lake
Buena Park
Chino
City of Industry
Claremont
Coachella
Colton
Corona
Covina
Cypress
Diamond Bar

Duarte
El Monte
Fountain Valley
Glendora
Huntington Beach
Jurupa Valley
La Cañada Flintridge
La Puente
La Verne
Laguna Niguel
Lake Forest
Los Angeles
Long Beach
Monrovia
Monterey Park
Pomona
Rancho Cucamonga

Rialto
Riverside
Rosemead
Santa Ana
San Dimas
San Gabriel
San Marino
Sierra Madre
Seal Beach
Sierra Madre
South El Monte
South Pasadena
Temple City
Tustin
Walnut
West Covina
Yucaipa

Visits and/or communications were conducted in November 2019 with elected officials and/or staff from the following state and federal office.

- U.S. Senator Dianne Feinstein
- U.S. Senator Kamala Harris
- U.S. Representative Nanette Barragán
- U.S. Representative Lou Correa
- U.S. Representative Judy Chu
- U.S. Representative Gil Cisneros
- U.S. Representative Jimmy Gomez
- U.S. Representative Grace Napolitano
- U.S. Representative Harley Rouda
- U.S. Representative Raul Ruiz
- U.S. Representative Mark Takano
- Senator Bob Archuleta
- Senate President Pro Tempore Toni Atkins
- Senator Steven Bradford
- Senator Tyler Diep
- Senator Maria Elena Durazo
- Senator Lena Gonzalez
- Senator Connie Leyva
- Senator Anthony Portantino
- Senator Richard Roth
- Senator Susan Rubio
- Senator Tom Umberg
- Assembly Member Ian Calderon
- Assembly Member Wendy Carillo
- Assembly Member Sabrina Cervantes
- Assembly Member Steven Choi
- Assembly Member Tom Daly
- Assembly Member Eduardo Garcia
- Assembly Member Mike Gipson
- Assembly Member Chris Holden
- Assembly Member Sharon Quirk-Silva
- Assembly Member Eloise Gomez Reyes
- Assembly Member Miguel Santiago

Staff represented South Coast AQMD and/or provided updates or a presentation to the following governmental agencies and business organizations in November:

Anaheim Chamber of Commerce
California Air Resources Board
Boyle Heights Neighborhood Council
Gateway Cities Council of Governments
Harbor Association of Industry and Commerce, Long Beach
Inland Action
Inland Valley Development Agency
Los Angeles County Board of Supervisors
Los Angeles County Department of Parks and Recreation
Los Angeles County Department of Public Health
Long Beach Chamber of Commerce
Orange County Board of Supervisors
Orange County Council of Governments
Orange County Transportation Authority
Omnitrans, San Bernardino
Port of Long Beach
Riverside County Department of Public Social Services
San Bernardino County Board of Supervisors
San Bernardino County Transportation Authority

San Bernardino International Airport
San Bernardino Valley Community College
San Gabriel Valley Council of Governments
San Gabriel Valley Economic Partnership
Santa Ana Chamber of Commerce
Southern California Association of Governments
South Los Angeles Alliance of Neighborhood Councils
South Pasadena Chamber of Commerce
Transportation Corridor Agencies, Orange County
Wilmington Neighborhood Council

Staff represented South Coast AQMD and/or provided updates or a presentation to the following community and educational groups and organizations in November:

American Cancer Society
American Lung Association
Altadenans for Clean Healthy Air
Alvord Unified School District
California Black Women's Health Project
California Communities Against Toxics
Cerritos Optimist Club
Cleary and Laity United for Economic Justice
Communities for a Better Environment
Coalition for Clean Air
Coalition for a Safe Environment
Center for Community Action and Environmental Justice
Climate Resolve
East Yard Communities for Environmental Justice
I Heart Wilmington
Harris Elementary School
Huntington Beach Union High School District
Liberty Hill Foundation
Long Beach Alliance for Children with Asthma
Los Angeles Unified School District
Northview High School, Covina
One Los Angeles
Pasadena Public Library
Reach Out, Jurupa Valley
Riverside 2nd Supervisorial Youth Group
Riverside Unified School District
Robert F. Kennedy Elementary School
Robert F. Kennedy Institute, Wilmington
Salton Sea Engagement Committee
Sierra Club
Stand LA
University of California, Riverside Healthy Communities
USC Keck School of Medicine

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BOARD MEETING DATE: January 10, 2020

AGENDA NO. 9

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of November 1 through November 30, 2019.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Julie Prussack
Chairman of Hearing Board

cmw

Two summaries are attached: **November 2019 Hearing Board Cases and Rules From Which Variances and Orders for Abatement Were Requested in 2019**. An index of South Coast AQMD Rules is also attached.

The total number of appeals filed during the period November 1 to November 30, 2019 is 0; and total number of appeals filed during the period of January 1 to November 30, 2019 is 3.

Report of November 2019 Hearing Board Cases

Case Name and Case No. (South Coast AQMD Attorney)	Rules	Reason for Petition/Hearing	South Coast AQMD Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
1. County of San Bernardino Fleet Management Case No. 6070-4 (B. Tomasovic)	203(b)	Relief to run an ICE generator beyond 200 hour limit due to wildfires and power interruptions.	Not Opposed/Granted	SV granted commencing 11/21/19 and continuing through 12/31/19.	CO: 0.19 lb/hour NOx: 0.51 lb/hour PM: 0.03 lb/hour SOx: 0.001 lb/hour VOC: 0.03 lb/hour
2. Johnson Controls Case No. 6158-1 (M. Reichert)	1111	Relief to sell non-compliant furnaces to high-altitude market.	Not Opposed/Granted	IPV shall continue for 90 days or until the earlier of final compliance defined as an exemption adopted by the Governing Board at their 12/6/19 meeting or the RPV hearing currently scheduled for 12/18/19, whichever comes first.	NOx: .44 lb/day
3. Los Angeles County - Internal Services Department Case No. 6127-3 (B. Tomasovic)	203(b)	Relief to run an ICE generator beyond 200 hour limit due to wildfires and power interruptions.	Not Opposed/Granted	SV granted commencing 11/12/19 and continuing through 12/31/19.	CO ₂ : 1075.2 lbs/day NOx: 29 lbs/day SO ₂ : 1.91 lbs/day
4. Mountaingate Country Club c/o American Golf Corporation Case No. 6163-1 (K. Roberts)	203(b) 1150.1(d)(14) 1150.1(d)(16) 1150.1(e)(1) 1150.1(e)(2) 1150.1(e)(3) 1150.1(e)(4) 1150.1(e)(7) 1150.1(f)(1)(A) 1150.1(f)(1)(B) 1150.1(f)(1)(C) 1150.1(f)(1)(E) 1150.1(f)(1)(G) 1150.1(f)(1)(L)	Ex Parte EV relief due to portion of landfill gas collection system destroyed by wildfire, rendering it partially inoperable and in need of repair.	Not Opposed/Granted	Ex Parte EV granted commencing 11/15/19 and continuing for 30 days or until the IV currently scheduled for 11/20/19, whichever comes first.	Opacity: TBD by 11/20/19

Case Name and Case No. (South Coast AQMD Attorney)	Rules	Reason for Petition/Hearing	South Coast AQMD Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
5. Mountaingate Country Club c/o American Golf Corporation Case No. 6163-1 (K. Manwaring)	203(b) 1150.1(d)(14) 1150.1(d)(16) 1150.1(e)(1) 1150.1(e)(2) 1150.1(e)(3) 1150.1(e)(4) 1150.1(e)(7) 1150.1(f)(1)(A) 1150.1(f)(1)(B) 1150.1(f)(1)(C) 1150.1(f)(1)(E) 1150.1(f)(1)(G) 1150.1(f)(1)(L)	IV relief due to portion of landfill gas collection system destroyed by wildfire, rending it partially inoperable and in need of repair.	No Position/Dismissed	IV dismissed without prejudice.	N/A
6. New-Indy Ontario, LLC Case No. 6162-1 (B. Tomasovic)	203(b) 2004(f)(1) 3002(c)(1)	Petitioner sought relief to run its boiler for steam while it attempts to remedy steam- production issues with its new combined heat and power units.	Not Opposed/Granted	Ex Parte EV granted commencing 11/13/19 and continuing for 30 days or until the IV currently scheduled for 11/19/19, whichever comes first.	CO: 1814.74 lbs/day NOx: 74.53 lbs/day PM: 44.39 lbs/day SOx: 3.5 lbs/day VOC: 32.13 lbs/day
7. New-Indy Ontario, LLC Case No. 6162-1 (T. Barrera)	203(b) 2004(f)(1) 3002(c)(1)	Petitioner sought relief to run its boiler for steam while it attempts to remedy steam- production issues with its new combined heat and power units.	Not Opposed/Granted	IV granted commencing 11/19/19 and continuing for 90 days or until the RV hearing currently scheduled for 1/14/20, whichever comes first.	CO: 1814.74 lbs/day NOx: 74.53 lbs/day PM: 44.39 lbs/day SOx: 3.5 lbs/day VOC: 32.13 lbs/day
8. South Coast AQMD vs. Climate Industries, Inc. (dba Howard Industries) Case No. 6153-2 (M. Reichert)	1111	District and Respondent each sought non-stipulated modifications of the Order based on actions and violations that took place since the Order was granted.	Not Stipulated/Issued	Mod. O/A issued commencing 11/14/19; the Hearing Board shall retain jurisdiction over this matter until 1/22/20.	N/A

Case Name and Case No. (South Coast AQMD Attorney)	Rules	Reason for Petition/Hearing	South Coast AQMD Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
9. Termo Company Case No. 3014-18 (K. Manwaring)	203(b) 463(c) 11481(d)(8) 1173(d)(1)(B)	Relief from fugitive breathing loss and other emissions while seeking options to burn the gas produced from oil extraction.	Not Opposed/Granted	Ex Parte EV granted commencing 11/22/19 and continuing through 12/5/19.	Facility ID# 120609 Benzene: 0.05 lb/day VOC: 9.68 lbs/day Facility ID# 120621 Benzene: 0.02 lb/day VOC: 3.53 lbs/day
10. Ultramar Inc. (dba Valero Wilmington Refinery) Case No. 3845-99 (N. Feldman)	203(b) 401(b)(1) 407(a) 2004(f)(1) 3002(c)(1) H&S §41701	Relief to perform preventative maintenance on certain equipment and processes.	Not Opposed/Granted	SV and AOC granted commencing 11/20/19 and continuing through 2/17/20 for the SV and 1/18/20 for the AOC, or until final compliance is achieved, whichever occurs first.	CO: 1,232 lbs/total SOx: 464 lbs/total
11. Verizon Wireless Case No. 6139-2 (B. Tomasovic)	203(b)	Relief to run an ICE generator beyond 200 hour limit due to wildfires and power interruptions.	Not Opposed/Granted	SV granted commencing 11/21/19 and continuing through 12/31/19.	CO: 13.96 lbs/hr NOx: 10.47 lbs/hr VOC: 10.47 lbs/hr

Acronyms

AOC: Alternate Operating Condition

CO: Carbon Monoxide

CO₂: Carbon Dioxide

EV: Emergency Variance

H&S: Health and Safety Code

IV: Interim Variance

ICE: Internal Combustion Engine

IPV: Interim Product Variance

Mod. O/A: Modification Order for Abatement

N/A: Not Applicable

NO_x: Oxides of Nitrogen

PM: Particulate Matter

RV: Regular Variance

RPV: Regular Product Variance

SV: Short Variance

SO₂: Sulfur Dioxide

SO_x: Oxides of Sulfur

TBD: To Be Determined

VOC: Volatile Organic Compounds

Rules from which Variances and Orders for Abatement were Requested in 2019														
	2019	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
109(c)(1)								1						1
201			1											1
202(a)											1			1
202(c)			1					1						2
203(a)			1		1		1	1		1				5
203(b)		1	3	6	5	7	2	2	2	3	13	9		53
401(b)											1			1
401(b)(1)											2	1		3
401(b)(1)(B)									1					1
405(a)											1			1
407								1						1
407(a)												1		1
415(d)(1)(B)(ii)							1				1			2
415(d)(1)(C)(ii)							1				1			2
415(e)(1)							1				1			2
415(e)(5)							1				1			2
415(e)(6)							1				1			2
461(c)(1)(A)			2					1						3
461(c)(2)(A)			2											2
461(c)(3)(P)			2											2
461(e)(5)							1	1						2
463(c)											1	1		2
463(c)(2)						2	1							3
463(c)(3)											2			2
463(e)(4)						2	1							3
463(f)(1)(C)						2	1							3
1110.2(d)(1)(F)									1					1
1110.2(d)(1)(L)				1										1
1110.2(h)									1					1
1110.2(i)(1)(B)											2			2
1110.2(i)(1)(J)				1										1
1111											5	2		7
1111(c)(4)										1				1
1146(c)(5)											1			1
1147			1											1
1147(c)(1)					1									1
1148.1(d)(8)											3	1		4
1150.1(d)(1)(C)(i)						1								1
1150.1(d)(8)											2			2
1150.1(d)(10)											2			2
1150.1(d)(11)											2			2
1150.1(d)(12)											2			2
1150.1(d)(14)											3	2		5
1150.1(d)(16)												2		2
1150.1(d)(20)											2			2
1150.1(e)(1)											3	2		5
1150.1(e)(2)											1	2		3
1150.1(e)(2)(B)											2			2
1150.1(e)(2)(C)											2			2
1150.1(e)(3)											1	2		3
1150.1(e)(3)(B)											2			2

Rules from which Variances and Orders for Abatement were Requested in 2019

	2019	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
1150.1(e)(3)(C)											2			2
1150.1(e)(4)											3	2		5
1150.1(e)(4)(A)											2			2
1150.1(e)(4)(B)											2			2
1150.1(e)(7)											3	2		5
1150.1(e)(7)(C)											2			2
1150.1(f)(1)(A)											1	2		3
1150.1(f)(1)(A)(iii)(I)											2			2
1150.1(f)(1)(B)											3	2		5
1150.1(f)(1)(C)											1	2		3
1150.1(f)(1)(E)											1	2		3
1150.1(f)(1)(G)											1	2		3
1150.1(f)(1)(L)											3	2		5
1150.1(f)(2)(A)								1						1
1158(d)(2)						2	1							3
1173(d)(1)(B)											1	1		2
1178(d)(2)						2	1							3
1178(g)						1								1
1178(h)(2)						1	1							2
1178(h)(4)			1											1
1196											1			1
1303								1						1
1303(a)								1						1
1303(b)					1									1
1420.2(g)(3)(B)										1				1
1430				1							1			2
1430(d)(8)				1										1
1430(e)(2)								1						1
1470(c)(2)(C)(iv)(I)		1			1	3	2			1				8
2004(f)(1)										1	1	3		5
2202(a)										1				1
2202(b)										1				1
2202(e)										1				1
2202(l)		1			1	5	2		2	1		3		15
3002(c)(1)									1		4			5
H&S 41701			1								3	1		5
H&S 41960.2			1											1

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX
FOR 2019 HEARING BOARD CASES AS OF NOVEMBER 30, 2019**

REGULATION I – GENERAL PROVISIONS

Rule 109 Recordkeeping for Volatile Organic Compound Emissions

REGULATION II – PERMITS

Rule 201 Permit to Construct
Rule 202 Temporary Permit to Operate
Rule 203 Permit to Operate

REGULATION IV – PROHIBITIONS

Rule 401 Visible Emissions
Rule 405 Solid Particulate Matter - Weight
Rule 407 Liquid and Gaseous Air Contaminants
Rule 415 Odors from Animal Rendering Facilities
Rule 461 Gasoline Transfer and Dispensing
Rule 463 Organic Liquid Storage

REGULATION XI - SOURCE SPECIFIC STANDARDS

Rule 1110.2 Emissions from Gaseous- and Liquid-Fueled Engines
Rule 1111 Reduction of NO_x Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces
Rule 1147 NO_x Reductions from Miscellaneous Sources
Rule 1148.1 Oil and Gas Production Wells
Rule 1150.1 Control of Gaseous Emissions from Municipal Solid Waste Landfills
Rule 1153.1 Emissions of Oxides of Nitrogen from Commercial Food Ovens
Rule 1158 Storage, Handling, and Transport of Coke, Coal and Sulfur
Rule 1178 Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities
Rule 1196 Clean On-Road Heavy-Duty Public Fleet Vehicles

REGULATION XIII – NEW SOURCE REVIEW

Rule 1303 Requirements

REGULATION XIV – TOXICS

- Rule 1420.2 Emission Standards for Lead from Metal Melting Facilities
- Rule 1430 Control of Emissions from Metal Grinding Operations at Metal Forging Facilities
- Rule 1470 Requirements for Stationary Diesel-Fueled Internal Combustion and Other Ignition Engines

REGULATION XX - REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

- Rule 2004 Requirements

REGULATION XXII - ON-ROAD MOTOR VEHICLE MITIGATION

- Rule 2202 On-Road Motor Vehicle Mitigation Options

REGULATION XXX - TITLE V PERMITS

- Rule 3002 Requirements

CALIFORNIA HEALTH AND SAFETY CODE

- §41701 Restricted Discharges
- §41960.2 Maintenance of Vapor Control System

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BOARD MEETING DATE: January 10, 2020

AGENDA NO. 10

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This reports the monthly penalties from November 1, 2019 through November 30, 2019, and legal actions filed by the General Counsel's Office from November 1 through November 30, 2019. An Index of South Coast AQMD Rules is attached with the penalty report.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Bayron T. Gilchrist
General Counsel

BTG:ew

There are no Civil Filings for November 2019

Attachments

November 2019 Penalty Report

Index of South Coast AQMD Rules and Regulations

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

November 2019 Settlement Penalty Report

Total Penalties

Civil Settlements:	\$574,500.00
MSPAP Settlements:	\$75,832.00
Hearing Board Settlements:	\$25,000.00

Total Cash Settlements: \$675,332.00

Total SEP Value: \$0.00

Fiscal Year through 11 / 2019 Cash Total: \$9,203,659.86

Fiscal Year through 11 / 2019 SEP Value Only Total: \$0.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbr	Total Settlement
Civil Settlements						
23752	AEROCRAFT HEAT TREATING CO INC	402	11/8/2019	NSF	P63160	\$335,000.00
		1155			P64520	
		1404			P64525	
		2004			P66904	
		3002			P69804	
		H&S 41700			P69805	
183159	AMERICAN TOWER CORPORATION	H&S 41702	11/7/2019	NSF	P68356	\$5,000.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbr	Total Settlement
16951	ANAPLEX CORP	109	11/21/2019	WBW	P64514	\$132,000.00
	<i>Other Related Matters: HB Case# 6066-1 and LASC Case No. BC644529</i>	201			P64519	
		202			P64521	
		203			P64522	
		402			P64529	
		1403			P66471	
		1469			P66473	
		1469.1				
		H&S 41700				
		H&S 42401				
46268	CALIFORNIA STEEL INDUSTRIES INC	2004	11/5/2019	NSF	P64392	\$1,000.00
150783	FAIRPLEX	203(b)	11/19/2019	DH	P63719	\$100,000.00
		218				
		1110.2				
8582	SO CAL GAS CO/PLAYA DEL REY STORAGE FAC	2004	11/19/2019	NSF	P66920	\$1,500.00

Total Civil Settlements: \$574,500.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbr	Total Settlement
MSPAP Settlements						
180605	AAAA FUEL INC	461	11/8/2019	GC	P66356	\$300.00
180605	AAAA FUEL INC	461	11/8/2019	GC	P66354	\$200.00
187776	ALL ACCESS COACH LEASING	13 CCR 2485	11/13/2019	GC	P66811	\$960.00
138068	ANGELES NATIONAL GOLF CLUB	461	11/12/2019	GC	P63771	\$2,072.00
22978	ARCADIA CITY, FIRE STN #105	461(e)(2)	11/20/2019	GC	P63922	\$800.00
174642	ARCO #42015, TREASURE FRANCHISE COMPANY	201 461	11/20/2019	GC	P66364	\$1,100.00
129811	ARTISTIC MAINTENANCE, INC.	461	11/20/2019	GC	P65652	\$2,125.00
181546	AU ENERGY, LLC/RANCHO PKWY SHELL	461	11/8/2019	GC	P68112	\$200.00
165878	AVALON ARCO & SN MART	201	11/8/2019	GC	P64930	\$550.00
165979	BECK OIL INC.	1166	11/13/2019	TF	P67420	\$750.00
187491	BYROM_DAVEY, INC.	403	11/15/2019	GC	P66765	\$1,600.00
185315	CADNICKS INC	461	11/8/2019	GC	P68156	\$550.00
1865	CALMAT COMPANY	1157 403	11/13/2019	GC	P66761	\$2,125.00
126299	CARBON ACTIVATED CORPORATION	203	11/20/2019	GC	P67109	\$1,190.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbr	Total Settlement
172411	CLAREMONT GAS	461	11/8/2019	GC	P66363	\$382.00
150987	D & B OIL/CENTRAL SHELL	461	11/8/2019	GC	P66369	\$680.00
173931	DAMAC PRODUCTS, LLC	203(b)	11/15/2019	GC	P65858	\$800.00
122016	DECORE_ATIVE SPECIALTIES INC	203(b)	11/8/2019	GC	P66757	\$1,040.00
166060	DOWNEY SMOG CORPORATION	461	11/13/2019	GC	P67669	\$200.00
103601	EARTH BASICS CONTRACTING CORP	403	11/8/2019	GC	P64767	\$1,800.00
125903	FOOTHILL ELECTRIC MOTORS	203(b)	11/13/2019	GC	P65596	\$935.00
186334	G&M OIL CO #163	201 203(a) 461 H&S 41960.2	11/13/2019	GC	P68152	\$1,800.00
131145	G&M OIL CO, LLC #111	461	11/13/2019	GC	P67662	\$700.00
148171	GAS 4 LESS, KARAM ABDALLA DBA	201 203	11/13/2019	GC	P64943	\$595.00
188047	GRIFFIN RESIDENTIAL	403	11/20/2019	GC	P68353	\$2,500.00
176912	HASKELL CLEANERS, TIMOTHY W HON	203(b)	11/15/2019	GC	P66756	\$520.00
176569	HUBBS HARLOW QUARRY, ROBERTSON	203(b)	11/12/2019	GC	P59697	\$1,100.00
170643	I & S MINIMARKET CORP.	461 H&S 41960.2	11/20/2019	GC	P68121	\$428.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbr	Total Settlement
149974	IMPRESS COMMUNICATIONS INC	203(a)	11/13/2019	GC	P65579	\$720.00
187372	INDIAN PALMS COUNTRY CLUB/ GALLEY LINKS	403	11/12/2019	GC	P63145	\$1,100.00
58370	J & L CUSTOM PLASTIC EXTRUSIONS INC	203	11/12/2019	GC	P67552	\$1,040.00
164138	JOHN ELWAYS CROWN TOYOTA	203(b)	11/12/2019	GC	P65386	\$5,100.00
142404	KENK INC, KELLY'S SHELL	461 H&S 41960	11/15/2019	TF	P68428	\$250.00
51695	LINCOLN BL CAR WASH, AZIZCO INC	461 H&S 41960	11/21/2019	TF	P68419	\$850.00
144492	LONG BEACH 76	461	11/21/2019	TF	P69004	\$300.00
184558	LOS GATOS, INC.	13 CCR 2460	11/15/2019	TF	P68952	\$400.00
188907	MAMMOET USA SOUTH INC	203	11/20/2019	TF	P62768	\$2,400.00
179561	MCT AUTOBODY, INC.	1151 1171(c)(1)	11/20/2019	TF	P66787	\$1,000.00
113374	MD CHEVRON SERV STATION #3, DUC TRAN DBA	461	11/20/2019	GC	P67670	\$595.00
156294	MEDICO PROFESSIONAL LINEN SERVICE	201 203(a) 1146.1	11/15/2019	TF	P63886	\$2,400.00
182020	MHFR ENERGY, INC	203(b) 461(c)(2)(B)	11/21/2019	TF	P67690	\$2,000.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbr	Total Settlement
188936	MICHAEL HOFF	1403	11/12/2019	TF	P67461	\$1,600.00
156292	MISK ENTERPRISE, INC.	461	11/12/2019	TF	P67228	\$1,600.00
95451	MOBIL DLR, GLENDALE MOBIL SERVICE	461	11/12/2019	TF	P67227	\$250.00
188581	NOIL USA INC, COWLES	203(a)	11/12/2019	TF	P67684	\$250.00
113172	NORTH MAIN SERVICE, J. CARDENAS, DBA	461	11/15/2019	TF	P67229	\$800.00
142115	OASIS FUELS/FIONA C ROCHE-LUCE	461(E)(2)(A)	11/20/2019	TF	P67689	\$800.00
139334	PACIFIC WEST GENERAL STORE, INC.	461 H&S 41960	11/20/2019	TF	P68417	\$2,400.00
165182	PARAMOUNT OIL, INC. DBA ALONDRA 76	461 H&S 41960	11/15/2019	TF	P68416	\$2,000.00
165182	PARAMOUNT OIL, INC. DBA ALONDRA 76	461	11/15/2019	TF	P68422	\$300.00
189376	RM FIVE_1, LLC	403(d)(1) 403.1	11/21/2019	TF	P68260	\$1,000.00
144027	S & M SERVICE STATION, INC	461 H&S 41960	11/21/2019	TF	P68402	\$1,000.00
184297	SHIMMICK CONSTRUCTION COMPANY, INC	203(a)	11/15/2019	TF	P66830	\$800.00
177085	SIGNATURE FLIGHT SUPPORT	461	11/20/2019	TF	P66771	\$300.00
177082	SIGNATURE FLIGHT SUPPORT	461	11/20/2019	TF	P66774	\$300.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbr	Total Settlement
159612	SIGNATURE FLIGHT SUPPORT_VNY	203	11/20/2019	TF	P66784	\$800.00
159612	SIGNATURE FLIGHT SUPPORT_VNY	461	11/20/2019	TF	P66775	\$300.00
166923	SK LABORATORIES, INC.	202(b)	11/15/2019	TF	P65193	\$4,000.00
119709	SPECTRUM SOUTH LLC, FIRE PUMP HOUSE	203(b)	11/20/2019	TF	P65397	\$375.00
98545	TAC_WEST INC	1146.1	11/15/2019	TF	P65194	\$3,200.00
150995	TIME WARNER CABLE	203(a)	11/12/2019	TF	P63471	\$250.00
181799	UNITED PACIFIC #5615	461	11/21/2019	TF	P68427	\$2,000.00
188670	VA TRANSPORT INC.	13 CCR 2485	11/21/2019	TF	P64174	\$500.00
145431	W W SERVICE INC.	461 H&S 41960.2	11/15/2019	TF	P67664	\$850.00
126188	WESTERN PUMP, INC	1166	11/12/2019	TF	P67419	\$750.00
129416	WESTIN SOUTH COAST PLAZA	203(b) 1146.1	11/12/2019	TF	P68557	\$2,400.00
178589	WOODLAND HILLS 76	461 H&S 41960	11/15/2019	TF	P68413	\$850.00

Total MSPAP Settlements: \$75,832.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbr	Total Settlement
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Hearing Board Settlements

104234	MISSION FOODS CORPORATION	202 203(b) 1153.1 1303	11/21/2019	KCM	5400-4	\$25,000.00
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Total Hearing Board Settlements: \$25,000.00

SOUTH COAST AQMD'S RULES AND REGULATIONS INDEX FOR NOVEMBER 2019 PENALTY REPORT

REGULATION I - GENERAL PROVISIONS

Rule 109 Recordkeeping for Volatile Organic Compound Emissions

REGULATION II - PERMITS

Rule 201 Permit to Construct
Rule 202 Temporary Permit to Operate
Rule 203 Permit to Operate
Rule 218 Continuous Emission Monitoring

REGULATION IV - PROHIBITIONS

Rule 402 Nuisance
Rule 403 Fugitive Dust - Pertains to solid particulate matter emitted from man-made activities
Rule 403.1 Wind Entrainment of Fugitive Dust
Rule 461 Gasoline Transfer and Dispensing

REGULATION XI - SOURCE SPECIFIC STANDARDS

Rule 1110.2 Emissions from Gaseous- and Liquid-Fueled Internal Combustion Engines
Rule 1146.1 Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters

Rule 1151 Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations
Rule 1153.1 Emissions of Oxides of Nitrogen from Commercial Food Ovens
Rule 1155 Particulate Matter Control Devices
Rule 1157 PM10 Emission Reductions from Aggregate And Related Operations
Rule 1166 Volatile Organic Compound Emissions from Decontamination of Soil
Rule 1171 Solvent Cleaning Operations

REGULATION XIII - NEW SOURCE REVIEW

Rule 1303 Requirements

REGULATION XIV - TOXICS

- Rule 1403 Asbestos Emissions from Demolition/Renovation Activities
- Rule 1404 Hexavalent Chromium Emissions from Cooling Towers
- 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

REGULATION XXX - TITLE V PERMITS

- Rule 3002 Requirements for Title V Permits

CALIFORNIA HEALTH AND SAFETY CODE

- 41700 Violation of General Limitations
- 41702 Violation of General Limitations
- 42401 Violation of Order for Abatement
- 41960 Certification of Gasoline Vapor Recovery System
- 41960.2 Gasoline Vapor Recovery

CALIFORNIA CODE OF REGULATIONS

- 13 CCR 2460 Portable Equipment Testing Requirements
- 13 CCR 2485 Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling

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BOARD MEETING DATE: January 10, 2020

AGENDA NO. 11

REPORT: Lead Agency Projects and Environmental Documents Received

SYNOPSIS: This report provides a listing of CEQA documents received by the South Coast AQMD between November 1, 2019 and November 30, 2019, and those projects for which the South Coast AQMD is acting as lead agency pursuant to CEQA.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Wayne Nastri
Executive Officer

PF:SN:JW:LS:JI

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 November 1, 2019 through November 30, 2019 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 77 CEQA documents were received during this reporting period and 16 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 November 1, 2019 through November 30, 2019, the South Coast AQMD received 77 CEQA documents. Attachment B lists documents that are ongoing active projects. Of the total of 84 documents listed in Attachments A and B:

- 16 comment letters were sent;
- 38 documents were reviewed, but no comments were made;
- 21 documents are currently under review;
- 0 document did not require comments (e.g., public notices);
- 0 documents were not reviewed; and
- 9 documents were screened without additional review.

(The above statistics are from November 1, 2019 to November 30, 2019, 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.

Attachment 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 three active projects during November.

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
November 1, 2019 to November 30, 2019**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
Industrial and Commercial RVC191119-02 Palomino Business Park	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 RVC190402-02 Comment Period: 11/18/2019 - 1/2/2020 Public Hearing: N/A	Draft Environmental Impact Report	City of Norco	Under review, may submit written comments
Waste and Water-related LAC191101-09 Heraeus Precious Metals North America LLC	The proposed project consists of modifications to an existing hazardous waste facility permit to separate waste water treatment from the rhodium reclamation process. The project is located at 13429 Alondra Boulevard on the northeast corner of Alondra Boulevard and Carmenita Road in the City of Santa Fe Springs. Comment Period: 10/28/2019 - 12/27/2019 Public Hearing: 11/14/2019	Permit Modification	Department of Toxic Substances Control	Document reviewed - No comments sent
Waste and Water-related LAC191105-01 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 generally located on the southwest corner of Explorer Road and North Arroyo Boulevard. Reference LAC141009-06 Comment Period: 11/4/2019 - 12/6/2019 Public Hearing: 11/21/2019	Notice of Preparation	City of Pasadena	Under review, may submit written comments
Waste and Water-related LAC191107-01 3869/Bell Gardens Water Reservoir	The proposed project consists of construction of a pump station and three building pads totaling 36,780 square feet for water tanks ranging in capacity from 1.41 million gallons to 2 million gallons. The project is located on the northwest corner of Florence Place and Emil Avenue. http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2019/november/LAC191107-01.pdf Comment Period: 11/1/2019 - 12/1/2019 Public Hearing: 11/19/2019	Site Plan	City of Bell Gardens	South Coast AQMD staff commented on 11/19/2019

- 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 A
INCOMING CEQA DOCUMENTS LOG
November 1, 2019 to November 30, 2019**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Waste and Water-related</i> LAC191107-02 Van Norman Complex Routine Operation and Maintenance Program	The proposed project consists of vegetation management and maintenance activities on 1,340 acres. The project is located on the southeast corner of Balboa Boulevard and Interstate 5 in the community of Granada Hills. Comment Period: 11/7/2019 - 12/23/2019 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
<i>Waste and Water-related</i> LAC191108-01 San Gabriel River Watershed Project	The proposed project consists of reduction of recycled water discharges from five water reclamation plants. The project is located along the San Jose Creek, San Gabriel River, and Coyote Creek in the cities of Pomona, Whitter, South El Monte, Cerritos, and Long Beach. Reference LAC190802-02 and LAC190205-02 Comment Period: 11/8/2019 - 11/18/2019 Public Hearing: N/A	Notice of Availability of a Final Environmental Impact Report	Los Angeles County Sanitation Districts	Document reviewed - No comments sent
<i>Waste and Water-related</i> LAC191115-02 Quemetco, Inc.	The proposed project consists of modifications to an existing hazardous waste facility permit to allow loading plastics into lined containers, rewashing of plastics, and tank replacements in kind. The project is located at 720 South Seventh Avenue near the northeast corner of South Seventh Avenue and Salt Lake Avenue in the City of Industry. Reference LAC180726-06 Comment Period: N/A Public Hearing: N/A	Permit Modification	Department of Toxic Substances Control	Document reviewed - No comments sent
<i>Waste and Water-related</i> LAC191115-06 La Brea Subarea Well and Transmission Main Project	The proposed project consists of demolition of existing structures and rehabilitation of 10,250 linear feet of water pipelines ranging in diameter from 18 inches to 24 inches. The project will also include construction of a four-mile water pipeline 16 inches in diameter and a 700-gallon-per-minute water well. The project is located along Burton Way, Le Doux Road, and La Cienega Boulevard from the northeast corner of Chariton Street and Guthrie Avenue in the City of Los Angeles to the northeast corner of La Cienega Boulevard and Cadillac Avenue in the City of Beverly Hills. Reference LAC190924-04 Comment Period: N/A Public Hearing: N/A	Response to Comments	City of Beverly Hills	Document reviewed - No comments sent

- 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 A
INCOMING CEQA DOCUMENTS LOG
November 1, 2019 to November 30, 2019**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<p><i>Waste and Water-related</i> LAC191127-02 East San Pedro Bay Ecosystem Restoration Feasibility Study</p>	<p>The proposed project consists of evaluation of aquatic ecosystem function and structure to restore and improve biodiversity for kelp, rocky reef, and eelgrass habitats. The project encompasses 18 square miles and is located offshore in the eastern portion of San Pedro Bay.</p> <p align="center">Comment Period: 11/29/2019 - 1/27/2020 Public Hearing: N/A</p>	<p>Draft Integrated Feasibility Report/ Environmental Impact Statement/ Environmental Impact Report</p>	<p>United States Department of the Army, Army Corps of Engineers</p>	<p>Under review, may submit written comments</p>
<p><i>Waste and Water-related</i> ODP191113-01 Santa Susana Field Laboratory</p>	<p>The proposed project consists of development of cleanup activities to excavate, remove, and dispose contaminated soil with polycyclic aromatic hydrocarbons, total petroleum hydrocarbons, and dioxins on a 450-acre portion of 2,850 acres. The project is located on the southeast corner of Service Area Road and Woolsey Canyon Road in Ventura County. Reference ODP181221-07, ODP180904-15, ODP180814-10, ODP170926-03, ODP170915-02, ODP170908-05, ODP170420-07, ODP170405-01, ODP140116-02, ODP131121-02, ODP100930-02, LAC131018-05, LAC130918-13, and LAC110510-12</p> <p align="center">Comment Period: 10/25/2019 - 1/8/2020 Public Hearing: 11/20/2019</p>	<p>Notice of Availability of a Draft Supplemental Environmental Impact Statement</p>	<p>National Aeronautics and Space Administration</p>	<p>Document reviewed - No comments sent</p>
<p><i>Waste and Water-related</i> ORC191120-02 Lower Newport Harbor Confined Aquatic Disposal Facility Construction Project</p>	<p>The proposed project consists of construction of a facility to receive up to 156,900 cubic yards of ocean dredging materials. The project encompasses 844 acres and is located offshore between Lido Isle Island and Bay Island in Lower Newport Harbor.</p> <p align="center">Comment Period: 11/18/2019 - 1/17/2020 Public Hearing: 12/4/2019</p>	<p>Notice of Preparation</p>	<p>City of Newport Beach</p>	<p>Under review, may submit written comments</p>
<p><i>Waste and Water-related</i> ORC191121-04 OCWD SA-5 Monitoring Well Replacement Project</p>	<p>The proposed project consists of decommissioning of an existing monitoring well and construction of a multi-depth water monitoring well 230 feet below ground surface. The project is located near the southeast corner of Brookhurst Street and Yorktown Avenue in the City of Huntington Beach and on the southeast corner of Oriole Avenue and Acacia Street in the City of Fountain Valley.</p> <p align="center">Comment Period: 11/21/2019 - 12/23/2019 Public Hearing: 1/22/2020</p>	<p>Notice of Intent to Adopt a Mitigated Negative Declaration</p>	<p>Orange County Water District</p>	<p>Document reviewed - No comments sent</p>

- 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 A
INCOMING CEQA DOCUMENTS LOG
November 1, 2019 to November 30, 2019**

<u>SOUTH COAST AQMD LOG-IN NUMBER</u>	<u>PROJECT DESCRIPTION</u>	<u>TYPE OF DOC.</u>	<u>LEAD AGENCY</u>	<u>COMMENT STATUS</u>
<u>PROJECT TITLE</u>				
<i>Transportation</i> LAC191101-07 Port of Long Beach Deep Draft Navigation Study	The proposed project consists of construction of an anchorage area, a turning basin, and infrastructure to improve navigation flow and safety for liquid bulk vessel operations. The project is located at the federal portions of Pier J and Pier T on the southeast corner of Seaside Freeway and Navy Way within the Port of Long Beach. Reference LAC190201-09, LAC161103-03, and LAC160105-02 Comment Period: 10/25/2019 - 12/9/2019 Public Hearing: 11/13/2019	Draft Integrated Feasibility Report/ Environmental Impact Statement/ Environmental Impact Report	United States Department of the Army, Army Corps of Engineers	Document reviewed - No comments sent
<i>Transportation</i> LAC191101-18 Avalon Boulevard, Fries Avenue and "A" Street Roadway Segments Closure Project	The proposed project consists of closure of 2,537 feet of roadways at three locations: 1) along Avalon Boulevard between Harry Bridges Boulevard and Water Street, 2) along Fries Avenue between A Street and Water Street, and 3) A Street between Avalon Boulevard and Fries Avenue in the community of San Pedro. Comment Period: 10/31/2019 - 12/2/2019 Public Hearing: N/A	Recirculated Mitigated Negative Declaration	City of Los Angeles Harbor Department	Document reviewed - No comments sent
<i>Transportation</i> LAC191119-01 Division 20 Portal Widening and Turnback Facility Project	The proposed project consists of construction of tracks and switches, widening of heavy rail tunnel, installation of traction power substation and emergency backup power generator, reconfiguration of existing tracks and access roads, and modification to the 1st Street Bridge on 45 acres. The project will also include demolition of 306,875 square feet of existing buildings and rehabilitation of a 22,651-square-foot building. The project is located on the southeast corner of Commercial Street and Center Street in the community of Central City North within the City of Los Angeles. Reference LAC180925-12, LAC180104-08, LAC180313-02, LAC171013-08, and LAC171013-07 Comment Period: N/A Public Hearing: 11/21/2019	Notice of Availability of an Addendum to a Final Environmental Impact Report	Los Angeles County Metropolitan Transportation Authority	Document reviewed - No comments sent

- 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.

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SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
General Land Use (residential, etc.) LAC191101-08 777 North Front Street	The proposed project consists of construction of 573 residential units totaling 625,806 square feet, a 212,250-square-foot hotel with 307 hotel rooms, and 1,067 square feet of retail uses with subterranean parking on 8.09 acres. The project is located on the northeast corner of North Front Street and West Magnolia Boulevard. Reference LAC170703-01, LAC190402-03, and LAC180406-02 Comment Period: N/A Public Hearing: 12/10/2019	Final Environmental Impact Report	City of Burbank	Document reviewed - No comments sent
General Land Use (residential, etc.) LAC191101-12 Duarte Station Specific Plan	The proposed project consists of construction of 1,400 residential units, 12,500 square feet of retail uses, and 100,000 square feet of office uses on 19.09 acres. The project is located on the northwest corner of Highland Avenue and Duarte Road. Reference LAC190903-02 and LAC190321-05 Comment Period: N/A Public Hearing: N/A	Response to Comments	City of Duarte	Document reviewed - No comments sent
General Land Use (residential, etc.) LAC191101-15 ENV-2019-4650: 4020 South Compton Avenue	The proposed project consists of construction of 127 residential units totaling 134,942 square feet on 3.25 acres. The project is located on the northeast corner of Compton Avenue and East 41st Street in the community of Southeast Los Angeles. http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2019/november/LAC191101-15.pdf Comment Period: 10/31/2019 - 11/20/2019 Public Hearing: N/A	Mitigated Negative Declaration	City of Los Angeles	South Coast AQMD staff commented on 11/12/2019
General Land Use (residential, etc.) LAC191106-02 Citrus Oak Residential Subdivision Project	The proposed project consists of construction of 31 residential units totaling 55,800 square feet on 4.2 acres. The project is located on the southwest corner of Bonnie Cove Avenue and Interstate 210. http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2019/november/LAC191106-02.pdf Comment Period: 11/1/2019 - 11/20/2019 Public Hearing: N/A	Mitigated Negative Declaration	City of Glendora	South Coast AQMD staff commented on 11/14/2019

- Project has potential environmental justice concerns due to the nature and/or location of the project.
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**ATTACHMENT A
INCOMING CEQA DOCUMENTS LOG
November 1, 2019 to November 30, 2019**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>General Land Use (residential, etc.)</i> RVC191115-04 River Oaks Ranch	The proposed project consists of construction of 143 residential units on 28.51 acres. The project is located on the northwest corner of Elk Street and Thornton Street. <p style="text-align: center;">Comment Period: 11/12/2019 - 12/3/2019 Public Hearing: 12/3/2019</p>	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Hemet	Document reviewed - No comments sent
<i>Plans and Regulations</i> LAC191106-01 Hollywood Community Plan Update	The proposed project consists of development of land use policies, designations, zoning, and ordinances to guide future commercial and residential development. The project encompasses 21.8 square miles and is bounded by cities of Burbank and Glendale to the north, Interstate 5 to the east, cities of West Hollywood and Beverly Hills to the south, and Sunset Boulevard to the west. Reference LAC181120-08, LAC160527-06, LAC160503-16, LAC111007-01, and LAC110308-06 <p style="text-align: center;">Comment Period: 10/31/2019 - 12/16/2019 Public Hearing: N/A</p>	Notice of Availability of a Recirculated Draft Environmental Impact Report	City of Los Angeles	Document reviewed - No comments sent
<i>Plans and Regulations</i> LAC191108-03 Planned Development, General Plan Amendment, Zoning Code Amendment, and Alexan Foothills Specific Plan and Development Project	The proposed project consists of demolition of 28,400 square feet of existing structures and construction of a 375,729-square-foot building with 436 residential units on 9.63 acres. The project is located on the southeast corner of South Mayflower Avenue and West Evergreen Avenue. Reference LAC191001-13 and LAC181030-01 <p style="text-align: center;">Comment Period: 11/12/2019 - 12/26/2019 Public Hearing: 1/15/2020</p>	Recirculate Draft Environmental Impact Report	City of Monrovia	Document reviewed - No comments sent
<i>Plans and Regulations</i> LAC191121-02 ENV-2019-6109	The proposed project consists of amendments to zoning designations and development standards for 23 lots totaling 158,775 square feet at three locations: 1) on the northwest corner of Crenshaw Boulevard and West Slauson Avenue, 2) on the southeast corner of Crenshaw Boulevard and West 59th Street, and 3) on the southwest corner of Crenshaw Boulevard and West 59th Street in the community of West Adams-Baldwin Hills-Leimert. <p style="text-align: center;">Comment Period: 11/21/2019 - 12/10/2019 Public Hearing: N/A</p>	Negative Declaration	City of Los Angeles	Document reviewed - No comments sent

- 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 A
INCOMING CEQA DOCUMENTS LOG
November 1, 2019 to November 30, 2019**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Plans and Regulations</i> LAC191122-02 Code Amendment No. 2019-02	The proposed project consists of amendments to the City Municipal Code on planning and zoning to be consistent with the City general plan. The project encompasses nine square miles and is bounded by Interstate 10 to the north, City of Diamond Bar to the east, State Route 60 to the south, and City of West Covina to the west. Comment Period: 11/19/2019 - 12/19/2019 Public Hearing: 2/6/2020	Notice of Intent to Adopt a Negative Declaration	City of Walnut	Document reviewed - No comments sent
<i>Plans and Regulations</i> ORC191101-03 Local Coastal Program Amendment 19-4482 and Zoning Ordinance Amendment 19-4483, Downtown Specific Plan	The proposed project consists of development of land use policies, design guidelines, and development standards for 45 acres. The project is located on the northwest corner of Three Arch Cove Beach and South La Senda Drive. Comment Period: 10/21/2019 - 11/20/2019 Public Hearing: 12/17/2019	Notice of Intent to Adopt a Negative Declaration	City of Laguna Beach	Document reviewed - No comments sent
<i>Plans and Regulations</i> ORC191119-04 Code Amendment 20019-002 (CA 2019-002)	The proposed project consists of amendments to the City Municipal Code on sign regulation for freeway adjacent digital display billboards. The project encompasses 11.11 square miles and is bounded by City of Orange to the north, State Route 261 to the east, City of Irvine to the south, and City of Santa to the west. Comment Period: 11/14/2019 - 12/4/2019 Public Hearing: 12/10/2019	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Tustin	Document reviewed - No comments sent
<i>Plans and Regulations</i> RVC191101-16 Arantine Hills Specific Plan	The proposed project consists of construction of 54,378 square feet of commercial uses and a hotel with 135 rooms on 21.67 acres. The project will also include 6.21 acres of open space. The project is located near the southwest corner of Eagle Glen Parkway and Interstate 15. Reference RVC180717-03, RVC160621-06, RVC160506-01, RVC160108-02, RVC120515-01, and RVC100121-02 http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2019/november/RVC191101-16.pdf Comment Period: 10/26/2019 - 11/25/2019 Public Hearing: N/A	Notice of Preparation	City of Corona	South Coast AQMD staff commented on 11/19/2019

- 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 A
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
<p><i>Plans and Regulations</i></p> <p>SBC191119-05 Central Park Master Plan Update reVISION Project</p>	<p>The proposed project consists of development of policies and programs to guide future park development and resource management on a 62.4-acre portion of 102 acres. The project is located at 11200 Base Line Road on the northwest corner of Base Line Road and Milliken Avenue. Reference SBC190822-02</p> <p style="text-align: center;">Comment Period: 11/19/2019 - 12/19/2019 Public Hearing: 12/3/2019</p>	<p>Notice of Preparation</p>	<p>City of Rancho Cucamonga</p>	<p>Under review, may submit written comments</p>

- 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 C
ACTIVE SOUTH COAST AQMD LEAD AGENCY PROJECTS
THROUGH NOVEMBER 30, 2019

PROJECT DESCRIPTION	PROPONENT	TYPE OF DOCUMENT	STATUS	CONSULTANT
<p>The Phillips 66 (formerly ConocoPhillips) Los Angeles Refinery Ultra Low Sulfur Diesel project was originally proposed to comply with federal, state and South Coast AQMD requirements to limit the sulfur content of diesel fuels. Litigation regarding the CEQA document was filed. Ultimately, the California Supreme Court concluded that the South Coast AQMD had used an inappropriate baseline and directed the South Coast AQMD to prepare an EIR, even though the project has been built and has been in operation since 2006. The purpose of this CEQA document is to comply with the Supreme Court's direction to prepare an EIR.</p>	<p>Phillips 66 (formerly ConocoPhillips), Los Angeles Refinery</p>	<p>Environmental Impact Report (EIR)</p>	<p>The Notice of Preparation/Initial Study (NOP/IS) was circulated for a 30-day public comment period on March 26, 2012 to April 26, 2012. The consultant submitted the administrative Draft EIR to South Coast AQMD in late July 2013. The Draft EIR was circulated for a 45-day public review and comment period from September 30, 2014 to November 13, 2014 and two comment letters were received. The consultant prepared draft responses to comments and South Coast AQMD staff provided edits which were incorporated into a draft Final EIR which is undergoing a final review.</p>	<p>Environmental Audit, Inc.</p>
<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 is reviewing the comments received.</p>	<p>Trinity Consultants</p>
<p>Tesoro is proposing to revise the project originally analyzed in the Final Environmental Impact Report for the May 2017 Tesoro Los Angeles Refinery Integration and Compliance Project (LARIC) to adjust the construction schedule and to modify its Title V permit to: 1) relocate the propane recovery component of the original project from the Carson Operations Naphtha Isomerization Unit to the Carson Operations C3 Splitter Unit; 2) increase the throughput of the Carson Operations Tank 35; and, 3) update the toxic air contaminant speciation for the six crude oil storage tanks at the Carson crude terminal with additional data.</p>	<p>Tesoro Refining & Marketing Company, LLC (Tesoro)</p>	<p>Addendum to the Final Environmental Impact Report for the May 2017 Tesoro Los Angeles Refinery Integration and Compliance Project (LARIC)</p>	<p>The Addendum was certified and the revised project was approved on November 5, 2019.</p>	<p>Environmental Audit, Inc.</p>

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BOARD MEETING DATE: January 10, 2020

AGENDA NO. 12

REPORT: Rule and Control Measure Forecast

SYNOPSIS: This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2020, and provides a summary of implementation of the 2016 AQMP in 2019.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Wayne Natri
Executive Officer

PMF:SN:SR:AK:ZS

2020 MASTER CALENDAR

The South Coast AQMD is required by state law to publish a list of all rules potentially scheduled for consideration during the coming year. The Rule and Control Measure Forecast is expanded for this purpose and includes a list of the proposed and proposed amended rules scheduled for 2020. 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, Assembly Bill 617 (AB 617) BARCT, AB 617 Community Emission Reduction Plan (CERP), or Other. Projected emission reductions will be determined during rulemaking. A summary update of the 2016 AQMP is provided after the 2020 Master Calendar.

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.*

2020 MASTER CALENDAR

Month	Title and Description	Type of Rulemaking
February		
1107	<p>Coating of Metal Parts and Products Proposed Amended Rule 1107 will remove exemptions for certain categories consistent with comments from U.S. EPA. <i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
March		
N/A	<p>Ports MOU/Potential Regulations The proposed MOUs with the marine ports will implement the facility-based mobile source measure MOB-01 from the 2016 AQMP. In the event an agreement is not reached for an MOU approach with the ports, staff will pursue a regulatory approach. <i>Zorik Pirveysian 909.396.2431; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 CERP
April		
218*# 218.1	<p>Continuous Emission Monitoring Continuous Emission Monitoring Performance Specifications Proposed Amended Rules 218 and 218.1 will revise provisions for continuous emissions monitoring systems for non-RECLAIM facilities, and RECLAIM and former RECLAIM facilities that transition to a command-and-control regulatory structure. <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
445*	<p>Wood Burning Devices (PM 2.5 Contingency) Proposed Amended Rule 445 will include contingency provisions in the event the region fails to attain the PM2.5 federal ambient air quality standards or to meet any reasonable further progress requirements. <i>Tracy Goss 909.396.3106; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
May		
Reg. III	<p>Fees Proposed amendments to Regulation III will incorporate the Consumer Price Index adjustment to reflect inflation pursuant to Rule 320. Other proposed amendments may be needed to update and add fees associated with existing programs and implementation of new or revised programs. <i>Ian MacMillan 909.396.3244; 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 MASTER CALENDAR (Continued)

Month	Title and Description	Type of Rulemaking
May		
2305 ^{*+}	<p>Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program</p> <p>Proposed Rule 2305 will reduce and facilitate local and regional emission reductions associated with warehouses and mobile sources attracted to warehouses.</p> <p><i>Ian MacMillan 909.396.3244; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 CERP
June		
1117 ^{+#}	<p>Emissions of Oxides of Nitrogen from Glass Melting Furnaces</p> <p>Proposed Amended Rule 1117 will establish NOx emission limits to reflect Best Available Retrofit Control Technology for glass melting furnaces and will apply to RECLAIM and non-RECLAIM facilities.</p> <p><i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
1150.3 ^{*+}	<p>NOx Emission Reductions from Combustion Equipment at Landfills</p> <p>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><i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
1179.1 ^{*+}	<p>NOx Emission Reductions from Combustion Equipment at Publicly Owned Treatment Work Facilities</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.</p> <p><i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT

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Part of the transition of RECLAIM to a command-and-control regulatory structure

2020 MASTER CALENDAR (Continued)

Month	Title and Description	Type of Rulemaking
August		
1147*+ 1147.1*+ 1100##	<p>NOx Reductions from Miscellaneous Sources NOx Reductions from Large Miscellaneous Combustion Proposed Rule 1147.1 will establish NOx emission limits to reflect Best Available Retrofit Control Technology for large miscellaneous combustion sources and will apply to RECLAIM and non-RECLAIM facilities. Proposed Amended Rule 1147 will remove equipment that will be regulated under Proposed Rule 1147.1 and, if needed, revise NOx emission limits to reflect current Best Available Retrofit Control Technology.</p> <p>Implementation Schedule for NOx Facilities Proposed Amended Rule 1100 will establish the implementation schedule for Rule 1147 and 1147.1 equipment at NOx RECLAIM and former NOx RECLAIM facilities. <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other/ AB 617 BARCT
1147*+ 1147.2*+ 1100*#	<p>NOx Reductions from Miscellaneous Sources NOx Reductions from Metal Melting and Heat Treating Furnaces Proposed Rule 1147.2 will establish NOx emission limits to reflect Best Available Retrofit Control Technology for metal melting and heat treating furnaces and will apply to RECLAIM and non-RECLAIM facilities. Proposed Amended Rule 1147 will remove equipment that will be regulated under Proposed Rule 1147.2.</p> <p>Implementation Schedule for NOx Facilities Proposed Amended Rule 1100 will establish the implementation schedule for Rule 1147 and 1147.2 equipment at NOx RECLAIM facilities that are transitioning to command-and-control. <i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ 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 MASTER CALENDAR (Continued)

Month	Title and Description	Type of Rulemaking
August (Continued)		
442.1 1107 1124 1136 1145 1171	<p>Usage of Solvent Coating of Metal Parts and Products</p> <p>Aerospace Assembly and Component Manufacturing Operations</p> <p>Wood Products Coatings</p> <p>Plastic, Rubber, Leather, and Glass Coatings</p> <p>Solvent Cleaning Operations</p> <p>Proposed Rule 442.1 will prohibit the sale, distribution, and application of materials that do not meet the VOC limits specified in Regulation XI rules. Proposed amendments may also be needed to prohibit circumvention of VOC limits in Rules 1107, 1124, 1136, 1145, and 1171.</p> <p style="text-align: center;"><i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
September		
1109*+## 1109.1*+##	<p>Emissions of Oxides of Nitrogen from Boilers and Process Heaters in Petroleum Refineries</p> <p>Reduction of Emissions of Oxides of Nitrogen from Refinery Equipment</p> <p>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
October		
1450*	<p>Control of Methylene Chloride Emissions</p> <p>Proposed Rule 1450 will reduce methylene chloride emissions from furniture stripping and establish monitoring, reporting, and recordkeeping requirements.</p> <p style="text-align: center;"><i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; and Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1469.1*	<p>Spraying Operations Using Coatings Containing Chromium</p> <p>Proposed Amended Rule 1469.1 will establish additional requirements to address hexavalent chromium emissions from spraying operations using chromium primers or coatings.</p> <p style="text-align: center;"><i>Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics/ AB 617 CERP

* Potentially significant hearing

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Part of the transition of RECLAIM to a command-and-control regulatory structure

2020 MASTER CALENDAR (Continued)

Month	Title and Description	Type of Rulemaking
November		
1407.1*	<p>Control of Toxic Air Contaminant Emissions from Chromium Alloy Melting Operations</p> <p>Proposed Rule 1407.1 will establish requirements to reduce point source and fugitive toxic air contaminant emissions from metal melting operations.</p> <p><i>Michael Morris 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics/ AB 617 CERP
1435*	<p>Control of Emissions from Metal Heat Treating Processes</p> <p>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.</p> <p><i>Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics/ AB 617 CERP
December		
1147*+ 1147.3*+ #	<p>NOx Reductions from Miscellaneous Sources</p> <p>NOx Reductions for Equipment at Aggregate Facilities</p> <p>Proposed Rule 1147.3 will establish NOx emission limits to reflect Best Available Retrofit Control Technology for NOx equipment at aggregate facilities and will apply to RECLAIM and non-RECLAIM facilities. Proposed Amended Rule 1147 will remove equipment that will be regulated under Proposed Rule 1147.3.</p> <p><i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176 and Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
1426*	<p>Reduction of Toxic Air Contaminants from Metal Finishing Operations</p> <p>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.</p> <p><i>Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics/ AB 617 CERP

* 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)		
2202*	<p>On-Road Motor Vehicle Mitigation Options 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
Reg. XXIII*+	<p>Facility-Based Mobile Sources 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. <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

* 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>Transfer and Voiding of Permits 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
219	<p>Equipment Not Requiring a Written Permit Pursuant to Regulation II Proposed Amended Rule 219 will add or revise equipment not requiring a written permit. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
222	<p>Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II Proposed Amended Rule 222 will add or revise equipment subject to filing requirements. <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
223	<p>Emission Reduction Permits for Large Confined Animal Facilities 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>Liquid and Gaseous Air Contaminants Proposed Amended Rule 407 will update SO_x 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>Odors from Cannabis Processing 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
431.1 [#]	<p>Sulfur Content of Gaseous Fuels 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 [#]	<p>Sulfur Content of Liquid Fuels 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

* 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
431.3 [#]	<p>Sulfur Content of Fossil Fuels 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
461	<p>Gasoline Transfer and Dispensing Proposed Amended Rule 461 will reflect information from CARB, corrections, revisions, and additions to improve the effectiveness, enforceability, and clarity of the rule. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ Toxics
462	<p>Organic Liquid Loading 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>Organic Liquid Storage 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 [#]	<p>Sulfur Recovery Units Proposed Amended Rule 468 will update SO_x 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 [#]	<p>Sulfuric Acid Units Proposed Amended Rule 469 will update SO_x 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
1101 [#]	<p>Secondary Lead Smelters/Sulfur Oxides Proposed Amended Rule 1101 will update SO_x 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

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2020 To-Be-Determined (Continued)

2020	Title and Description	Type of Rulemaking
1105 [#]	<p>Fluid Catalytic Cracking Units SO_x Proposed Amended Rule 1105 will update SO_x 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/ AB 617 CERP
1110.2 ^{*+##}	<p>Emissions from Gaseous - and Liquid-Fueled Engines 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. <i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
1111	<p>Reduction of NO_x Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces Proposed amendments may be needed for Rule 1111 to address furnaces used in high altitude areas and/or weatherized furnaces. <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
1113	<p>Architectural Coatings Amendments may be needed to clarify applicability of the rule with respect to distribution. <i>Dave DeBoer 909.396.2329; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1118 [*]	<p>Control of Emissions from Refinery Flares 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. <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 CERP
1119 [#]	<p>Petroleum Coke Calcining Operations – Oxides of Sulfur Proposed Amended Rule 1119 will update SO_x 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/ AB 617 CERP
1121 [*]	<p>Control of Nitrogen Oxides from Residential Type, Natural-Gas-Fired Water Heaters Proposed amendments may be needed further reduce NO_x emissions from water heaters. <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP

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2020 To-Be-Determined (Continued)

2020	Title and Description	Type of Rulemaking
1133.3	<p>Emission Reductions from Greenwaste Composting Operations 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><i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
1134	<p>Emissions of Oxides of Nitrogen from Stationary Gas Turbines 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><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>Emissions of Oxides of Nitrogen from Electricity Generating Facilities 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><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>Control of Emissions from Restaurant Operations Proposed Amended Rule 1138 will further reduce emissions from char boilers.</p> <p><i>Tracy Goss 909.396.3106; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
1142	<p>Marine Tank Vessel Operations Proposed Amended Rule 1142 will address VOC and hydrogen sulfide emissions from marine tank vessel operations and provide clarifications.</p> <p><i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1146 [#]	<p>Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters 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><i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other

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2020 To-Be-Determined (Continued)

2020	Title and Description	Type of Rulemaking
1146.1 [#]	<p>Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters</p> <p>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><i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1146.2 [#]	<p>Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters</p> <p>Proposed Amended Rule 1146.2 will be revised to lower the NOx emission limit to reflect Best Available Retrofit Control Technology.</p> <p><i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
1148.1 [*]	<p>Oil and Gas Production Wells</p> <p>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><i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other/ AB 617 CERP
1148.2	<p>Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers</p> <p>Proposed amendments to Rule 1148.2 may be needed to improve notifications of well working activities to the community.</p> <p><i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other/ AB 617 CERP
1166	<p>Volatile Organic Compound Emissions from Decontamination of Soil</p> <p>Proposed Amended Rule 1166 will update requirements, specifically concerning notifications and usage of mitigation plans (site specific versus various locations).</p> <p><i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other

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2020 To-Be-Determined (Continued)

2020	Title and Description	Type of Rulemaking
1173	<p>Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants 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. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other/ AB 617 CERP
1176	<p>VOC Emissions from Wastewater Systems 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>Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities 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>Refinery Fenceline and Community Air Monitoring 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>Asbestos Emissions from Demolition/Renovation Activities 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

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2020 To-Be-Determined (Continued)

2020	Title and Description	Type of Rulemaking
1415 1415.1	<p>Reduction of Refrigerant Emissions from Stationary Air Conditioning Systems, and Reduction of Refrigerant Emissions from Stationary Refrigeration Systems</p> <p>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.</p> <p style="text-align: right;"><i>David De Boer 909.396.2329; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1420	<p>Emissions Standard for Lead</p> <p>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.</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
1420.2	<p>Emission Standards for Lead from Metal Melting Facilities</p> <p>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.</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
1445	<p>Control of Toxic Emissions from Laser Arc Cutting</p> <p>Proposed Rule 1445 will establish requirements to reduce toxic metal particulate emissions from laser arc cutting.</p> <p style="text-align: right;"><i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1469*	<p>Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations</p> <p>Proposed amendments to Rule 1469 may be needed to address use of chemical fume suppressants or other implementation issues.</p> <p style="text-align: right;"><i>Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1470	<p>Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines</p> <p>Proposed Amended Rule 1470 will establish additional provisions to reduce the exposure to diesel particulate from new and existing small (≤ 50 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

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2020 To-Be-Determined (Continued)

2020	Title and Description	Type of Rulemaking
1472	<p>Requirements for Facilities with Multiple Stationary Emergency Standby Diesel-Fueled Internal Combustion Engines Proposed Amended Rule 1472 will remove provisions that are no longer applicable, update and streamline provisions, and assess the need for a Compliance Plans. <i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1480	<p>Toxics Monitoring Proposed amendments to Rule 1480 may be needed to remove fee provisions if they are incorporated in Regulation III. <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
Reg. XIII*#	<p>New Source Review 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. <i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
Reg. XX*#	<p>RECLAIM Proposed Amended Regulation XX will address the transition of RECLAIM facilities to a command and control regulatory structure <i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP

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2020 To-Be-Determined (Continued)

2020	Title and Description	Type of Rulemaking
Reg. II, IV, XIV, XI, XIX, XXIII, XXIV, XXX and XXXV	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.	Other/ AQMP/ Toxics/ AB 617 BARCT/ AB 617 CERP

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The following is a summary of implementation of the 2016 AQMP in 2019.

Summary of 2016 AQMP Implementation

The 2016 AQMP was adopted in March 2017 and approved by the California Air Resources Board the same month. The 2016 AQMP included a comprehensive control strategy with specific control measures to attain upcoming ozone and PM2.5 National Ambient Air Quality Standards.

Staff continued working on fulfilling the Governing Board directive for the 2016 AQMP and Control Measure CMB-05 to require facilities in the REgional CLeAn Air Incentives Market (RECLAIM) Program to implement Best Available Retrofit Control Technology (BARCT). Adoption of these amendments are also needed to meet the requirements of AB 617. Regulation XX was amended to restrict new facilities from entering or exiting the RECLAIM program pursuant to guidance from U.S. EPA. In 2018 and 2019 seven rules (Rules 1110.2, 1118.1, 1134, 1135, 1146, 1146.1, and 1146.2) were amended as part of the BARCT implementation. The total emission reductions resulting from these six rules are 5.3 tpd which are anticipated to be achieved by 2024. Furthermore, eight additional rules (Rules 1109.1, 1117, 1147, 1147.1, 1147.2, 1147.3, 1150.3, and 1179.1) are currently under development and are scheduled for amendment / adoption in calendar year 2020. Table 1 provides a complete list of rules that have been adopted as part of the 2016 AQMP implementation.

**Table 1
2016 AQMP Emission Reductions (tons per day) by Measure/Adoption Date**

Control Measure #	Control Measure Title	Adoption Date	Commitment		Adopted to be Achieved	
			2023	2031	2023	2031
VOC EMISSIONS						
CTS-01	Further Emission Reductions from Coatings, Solvents, Adhesives, and Sealants [R1168]	2017/2021	1.0	2.0	1.4	--
FUG-01	Improved Leak Detection and Repair	2019	2.0	2.0	--	--
CMB-01	Transition to Zero and Near-Zero Emission Technologies for Stationary Sources	2018	1.2	2.8	--	--
CMB-03	Emission Reductions from Non-Refinery Flares [R1118.1]	2018	0.4	0.4	0.014	--
ECC-02	Co-Benefits from Existing Residential and Commercial Building Energy Efficiency Measures	2018	0.07	0.3	--	--
ECC-03	Additional Enhancements in Reducing Existing Residential Building Energy Use	2018	0.2	0.3	--	--
BCM-10	Emission Reductions from Greenwaste Composting	2019	1.5	1.8	--	--
MSC-02	Application of All Feasible Measures	TBD	TBD	TBD	0.88*	
TOTAL VOC REDUCTIONS			6.4	9.6	2.3	--

Table 1 (Continued)
2016 AQMP Emission Reductions (tons per day) by Measure/Adoption Date

Control Measure #	CONTROL MEASURE TITLE	Adoption Date	COMMITMENT		ADOPTED TO BE ACHIEVED	
			2021	2025	2021	2025
PM2.5 EMISSIONS						
BCM-01	Further Emission Reductions from Commercial Cooking	2018	0.0	3.3	--	--
BCM-04	Emission Reductions from Manure Management Strategies [NH3]	2019	0.26	0.2	--	--
BCM-10	Emission Reductions from Greenwaste Composting [NH3]	2019	0.1	0.1	--	--
TOTAL PM2.5 REDUCTIONS			TBD	3.3	--	--
NOx EMISSIONS						
CMB-01	Transition to Zero and Near-Zero Emission Technologies for Stationary Sources	2018	2.5	6.0	--	--
CMB-02	Emission Reductions from Replacement with Zero or Near-Zero NOx Appliances in Commercial and Residential Applications [R1111]	2018	1.1	2.8	0.01	--
CMB-03	Emission Reductions from Non-Refinery Flares [R1118.1]	2018	1.4	1.5	0.2	--
CMB-04	Emission Reductions from Restaurant Burners and Residential Cooking	2018	0.8	1.6	--	--
CMB-05	Further NOx Reductions from RECLAIM Assessment	2022	0.0	5.0	5.1**	--

Table 1 (Continued)
2016 AQMP Emission Reductions (tons per day) by Measure/Adoption Date

Control Measure #	CONTROL MEASURE TITLE	Adoption Date	COMMITMENT		ADOPTED TO BE ACHIEVED	
			2021	2025	2021	2025
Nox EMISSIONS (CONTINUED)						
ECC-02	Co-Benefits from Existing Residential and Commercial Building Energy Efficiency Measures	2018	0.3	1.1	0.3***	--
ECC-03	Additional Enhancements in Reducing Existing Residential Building Energy Use	2018	1.2	2.1	--	--
MOB-04	Emission Reductions at Commercial Airports	2019	TBD	TBD	0.5	--
MOB-10	Extension of the SOON Provision for Construction/Industrial Equipment	Ongoing	1.9	1.9	****	TBD
MOB-11	Extended Exchange Program	Ongoing	2.9	1.0	TBD	TBD
MOB-14	Emission Reductions from Incentive Programs	Ongoing	11	7.8	5.9	TBD
TOTAL NOx REDUCTIONS			23.1	31.0	12.1	TBD

* Includes emission reductions from Rule 1113 amendment adopted in February 2016, which was not reflected in the 2016 AQMP emission inventory.

** Reflects emission reductions from Rules 1110.2, 1134, 1135 and 1146 series (adopted in 2018 and 2019). However, net reduction needs to take into account the RECLAIM shave as described in the 2015 amendment of Rule 2002. Part of these emission reductions resulting from non-RECLAIM facilities could be used to fulfill CMB-01 and CMB-02.

*** A linear extrapolation was used to estimate emission reductions from ECC-02 which are co-benefits from the adoption of State policies, such as SB350 and Title 24.

**** Estimated reductions for MOB-10 included in MOB-14.

South Coast AQMD has also taken several actions to implement the facility-based mobile source measures in the 2016 AQMP to achieve further reductions from mobile sources. On May 4, 2018, the South Coast AQMD Governing Board directed staff to pursue regulatory or voluntary approaches for some of the Basin's largest indirect sources: a voluntary Memorandum of Understanding (MOU) approach with marine ports and commercial airports and regulatory approaches for warehouses/distribution centers, railyards and new and re-development. The MOUs with the marine ports and commercial airports will implement the

facility-based mobile source measures MOB-01 and MOB-04 in the 2016 AQMP. The facility-based mobile source measure for commercial airports was adopted at the December 6, 2019 Governing Board meeting, with a projected NO_x emission reductions of 0.52 and 0.37 tpd in 2023 and 2031, respectively. Development of other facility-based measures for the ports, warehouses, railyards, and new and re-development projects pursuant to the 2016 AQMP control measures MOB-01 through MOB-03 and EGM-01 will continue in 2020.

A key element of the 2016 AQMP is to make available private and public funding to help further the development and deployment of the advanced cleaner technologies such as zero emission and near-zero emission technologies, and also achieve co-benefits from existing programs (e.g., climate and energy efficiency). On January 4, 2019, the South Coast AQMD Governing Board awarded funding to 27 emission reduction incentive projects, totaling over \$47 million (with funding from several South Coast AQMD mitigation and penalty funds) to support the 2016 AQMP's goals. Of the 27 projects, 16 would implement commercially available zero or near-zero control technologies or support infrastructure for implementation of cleaner fuels. These projects are anticipated to result in approximately 88 tons per year of NO_x and 2 tons per year of PM_{2.5} emissions reductions in the Basin, with the majority of the projects implemented in environmental justice communities. Additionally, 11 stationary and mobile source technology demonstration projects were also funded. Upon successful demonstration and deployment, these projects have the potential to provide additional long-term NO_x and VOC emission reductions. The awarded projects are consistent with the commitments in various 2016 AQMP control measures including MOB-14, CMB-02, CMB-04, and ECC-03. To estimate the benefits of zero and near-zero emission technology in the residential and commercial sectors, staff has also been developing an emissions tool to estimate changes in criteria and GHG emissions and costs associated with upgrades in residential and commercial appliances. The Net Emissions Analysis Tool (NEAT), currently under development, will assist in implementing control measures CMB-02 and ECC-03, which seek emission reductions with zero and near-zero NO_x appliances in commercial and residential applications, and integrate energy efficiency enhancements with criteria pollutants (e.g., NO_x) and greenhouse gas emission reduction co-benefits. The NEAT tool is scheduled to be released in Spring 2020.

In addition, South Coast AQMD continues the implementation of ongoing mobile source programs such as Surplus Off-Road Opt-In for NO_x (SOON), the extended exchange program, and incentive programs (e.g., Carl Moyer) specified in the 2016 AQMP control measures MOB-10 (Extension of the SOON Provision for Construction/Industrial Equipment), MOB-11 (Extended Exchange Program), and MOB-14 (Emission Reductions from Incentive Programs). The Mobile Source Incentive Programs listed in Table 2 includes the number of affected mobile source equipment and emission reductions in tons per year (tpy) for projects approved in year 2019.

TABLE 2
Summary of Board Approved 2019 Incentive Programs

Program	Funding Amount	Number of Equipment	NOx (tpy)	PM2.5 (tpy)
Carl Moyer & SOON	\$33,903,879	133	337	2.6
Carl Moyer State Reserve	\$3,460,715	8	27	1.8
FARMER	\$1,841,774	21	31	1.9
AB 617 Community Air Protection Program (CAPP) Incentives	\$68,672,963	465	204	6
EFMP*	\$15,909,816	1940	27	---
Voucher Incentive (VIP)	\$4,235,000	100	70	0.52
Total	\$128,024,147	2667	695	12.82

**Year to date as of December 6, 2019*

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BOARD MEETING DATE: January 10, 2020

AGENDA NO. 13

REPORT: Report of RFPs/RFQs Scheduled for Release in January

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

COMMITTEE: Administrative, December 13, 2019, Reviewed

RECOMMENDED ACTION:

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

Wayne Nastri
Executive Officer

SJ:tm

Background

At its January 8, 2010 meeting, the Board approved a revised Procurement Policy and Procedure. Under the revised policy, RFPs/RFQs for budgeted items over \$75,000, which follow the Procurement Policy and Procedure, no longer require individual Board approval. However, a monthly report of all RFPs/RFQs over \$75,000 is included as part of the Board agenda package and the Board may, if desired, take individual action on any item. The report provides the title and synopsis of the RFP/RFQ, the budgeted funds available, and the name of the Deputy Executive Officer or Assistant Deputy Executive Officer responsible for that item. Further detail including closing dates, contact information, and detailed proposal criteria will be available online at <http://www.aqmd.gov/grants-bids> following Board approval on January 10, 2020.

Outreach

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising the RFPs/RFQs 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 Basin.

Additionally, potential bidders may be notified utilizing South Coast AQMD's own electronic listing of certified minority vendors. Notice of the RFPs/RFQs 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."

Proposal Evaluation

Proposals received will be evaluated by applicable diverse panels of technically-qualified individuals familiar with the subject matter of the project or equipment and may include outside public sector or academic community expertise.

Attachment

Report of RFPs/RFQs Scheduled for Release in January 2020

**January 10, 2020 Board Meeting
Report on RFPs/RFQs Scheduled for Release on January 10, 2020**

(For detailed information visit South Coast AQMD's website at <http://www.aqmd.gov/nav/grants-bids> following Board approval on January 10, 2020)

RESEARCH AND DEVELOPMENT OR SPECIAL TECHNICAL EXPERTISE

RFP #P2020-06 Issue Request for Proposal for Employment and Labor Relations Legal Services OLVERA/2309

South Coast AQMD contracts with outside law firms for employee relations litigation services and for legal counsel on labor and employment law matters. This action is to issue an RFP for the purpose of prequalifying law firms to provide these services as needs arise. Funds for these services are available in the FY 2019-20 Budget and will be requested in successive fiscal years.

REQUEST FOR QUALIFICATION – Prequalified Vendor List

RFQ #Q2020-09 Issue Request for Qualifications to Establish List of Prequalified Vendors for Automotive Mechanical Repair and Service OLVERA/2309

South Coast AQMD's vehicle fleet periodically requires mechanical repairs and servicing. This action is to issue an RFQ to establish a list of prequalified vendors for a three-year period. Funds for this service are included in the FY 2019-20 Budget and will be requested in subsequent fiscal years.

BOARD MEETING DATE: January 10, 2020

AGENDA NO. 14

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, December 13, 2019, Reviewed

RECOMMENDED ACTION:
Receive and file.

Wayne Natri
Executive Officer

RMM:MAH:XC:agg

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.

Summary of Report

The attached report identifies each of 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
January 10, 2020 Board Meeting
Information Management Status Report on Major Ongoing and
Upcoming Projects During the Next Six Months

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
Office 365 Implementation	Acquire and implement Office 365 for South Coast AQMD staff	\$350,000	<ul style="list-style-type: none"> • Pre-assessment evaluation and planning completed • Board approved funding on October 5, 2018 • Developed implementation and migration plan • Acquired Office 365 licenses • Implemented Office 365 email (Exchange) and migrated all users • Trained staff in Office 365 Pro Plus desktop software 	<ul style="list-style-type: none"> • Implement Office 365 internal website (SharePoint) and migrate existing content
Permitting System Automation Phase 1	New Web application to automate the filing of all 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"> • Automated 400A form filing, application processing, and online permit generation for Dry Cleaner, Automotive Spray Booth and Gas Station Modules deployed to production • Enhanced processing of school locations with associated parcels • Deployed upgraded GIS Map integration and enhanced sensitive receptor identification and distance measurement work 	<ul style="list-style-type: none"> • Continue Phase 1.1 project outreach support

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
Permitting System Automation Phase 2	Enhanced Web application to automate filing process of Permit Applications, Rule 222 equipment, and registration process for IC engines; implement electronic permit folder and workflow for internal South Coast AQMD users	\$525,000	<ul style="list-style-type: none"> • Board approved initial Phase 2 funding December 2017 • Phase 2 project startup and detail planning completed May 2018 • Business process model approved • Board approved remaining Phase 2 funding October 5, 2018 • Application submittals and form filing for 23 types of equipment under Rule 222 • Deployment of all 23 Rule 222 equipment forms to stage for user testing completed • User demo and acceptance testing of all equipment forms completed • Forms modified based on user comments • Permitting Automation Workflow/Engineer shadowing/interviewing completed • Workflow analysis report completed • Report outlining recommendations for automation of Permitting Workflow completed 	<ul style="list-style-type: none"> • Development of application submittals and form filing of two (2) of the remaining twenty-six (26) 400-E forms • Deployment of R222 module to production

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
Information Technology Review Implementation	Complete Board requested Information Technology review and initiate work on implementation of key recommendations	\$75,000 (funding included in \$350,000 Office 365 implementation project)	<ul style="list-style-type: none"> • Initiated Implementation Planning and Resource Requirements for key recommendations • Completed Microsoft Project Plan training for all IM Managers, Supervisors and Secretaries • Established internal Information Technology Steering Committee, members and charter • Configured and deployed Project Management software for IM team 	<ul style="list-style-type: none"> • Office 365 deployment
Permit Application Status and Dashboard Statistics	New Web application to allow engineers to update intermediate status of applications; create dashboard display of status summary with link to FIND for external user review	\$100,000	<ul style="list-style-type: none"> • Board approved funding December 2017 • Project startup and detail planning completed • Development of Release 1 and application search module completed • User Acceptance Testing for data capture and user reports modules completed • Internal deployment of application for engineers to populate application related data completed • Enhancements requested by user completed 	<ul style="list-style-type: none"> • Continue user data input for all open applications • Deployment of external application (and linked to FIND) for regulated community to view application related data
Document Conversion Services	Document Conversion Services to convert paper documents stored at South Coast AQMD facilities to electronic storage in OnBase	\$83,000	<ul style="list-style-type: none"> • Released RFQ October 5, 2018 • Approved qualified vendors January 4, 2019 • Executed purchase orders for scanning services • Converted over 1,207,500 rule administrative record documents 	<ul style="list-style-type: none"> • Convert over 2,000,000 contract documents

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"> • Phase 2 Fund Allocation, Administration and Management Reporting modules deployed and in production • Final Phase 2 user requested enhancements: VIN Number, Case Manager, Auto e-mail and document library updates deployed to production • Phase 3 moved to production • Implemented Electric Vehicle Service Equipment and other requested modifications 	<ul style="list-style-type: none"> • Implementation of RZR and PeopleSoft Financial integration module
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"> • Project charter released • Task order issued, evaluated and awarded • Code development of Phase 1, alternative fuel, media integration, and performance improvements completed • User Acceptance Testing of Phase 1 completed 	<ul style="list-style-type: none"> • Beta Release • Deployment of Phase 1 • System development in progress for Phase 2

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"> • Task order issued, evaluated and awarded • Project charter finalized • Business Process Model completed • Sprint 1, 2 and 3 functional and system design completed • Testing of Sprints 1–3: NOVs, MSPAP, settlements, civil and small claims completed • Sprint 4 functional and design requirements: criminal, bankruptcy, non-NOV cases and check registers completed 	<ul style="list-style-type: none"> • Test Sprint 4 modules and retest updates to Sprints 1, 2, and 3 modules • Sprint 5 development: investigative and legal assignments, OnBase and finance integration • Sprint 6 development: reports and data migration
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"> • Project charter released • Task order issued, evaluated and awarded • Requirement gathering and design for Sprint 1, 2, and 3 completed • Sprint 4, Public Portal implementation, completed • Major incident notification deployed • Refinery user training completed • Application demo completed 	<ul style="list-style-type: none"> • Deployment to production

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
VW Environmental Mitigation Action Plan Project	Develop a web application for Zero-Emission Class 8 Freight and Port Drayage Truck Project & Combustion Freight and Marine Project, and incentive programs, and maintain a database that will be queried for reporting to CARB	\$355,000	<ul style="list-style-type: none"> • Project charter document released • Task order issued, evaluated and awarded • Requirement gathering and design for Phase 1 application acceptance completed • System development for Phase 1 completed • Phase 1 User Acceptance Testing completed • Phase 1 Beta testing completed 	<ul style="list-style-type: none"> • Form creation for Class 8 • System deployment to production
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"> • Project charter released • Task order issued, evaluated and awarded • Business requirements gathering completed • System architecture, data storage, and design data ingestion completed • Data transformations, calculations, and averaging completed • Dashboards, microsites, data migration completed • Release 2 User Acceptance Testing completed 	<ul style="list-style-type: none"> • Deployment to production

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
PeopleSoft Electronic Requisition	South Coast AQMD is implementing 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"> • Project charter released • Task order issued, evaluated and awarded • Requirement gathering and system design completed • System setup and code development and user testing for Information Management completed • System setup and code development and user acceptance testing completed for AHR (Administrative and Human Resources) 	<ul style="list-style-type: none"> • Deployment to IM and AHR divisions • Integrated User Testing for other divisions
Data Cable Infrastructure Installation	Vendor to install a full, turnkey data cable infrastructure system with the latest technical specifications that can provide connectivity and a broader network bandwidth	\$273,125	<ul style="list-style-type: none"> • Released RFP July 12, 2019 • Board approved funding on October 4, 2019 • Executed contract 	<ul style="list-style-type: none"> • Complete implementation February 28, 2020
Prequalify Vendor List for PCs, Network Hardware, etc.	Establish list of prequalified vendors to provide customer, network, and printer hardware and software, and to purchase desktop computer hardware upgrades	\$300,000	<ul style="list-style-type: none"> • Released RFQQ November 1, 2019 	<ul style="list-style-type: none"> • Approve Vendors List February 7, 2020

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
Annual Emission Reporting (AER) enhancement	AER program was developed to track emissions of air contaminants from permitted facilities. Substantial enhancements are required to meet the requirements for Rule 301 and AB617	\$275,800	<ul style="list-style-type: none"> • Project charter released • Task order issued, evaluated and awarded • Business requirements gathering completed • System architecture, system design completed • Development of Phase 1 completed 	<ul style="list-style-type: none"> • System Integration Testing and User Acceptance Testing • Deployment of Phase 1 before January 1, 2020 reporting period
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 to meet the new rule requirements	\$68,575	<ul style="list-style-type: none"> • Project charter released • Task order issued, evaluated and awarded • Business requirements gathering completed • Development of Phase 1 completed • Development of Phase 2 completed 	<ul style="list-style-type: none"> • System Integration Testing and User Acceptance Testing • System deployment to production

Projects that have been completed within the last 12 months are shown below.

Completed Projects	
Project	Date Completed
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
Online filing of Rule 1415 – Reduction of Refrigerant Emissions System	June 5, 2019
South Coast AQMD Mobile Application for Android devices	May 30, 2019
Renewal of HP Server Maintenance & Support	April 30, 2019
Implementation of Enterprise Geographic Information System (EGIS) Phase II	March 11, 2019
FIND (Facility Information Detail) upgrade	February 21, 2019

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BOARD MEETING DATE: January 10, 2020

AGENDA NO. 16

REPORT: Administrative Committee

SYNOPSIS: The Administrative Committee held a meeting on Friday, December 13, 2019. The following is a summary of the meeting.

RECOMMENDED ACTION:
Receive and file.

Dr. William A. Burke, Chair
Administrative Committee

nv

Committee Members

Present: Dr. William A. Burke/Chair (videoconference)
Council Member Ben Benoit/Vice Chair
Council Member Michael Cacciotti (videoconference)

Absent: Mayor Judith Mitchell

Call to Order

Chair Burke called the meeting to order at 10:07 a.m.

DISCUSSION ITEMS:

- 1. Board Members' Concerns:** None to report.
- 2. Chairman's Report of Approved Travel:** As noted on the travel report, Mayor Mitchell will attend the monthly CARB Board meeting as South Coast AQMD's representative in Sacramento on January 22-24, 2020 and February 26-28, 2020; and the AB 617 Programs/CARB Board meetings in El Centro on January 14-15, 2020 and in Shafter on February 12-13, 2020.

3. **Report of Approved Out-of-Country Travel:** Dr. Sarah Rees, Assistant Deputy Executive Officer/Planning, Rule Development and Area Sources, and Dr. Elaine Shen, Program Supervisor, will attend meetings in support of the Pacific Rim Initiative for Maritime Emission Reductions (PRIMER) and to discuss the next steps of building multi-regional partnerships to incentivize the deployment of cleaner ships for trans-Pacific goods movement in China on February 10-21, 2020.
4. **Review January 10, 2020 Governing Board Agenda:** None to report.
5. **Approval of Compensation for Board Member Assistant(s)/Consultant(s):** Mayor Mitchell has selected Fred Minassian, who formerly worked at the South Coast AQMD for over 20 years, as her Board Consultant to assist in technical matters.

Moved by Benoit; seconded by Cacciotti, unanimously approved.

Ayes: Benoit, Burke, Cacciotti
Noes: None
Absent: Mitchell

6. **Status Report on Major Ongoing and Upcoming Projects for Information Management:** Ron Moskowitz, Deputy Executive Officer/Chief Information Officer, reported that the VW mitigation website went live two weeks ago, for repowering heavy-duty vehicles with equipment with lower emissions and other clean technologies. On December 12, 2019, the Flare Event Notification System (FENS) went live. The new system captures data and identifies specific equipment that is causing flares, automatically updates the compliance system and notifies inspectors. The public can now use a new interface flare map where current and historical flare notifications on each refinery are displayed. Rule 222 will go live on December 13 which allows the public to submit and obtain registrations for charbroilers, small boilers and negative air machines. By January 1, 2020, annual emissions reporting will go live, which includes AB 617 enhancements. Office 365 has been successfully deployed and all staff have been trained. After researching a number of vendors, staff is in the process of procuring 1.6 million emails for outreach efforts. Council Member Cacciotti inquired about the VW Environmental Mitigation Program website and the status of the VW trust money. Mr. Moskowitz responded that the program went live two weeks ago. Council Member Cacciotti asked about feedback. Mr. Moskowitz responded that there has been positive feedback from CARB.

7. **Report of RFPs/RFQs Scheduled for Release in January:** Sujata Jain, Deputy Executive Officer/Chief Financial Officer, reported that this item is to release one RFP and one RFQ. The RFP is for legal services for employment and labor relations; and the RFQ is to establish a list of prequalified vendors for automotive mechanical repairs and services.

ACTION ITEMS:

8. **Revise Procurement Policy and Procedure:** Ms. Jain reported that this item is to revise the procurement policy for three items. The first is to increase the Executive Officer's signing authority from \$75,000 to \$100,000; the second is to change the terminology from fixed assets to capital assets to be in alignment with accounting pronouncements; the third is to increase the Executive Officer's authority to \$500,000 for purchases of assets, contracts and services that might be immediately needed in an emergency. Ms. Jain further added that in Section VIII, Paragraph C2 of the procurement policy a correction is requested to change the budgeted amount for consulting or professional services on contracts from \$75,000 to \$100,000. Council Member Benoit commented that he is in full support of the ability to maintain operations during an emergency.

Moved by Benoit; seconded by Cacciotti, unanimously approved.

Ayes: Benoit, Burke, Cacciotti
Noes: None
Absent: Mitchell

9. **Approve Transfer of Monies from General Fund to Health Effects Research Fund:** Ms. Jain reported that this item is to transfer 20% of the penalties received in FY 2018-19 that exceed \$4 million to the Health Effects Research Fund from the General Fund.

Moved by Cacciotti; seconded by Benoit, unanimously approved.

Ayes: Benoit, Burke, Cacciotti
Noes: None
Absent: Mitchell

10. **Approve Transfer of Monies from Health Effects Research Fund to Health Effects of Air Pollution Foundation:** Mr. Wayne Natri, Executive Officer, reported that the funding request should have included the indirect cost which makes the actual cost \$3.5 million. The funds are available in the account and this funding will be used to continue the research performed by Dr. Black, and ongoing projects at UCLA and USC. Mr. Harvey Eder, Solar Coalition, provided public testimony on renewable energy and expressed his concerns regarding the toxicity of natural gas.

Moved by Benoit; seconded by Cacciotti, unanimously approved.

Ayes: Benoit, Burke, Cacciotti
Noes: None
Absent: Mitchell

- 11. Reallocate and Appropriate Funds and Execute Purchase Orders for Air Monitoring Programs:** Dr. Jason Low, Assistant Deputy Executive Officer/Science & Technology Advancement reported that these actions are to appropriate up to \$62,000 from the General Fund to the Science & Technology Advancement (STA) budget for this year and next year for community air toxics monitoring program. In addition, this request is to reallocate up to \$160,000 within the existing STA Capital Outlay budget to purchase air monitoring equipment.

Moved by Benoit; seconded by Cacciotti, unanimously approved.

Ayes: Benoit, Burke, Cacciotti
Noes: None
Absent: Mitchell

- 12. Receive and File Annual Report on 457 Deferred Compensation Plan:** Dr. Burke continued this item to the January 2020 Administrative Committee meeting in order to allow staff additional time to gather detailed historical information on companies who have administered the 457 deferred compensation plan.

WRITTEN REPORTS:

- 13. Local Government & Small Business Assistance Advisory Group Minutes for the September 13, 2019 Meeting:** Mr. Alatorre reported that this item is a written report.
- 14. Local Government & Small Business Assistance Advisory Group Minutes for the October 11, 2019 Meeting:** Mr. Alatorre reported that this item is a written report. Mr. Eder provided public comment regarding the small business advisory group, and stated they should do more work with small industries for use of solar technologies.

OTHER MATTERS:

- 15. Other Business:** Council Member Cacciotti commented about MSRC providing \$20 million to Riverside and San Bernardino for warehouse distribution centers and asked about adding a future Board agenda item to transfer penalty monies towards the cost of developing distribution centers in other counties.

16. **Public Comment:** There were no public comments.
17. **Next Meeting Date:** The next regular Administrative Committee meeting is scheduled for January 17, 2020 at 10:00 a.m.

Adjournment

The meeting adjourned at 10:38 a.m.

Attachments

Local Government & Small Business Assistance Advisory Group minutes for the September 13, 2019 and October 11, 2019 meetings



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, SEPTEMBER 13, 2019 MEETING MINUTES

MEMBERS PRESENT:

Supervisor V. Manuel Perez (Board Member)
Mayor Pro Tempore Rachele Arizmendi, City of Sierra Madre
Felipe Aguirre
Paul Avila, P.B.A. & Associates
Geoffrey Blake, Metal Finishers of Southern California
LaVaughn Daniel, DancoEN
John DeWitt, JE DeWitt, Inc.
Bill LaMarr, California Small Business Alliance
Eddie Marquez, Roofing Contractors Association
Council Member Carlos Rodriguez, City of Yorba Linda
David Rothbart, Los Angeles County Sanitation Districts

MEMBERS ABSENT:

Council Member Ben Benoit, LGSBA Chairman (Board Member)
Supervisor Janice Rutherford (Board Member)
Todd Campbell, Clean Energy
Mayor Cynthia Moran, City of Chino Hills
Rita Loof, RadTech International

OTHERS PRESENT:

Priscilla Hamilton, SoCalGas
Cindy Parsons, Los Angeles Department of Water & Power
Frank Prewoznik, Irvine Ranch Water District
Andy Sylva, San Bernardino County
Stacy Taylor, Mesa Water District
Peter Whittingham, Whittingham Public Affairs Advisors
Greg Wolffe, Yorke Engineering

SOUTH COAST AQMD STAFF:

Derrick Alatorre, Deputy Executive Officer
Philip Fine, Deputy Executive Officer
Fabian Wesson, Assistant Deputy Executive Officer
Sarah Rees, Assistant Deputy Executive Officer
Nancy Feldman, Principal Deputy District Counsel
Victor Yip, Sr. Enforcement Manager
De Groeneveld, Sr. Information Technology Specialist
Elaine-Joy Hills, AQ Specialist
Van Doan, AQ Specialist

Agenda Item #1 - Call to Order/Opening Remarks

Supervisor V. Manuel Perez called the meeting to order at 11:31 a.m.

Agenda Item #2 – Approval of July 19, 2019 Meeting Minutes/Review of Follow-Up/Action Items

Supervisor Perez called for approval of the July 19, 2019 meeting minutes. The minutes were approved unanimously.

Agenda Item #3 – Review of Follow Up/Action Items

Mr. Derrick Alatorre stated that there are no follow-up or action items.

Agenda Item #4 – Proposed Amendments to Rule 1403: Asbestos Emissions from Demolition/Renovation Activities

Dr. Sarah Rees provided an overview on the proposed amendments to Rule 1403 and a summary of staff activities.

Mr. Paul Avila asked what the purpose of asbestos use was. Dr. Rees replied that asbestos has good insulation and fire-proofing properties; however, there are associated health risks so it is being replaced by other materials.

Mr. David Rothbart commented that there is confusion regarding Rule 1403 applicability, particularly survey requirements. Mr. Rothbart expressed support for proposed amended Rule (PAR) 1403 and suggested a more streamlined surveying process. Dr. Rees stated that the survey requirements is part of the federal National Emission Standards for Hazardous Air Pollutants (NESHAP) regulations so it cannot be waived. South Coast AQMD is open to discuss what constitutes an adequate survey; however, it needs to be consistent with the federal regulations. Mr. Rothbart referenced an asbestos procedure from Massachusetts and requested for similar flexibility regarding the survey requirements. Dr. Rees stated that the Environmental Protection Agency (EPA) determined that as-built plans are not considered adequate asbestos surveys. Dr. Rees speculated that the Massachusetts procedure may include other information in addition to the as-built plans.

Mr. Bill LaMarr asked if PAR 1403 will introduce extra steps, requiring contractors to obtain clearance from South Coast AQMD. Dr. Rees replied that PAR 1403 doesn't add any additional process steps, it clarifies existing requirements. Mr. LaMarr commented that collaboration with the planning departments is necessary for this rule to be enforceable. He added that planning departments must obtain clearance from South Coast AQMD if they are issuing permits for projects involving asbestos-containing materials. Mr. LaMarr asked how do-it-yourselfers are affected by PAR 1403 since they are unfamiliar with the requirements. Dr. Rees replied that this rule is not applicable to the building/planning departments; it is applicable to owners and operators. However, there has been conversation with those departments regarding notifying the owners and operators of applicable asbestos requirements. As for do-it-yourselfers, this rule is not applicable to homeowners performing the work themselves.

Mr. Carlos Rodriguez asked if there has been any recent correspondence with water districts regarding this rule and what the concerns are. Dr. Rees replied that there has been many meetings with a coalition of water districts regarding this rule. They are concerned about how this rule applies to underground pipes and would like to see separate work practices established. They are also concerned with survey requirements, which are part of the NESHAP regulations. Although, those requirements cannot be removed from the rule, other flexibilities introduced into the rule language will help make it more

practicable and achievable. Currently, there are work practices applicable to underground pipes, which are included in Procedure 3. South Coast AQMD is committed to working with water districts and others to address concerns, but is also ensuring that the minimal federal government requirements are met and work practices are safe. Mr. Rodriguez further asked if there will be an opportunity for the water districts to provide comments. Mr. Alatorre stated that some of the water district representatives have submitted comment cards and will have the opportunity to speak.

Mr. Rodriguez asked if cities have provided feedback and concerns. Dr. Rees replied that this rule applies to cities if they are performing the work themselves. PAR 1403 does not include additional requirements, it provides clarification and flexibility to existing requirements. Mr. Rodriguez asked if Orange County Council of Governments (OCCOG) provided input. Dr. Rees replied that OCCOG has not provided input, but cities and municipal water districts have. Mr. Alatorre added that this topic will be discussed at the next Stationary Source Committee meeting and stakeholders will have the opportunity to provide comments.

Mr. Rodriguez asked what input and concerns have been provided by commercial/industrial/residential groups. Dr. Rees replied that input were provided by the construction industry, particularly asbestos consultants as well as by water districts. One concern was that some of the requirements were ambiguous, the sampling provisions. The proposed amendments clarify those requirements. Mr. Rodriguez asked if the Orange County Division, League of California Cities (OCDLCC) provided input. Dr. Rees replied that OCDLCC has not provided input. Mr. Rodriguez asked if there is an opportunity for OCDLCC to provide input. Dr. Rees replied that staff could reach out to them.

Mr. Rothbart commented that there has been a lot of confusion on the applicability of the rule and suggested targeted outreach to those working with asphalt. Dr. Rees stated that asbestos was found in some asphalt samples tested. However, the results were not expected as asbestos is typically found in asphalt used in cold regions so staff is continuing to evaluate that issue to determine how to proceed.

Mr. Rodriguez asked if this rule applies to projects done by the Orange County Transportation Authority and if they provided input. Dr. Rees replied that this rule is applicable to renovation and demolition activities at facilities and its components, and does not apply to roadway activities. However, if there is evidence that asphalt contains asbestos, then it could be included in future rulemaking efforts to address exposure. Mr. Rodriguez asked if cities conducting general road repairs and maintenance are required to notify South Coast AQMD. Dr. Rees replied that this rule is applicable to renovation and demolition activities at facilities and its components and not to general roadwork. Mr. Rodriguez asked if additional time will be given for notifications. Dr. Rees replied there is a 10-day notification period for non-emergency projects. Mr. Rodriguez asked what the approval timeframe is. Dr. Rees replied that South Coast AQMD approval is not required for the established work practices. A quick response is provided for other cases not included in the established procedures. Mr. Rodriguez asked if the National Association for Industrial and Office Parks (NAIOP) provided comments. Dr. Rees replied no.

Mr. Avila asked where asbestos-containing materials are disposed. Dr. Rees replied they are disposed at hazardous waste landfills.

Public comments regarding this presentation are discussed in Agenda Item #8 – Public Comment section.

Agenda Item #5 – Complaint Reporting Process

Mr. Victor Yip presented on South Coast AQMD's complaint reporting and response procedures.

Mr. LaMarr referenced the slide on Trends of Air Quality Complaints Received and asked what "spots" meant. Mr. Yip replied that "spots" refer to complaints of bee droppings. Mr. LaMarr further asked if the numbers included Assembly Bill (AB) 617 complaints. Mr. Yip replied that all complaints, including those in AB 617 communities, are included in the total numbers.

Mr. Eddie Marquez asked if South Coast AQMD records and responds to complaints regarding chemtrails and bee droppings, even if nothing could be done. Mr. Yip replied that all reported complaints are recorded and responded to.

Mr. Avila asked if complaints regarding past, temporary odor issues are recorded. Mr. Yip replied yes.

Mr. Geoffrey Blake asked if a geographical analysis has been done to show where complaints are being reported. Mr. Yip replied that maps have been created to show the location and concentration of complaints reported.

Agenda Item #6 –Monthly Report on Small Business Assistance Activities

No comments.

Agenda Item #7 - Other Business

Mr. Felipe Aguirre inquired about South Coast AQMD's lack of participation on the Exide Community Advisory Committee. Mr. Alatorre stated that Dr. Joe Lyou represented South Coast AQMD on that committee, however, since his departure, a replacement has not been assigned. Mr. Alatorre stated that South Coast AQMD maintains interaction with Department of Toxic Substance Control (DTSC) regarding Exide and will provide an update at the next meeting. Mr. Aguirre asked if the participant has to be a Governing Board (GB) member. Mr. Alatorre replied that previously, the GB chairman wanted a GB member to participate on the committee, but will ask if staff could also participate.

Action Item: Provide Mr. Aguirre with an update on South Coast AQMD's participation on the Exide Community Advisory Committee.

Ms. Rachelle Arizmendi commended staff on the success of the Environmental Justice Conference held on September 12, 2019.

Agenda Item #8- Public Comment

Ms. Priscilla Hamilton commented on PAR 1403. Ms. Hamilton stated that additional asphalt test data should be evaluated to confirm the presence of asbestos. She indicated that cities, counties, and other stakeholders need to share the burden to address the asphalt issue and suggested the formation of an ad hoc working group to address the asphalt policy and other streamlining issues in Rule 1403. Ms. Hamilton added that SoCalGas would support a South Coast AQMD-led study to evaluate how widespread asbestos in asphalt is in the region.

Ms. Stacy Taylor commented on PAR 1403. Ms. Taylor stated that health and safety is a priority, Rule 1403 needs clarification, PAR 1403 is not expected to result in quantifiable emissions reductions, and asbestos must be properly handled. Ms. Taylor recommended the development of a pipe procedure specific to water/wastewater utilities, a small project exemption, and allowing the use of asbestos-

cement (AC) pipe craft workers for onsite surveys as approved by California Occupational Safety and Health Administration (Cal/OSHA). Ms. Taylor expressed support for a formation of a working group to address the asphalt issue.

Mr. Frank Prewoznik provided comments on PAR 1403. Mr. Prewoznik requested that South Coast AQMD clarify the type of survey required for materials known to not contain asbestos. Mr. Prewoznik stated that there is a legal mandate for the water district to provide an essential service and asked South Coast AQMD to consider that during the rulemaking process.

Ms. Cindy Parsons commented on PAR 1403. Ms. Parsons expressed support for the “call and go” exemption and the expanded definition for emergency renovation. Ms. Parsons suggested a more streamlined approach to demonstrate compliance with the asbestos survey requirement, such as using records. Ms. Parsons stated support for the development of a Procedure 6 for underground utility pipelines. She suggested analysis of asphalt samples to determine the disposal method instead of presuming they contain asbestos.

Mr. Greg Wolffe commented on PAR 1403. Mr. Wolffe stated that it is a challenge to regulate asphalt under Rule 1403, in its current form or as proposed. Mr. Wolffe added that asphalt is not a facility or a facility component, making Rule 1403 inapplicable. Therefore, the sampling, labeling, and disposal requirements for asphalt should be different from other asbestos-containing materials. Mr. Wolffe proposed that asphalt be excluded from Rule 1403 and be included in a separate rule.

Mr. Rothbart stated that this advisory group is not a body that makes decisions, rather one that provides recommendations to the GB. Mr. Rothbart encouraged the public to provide comments at the upcoming Stationary Source Committee meeting and to work with staff to achieve a resolution.

Mr. Rodriguez stated that all the speakers, including Ms. Hamilton and Ms. Taylor, requested to form an ad hoc working group and asked if it is possible for this group to encourage the formation of that type of working group. Mr. Alatorre replied that staff will determine if an ad hoc working group can be formed. Mr. Rodriguez agreed that it is determined by staff and asked if this group is able to formalize a recommendation. Ms. Nancy Feldman stated that she did not have a response and will conduct research. Mr. Rodriguez proposed a motion to support the formation of an ad hoc working group as highlighted by the speakers from SoCalGas, Mesa Water District, and others.

Mr. LaMarr stated that there have been occasions when the Home Rule Advisory Group wrote letters to the Stationary Source Committee to express support on particular issues. Dr. Philip Fine stated that the report from the Home Rule Advisory Group goes to the Stationary Source Committee for consideration and recommended that this group report to the Administrative Committee.

Ms. Rachelle Arizmendi stated that the advisory group could not take action on an item that is not actionable; however, the group could provide guidance to staff to consider the formation of an ad hoc working group.

Mr. Rodriguez pulled the motion and stated that the goal was to strongly encourage and provide direction to staff to consider the request to form an ad hoc working group.

Agenda Item #9 – Next Meeting Date

The next regular Local Government & Small Business Assistance Advisory Group meeting is scheduled for Friday, October 11, 2019 at 11:30 a.m.

Adjournment

The meeting adjourned at 1:05 p.m.



South Coast Air Quality Management District

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LOCAL GOVERNMENT & SMALL BUSINESS ASSISTANCE ADVISORY GROUP FRIDAY, OCTOBER 11, 2019 MEETING MINUTES

MEMBERS PRESENT:

Council Member Ben Benoit, LGSBA Chairman (Board Member)
Supervisor V. Manuel Perez (Board Member)
Supervisor Janice Rutherford (Board Member)
Mayor Pro Tempore Rachele Arizmendi, City of Sierra Madre
Paul Avila, P.B.A. & Associates
Geoffrey Blake, Metal Finishers of Southern California
Todd Campbell, Clean Energy
John DeWitt, JE DeWitt, Inc.
Rita Loof, RadTech International
Eddie Marquez, Roofing Contractors Association
Council Member Carlos Rodriguez, City of Yorba Linda
David Rothbart, Los Angeles County Sanitation Districts

MEMBERS ABSENT:

Felipe Aguirre
LaVaughn Daniel, DancoEN
Bill LaMarr, California Small Business Alliance
Mayor Cynthia Moran, City of Chino Hills

OTHERS PRESENT:

Ruthanne Taylor Berger, Board Member Consultant (*Benoit*)

SOUTH COAST AQMD STAFF:

Derrick Alatorre, Deputy Executive Officer
Amir Dejbakhsh, Acting Deputy Executive Officer
Nancy Feldman, Principal Deputy District Counsel
Daniel Garcia, Planning & Rules Manager
Arlene Farol, Senior Public Information Specialist
Elaine-Joy Hills, Air Quality Specialist
Van Doan, Air Quality Specialist

Agenda Item #1 - Call to Order/Opening Remarks

Chair Ben Benoit called the meeting to order at 11:30 a.m.

Agenda Item #2 – Approval of July 19, 2019 Meeting Minutes/Review of Follow-Up/Action Items

Chair Benoit called for approval of the September 13, 2019 meeting minutes.

Mr. David Rothbart referenced the September 13, 2019 minutes and indicated that discussions regarding Rule 1403, Mr. Carlos Rodriguez's proposed motion, and the encouragement of staff to work with stakeholders on the rule were not reflected in the minutes. Mr. Rothbart stated that there was a discussion regarding the ability of the advisory group to have a motion and what is appropriate, and asked for clarification on whether or not it is something the advisory could do to unanimously provide direction.

Chair Benoit stated that the discussion should be reflected in the minutes.

Mr. Derrick Alatorre stated that staff will revise the minutes and suggested that it be voted on at the next meeting.

Action Item #1: Revise September 13, 2019 minutes.

Chair Benoit directed staff to provide clarification on the procedure for the advisory group to provide input when the body feels that more input is necessary.

Action Item #2: Provide clarification on the procedure for the advisory group to provide input to the Governing Board.

Mr. Rodriguez stated that, "when the motion was retracted, it was because there was seemingly unanimous sentiment to provide a recommendation or direction to staff for them to consider the public comment of moving the issue of asbestos in asphalt-related topic to an ad hoc committee," which occurred following the September meeting. Mr. Rodriguez indicated that although the motion was retracted, the sentiment of the advisory group was to recommend staff to consider an ad hoc committee and was under the impression that the point was taken; however, that sentiment and direction was not provided to staff and would like to see that captured somehow.

Mr. Alatorre stated that it is not going to an ad hoc committee; it is going to the Stationary Source Committee then to the Governing Board. Mr. Rodriguez acknowledged Mr. Alatorre's comment regarding the ad hoc committee.

Mr. Paul Avila asked how much time is available to revise previously approved minutes. Ms. Nancy Feldman replied that the minutes are official and not revisable once they are approved.

Agenda Item #3 – Review of Follow Up/Action Items

Mr. Derrick Alatorre provided a response to the September 13, 2019 action item. He stated that since South Coast AQMD is not a prominent member on the Exide Community Advisory Committee and the Department of Toxic Substance Control (DTSC) is the lead agency, a board member is not appointed to that advisory committee at this time.

Action Item #3: Provide Mr. Felipe Aguirre with information regarding South Coast AQMD's participation with the Exide Community Advisory Committee.

Ms. Rita Loof expressed support for clarification regarding the procedure for the advisory group to express a sentiment. Ms. Loof reiterated the request for an update on Rule 219. Mr. Alatorre stated that an update will be provided at a later meeting.

Agenda Item #4 – Rule 212 Implementation Guideline

Mr. Amir Dejbakhsh presented an overview of the recent update to Engineering and Permitting implementation guideline for public notices under Rule 212: Standards for Approving Permits and Issuing Public Notice.

Mr. Avila asked if a permit is required for the replacement of existing equipment; for example, an air conditioning unit with new equipment having the same specifications. Mr. Dejbakhsh replied that identical equipment replacement is exempt from permitting pursuant to Rule 219; however, replacing an equipment with a different model requires a permit.

Ms. Loof referenced slide #5 and asked how South Coast AQMD determines that an application will result in a reduction of air contaminants. Mr. Dejbakhsh replied that the determination is done during the permitting process and only applies if the equipment is located within 1,000 feet of a school. This implementation guideline update introduces de minimus risks and emissions values, allowing permits to be issued faster and reducing the number of public notices. Ms. Loof asked what the de minimus values are. Mr. Dejbakhsh replied the de minimus values are 0.1 in a million for maximum individual cancer risk (MICR), 0.1 for acute hazard index (HIA) or chronic hazard index (HIC), and less than one pound per day for criteria pollutants.

Mr. Rothbart stated that California Air Resources Board (CARB) and the Office of Environmental Health Hazard Assessment (OEHHA) is considering the addition of 812 new compounds to the Assembly Bill 2588 list and asked how the assumption of emission factors and high concentrations would impact this process. Mr. Dejbakhsh replied that in the past, if an application for equipment modification or addition was submitted when there has been a change in the toxic pollutants list, then a Rule 1401 analysis would be required. The changes to the guidelines indicates that if the risks are less than 0.1 in a million, then a public notice is not required. Mr. Rothbart stated that if the list gets expanded, there will be an increase in calculations and public notices.

Agenda Item #5 – Update on Assembly Bill 617 (AB 617) – Community Air Initiatives

Ms. Arlene Farol provided an update on the progress of AB 617 implementation.

Mr. Avila asked if the same activists attend and comment at the meetings in different areas. Ms. Farol replied that this is a community-based program and the CARB blueprint specifies that 51% of members of the Community Steering Committee (CSC) should be residents of that community and the remaining members include business owners, labor unions, community organizations, schools, or elected officials.

Mr. Geoffrey Blake stated that South Coast AQMD restricts business participation by not allowing businesses to be members on the CSC. Mr. Alatorre and Ms. Farol replied that is not true. Mr. Alatorre indicated that there are business members on the CSC; for example, Marathon Refinery in Long Beach is on the CSC. Mr. Alatorre further stated that businesses are allowed to be on the CSC as long as they

are located within the specific communities. Mr. Blake stated that he was under the impression that businesses were not allowed to participate because several small businesses in those communities were not selected. Mr. Alatorre stated that those particular businesses may not have been selected, but there is business representation on the CSC.

Ms. Loof referenced slide #9 regarding communities that were previously not designated by CARB and asked what the reason was. Ms. Farol replied it may have been due to limited resources available for implementation at that time. Ms. Loof indicated that organizations such as the Small Business Alliance are not allowed to be on the CSC due to no physical presence in those communities, even though they represent businesses located within those communities. Mr. Alatorre stated that this is a community-based program and participation on the CSC is limited to residents, businesses, organizations, and others located within the designated communities.

Mr. Rodriguez asked for clarification on communities designated for Year 1 implementation. Ms. Farol replied the communities listed were selected for Year 1 implementation. Mr. Rodriguez asked what the distinctions between Year 1 and Year 2 implementation are in terms of responsibilities for cities. Ms. Farol replied that Year 1 communities were designated in August/September of 2018 and the CSC process began in October 2018. Ms. Farol stated that following the formation of the CSC, the Community Emissions Reduction Plan (CERP) and Community Air Monitoring Plan (CAMP) were developed and are now being implemented. Ms. Farol further stated that two new communities have been selected by the Governing Board for Year 2 implementation and awaiting CARB designation. Mr. Rodriguez asked what the general community input or feedback were. Mr. Daniel Garcia replied that the concerns were unique to each community. The Wilmington/Carson/West Long Beach (WCWLB) community concerns included emissions from refineries and port activity, the San Bernardino/Muscoy (SBM) community concerns included emissions from trucks and rails driven by the logistics activity, and the Boyle Heights/East Los Angeles/West Commerce (BHELAWC) community concerns included freeways, logistics-driven activities, and industrial facilities. Mr. Garcia further stated that each community was concerned about exposure reduction and were interested in the installation of air filters at schools, hospitals, and homes. The CERP includes a host of strategies and policies to address each of those types of air pollution sources. Mr. Rodriguez asked what the attendance at these meetings is like. Ms. Farol replied that approximately 30-35 CSC members in addition to public members attend these meetings. A typical meeting will have approximately 100 public members in the WCWLB community, 60-70 public members in the SBM community, and 50-60 public members in the BHELAWC community.

Mr. Avila asked if a report will be available after everything is completed and if emissions monitoring and studies are done at closed plants. Mr. Garcia replied that there is a two-step process involving the reports for the AB 617 program. First, the Governing Board adopts the CERPs, which was done in September. Next, the CERPs are presented to CARB for approval, which is scheduled for March 2020. In the future, annual updates on the tracking of emissions reductions and implementation of strategies will be provided. Mr. Garcia asked Mr. Avila for clarification on the second question. Mr. Avila asked if the closing of the battery plant, Exide Technologies, resulted in negative emissions and if the air monitors are detecting that. Mr. Garcia replied that air monitoring data continues to be collected, but will defer this question to staff that are working in that area.

Mr. Todd Campbell asked for examples of the emissions reduction actions. Mr. Garcia replied that there are a host of strategies in each plan, which are unique to each community. One example is a commitment to future refinery rule development resulting in emissions reductions, particularly, a

reduction of nitrogen oxides (NOx) emissions from refineries by half within the next 10 years. Mr. Campbell asked if the commitment to reduce NOx emissions from refineries by half is based on an analysis to determine if it is achievable. Mr. Garcia replied that it is based on a preliminary analysis done by various teams, including Planning, Rule Development & Area Sources (PRDAS) and Compliance & Enforcement (C&E). The SBM community asserted that a number of trucks were idling for more than five minutes or within 100 feet of a school, in violation of CARB's idling rule. As result, a commitment was made to work closely with CARB to conduct enforcement sweeps, which is already being done by C&E. Mr. Campbell asked if the adopted measures are implemented in the designated communities or the entire region. Mr. Garcia replied it is a mixture of both. The idling rule is implemented statewide; however, the community indicated that they have witnessed violations in specific areas and asked for a commitment to focus on those areas.

Mr. Rodriguez asked if the three CERP drafts were adopted by the Governing Board. Mr. Garcia replied that each of the CERPs were adopted with one minor modification to address concerns relating to a transportation agency. Mr. Rodriguez asked for clarification on what the next steps are in the CERP approval process. Mr. Garcia replied that the Governing Board adopted three separate CERPs, each addressing concerns in a specific community. The next step is asking CARB to approve the adopted plans. The approval process includes hosting community meetings in January for additional input, publishing staff reports in February for review, and considering the plans in March for final approval. Mr. Rodriguez asked if the "plans" referred to the three CERPs adopted by the Governing Board and if more plans will be developed. Mr. Garcia stated that the adopted CERPs are for Year 1; the next step is to identify and develop CERPs for other communities for Year 2. Mr. Rodriguez asked if there will be more CERPs beyond Year 2. Mr. Alatorre replied that there will be more plans as this is a state mandate with no sunset date; however, it is dependent on funding.

Ms. Farol indicated that interest forms for the five new communities are available onsite and online.

Mr. Rodriguez asked if the adopted CERPs are still available for public comment since they are drafts. Mr. Garcia replied that the public comment period for the adoption of the CERP has ended; however, public comment may be provided to CARB on the approval of the CERPs. Additionally, comments regarding program implementation may be provided during CSC meetings.

Mr. Alatorre asked if Mr. Rodriguez would like information regarding how communities are selected for AB 617 implementation. Mr. Rodriguez stated that he wanted to reaffirm that stakeholders such as cities and businesses, particularly the City of San Bernardino, have an opportunity to engage in future meetings. Ms. Farol stated that the San Bernardino Transportation Authority is on the CSC. Additionally, there will be future quarterly CSC meetings in each community for existing and new members to discuss implementation of the CERPs. Mr. Rodriguez asked if business stakeholders are on the distribution list. Mr. Alatorre replied that there are businesses on the list, such as BNSF. Staff also reaches out to government and private sectors.

Supervisor V. Manuel Perez referenced a discussion of AB 617 and the selection of communities for Year 2 and stated support for the designation of the Coachella Valley. Supervisor Perez indicated that there were many questions relating to the AB 617 program and recommended staff to develop a 1-2 page summary to provide information including the process, steps after CARB approval, strategies, project descriptions, which communities are involved, and funding (availability, distribution formula and determination of funds).

Mr. Avila asked what happens if the cities, such as Carson, does not implement the approved CERP. Mr. Alatorre replied that these communities are very active and does not foresee them taking that approach as it is important to them that their concerns are addressed. Especially when there are resources and incentive programs available to do so. Mr. Garcia added that responsible organizations were identified in each plan, many of them are cities and local jurisdictions. CSC members who represented those organizations were asked to discuss the proposed commitments with their leaders to ensure that they are able to commit.

Agenda Item #6 –Monthly Report on Small Business Assistance Activities

No comments.

Agenda Item #7 - Other Business

Mr. Rothbart asked if a Public Safety Power Shutoff report is available and stated that there is a policy being developed and was interested on how it would impact permits. Mr. Alatorre stated that report may not be available. Additionally, it needs to be presented to a committee prior to the advisory group for discussion.

Agenda Item #8- Public Comment

No comments.

Agenda Item #9 – Next Meeting Date

The next regular Local Government & Small Business Assistance Advisory Group meeting is scheduled for Friday, November 8, 2019 at 11:30 a.m.

Adjournment

The meeting adjourned at 12:37 p.m.

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BOARD MEETING DATE: January 10, 2020

AGENDA NO. 17

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board met on October 24, 2019, November 21, 2019 and December 5, 12 and 13, 2019. The following are summaries of the meetings.

RECOMMENDED ACTION:

Receive and file.

Judith Mitchell, Member
South Coast AQMD Governing Board

cw

The California Air Resources Board (CARB or Board) held a meeting on October 24, 2019 in Sacramento at the California Environmental Protection Agency Headquarters Building. Key items presented are summarized below.

CONSENT ITEM

19-9-2: Public Hearing to Consider Regulation Setting Requirements for Advance Payment

The Board adopted the proposed regulation setting requirements for advance payment. The regulation clarifies the process for requesting advance payments, streamlines the review and approval process, and provides procedural safeguards to ensure advance payments are adequately regulated.

DISCUSSION ITEM

19-9-4: Public Meeting to Consider Approval of the Proposed Fiscal Year 2019-20 Funding Plan for Clean Transportation Incentives for Low Carbon Transportation Investments and the Air Quality Improvement Program

The Board adopted the proposed Fiscal Year 2019-20 Funding Plan for Clean Transportation Incentives. The plan describes investments funded by two related funding sources: the Low Carbon Transportation Program funded with Cap-and-Trade auction proceeds and the Air Quality Improvement Program. These programs will provide \$533 million for incentives for clean vehicle and equipment projects to reduce greenhouse gas emissions and air pollution. The investments are designed to maximize benefits for disadvantaged communities, low-income communities, and low-income households, and support strategies identified in the Climate Change Scoping Plan, State Implementation Plan, California Sustainable Freight Action Plan, the ZEV Action Plan, and the Senate Bill (SB) 350 Low Income Barriers Study. Staff's proposal builds on investments from previous funding cycles by continuing incentives for zero-emission and plug-in passenger cars, clean trucks and buses, and advanced technology demonstration and pilot projects.

The California Air Resources Board (CARB or Board) held a meeting on November 21, 2019 in Sacramento at the California Environmental Protection Agency Headquarters Building. Key items presented are summarized below.

DISCUSSION ITEMS

19-10-1: Public Meeting to Consider the Progress Report on San Joaquin Valley Emissions Reductions for the 0.08 ppm 8-hour Ozone Standard

The Board adopted the Progress Report on the San Joaquin Valley (Valley) Emissions Reductions for the 0.08 Parts Per Million 8-Hour Ozone Standard (Report). The Report revises the attainment demonstration for the Valley and fulfills the commitment CARB made in 2011 to revisit the 2007 Ozone Plan's air quality modeling to reflect emission inventory improvements and any other new information. In addition, the Report demonstrates that due to the adoption and implementation of new defined measures, the Valley no longer relies on new technology measures, as allowed by the section 182(e)(5) provision of the Clean Air Act (Act), to demonstrate attainment of the ozone standard by the 2023 deadline. The Report fulfills the section 182(e)(5) contingency report requirement and will be submitted to U.S. EPA as a revision to the California SIP.

19-10-2: Public Meeting to Hear the 2019 Legislative Update

The Board heard an update from CARB’s Office of Legislative Affairs. Legislative staff presented a review of air quality and climate change legislation for the first year of the 2019-2020 Legislative Session. In 2019, over 400 pieces of legislation were introduced that related to CARB’s mission, of which CARB analyzed 101 bills. These bills were on topics such as heavy-duty vehicles, Cap-and-Trade auction proceeds, impacts of wildfire smoke, and zero-emission vehicle policy. The Governor signed 15 of these bills, including SB210 which directs CARB to develop a comprehensive heavy-duty inspection maintenance program.

19-10-4: Public Hearing to Consider Proposed Amendments to the Low Carbon Fuel Standard

The Board adopted amendments to the Low Carbon Fuel Standard (LCFS) Regulation. LCFS is a key driver of decarbonization in California’s transportation sector and supports California’s overall climate goals. While adopting the 2018 amendments to the Low Carbon Fuel Standard (LCFS), the Board directed the Executive Officer in Resolution 18-34 to monitor the cost containment provisions of the LCFS program, including the Credit Clearance Market (CCM), and to propose technical adjustments through future rulemaking to reinforce the cost containment provisions, if needed. These amendments strengthen the program’s cost containment provisions and ensure that the revenue generated by utilities receiving credits for residential electric vehicle charging units benefits disadvantaged and low-income communities in addition to providing increased access to electric transportation to low-income individuals.

19-10-5: Public Meeting to Hear an Informational Update on Health Effects of Particulate Matter Exposure

The Board heard an overview from the Research Division on particulate matter (PM) health impacts and new challenges to protecting public health, as well as how CARB is addressing these challenges. The adverse health impacts of particulate matter exposure have been well documented, including cardiovascular and respiratory health effects, and mortality. While PM levels have decreased in California over the last several decades, new PM-related public health challenges are now being identified. These challenges include PM from wildfires and vehicle brake and tire wear, potential risk from ultrafine PM exposure, short-term PM exposure, and disproportionate risk to disadvantaged populations. The presentation also provided an overview of current CARB research aimed at addressing these concerns.

The California Air Resources Board (CARB or Board) held a meeting on December 5, 2019 in Oakland at the DeFremery Recreation Center. Key items presented are summarized below.

DISCUSSION ITEMS

19-11-1: Public Hearing to Consider Proposed Control Measure for Ocean-Going Vessels at Berth

The Board held the first of two public hearings on the proposed Control Measure for Ocean-Going Vessels at Berth (At Berth Regulation). The proposed At Berth Regulation is designed to achieve added public health and air quality benefits by requiring emission controls at additional ports and terminals, and for vessels currently not covered by existing regulations. At the meeting, the Board endorsed the proposed program design and adopted a resolution instructing CARB staff to explore innovative concepts where equivalent or greater community benefits would be achieved by deploying advanced technology concepts and to propose further changes. The Board is tentatively scheduled to consider adopting the At Berth Regulation in the spring of 2020.

19-11-2: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program – Community Emissions Reduction Program for West Oakland

The Board approved the West Oakland community emissions reduction program and directed the Bay Area Air Quality Management District (BAAQMD) to work with the community steering committee and CARB on additional actions to strengthen implementation. *Owning Our Air: The West Oakland Community Action Plan (Plan)* is the first community emissions reduction program the Board considered under Assembly Bill (AB) 617. To develop the Plan, BAAQMD partnered with the West Oakland Environmental Indicators Project (WOEIP) and convened a community steering committee comprised of residents, non-profits, business groups, and the local government. The community steering committee met 14 times from July 2018–July 2019, and BAAQMD and WOEIP hosted a town hall in August 2019.

The California Air Resources Board (CARB or Board) held meetings on December 12 & 13, 2019 in Sacramento at the California Environmental Protection Agency Headquarters Building. Key items presented are summarized below.

CONSENT ITEMS

19-12-1: Public Hearing to Consider the Proposed 2019 Amendments to Area Designations for State Ambient Air Quality Standards

The Board adopted amendments to the regulations designating areas of California as attainment, nonattainment, nonattainment-transitional, or unclassified for pollutants with State ambient air quality standards. CARB is required to annually review and designate areas of California with respect to the State standards and amend the designations if appropriate. Based on a review of air quality data collected from 2016 through 2018, the Board designated Santa Barbara County in the South Central Coast Air Basin as attainment for the State ozone standard, and Yuba County and the portion of Sutter County outside of the Sutter Buttes in the Sacramento Valley Air Basin as nonattainment.

DISCUSSION ITEMS

19-12-9: Public Hearing to Consider Proposed Fuel Cell Net Energy Metering Greenhouse Gas Emission Standards Regulation

The Board adopted the Fuel Cell Net Energy Metering (NEM) Greenhouse Gas (GHG) Emission Standards Regulation (Regulation) for the California Public Utilities Commission's Fuel Cell NEM Program, and directed CARB staff to make 15-day changes to advance the deadlines written into the Regulation. The Regulation was developed in response to Assembly Bill 1637 (Low, Chapter 658, Statutes of 2016), and establishes declining Fuel Cell NEM GHG emission standards for years 2017 through 2022, and lays out the process by which the Executive Officer will update the standards every three years beginning in 2022.

South Coast AQMD Staff Comments/Testimony:

Staff provided comments on behalf of the South Coast AQMD and the California Air Pollution Control Officers Association. Staff noted the benefits of fuel cell technology in displacing diesel generators that are used for emergency or portable power applications which are a significant source of NO_x, PM, and toxic emissions. Staff added that as fuel cells are able to transition to renewable natural gas and hydrogen they will provide significant GHG emission benefits. Staff expressed support for the proposed regulation to deploy cleaner technologies to address the state's overall electricity, climate and air quality needs.

19-12-3: Public Meeting to Consider South Coast 8-hour Ozone State Implementation Plan Update

The Board adopted an update to the South Coast Air Basin 80 parts per billion 8-hour Ozone State Implementation Plan (Ozone SIP Update). The federal Clean Air Act (Act) requires that the State submit contingency measures for the South Coast Air Basin nonattainment area three years before their 2023 attainment date. The contingency measures must be able to achieve any emissions reductions that were needed for attainment of the ozone standard but have not been realized. The Ozone SIP Update outlines a joint CARB and South Coast Air District contingency measure plan that demonstrates the emissions reductions required by the Act that can be achieved through newly identified emission reduction strategies, innovative new measures, additional incentive funding, and federal action and/or funding to reduce emissions from sources under federal jurisdiction. CARB will submit the Ozone SIP Update to U.S. EPA for inclusion in the State Implementation Plan.

South Coast AQMD Staff Comments/Testimony:

Staff provided comments supporting the Plan Update and the requirement to provide contingency measures to cover the Further Deployment of Cleaner Technologies measure that EPA approved as part of the 2016 control strategy update to the SIP. Staff noted that the South Coast AQMD and CARB staff have worked together to identify additional measures and incentive funds to achieve emission reductions as part of the contingency measure plan. A substantial portion of the needed emission reductions are from sources subject to federal regulatory authority and federal action is critical for meeting the standard. Staff stressed the need for all levels of government to take aggressive actions for reducing emissions under their respective authorities to achieve the standard by 2023.

19-12-4: Public Hearing to Consider the Proposed Advanced Clean Trucks Regulation and Draft Environmental Analysis Prepared for the Regulation

The Board held the first of two public hearings on the Proposed Advanced Clean Trucks (ACT) Regulation and directed CARB staff to make 15-day changes to increase the targets in the proposed regulation, and subsequently bring a final proposed regulation back to the Board. The proposed ACT Regulation, first identified as the “Last Mile Delivery” measure in the 2016 State SIP Strategy, is a necessary component for California to achieve established near- and long-term air quality and climate mitigation targets. The primary purpose of the proposed ACT Regulation is to accelerate the market for zero-emission medium- and heavy-duty on-road vehicles in applications that are well suited for their use. Last mile truck fleets, along with other vocational trucks, are extremely well-suited for the introduction of zero-emission technology because they operate in urban centers, have stop and go driving cycles, and are centrally maintained

and fueled. The proposed ACT Regulation sets requirements on manufacturers to sell zero-emission trucks and requires large entities including retailers, manufacturers, and government agencies to report information that would be used for developing future strategies requiring the use of zero-emission trucks. The Board is scheduled to consider adopting the proposed ACT Regulation in 2020.

South Coast AQMD Staff Comments/Testimony:

Staff provided comments regarding the Proposed Advanced Clean Trucks Regulation and noted that more emission reductions are needed in this sector and within CARB's suite of regulatory activities in order to meet ozone attainment in the South Coast AQMD by 2031. Staff urged support for stronger regulatory action to reduce NOx from heavy-duty trucks and use their regulatory and incentive programs to take full advantage of all available low-emission technologies. Staff expressed support for a strong zero emission truck sales mandate and recommended that CARB staff analyze and determine a future truck fleet technology mix consistent with the South Coast AQMD's attainment needs.

19-12-5: Public Hearing to Consider Proposed Amendments to the Regulation for Limiting Ozone Emissions from Indoor Air Cleaning Devices

The Board adopted amendments to the Regulation for Limiting Ozone Emissions from Indoor Air Cleaning Devices. The air cleaner regulation first became effective in 2008. At the time the regulation was drafted, in-duct air cleaners and ozone-generating devices used in some industrial applications were exempted from the regulation. In-duct air cleaners were exempted because there was no approved test method for evaluating ozone emissions from in-duct devices and a lack of data on the California market for such products. There is now an approved test method for measuring ozone emissions from in-duct air cleaners as well as a rapid expansion of the market, especially for in-duct air cleaning devices. The amendments will strengthen the air cleaner regulation by eliminating the in-duct exemption and modifying and clarifying the industrial use exemptions; other amendments will streamline and clarify the certification process, as well as update legal references, definitions, and approved test procedures.

19-12-7: Public Meeting to Hear an Informational Update on the Environmental Justice Research

The Board heard an update on CARB environmental justice research, including results of projects to prioritize sources in disadvantaged communities. Environmental justice (EJ) is a major research area in CARB's Triennial Strategic Research Plan, including an EJ initiative focused on the identification of sources prevalent in disadvantaged communities. Several recent studies have shown there is a disproportionately higher number of mobile and stationary sources (e.g., highway traffic, auto body shops, and oil

and gas wells) in EJ and minority neighborhoods. Research is also being conducted to look at previously less-studied sources, such as methane hotspots as well as pollution from sites in Mexico. In identifying the types of sites that are more prevalent in disadvantaged communities, CARB and other agencies can work to reduce those emissions and the related health disparities.

19-12-6: Public Meeting to Consider Proposed Research Projects for Fiscal Year 2020-2021

The Board approved the Proposed Research Projects for Fiscal Year 2020-2021. These research projects will advance the state of the science and support the Board's efforts to meet California's air quality and climate goals. For fiscal year 2020-2021, CARB proposed six broad-scope projects that each address multiple research initiatives identified in the Triennial Strategic Research Plan. By investing in larger projects, CARB can address long-term goals and challenges holistically. Staff will work with our research partners to develop full proposals. The Executive Officer will then consider the final research proposals for approval and funding with consultation from interested Board Members.

19-12-8: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program - Selection of 2019 Communities

The Board approved the staff's proposed list of new communities for the development of community emission reduction programs and/or community monitoring via the AB 617 Community Air Protection Program. Staff's recommendation for 2019 community selection is consistent with the requirements for community selection specified in statute, the Board's prior direction in 2018, and funding levels provided by the legislature for Program implementation. The 2019 communities are: 1) Portside Environmental Justice Neighborhoods (San Diego APCD), 2) Southwest Stockton (San Joaquin Valley APCD), 3) Eastern Coachella Valley (South Coast AQMD), 4) South East Los Angeles (South Coast AQMD).

South Coast AQMD Staff Comments/Testimony:

Staff expressed support for CARB's recommendations for the Eastern Coachella Valley and South East Los Angeles communities and noted that South Coast AQMD has already been working to establish community partnerships and is eager to work with these communities.. Staff noted that the current funding received by South Coast AQMD is less than the current expenditures and insufficient to effectively implement two additional communities. Staff added that sufficient and consistent funding is necessary to bring much needed resources to environmental justice communities.

19-12-2: Public Meeting to Consider San Joaquin Valley Agricultural Equipment Incentive Measure

The Board adopted the San Joaquin Valley (Valley) Agricultural Equipment Incentive Measure (Incentive Measure). The Incentive Measure achieves SIP creditable emission reductions from agricultural equipment incentive projects. On January 24, 2019, the Board adopted the San Joaquin Valley Air Pollution Control District 2018 Plan for the 1997, 2006, and 2012 PM_{2.5} Standards (Plan) to meet fine particulate matter air quality standards in the Valley. The Plan includes a CARB commitment to develop an incentive measure to reduce emissions by accelerating the introduction of cleaner engines in agricultural equipment. The Incentive Measure represents the first step in meeting this commitment to achieve SIP-creditable emission reductions for 2024 and 2025. With this measure, CARB staff quantifies the emissions reductions and demonstrates how those emissions reductions meet U.S. EPA requirements to qualify for SIP credit. The Incentive Measure demonstrates that, with identified funding programs, California has already achieved half of the emissions reductions expected from accelerated replacement of agricultural engines in 2024 and 2025. Achieving the remaining emission reductions by 2024 and 2025 will require a continued, and adequate, funding stream. CARB will submit the Incentive Measure to U.S. EPA as a revision to the California SIP.

Attachments

CARB October 24, 2019 Meeting Agenda
CARB November 21, 2019 Meeting Agenda
CARB December 5, 2019 Meeting Agenda
CARB December 12 & 13, 2019 Meeting Agenda



PUBLIC MEETING AGENDA

**Thursday,
October 24, 2019**

[Webcast](#)

LOCATION:

California Environmental Protection Agency
California Air Resources Board
Byron Sher Auditorium, 2nd Floor
1001 I Street
Sacramento, California 95814

This facility is accessible by public transit. For transit information, call (916) 321-BUSS, website:

<http://www.sacrt.com>

(This facility is accessible to persons with disabilities.)

TO SUBMIT WRITTEN COMMENTS ON AN AGENDA ITEM IN ADVANCE OF THE MEETING GO TO:

<http://www.arb.ca.gov/lispub/comm/bclist.php>

**Thursday
October 24, 2019
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 Items #

19-9-2: Public Hearing to Consider Regulation Setting Requirements for Advance Payment

The Board will consider adoption of the proposed regulation setting requirements for advance payment. The proposal would clarify the process for requesting advance payments, streamline the review and approval process, and provide procedural safeguards to ensure the advance payments are adequately regulated.

[More Information](#)

[Proposed Resolution](#)

DISCUSSION ITEMS:

Agenda Items #

19-9-4 Public Meeting to Consider Approval of the Proposed Fiscal Year 2019-20 Funding Plan for Clean Transportation Incentives for Low Carbon Transportation Investments and the Air Quality Improvement Program

The Board will consider the Proposed Fiscal Year 2019-20 Funding Plan for Clean Transportation Incentives. The plan describes investments from two related funding sources: the Low Carbon Transportation Program funded with Cap-and-Trade auction proceeds and the Air Quality Improvement Program. These programs provide incentives for clean vehicle and equipment projects to reduce greenhouse gas emissions and air pollution with a priority on benefitting disadvantaged and low-income communities and low-income households. Staff's proposal builds on investments from previous funding cycles by continuing incentives for zero-

emission and plug-in passenger cars, clean trucks and buses, and advanced technology demonstration and pilot projects.

[More Information](#)

[Staff Presentation](#)

CLOSED SESSION

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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.

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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.

Murray Energy Corporation v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1385.

Sowinski v. California Air Resources Board, et al., United States District Court for the 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.

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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, U.S. Court of Appeals, District of Columbia Circuit, Case No. 18-1114.

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 California, et al. v. United States Environmental Protection Agency et al., U.S. District Court, Northern District of California, Oakland Division, Case No. 4:17-cv-6936-HSG.

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.

OPPORTUNITY FOR MEMBERS OF THE BOARD TO COMMENT ON MATTERS OF INTEREST

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(Note: not all agenda items are available for electronic submittals of written comments.)

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IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CLERKS' OFFICE:

1001 I Street, 23rd Floor, Sacramento, California 95814

(916) 322-5594

CARB Homepage: www.arb.ca.gov

SPECIAL ACCOMMODATION REQUEST

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SMOKING IS NOT PERMITTED AT MEETINGS OF THE CALIFORNIA AIR RESOURCES BOARD



PUBLIC MEETING AGENDA

**Thursday,
November 21, 2019**

[Webcast](#)

LOCATION:

California Environmental Protection Agency
California Air Resources Board
Byron Sher Auditorium, 2nd Floor
1001 I Street
Sacramento, California 95814

This facility is accessible by public transit. For transit information, call (916) 321-BUSS, website:

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**TO SUBMIT WRITTEN COMMENTS ON AN AGENDA
ITEM IN ADVANCE OF THE MEETING GO TO:**

<http://www.arb.ca.gov/lispub/comm/bclist.php>

**Thursday
November 21, 2019
9:00 a.m.**

Agenda Items #

19-10-1: Public Meeting to Consider the Progress Report on San Joaquin Valley Emissions Reductions for the 0.08 ppm 8-hour Ozone Standard

The California Air Resources Board (CARB or Board) will consider approving the San Joaquin Valley 8-hour Ozone State Implementation Plan (SIP) emissions reductions progress report that demonstrates that the San Joaquin Valley Air Pollution Control District and CARB have adopted all of the control measures needed to attain the 8-hour 0.08 parts per million ozone standard by 2023. If approved, CARB will submit the report and associated supported documents to the United States Environmental Protection Agency as a revision to the California SIP as required by the federal Clean Air Act.

[More Information](#)

[Staff Presentation](#)

19-10-2: Public Meeting to Hear the 2019 Legislative Update

The California Air Resources Board Legislative Office will present a review of air quality and climate change legislation from the first year of the 2019-2020 Legislative Session.

[More Information](#)

[Staff Presentation](#)

19-10-4: Public Hearing to Consider Proposed Amendments to the Low Carbon Fuel Standard

The Board will consider proposed amendments to the Low Carbon Fuel Standard (LCFS) Regulation, focusing on strengthening the program's cost containment provisions and ensuring that LCFS residential charging credit revenue value benefits disadvantaged and low-income communities.

[More Information](#)

[Staff Presentation](#)

19-10-5: Public Meeting to Hear an Informational Update on Health Effects of Particulate Matter Exposure

The Board will hear an update from the Research Division on an overview of particulate matter health impacts and new challenges to protecting health, as well as how CARB is addressing these challenges.

[More Information](#)

[Staff Presentation](#)

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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 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.

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SMOKING IS NOT PERMITTED AT MEETINGS OF THE CALIFORNIA AIR RESOURCES BOARD



LOCATION:
Defremery Park Recreation Center
1651 Adeline Street
Oakland, California 94607

PUBLIC MEETING AGENDA

**Thursday,
December 5, 2019**

[Webcast](#)

This facility is accessible by public transit. For transit information, call (510) 464-6000, website:

<https://www.bart.gov/>

(This facility is accessible to persons with disabilities.)

TO SUBMIT WRITTEN COMMENTS ON AN AGENDA ITEM IN ADVANCE OF THE MEETING GO TO:

<http://www.arb.ca.gov/lispub/comm/bclist.php>

**Thursday
December 5, 2019
10:00 a.m.**

DISCUSSION ITEMS:

Note: The following agenda items may be heard in a different order at the Board Meeting.

Agenda Items #

19-11-1 Public Hearing to Consider Proposed Control Measure for Ocean-Going Vessels At Berth

Spanish translation will be provided at the Board Meeting for this item, Item 19-11-1.

The California Air Resources Board (CARB or Board) will consider the Control Measure for Ocean-Going Vessels At Berth. The Proposed Regulation would take effect in 2021 and 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 including new vessel categories (such as vehicle carriers and tanker vessels), new ports, and independent marine terminals.

[More Information](#)

[Staff Presentation](#)

19-11-2 Public Hearing to Consider Assembly Bill 617 Community Emission Reduction Program - West Oakland

(This item will not be heard prior to 4:00 p.m.)

Spanish translation will be provided at the Board Meeting for this item, Item 19-11-2.

The community emissions reduction program was developed through a partnership between the Bay Area Air Quality Management District, the West Oakland Environmental Indicators Project, and the steering committee. The Board will consider the West Oakland community emissions reduction program as required by Assembly Bill 617, and it will also consider adopting required findings consistent with applicable provisions of the California Environmental Quality Act.

[More Information](#)

[Staff Presentation](#)

[Community Presentation](#)

CLOSED SESSION

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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. Chao, et al., United States District Court for the District of Columbia, Case No. 1:19-cv-02826.

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, U.S. Court of Appeals, District of Columbia Circuit, Case No. 18-1114.

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 California, et al. v. United States Environmental Protection Agency et al., U.S. District Court, Northern District of California, Oakland Division, Case No. 4:17-cv-6936-HSG.

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.

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PUBLIC MEETING AGENDA

**Thursday, December 12, 2019
and
Friday, December 13, 2019**

[Webcast](#)

LOCATION:

California Environmental Protection Agency
California Air Resources Board
Byron Sher Auditorium, 2nd Floor
1001 I Street
Sacramento, California 95814

This facility is accessible by public transit. For transit information, call (916) 321-BUSS, website:

<http://www.sacrt.com>

(This facility is accessible to persons with disabilities.)

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**Thursday
December 12, 2019
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 #

19-12-1: Public Hearing to Consider the Proposed 2019 Amendments to Area Designations for State Ambient Air Quality Standards

The California Air Resources Board (CARB or Board) will consider proposed amendments to the regulations designating areas of California as attainment, nonattainment, nonattainment-transitional, or unclassified for pollutants with State ambient air quality standards. Based on 2016 to 2018 air quality data, a total of three changes to area designations are proposed for ozone.

[More Information](#)

[Proposed Resolution](#)

DISCUSSION ITEMS:

Note: The following agenda items may be heard in a different order at the Board meeting.

Agenda Item #

19-12-9: Public Hearing to Consider Proposed Fuel Cell Net Energy Metering Greenhouse Gas Emission Standards Regulation

The Board will consider adopting the Fuel Cell Net Energy Metering Greenhouse Gas (GHG) Emission Standards Regulation for the California Public Utilities Commission's Fuel Cell Net Energy Metering Program. This regulation is proposed in response to and in accordance with Assembly Bill 1637 (Low, Chapter 658, Statutes of 2016). The proposed regulation would establish a schedule of annual GHG emission standards and a process for updating the

standards every three years, and would decrease over time to reflect California's GHG emissions reductions in the electricity sector. The Board will also consider adopting an exemption for this project pursuant to the California Environmental Quality Act.

[More Information](#)

[Staff Presentation](#)

19-12-3: Public Meeting to Consider South Coast 8-hour Ozone State Implementation Plan Update

The Board will consider an update to the 2007 South Coast Air Basin (South Coast) 80 parts per billion 8-hour Ozone State Implementation Plan (South Coast Ozone SIP) for the 1997 ozone National Ambient Air Quality Standard. Section 182(e)(5) of the Federal Clean Air Act allows extreme nonattainment areas to rely on reductions from anticipated control techniques and technologies. It also requires contingency measures if the anticipated techniques and technologies do not achieve planned reductions. This update includes the required contingency measures for the South Coast extreme nonattainment area. The Board will also consider adopting required findings consistent with applicable provisions of the California Environmental Quality Act. If approved, CARB will submit the update to United States Environmental Protection Agency for inclusion in the state implementation plan.

[More Information](#)

[Staff Presentation](#)

19-12-4: Public Hearing to Consider the Proposed Advanced Clean Trucks Regulation and Draft Environmental Analysis Prepared for the Regulation

The Board will consider a proposed requirement for truck manufacturers to sell heavy-duty zero-emission trucks in California and a one-time reporting requirement seeking information about large entities' facilities, types of truck services used, and fleet of vehicles. This is the first of two Board hearings.

[More Information](#)

[Staff Presentation](#)

19-12-5: Public Hearing to Consider Proposed Amendments to the Regulation for Limiting Ozone Emissions from Indoor Air Cleaning Devices

The Board will consider amendments to the air cleaner regulation, which limits ozone emissions from air cleaning devices.

[More Information](#)

[Staff Presentation](#)

Friday
December 13, 2019
8:30 a.m.

19-12-7: Public Meeting to Hear an Informational Update on the Environmental Justice Research

The Board will hear an update of CARB environmental justice research, including results of projects to prioritize sources in disadvantaged communities.

[More Information](#)

[Staff Presentation](#)

19-12-6: Public Meeting to Consider Proposed Research Projects for Fiscal Year 2020-2021

The Board will consider approval of the Proposed Research Projects for Fiscal Year 2020-2021. These research projects will advance the state of the science and support the Board's efforts to meet California's air quality and climate goals. If the Proposed Research is approved by the Board, staff will work with our research partners to develop full proposals. The Executive Officer will then consider the full proposals for approval and funding with consultation from interested Board Members.

[More Information](#)

[Staff Presentation](#)

19-12-8: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program – Selection of 2019 Communities

Spanish translation will be provided at the Board Meeting for this item, Item 19-12-8.

The Board will consider for selection staff's proposed list of 2019 communities for the development of community emission reduction programs and/or community monitoring via the Community Air Protection Program. The Board will also consider adopting an exemption for this project pursuant to the California Environmental Quality Act.

[More Information](#)

[Staff Presentation](#)

[Staff Presentation - Spanish](#)

19-12-2: Public Meeting to Consider San Joaquin Valley Agricultural Equipment Incentive Measure

The Board will consider adopting the San Joaquin Valley Agricultural Equipment Incentive Measure for submission to the United States Environmental Protection Agency as a revision to the California State Implementation Plan (SIP). The measure achieves SIP creditable emission reductions from agricultural equipment incentive projects.

[More Information](#)

[Staff Presentation](#)

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.

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.

Murray Energy Corporation v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1385.

Sowinski v. California Air Resources Board, et al., United States District Court for the 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.

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 [Back to Agenda](#)

BOARD MEETING DATE: January 10, 2020

Agenda No. 18

PROPOSAL: Determine That Proposed Amendments to Rule 102 – Definition of Terms, Are Exempt from CEQA and Amend Rule 102

SYNOPSIS: Rule 102 defines the terms used in South Coast Air Quality Management District rules and regulations. Staff is proposing to add “South Coast AQMD” as another abbreviation for the South Coast Air Quality Management District. The use of “South Coast AQMD” instead of “District” as an abbreviation of South Coast Air Quality Management District will be included in new and amended rules; therefore, the new definition must be included in Rule 102.

COMMITTEE: No Committee Review

RECOMMENDED ACTIONS:

Adopt the attached Resolution:

1. Determining that the proposed amendments to Rule 102 – Definition of Terms, are exempt from the California Environmental Quality Act; and
2. Amending Rule 102 – Definition of Terms

Wayne Nastri
Executive Officer

PF:SN:MK:HF:JHL

This Board letter is intended to serve as the staff report for the proposed amendments to Rule 102.

Background

Rule 102 – Definition of Terms, defines the terms used in South Coast Air Quality Management District (South Coast AQMD) rules and regulations. As defined in Rule 102, the South Coast AQMD has been abbreviated as the “District” in official documents, including rules and regulations. In addition, both “AQMD” and “SCAQMD” have historically been used as abbreviations for the South Coast AQMD on the website, in staff reports, and in correspondence. Staff is proposing to add “South Coast AQMD” in Rule 102 to more distinctly describe the agency and its jurisdiction.

The use of “South Coast AQMD” instead of “District” as an abbreviation of South Coast Air Quality Management District will be included in new and amended rules; therefore, the new definitions must be included in Rule 102.

Public Process

This rule change is an administrative amendment; therefore, no public meetings were required or held.

Key Issues

Staff is not aware of any issues.

California Environmental Quality Act

The proposed amendments to Rule 102 have been reviewed pursuant to California Environmental Quality Act (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. Because the proposed addition of the definition “South Coast AQMD” is merely an abbreviation for South Coast Air Quality Management District, the amendment is administrative in nature and would not cause any physical changes that would affect any environmental topic area. Thus, the proposed amendments to Rule 102 are exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062 – Notice of Exemption and is included as Attachment C 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.

Socioeconomic Impact Assessment

The proposed amendments to Rule 102 are administrative in nature and have no adverse socioeconomic impacts.

Comparative Analysis

Health & Safety Code Section 40727.2 (g) is applicable because the proposed amended rule does not impose a new or more stringent emissions limit or standard, or other air pollution control monitoring, reporting, or recordkeeping requirements. As a result, a comparative analysis is not required.

AQMP and Legal Mandates

The California Health and Safety Code requires the South Coast AQMD to adopt an Air Quality Management Plan (AQMP) to meet state and federal ambient air quality standards in the South Coast Air Basin. In addition, the California Health and Safety Code requires the South Coast AQMD to adopt rules and regulations that carry out the objectives of the AQMP but the proposed amendments are not the result of an AQMP control measure.

Resource Impacts

The amendment is administrative in nature, with no additional resource impacts to implement Proposed Amended Rule 102.

Attachments

- A. Rule Language for Proposed Amended Rule 102
- B. Resolution
- C. Notice of Exemption
- D. Board Meeting Presentation

ATTACHMENT A

(Adopted February 4, 1977)(Amended April 1, 1977)(Amended September 2, 1977)
(Amended November 4, 1988)(Amended July 9, 1993)(Amended November 17, 1995)
(Amended June 13, 1997) (Amended March 13, 1998)(Amended June 12, 1998)
(Amended April 9, 1999)(Amended October 19, 2001)(Amended December 3, 2004)
(Amended September 11, 2009)(Amended March 1, 2013)(Amended May 2, 2014)
(Proposed Amended Rule 102 January 10, 2020)

PROPOSED AMENDED RULE 102. DEFINITION OF TERMS

Except as otherwise specifically provided in these rules and except where the context otherwise indicates, words used in these rules are used in exactly the same sense as the same words are used in Division 26 of the Health and Safety Code.

AGRICULTURAL BURNING means open outdoor fires used in agricultural operations in the growing of crops or raising of fowl or animals, or open outdoor fires used in forest management, range improvement, or the improvement of land for wildlife and game habitat or disease and pest prevention. Agricultural burning also includes open outdoor fires used in the operation or maintenance of a system for the delivery of water for the purposes specified above.

AGRICULTURAL OPERATIONS means any operation occurring on a ranch or farm directly related to the growing of crops, or raising of fowl or animals for the primary purpose of making a profit or for a livelihood.

AGRICULTURAL PERMIT UNIT means any article, machine, equipment or other contrivance or combination thereof operated at an agricultural source, which is an agricultural operation and may cause or control the emissions of air contaminants that is not exempt from permit. In addition, each of the following at an agricultural source shall be considered a single agricultural permit unit:

- (A) All confined animal facilities, except that portion that is conveyORIZED feed storage and distribution.
- (B) All conveyORIZED feed storage and distribution at confined animal facilities.
- (C) All orchard wind machines powered by an internal combustion engine with a manufacturer's rating greater than 50 brake horsepower, and operated more than 30 hours in a calendar year.

AGRICULTURAL SOURCE means a source of air pollution or a group of sources used in the production of crops, or the raising of fowl or animals located on contiguous property under common ownership or control that meets any of the following criteria:

- (A) Is a confined animal facility.
- (B) Is a stationary or portable internal combustion engine used in the production of crops or the raising of fowl or animals except an engine that is used to propel implements of husbandry, as that term is defined in Section 36000 of the Vehicle Code, as that section existed on January 1, 2003.
- (C) Is a stationary source required by federal law to be included in an operating permit program established pursuant to Title V of the Federal Clean Air Act (42 U.S.C. Sec. 7661 to 7661f, incl.) and the federal regulation adopted pursuant to Title V, or is a source that is otherwise subject to regulation by a district pursuant to this division or the Federal Clean Air Act (42 U.S.C. Sec. 7401 et seq.)

AGRICULTURAL WASTES means unwanted or unsalable materials produced wholly from agricultural operations, other than forest or range management operations, directly related to the growing of crops or animals for the primary purpose of making a profit or for a livelihood. The term does not include wastes created by land use conversion to non-agricultural purposes unless the destruction of such waste by open outdoor fire is ordered by the County or State Agricultural Commissioner upon his determination that the waste is infested with infections transmittable or contagious plant disease which is an immediate hazard to agricultural operations conducted on adjoining or nearby property.

AIR POLLUTION CONTROL OFFICER means the Executive Officer, or designee of the South Coast Air Quality Management District.

AIR CONTAMINANT or air pollutant means any discharge, release, or other propagation into the atmosphere directly or indirectly caused by man and includes, but is not limited to, smoke, charred paper, dust, soot, grime, carbon, fumes, gases, odors, particulate matters, acids or any combination thereof.

ATMOSPHERE (This definition was adopted on November 16, 1954 for the Metropolitan Zone and on November 23, 1973 for the Southern Zone. It is currently applicable only to the Metropolitan and Southern Zones.) "Atmosphere" means the air that envelopes or surrounds the earth. Where air pollutants are emitted into a building not designed specifically as a piece of air pollution control equipment, such emission into the building shall be considered an emission into the atmosphere.

BASIC EQUIPMENT means any article, machine, equipment or contrivance which causes the issuance of air contaminants.

BREAKDOWN means a condition caused by an accidental fire or non-preventable mechanical or electrical failure.

CLEAN AIR SOLVENT is a VOC-containing material used to perform solvent cleaning, solvent finishing, or surface preparation operations or activities which:

- (A) Contains no more than twenty-five (25) grams of VOC per liter of material, as applied;
- (B) Has a VOC composite partial vapor pressure less than 5 mm Hg at 20°C (68°F);
- (C) Reacts to form ozone at a rate not exceeding that of toluene;
- (D) Contains no compounds classified as Hazardous Air Pollutants (HAPs) by the Federal Clean Air Act, or Ozone Depleting Compounds (ODCs) and Global Warming Compounds (GWCs) as defined by the ~~District~~South Coast AQMD; and
- (E) Has been certified by the ~~District~~South Coast AQMD to meet the criteria stated in (A) through (D) according to test methods and procedures approved by the ~~District~~South Coast AQMD.

CLEAN AIR SOLVENT CERTIFICATE is a certificate issued by the ~~District~~South Coast AQMD to a manufacturer, distributor, or facility for a specified product or class of products that meets the criteria for a Clean Air Solvent.

A Clean Air Solvent Certificate shall be valid for five years from the date of issuance, unless some lesser time is designated and written notification is given by the Executive Officer, and shall be renewed upon the Executive Officer's determination that the product(s) continues to meet the criteria for a Clean Air Solvent. However, the Executive Officer may revoke such Certificate if it is determined that the specific product or class of products does not meet the requirements of Clean Air Solvents as defined at the time of issuance.

COMBUSTIBLE REFUSE means any solid or liquid combustible waste material containing carbon in a free or combined state.

COMBUSTION CONTAMINANTS are particulate matter discharged into the atmosphere from the burning of any kind of material containing carbon in a free or combined state.

COMPLIANCE SCHEDULE means the date or dates by which a source or category of sources is required to comply with specific emission limitations contained in any air pollution rule, regulation, or statute and with any increment of progress toward such compliance.

CONFINED ANIMAL FACILITY (CAF) means a source or group of sources of air pollution at an agricultural source for the raising of 3,360 or more fowl or 50 or more animals, including but not limited to, any structure, building, installation, farm, corral, coop, feed storage area, milking parlor, or system for the collection, storage, or distribution of solid and liquid manure; if domesticated animals, including but not limited to, cattle, calves, horses, sheep, goats, swine, rabbits, chickens, turkeys, or ducks corralled, penned, or otherwise caused to remain in restricted areas for commercial agricultural purposes and feeding is by means other than grazing.

CONTROL EQUIPMENT means air pollution control equipment which eliminates, reduces or controls the issuance of air contaminants.

DISTRICT means the South Coast Air Quality Management District.

DUSTS are minute solid particles released into the air by natural forces or by mechanical processes including, but not limited to, crushing, grinding, milling, drilling, demolishing, shoveling, conveying, covering, bagging, and sweeping.

EXECUTIVE OFFICER means the Executive Officer or designee of the South Coast Air Quality Management District.

EQUIPMENT means any article, machine, or other contrivance.

EXEMPT Compounds are any of the following compounds

(A) Group I

1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC-43-10mee)

1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC 225cb)

3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC 225ca)

(A) Group I (cont.)

acetone

ethane

chlorodifluoromethane (HCFC-22)

trifluoromethane (HFC-23)

2,2-dichloro-1,1,1-trifluoroethane (HCFC-123)

2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124)

pentafluoroethane (HFC-125)

1,1,2,2-tetrafluoroethane (HFC-134)

1,1,1,2-tetrafluoroethane (HFC-134a)

1,1-dichloro-1-fluoroethane (HCFC-141b)

1-chloro-1,1-difluoroethane (HCFC-142b)

1,1,1-trifluoroethane (HFC-143a)

1,1-difluoroethane (HFC-152a)

cyclic, branched, or linear, completely fluorinated alkanes

cyclic, branched, or linear, completely fluorinated ethers with no unsaturations

cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations

sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

difluoromethane (HFC-32)

1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane (C₄F₉OCH₃)2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane
[(CF₃)₂CF₂OCH₃]1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane (C₄F₉OC₂H₅)2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane
[(CF₃)₂CF₂OC₂H₅]

parachlorobenzotrifluoride (PCBTF)

methyl acetate

methyl formate

propylene carbonate

1,1,1,2,3,3,3-heptafluoropropane (HFC-227ea)

trans-1,3,3,3-tetrafluoropropene (HFO-1234ze)

trans-1-chloro-3,3,3-trifluoropropene (HFO-1233zd)

(B) Group II

methylene chloride (dichloromethane)
1,1,1-trichloroethane (methyl chloroform)
trichlorofluoromethane (CFC-11)
dichlorodifluoromethane (CFC-12)
1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113)
1,2-dichloro-1,1,2,2-tetrafluoroethane (CFC-114)
chloropentafluoroethane (CFC-115)
cyclic, branched, or linear, completely methylated siloxanes
(VMS)
tetrachloroethylene (perchloroethylene)
ethylfluoride (HFC-161)
1,1,1,3,3,3-hexafluoropropane (HFC-236fa)
1,1,2,2,3-pentafluoropropane (HFC-245ca)
1,1,2,3,3-pentafluoropropane (HFC-245ea)
1,1,1,2,3-pentafluoropropane (HFC-245eb)
1,1,1,3,3-pentafluoropropane (HFC-245fa)
1,1,1,2,3,3-hexafluoropropane (HFC-236ea)
1,1,1,3,3-pentafluorobutane (HFC-365mfc)
chlorofluoromethane (HCFC-31)
1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a)
1 chloro-1-fluoroethane (HCFC-151a)

The use of Group II compounds and/or carbon tetrachloride may be restricted in the future because they are either toxic, potentially toxic, upper-atmosphere ozone depleters, or cause other environmental impacts. By January 1, 1996, chlorofluorocarbons (CFC), 1,1,1-trichloroethane (methyl chloroform), and carbon tetrachloride were phased out in accordance with the Code of Federal Regulation Title 40, Part 82 (December 10, 1993).

Whenever there is a conflict between the definition of exempt compounds of VOCs in this rule and the definition of exempt compounds of VOCs in another ~~District~~ South Coast AQMD rule, the definition in Rule 102 shall apply.

FLEET VEHICLES means gasoline-powered motor vehicles as defined by Section 415 of the Vehicle Code and which are operated from one business address.

FUGITIVE DUST means any solid particulate matter that becomes airborne, other than that emitted from an exhaust stack, directly or indirectly as a result of the activities of man.

GASOLINE means any petroleum distillate having a Reid vapor pressure of 200 mm Hg (3.9 pounds per square inch), or greater.

HAZARDOUS AIR POLLUTANT means any air pollutant listed as such by the United States Environmental Protection Agency in accordance with Section 112(b)(1) of the Federal Clean Air Act (42 U.S.C. Sec. 7412(b)(1)).

HEARING BOARD means the Hearing Board of the South Coast Air Quality Management District.

INCREMENTS OF PROGRESS means steps to be taken by an owner or operator to bring a source of air contaminants into compliance. (See definition of "Schedule of Increments of Progress.")

LOADING FACILITY means any aggregation or combination of organic liquid loading equipment which is both possessed by one person, and located so that all the organic liquid loading outlets, for such aggregation or combination of loading equipment can be encompassed within any circle of 90 meters (295 feet) in diameter.

MOTOR VEHICLE is a vehicle which is self-propelled.

MULTIPLE-CHAMBER INCINERATOR means any equipment, structure or part of a structure, used to dispose of combustible refuse by burning, consisting of three or more refractory lined combustion chambers, physically separated by refractory walls, interconnected by gas passage ports or ducts.

OIL-EFFLUENT WATER SEPARATOR means any tank, box, sump or other container in which any petroleum or product thereof, floating on or entrained or contained in water entering such tank, box, sump, or other container, is physically separated and removed from such water prior to outfall, drainage, or recovery of such water.

ORCHARD HEATER or citrus grove heater means any equipment burning any type of fuel or material capable of being used, for the purpose of giving protection from frost damage that is approved by the California Air Resources Board to produce no more than one gram of unconsumed solid carbonaceous material. Equipment commonly known as Wind Machines are not included.

ORCHARD WIND MACHINE means an internal combustion engine powered fan used in orchards or in citrus groves exclusively for the purpose of giving protection from frost damage.

ORGANIC MATERIAL means a chemical compound of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides, metallic carbonates and ammonium carbonate.

ORGANIC SOLVENTS include diluents and thinners and are defined as organic materials which are liquids at standard conditions and which are used as solvers, viscosity reducers or cleaning agents, except that such material exhibiting a boiling point higher than 104°C (219°F) at 0.5 mm Hg absolute pressure or having an equivalent vapor pressure shall not be considered to be solvents unless exposed to temperatures exceeding 104°C (219°F).

OZONE-DEPLETING COMPOUNDS (ODCs) are Class I substances identified in 40 CFR, Part 82, Appendix A, Subpart A, including, but not limited to the following compounds:

- 1,1,1-trichloroethane (methyl chloroform)
- trichlorofluoromethane (CFC-11)
- dichlorodifluoromethane (CFC-12)
- 1,1,2-trichloro-1,2,2,-trifluoroethane (CFC-113)
- 1,2-dichloro-1,1,2,2-tetrafluoroethane (CFC-114)
- chloropentafluoroethane (CFC-115)

PARTICULATE MATTER means any material, except uncombined water, which exists in a finely divided form as a liquid or solid at standard conditions.

PPM means parts per million by volume.

PERSON means any individual, firm, association, organization, partnership, business trust, corporation, company, contractor, supplier, installer, user or owner, or any state or local governmental agency or public district or any other officer or employee thereof. PERSON also means the United States or its agencies to the extent authorized by Federal law.

PHOTOCHEMICALLY REACTIVE SOLVENT means any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or which exceeds any of the following individual percentage composition limitations, referred to the total volume of solvent:

- (A) A combination of hydrocarbons, alcohols, aldehydes, ethers, esters or ketones having an olefinic or cycloolefinic type of unsaturation except perchloroethylene: 5 percent;
- (B) A combination of aromatic compounds with eight or more carbon atoms to the molecule except ethylbenzene, methyl benzoate and phenyl acetate: 8 percent;
- (C) A combination of ethylbenzene, ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 percent.

Whenever any organic solvent or any constituent of an organic solvent may be classified from its chemical structure into more than one of the above groups of organic compounds, it shall be considered as a member of the most reactive chemical group, that is, that group having the least allowable percent of the total volume of solvents.

PM-10 means the particulate matter with an aerodynamic diameter smaller than or equal to 10 microns as measured by applicable State and Federal reference test methods.

PROCESS WEIGHT means the total weight of all materials introduced into any specific process which may discharge contaminants into the atmosphere. Solid fuels charged will be considered as part of the process weight, but liquid gaseous fuels and air will not.

PROCESS WEIGHT PER HOUR means the total process weight divided by the number of hours in one complete operation from the beginning of any given process to the completion thereof, excluding any time during which the equipment is idle.

RECEPTOR AREA means that specified geographic area in which the air contaminants emitted from a source area are present or to which they may be transported.

REDUCTION OF ANIMAL MATTER means any heated process, used for rendering, cooking, drying, dehydrating, digesting, evaporating and protein concentrating of animal matter.

REGULATION means one of the major subdivisions of the Rules of the South Coast Air Quality Management District.

RULE means a rule of the South Coast Air Quality Management District.

SCHEDULE OF INCREMENTS OF PROGRESS means a statement of dates when various steps are to be taken to bring a source of air contaminants into compliance with emission standards and shall include, to the extent feasible, the following:

- (A) The dates of submittal of the final plan for the control of emissions of air contaminants from that source to the ~~District~~South Coast AQMD.
- (B) The date by which contracts for emission control systems or process modifications will be awarded, or the date by which orders will be issued for the purchase of component parts to accomplish emission control or process modification.
- (C) The date of initiation of on-site construction or installation of emission control equipment or process change.
- (D) The date by which on-site construction or installation of emission control equipment or process modification is to be completed.
- (E) The date by which final compliance is to be achieved.
- (F) Such other dates by which other appropriate and necessary steps shall be taken to permit close and effective supervision of progress toward timely compliance.

SMALL BUSINESS means a business which is independently owned and operated and meets the following criteria, or if affiliated with another concern, the combined activities of both concerns shall meet these criteria:

- (A) the number of employees is 10 or less; and
- (B) the total gross annual receipts are \$500,000 or less; or
- (C) not-for-profit training center.

For the purpose of qualifying for assistance offered by the ~~District's~~South Coast AQMD's Small Business Assistance Office only, a small business means a business with

total gross annual receipts of \$5,000,000 or less, or a business with a total number of employees of 100 or less.

SOLID PARTICULATE MATTER means particulate matter which exists as a solid at standard conditions.

SOURCE AREA means that specified geographic area in which air contaminants are emitted.

SOUTH COAST AQMD means South Coast Air Quality Management District.

STANDARD CONDITIONS are a gas temperature of 60°F and a gas pressure of 760 mm Hg (14.7 pounds per square inch) absolute.

SUBMERGED FILL PIPE means any fill pipe the discharge opening of which is completely submerged when the liquid level is 15 centimeters (6 inches) above the bottom of the container; or when applied to a container which is loaded from the side, it means any fill pipe the opening of which is entirely submerged when the liquid level is 45 centimeters (18 inches) above the bottom of the container.

VEHICLE is a device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved by human power or used exclusively upon stationary rails or tracks.

VOLATILE ORGANIC COMPOUND (VOC) is any volatile compound of carbon, excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonate, and exempt compounds.

ATTACHMENT B

RESOLUTION NO. 20-____

A Resolution of the Governing Board of the South Coast Air Quality Management District (South Coast AQMD) determining that Proposed Amended Rule 102 – Definition of Terms is exempt from the requirements of the California Environmental Quality Act (CEQA).

A Resolution of the South Coast AQMD Governing Board amending Rule 102 – Definition of Terms.

WHEREAS, the South Coast AQMD Governing Board has determined that Rule 102 should be amended to add “South Coast AQMD” as another abbreviation for the South Coast Air Quality Management District; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that Proposed Amended Rule 102 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 Proposed Amended Rule 102 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 Proposed Amended Rule 102 is exempt from CEQA; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that, because the proposed project is administrative and procedural in nature and would not cause any physical changes that would affect any environmental topic area, it can be seen with certainty that there is no possibility that Proposed Amended Rule 102 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

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, Proposed Amended Rule 102 and the January 10, 2020 South Coast AQMD Governing Board letter, including the Notice of Exemption and other supporting documentation, were presented to the South Coast AQMD Governing Board and the South Coast AQMD Governing Board has reviewed and considered this information, as well as has taken and considered staff testimony and public comment prior to approving the project; and

WHEREAS, the South Coast AQMD Governing Board finds and determines, taking into consideration the factors in Section (d)(4)(D) of the Governing Board Procedures (codified as Section 30.5(4)(D)(i) of the Administrative Code), that there were no modifications to Proposed Amended Rule 102 since the Notice of Public Hearing was published; and

WHEREAS, Proposed Amended Rule 102 will be submitted for inclusion into the State Implementation Plan; and

WHEREAS, Health and Safety Code Section 40727 requires that prior to adopting, amending or repealing a rule or regulation, the South Coast AQMD 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 Board Letter (that serves as the Staff Report); and

WHEREAS, the South Coast AQMD Governing Board has determined that a need exists to amend Rule 102 – Definition of Terms to further distinguish the current abbreviation of the “District” and “AQMD” for the South Coast Air Quality Management District; and

WHEREAS, the South Coast AQMD Governing Board obtains its authority to adopt, amend, or repeal rules and regulations from Sections 39002, 40000, 40001, 40440, 40702, 40725 through 40728, 41508, and 41700 of the Health and Safety Code; and

WHEREAS, the South Coast AQMD Governing Board has determined that Rule 102, as proposed to be amended, is written and displayed so that its meaning can be easily understood by persons directly affected by it; and

WHEREAS, the South Coast AQMD Governing Board has determined that Rule 102, as proposed to be amended, is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations; and

WHEREAS, the South Coast AQMD Governing Board has determined that Rule 102, as proposed to be amended, does not impose the same requirements as any existing state or federal regulations, and the proposed amended rule is necessary and proper to execute the powers and duties granted to, and imposed upon, the South Coast AQMD; and

WHEREAS, the South Coast AQMD Governing Board, in amending the regulation, references the following statute which the South Coast AQMD hereby implements, interprets or makes specific: Health and Safety Code Section 40440 (c) (adoption of rules and regulations to assure efficiency of administrative practice); and

WHEREAS, the South Coast AQMD Governing Board has determined that a Socioeconomic Impact Assessment is not required, pursuant to Health and Safety Code Section 40440.8 or 40728.5, because Proposed Amended Rule 102 is administrative in nature and will not have a significant impact on air quality or emissions limitations and no known cost impact; and

WHEREAS, the public hearing has been properly noticed in accordance with all provisions of Health and Safety Code Section 40725; and

WHEREAS, the South Coast AQMD Governing Board has held a public hearing in accordance with all provisions of law; and

WHEREAS, the South Coast AQMD specifies that the Planning and Rules Manager of Rule 102 is the custodian of the documents or other materials which constitute the record of proceedings upon which the adoption of the proposed amendments is based, which are located at the South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, California; and

NOW, THEREFORE BE IT RESOLVED, that the South Coast AQMD Governing Board does hereby determine, pursuant to the authority granted by law, that Proposed Amended Rule 102 is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. This information has been 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 Proposed Amended Rule 102; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board does hereby adopt, pursuant to the authority granted by law, Proposed Amended Rule 102 as set forth in the attached, and incorporated herein by this reference.

BE IT FURTHER RESOLVED, that the Executive Officer is hereby directed to forward a copy of this Resolution and Proposed Amended Rule 102 to the California Air Resources Board for approval and subsequent submittal to the U.S. Environmental Protection Agency for inclusion into the State Implementation Plan.

DATE: _____

CLERK OF THE BOARDS

ATTACHMENT C



South Coast Air Quality Management District

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

SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

PROJECT TITLE: PROPOSED AMENDED RULE 102 – DEFINITION OF TERMS

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.

South Coast AQMD staff is proposing to amend Rule 102 to add the definition “South Coast AQMD,” which is another abbreviation for the South Coast Air Quality Management District to more distinctly describe the agency and jurisdiction under its authority.

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 Proposed Amended Rule 102 is administrative in nature and would not cause any physical changes that would 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.

Any questions regarding this Notice of Exemption should be directed to Ryan Bañuelos (c/o Planning, Rule Development and Area Sources) at the above address. Mr. Bañuelos can also be reached at (909) 396-3479. Mr. Jong Hoon Lee is also available at (909) 396-3903 to answer any questions regarding Proposed Amended Rule 102.

Date: November 8, 2019

Signature: _____

A handwritten signature in black ink, appearing to read "Barbara Radlein", is written over a horizontal line.

Barbara Radlein
Program Supervisor, CEQA
Planning, Rule Development, and Area Sources

**NOTICE OF EXEMPTION FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

To: County Clerks
Counties of Los Angeles, Orange,
Riverside and San Bernardino

From: South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Project Title: Proposed Amended Rule 102 – Definition of Terms

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).

Description of Nature, Purpose, and Beneficiaries of Project: South Coast AQMD staff is proposing to amend Rule 102 to add the definition “South Coast AQMD,” which is another abbreviation for the South Coast Air Quality Management District to more distinctly describe the agency and jurisdiction under its authority.

Public Agency Approving Project: South Coast Air Quality Management District

Agency Carrying Out Project: South Coast Air Quality Management District

Exempt Status:
CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption

Reasons why project is exempt: Pursuant to the California Environmental Quality Act (CEQA), South Coast AQMD staff, as Lead Agency, has reviewed Proposed Amended Rule 102 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 Proposed Amended Rule 102 is administrative in nature and would not cause any physical changes that would 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.

Date When Project Will Be Considered for Approval (subject to change):
South Coast AQMD Governing Board Hearing: January 10, 2020; South Coast AQMD Headquarters

CEQA Contact Person:	Phone Number:	Email:	Fax:
Mr. Ryan Bañuelos	(909) 396-3479	rbañuelos@aqmd.gov	(909) 396-3982

Rule Contact Person:	Phone Number:	Email:	Fax:
Mr. Jong Hoon Lee	(909) 396-3903	jhlee@aqmd.gov	(909) 396-3324

Date Received for Filing: _____ **Signature:** _____ *(Signed Upon Board Approval)*
Barbara Radlein
Program Supervisor, CEQA
Planning, Rule Development, and Area Sources

Proposed Amended Rule 102: Definition of Terms

Governing Board Meeting
January 10, 2020

Background

- Rule 102 defines terms used in rules and regulations
 - Currently, South Coast Air Quality Management District is defined as “**District**”
- Historically, “AQMD,” “SCAQMD,” and “District” have been used to describe the South Coast Air Quality Management District
 - “AQMD” and “District” can describe other agencies (e.g., water district, other Air Quality Management Districts)
 - Jurisdiction is not highlighted
- “South Coast AQMD” in harmony with terminology used by other California air districts (e.g., Bay Area AQMD, San Diego APCD, etc.)

[Adopted February 4, 1977](Amended April 1, 1977)(Amended September 2, 1977)
(Amended November 4, 1993)(Amended July 9, 1993)(Amended November 17, 1995)
(Amended June 13, 1997)(Amended March 13, 1998)(Amended June 12, 1998)
(Amended April 9, 1999)(Amended October 19, 2001)(Amended December 3, 2004)
(Amended September 11, 2009)(Amended March 1, 2013)(Amended May 2,
2014)(Proposed Amended Rule December 6, 2019)

PROPOSED AMENDED RULE 102. DEFINITION OF TERMS

Except as otherwise specifically provided in these rules and except where the context otherwise indicates, words used in these rules are used in exactly the same sense as the same words are used in Division 26 of the Health and Safety Code.

AGRICULTURAL BURNING means open outdoor fires used in agricultural operations in the growing of crops or raising of fowl or animals, or open outdoor fires used in forest management, range improvement, or the improvement of land for wildlife and game habitat or disease and pest prevention. Agricultural burning also includes open outdoor fires used in the operation or maintenance of a system for the delivery of water for the purposes specified above.

AGRICULTURAL OPERATIONS means any operation occurring on a ranch or farm directly related to the growing of crops, or raising of fowl or animals for the primary purpose of making a profit or for a livelihood.

AGRICULTURAL PERMIT UNIT means any article, machine, equipment or other contrivance or combination thereof operated at an agricultural source, which is an agricultural operation and may cause or control the emissions of air contaminants that is not exempt from permit. In addition, each of the following at an agricultural source shall be considered a single agricultural permit unit:

- (A) All confined animal facilities, except that portion that is conveyORIZED feed storage and distribution.
- (B) All conveyORIZED feed storage and distribution at confined animal facilities.
- (C) All orchard wind machines powered by an internal combustion engine with a manufacturer's rating greater than 50 brake horsepower, and operated more than 30 hours in a calendar year.

AGRICULTURAL SOURCE means a source of air pollution or a group of sources used in the production of crops, or the raising of fowl or animals located on contiguous property under common ownership or control that meets any of the following criteria:

PAR 102 - 1

ENV 103 - 1

AGRICULTURAL SOURCE means a source of air pollution or a group of sources used in the production of crops or the raising of fowl or animals located on contiguous property under common ownership or control that meets any of the following criteria:

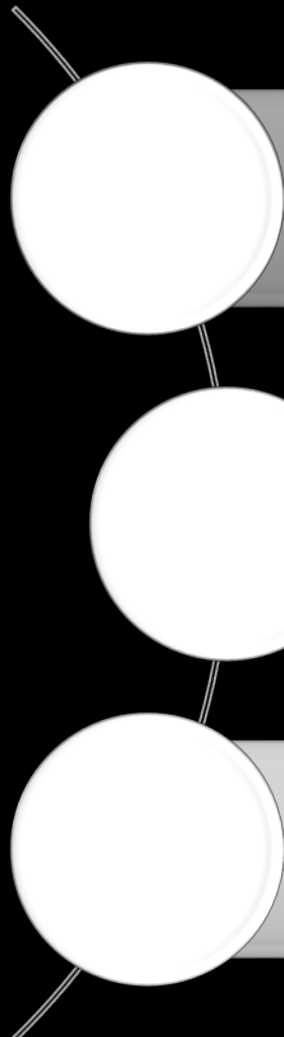
- (A) All confined animal facilities, except that portion that is conveyORIZED feed storage and distribution.
- (B) All conveyORIZED feed storage and distribution at confined animal facilities.
- (C) All orchard wind machines powered by an internal combustion engine with a manufacturer's rating greater than 50 brake horsepower, and operated more than 30 hours in a calendar year.

Proposed Amendment

Add “South Coast AQMD” to
Rule 102 – Definition of Terms

Enhances the identification of the
agency in an abbreviated form

Staff Recommendations



Determine that proposed amendments to Rule 102 – Definition of Terms are exempt from CEQA

Adopt the Resolution

Amend Rule 102 – Definition of Terms

BOARD MEETING DATE: January 10, 2020

Agenda No. 19

PROPOSAL: Determine That Proposed Amendment to Rule 1100 – Implementation Schedule for NOx Facilities, Is Exempt from CEQA and Amend Rule 1100

SYNOPSIS: Rule 1100 establishes the implementation schedule for some NOx source-specific rules for RECLAIM and former RECLAIM facilities. Rule 1100 includes specific provisions for facilities with equipment that are in an “industry-specific category.” Proposed Amended Rule 1100 will modify the definition of industry-specific category to clarify the applicability as originally intended.

COMMITTEE: No Committee Review

RECOMMENDED ACTIONS:

Adopt the attached Resolution:

1. Determining that the proposed amendment to Rule 1100 – Implementation Schedule for NOx Facilities, is exempt from the California Environmental Quality Act; and
2. Amending Rule 1100 – Implementation Schedule for NOx Facilities

Wayne Natri
Executive Officer

PF:SN:MK:HF:JHL

This Board letter is intended to serve as the staff report for the proposed amendment to Rule 1100.

Background

Regulation XX – Regional Clean Air Incentives Market (RECLAIM) program was adopted in October 1993 and is a market-based program for facilities with more than four tons per year of NOx or SOx emissions. Staff has been working on a series of rules that establish NOx BARCT emission limits for equipment at RECLAIM and former RECLAIM facilities. The implementation schedule for RECLAIM and former RECLAIM facilities is specified in Rule 1100 - Implementation Schedule for NOx Facilities for three source-specific rules: Rule 1110.2 – Emissions from Gaseous- and Liquid-Fueled Engines; Rule 1146 – Emissions of Oxides of Nitrogen from Industrial,

Institutional, and Commercial Boilers, Steam Generators, and Process Heaters; and Rule 1146.1 – Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters. Under Rule 1100, RECLAIM and former RECLAIM facilities that are subject to an “industry-specific category” are exempt from the NOx emission limits in Rules 1110.2, 1146, and 1146.1. The definition of industry-specific category under Rule 1100 refers to facilities subject to NOx emission limits in a rule adopted on or after November 2, 2018 for refineries or electricity generating facilities. Additional clarification is needed for the definition of industry-specific category to reflect the intent to include facilities that are, or will be, subject to a rule that is, or will be, adopted.

Proposal

Proposed Amended Rule 1100 would modify the definition of “industry specific category” to clarify the intent. Rule 1100 currently defines industry-specific category as:

INDUSTRY-SPECIFIC CATEGORY means RECLAIM or former RECLAIM facilities subject to NOx emission limits in a rule adopted on or after November 2, 2018 for refineries or electricity generating facilities.

The intent of this definition was to exempt equipment from the NOx emission limits of Rules 1110.2, 1146, and 1146.1 that will be regulated in an industry-specific rule for refineries and related industries under Proposed Rule 1109.1 – Emissions of Oxides of Nitrogen from Petroleum Refineries and Related Industries, and electrical generating facilities under Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities. Since Rule 1135 has been amended, it is covered under the current definition of industry-specific category. When Rule 1100 was originally adopted, it was anticipated that Proposed Rule 1109.1 would be adopted in 2019. However, since Rule 1109.1 has not been adopted yet, it is not clear the equipment at those facilities are exempt from the NOx emission limits under Rules 1110.2, 1146, and 1146.1, as was intended.

Proposed Amended Rule 1100 would define an industry-specific category as:

INDUSTRY-SPECIFIC CATEGORY means RECLAIM or former RECLAIM facilities that are, or will be, subject to NOx emission limits in a rule adopted on or after November 2, 2018 for refineries or electricity generating facilities.

This amendment provides clarification to the definition of an industry-specific category to reflect the original intent of this definition. This amendment addresses the petroleum refineries and related industries that will be subject to Proposed Rule 1109.1, such as asphalt plants; biodiesel plants; hydrogen production plants fueled in part with refinery gas; sulfuric acid plants; and sulfur recovery plants.

During the process of amending Rules 1110.2, 1146, and 1146.1, equipment at petroleum refineries and electrical generating facilities was not included under these source-specific rules and was excluded from the analysis, as clearly stated in the staff reports for these rules. Since the intent was to exempt equipment at refineries from the NOx emission limits in Rules 1110.2, 1146, and 1146.1, revising the definition of industry-specific category to reflect RECLAIM or former RECLAIM facilities that are, or will be, subject to NOx emission limits in a rule adopted on or after November 2, 2018 for refineries clarifies that refineries and their associated facilities are not subject to the NOx emission limits or permit submission deadlines specified in Rule 1100 or in any of the three source-specific rules.

Public Process

This rule change is an administrative amendment to reflect original intent; therefore, no public meetings are required, however, South Coast AQMD staff held a public consultation meeting on December 18, 2019 at 10:00 a.m. in the Auditorium at the South Coast AQMD Headquarters.

Key Issues

Staff is not aware of any further outstanding issues.

California Environmental Quality Act

The proposed amendment to Rule 1100 has been reviewed pursuant to California Environmental Quality Act (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. The proposed amendment to Rule 1100 is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062 – Notice of Exemption and is included as Attachment C 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.

Socioeconomic Impact Assessment

The proposed amendment to Rule 1100 is administrative in nature and has no adverse socioeconomic impacts.

Comparative Analysis

Health & Safety Code Section 40727.2 (g) is applicable and a comparative analysis is not required because the proposed amended rule does not impose a new or more stringent emissions limit or standard, or other air pollution control monitoring, reporting, or recordkeeping requirements.

AQMP and Legal Mandates

The California Health and Safety Code requires the South Coast AQMD to adopt an Air Quality Management Plan (AQMP) to meet state and federal ambient air quality standards in the South Coast Air Basin. In addition, the California Health and Safety Code requires the South Coast AQMD to adopt rules and regulations that carry out the objectives of the AQMP but the proposed amendment is not the result of an AQMP control measure, except that is part of the process of applying command-and-control rules to RECLAIM (CMB-05) from the 2016 AQMP.

Resource Impacts

The amendment is administrative in nature, and there are no additional resource impacts to implement Proposed Amended Rule 1100.

Attachments

- A. Rule Language for Proposed Amended Rule 1100
- B. Resolution
- C. CEQA Notice of Exemption
- D. Board Meeting Presentation

ATTACHMENT A

(Adopted December 7, 2018)(Amended November 1, 2019)
(Proposed Amended Rule 1100 January 10, 2020)

PROPOSED AMENDED RULE 1100. IMPLEMENTATION SCHEDULE FOR NO_x FACILITIES

- (a) Purpose
- The purpose of this rule is to establish the implementation schedule for RECLAIM and former RECLAIM facilities that are transitioning to a command-and-control regulatory structure.
- (b) Applicability
- This rule applies to any owner or operator of a RECLAIM or former RECLAIM facility that owns or operates equipment that meets the applicability provisions specified in:
- (1) Rule 1110.2 – Emissions from Gaseous- and Liquid-Fueled Engines;
 - (2) Rule 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters; or
 - (3) Rule 1146.1 – Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters.
- (c) Definitions
- (1) ANNUAL HEAT INPUT means the total heat input to a unit during a calendar year.
 - (2) COMPRESSOR GAS LEAN-BURN ENGINE means a Rule 1110.2 unit as defined in Rule 1110.2.
 - (3) ENGINE means a Rule 1110.2 unit as defined in Rule 1110.2.
 - (4) FORMER RECLAIM FACILITY means a facility, or any of its successors, that was in the NO_x Regional Clean Air Incentives Market (RECLAIM) as of January 5, 2018, as established in Regulation XX, that has received a final determination notification, and is no longer in the NO_x RECLAIM program.
 - (5) HEAT INPUT means the chemical heat released due to assumed complete combustion of fuel in a unit, using the higher heating value of the fuel. This does not include the sensible heat of incoming combustion air.
 - (6) INDUSTRY-SPECIFIC CATEGORY means RECLAIM or former RECLAIM facilities that are, or will be, subject to NO_x emission limits in a

- (c) rule adopted on or after November 2, 2018 for refineries or electricity generating facilities.
- (7) LEAN-BURN ENGINE means a Rule 1110.2 unit as defined in Rule 1110.2.
 - (8) LOCATION means any single site at a building, structure, facility, or installation. For the purpose of this definition, a site is a space occupied or to be occupied by a Rule 1110.2 unit. For Rule 1110.2 units which are brought to a facility to perform maintenance on equipment at its permanent or ordinary location, each maintenance site shall be a separate location.
 - (9) NO_x EMISSIONS means the sum of nitric oxides and nitrogen dioxides emitted, calculated as nitrogen dioxide.
 - (10) PORTABLE ENGINE means a Rule 1110.2 unit as defined in Rule 1110.2.
 - (11) RATED HEAT INPUT CAPACITY means the heat input capacity as specified by the permit issued by the Executive Officer, or if not specified on the permit, as specified on the nameplate of the combustion unit. If the combustion unit has been altered or modified such that its maximum heat input is different than the heat input capacity specified on the nameplate, the new maximum heat input shall be considered as the rated heat input capacity.
 - (12) RECLAIM FACILITY means a facility, or any of its successors, that was in the NO_x Regional Clean Air Incentives Market as of January 5, 2018, as established in Regulation XX.
 - (13) RULE 1110.2 UNIT means any stationary and portable engine over 50 rated brake horsepower (bhp) subject to Rule 1110.2.
 - (14) RULE 1146 UNIT means any boiler, steam generator, water heater, or process heater subject to Rule 1146 with a rated heat input capacity that is equal to or greater than 5 million Btu per hour, excluding units specified in Rule 1146 exemptions.
 - (15) RULE 1146.1 UNIT means any boiler, steam generator, or process heater subject to Rule 1146.1 with a rated heat input capacity that is greater than 2 million Btu per hour and less than 5 million Btu per hour, excluding units specified in Rule 1146.1 exemptions.
 - (16) STATIONARY ENGINE means a Rule 1110.2 unit as defined in Rule 1110.2.
 - (17) TITLE V FACILITY means any facility that meets the criteria set forth in Rule 3001 – Applicability.

(d) Rule 1110.2 Implementation Schedule

- (1) An owner or operator of a RECLAIM or former RECLAIM facility subject to Rule 1110.2 with a stationary engine that before November 1, 2019 does not meet the NO_x concentration limit specified in Rule 1110.2 paragraph (d)(1) shall:
 - (A) On or before July 1, 2021, submit a permit application for each stationary engine that does not meet the NO_x concentration limit specified in Rule 1110.2 paragraph (d)(1); and
 - (B) On or before December 31, 2023, meet the emission limits specified in Rule 1110.2 paragraph (d)(1).
- (2) An owner or operator of a RECLAIM or former RECLAIM facility with a portable engine subject to Rule 1110.2 shall meet the requirements specified in Rule 1110.2 paragraph (d)(2).
- (3) An owner or operator of a RECLAIM or former RECLAIM facility subject to Rule 1110.2 with a compressor gas lean-burn engine that before November 1, 2019 does not meet the NO_x concentration limit specified in Rule 1110.2 paragraph (d)(1) shall:
 - (A) On or before July 1, 2021, submit a permit application for each compressor gas lean-burn engine to meet the applicable NO_x concentration limit specified in Rule 1110.2 paragraph (d)(1);
 - (B) No later than 24 months after a permit to construct is issued by the Executive Officer, meet the emission limits specified in Rule 1110.2 paragraph (d)(1); and
 - (C) Provide quarterly reports to the Executive Officer that include NO_x continuous emissions monitoring system (CEMS) minute data, source test data, and identification of applicable engine and control equipment parameters necessary to maintain pollutant concentrations within the permit limits. Detailed increments of progress or measures that have been taken to meet the NO_x emission limit specified in Rule 1110.2 paragraph (d)(1), why the NO_x emission limit cannot be met, the number of occurrences that the NO_x emission limit was exceeded, and the duration and NO_x concentrations that exceeded the limit in Rule 1110.2 paragraph (d)(1) are also required. Other applicable parameters, as well as any corrective actions shall include, but not be limited to, those specified in Attachment 1 of Rule 1110.2.

- (d) (4) Retirement Plan for Compressor Gas Lean-Burn Engine Replacement with Compressor Gas Turbines
 - (A) An owner or operator of compressor gas lean-burn engines not being retrofitted pursuant to the requirements of paragraph (d)(3) and subject to replacement with equipment subject to Rule 1134 shall submit a detailed retirement plan no later than July 1, 2021, with a filing fee payment pursuant to Rule 306 – Plan Fees, for the permanent shutdown of the engines. The owner or operator shall permanently remove the engines from service either by December 31, 2023 or pursuant to the implementation schedule in Rule 1134 paragraph (d)(4), whichever is later. Installation of CEMS is not required for engines that are subject to replacement.
- (5) Time Extension for Meeting Rule 1110.2 Emission Limits for Compressor Gas Lean-Burn Engines
 - (A) An owner or operator of a RECLAIM or former RECLAIM facility subject to Rule 1110.2 with a compressor gas lean-burn engine that elects to request an extension of up to 24 months to meet the emission limits specified in Rule 1110.2 paragraph (d)(1), shall:
 - (i) Submit an application for a compliance plan, with a filing fee payment pursuant to Rule 306 – Plan Fees, no later than 22 months after the permit to construct is issued by the Executive Officer, as specified in subparagraph (d)(3)(B);
 - (ii) Provide reason(s) for the time extension; and
 - (iii) Provide all quarterly report data since the startup of the retrofitted equipment, pursuant to subparagraph (d)(3)(C).
 - (B) A compliance plan shall be approved for a time extension of up to 24 months if:
 - (i) The information provided in subparagraph (d)(5)(A) is complete and accurate;
 - (ii) The air pollution controls specified in the permit to construct issued by the Executive Officer, pursuant to subparagraph (d)(3)(B), are installed and operational; and
 - (iii) The owner or operator provides in detail, the steps that will be taken to demonstrate to the satisfaction of the Executive Officer that additional and appropriate steps have been taken

- (d) to meet the emission limits specified in Rule 1110.2 paragraph (d)(1).
- (C) If the compliance plan is approved, an owner or operator of a RECLAIM or former RECLAIM facility shall meet the emission limits specified in Rule 1110.2 paragraph (d)(1) no later than the time specified by the Executive Officer in the compliance plan and until that date, shall continue with efforts to achieve the emission limits specified in Rule 1110.2 paragraph (d)(1), but shall not exceed the following interim emission limits:
- (i) NO_x concentration of 45 ppm, corrected to 15% oxygen on a dry basis, averaged over fixed-interval averaging time of three hours; and
 - (ii) Volatile organic compounds concentration specified in Rule 1110.2 paragraph (d)(1), including any previously approved alternate emission limits.
- (D) If the compliance plan is not approved, the owner or operator of a RECLAIM or former RECLAIM facility with a Rule 1110.2 compressor gas lean-burn engine shall meet the emission limits specified in Rule 1110.2 paragraph (d)(1) no later than 60 days after the owner or operator is notified by the Executive Officer that the compliance plan is not approved.
- (6) Revised Compliance Plan for Alternative Emission Limits for Compressor Gas Lean-Burn Engines
- (A) An owner or operator of a RECLAIM or former RECLAIM facility subject to Rule 1110.2 with a compressor gas lean-burn engine that demonstrates the emission limits specified in Rule 1110.2 paragraph (d)(1) are not achievable shall:
- (i) Submit an application for a revised compliance plan, with a filing fee payment pursuant to Rule 306 – Plan Fees, no later than four months prior to the compliance date specified in subparagraph (d)(5)(C) to notify the Executive Officer of a proposed alternative NO_x emission limit with supporting information as required by clause (d)(6)(A)(ii); and
 - (ii) Provide all quarterly report data since the startup of any retrofitted equipment, pursuant to subparagraph (d)(3)(C), including, but not limited to:

- (d)
- (I) At least two years of NO_x CEMS data for each compressor gas lean-burn engine including exhaust gas concentrations, both uncorrected and corrected to 15 percent oxygen on a dry basis;
 - (II) All source test data and/or portable analyzer data for the previous two years for volatile organic compounds, carbon monoxide, and ammonia;
 - (III) All operating logs maintained pursuant to Rule 1110.2 paragraph (f)(3); and
 - (IV) Detailed increments of progress or measures that have been taken to meet the NO_x emission limit specified in Rule 1110.2 paragraph (d)(1), why the NO_x emission limit cannot be met, the number of occurrences that the NO_x emission limit specified in Rule 1110.2 paragraph (d)(1) was exceeded, an averaging period in which the NO_x concentration limit specified in Rule 1110.2 paragraph (d)(1) can be achieved 95% of the time the engine is operated, and the duration and NO_x concentrations that exceeded the limit in Rule 1110.2 paragraph (d)(1).
- (B) The Executive Officer shall review the information provided pursuant to subparagraph (d)(6)(A) and either approve or disapprove the application and require that the NO_x emission limits specified in Rule 1110.2 paragraph (d)(1) be met, or establish as part of the revised compliance plan, technologically achievable case-by-case emission limits with a corresponding averaging period.
- (C) An owner or operator of a RECLAIM or former RECLAIM facility shall meet the emission limits specified in clause (d)(5)(C)(i) until one of the following is achieved:
- (i) Meet the emission limits specified by the Executive Officer pursuant to subparagraph (d)(6)(B) under the compliance plan no later than 30 days after notification of the emission limits; or
 - (ii) No later than 12 months after receiving notification of the emission limits pursuant to subparagraph (d)(6)(B), submit an application for a new engine to meet the applicable NO_x

- (d) emission limits specified in Rule 1110.2 paragraph (d)(1) and remove from service any compressor gas lean-burn engines that do not meet the emission limits of Rule 1110.2 paragraph (d)(1). A mitigation fee of \$100,000 shall be paid per facility per year or prorated portion thereof.
- (7) Facility-Wide Engine Modernization Compliance Plan
 - (A) The owner or operator of a RECLAIM or former RECLAIM facility subject to Rule 1110.2 with a compressor gas lean-burn engine that elects to reduce NOx emissions to meet the emission limits specified in Rule 1110.2 paragraph (d)(1) through the replacement or removal of all existing compressor gas lean-burn engines subject to Rule 1110.2 located at a single RECLAIM or former RECLAIM facility, shall:
 - (i) On or before January 1, 2021, submit a Facility-Wide Engine Modernization Compliance Plan to the Executive Officer, pursuant to Rule 306 – Plan Fees, for approval that:
 - (I) Lists each existing engine subject to Rule 1110.2 and provides a description of the control approach that will be used for each engine; and
 - (II) Provides a replacement or removal schedule for each engine that includes submittal of permit applications, other agency approvals, estimated delivery, and installation of equipment.
 - (ii) On or before July 1, 2022, submit a permit application for any equipment in the approved Facility-Wide Engine Modernization Compliance Plan.
 - (iii) On or before 36 months after the permit to construct is issued by the Executive Officer, replace or remove engines identified in the approved Facility-Wide Engine Modernization Compliance Plan, but no later than six months from commencement of operation of the replacement equipment.
 - (B) The Executive Officer will review a Facility-Wide Engine Modernization Compliance Plan and approve it if:
 - (i) Information provided in clause (d)(7)(A)(i) is complete and accurate;

- (d)
 - (ii) All compressor gas lean-burn engines that do not meet the emission limits specified in Rule 1110.2 paragraph (d)(1) will be replaced or removed; and
 - (iii) 20% of the total horsepower, represented by all Rule 1110.2 engines replaced or removed, use a zero-emission technology such as an electric motor or fuel cell technology.
- (C) Time Extension for Implementation of a Facility-Wide Engine Modernization Compliance Plan
 - (i) An owner or operator of a RECLAIM or former RECLAIM facility with an approved Facility-Wide Engine Modernization Compliance Plan that elects to request an extension of up to 36 months to replace or remove engines, shall:
 - (I) Notify the Executive Officer on or before 32 months after the permit to construct is issued by the Executive Officer; and
 - (II) Provide an explanation for the reason(s) there is a delay in the replacement or removal of equipment.
 - (ii) The Executive Officer will approve a time extension to the Facility-Wide Engine Modernization Compliance Plan if:
 - (I) Information provided in clause (d)(7)(C)(i) is complete and accurate;
 - (II) All permit applications for engines in the approved Facility-Wide Engine Modernization Compliance Plan were submitted by July 1, 2022; and
 - (II) Documentation demonstrates that the equipment has been ordered and submittals, applications, and requests for other agency approvals have been initiated.
 - (iii) An owner or operator of a RECLAIM or former RECLAIM facility shall implement the approved Facility-Wide Engine Modernization Compliance Plan:
 - (I) No later than 36 months after the permit to construct is issued by the Executive Officer if the request for a time extension is not approved; or
 - (II) No later than the time specified by the Executive Officer in the approval for the time extension, not to exceed 72 months after the permit to construct is

- (d) issued by the Executive Officer, if the request for a time extension is approved. Any engines that are subject to the Facility-Wide Engine Modernization Compliance Plan pursuant to paragraph (d)(7) shall be replaced or removed from service no later than six months from commencement of operation of the replacement equipment.
- (D) For engines that will be replaced with units that will be subject to the provisions of a different Regulation XI rule, an owner or operator of a RECLAIM or former RECLAIM facility shall permanently shut down the engines and shall require the surrendering of the permits no later than six months from commencement of operation of the replacement units.
- (8) An owner or operator of a RECLAIM or former RECLAIM facility subject to Rule 1110.2 with a compressor gas lean-burn engine that has an approved time extension pursuant to paragraph (d)(5) or subparagraph (d)(7)(C) shall pay a mitigation fee within 30 days of the date of approval of the time extension. The mitigation fee shall be \$100,000 per facility per year or prorated portion thereof.
- (9) Alternative Compliance Approach for Diesel-Fired Electrical Generators at Ski Resorts
- (A) Low-Use
- An owner or operator of a ski resort that operates Rule 1110.2 units that are diesel-fired electrical generators that were installed prior to November 1, 2019 shall not be subject to the NO_x emission limits specified in Rule 1110.2 paragraph (d)(1) provided that:
- (i) Each unit operates no more than 500 hours per year or uses less than 1×10^9 Btu per year (higher heating value) of fuel;
 - (ii) Each unit retains the NO_x and ammonia limits, as well as the monitoring and source testing requirements specified on the South Coast AQMD permit to operate;
 - (iii) Permit applications for each unit requesting the change of South Coast AQMD permit conditions to incorporate the low-use exemption are submitted by July 1, 2021; and

- (d) (iv) The South Coast AQMD permit to operate limits use of each unit consistent with the low-use requirements of this subparagraph.

- (B) Exceedance of Low-Use

If a Rule 1110.2 unit with a low-use exemption pursuant to subparagraph (d)(9)(A) exceeds the annual hours or fuel usage requirements, the owner or operator shall submit complete South Coast AQMD applications to repower, retrofit, or retire that unit within six months from the date of the reported exceedance of subparagraph (d)(9)(A). The Rule 1110.2 unit must be removed from service or meet the applicable emission limits in Rule 1110.2 paragraph (d)(1) within two years of the exceedance.

- (e) Rule 1146 and Rule 1146.1 Implementation Schedule

- (1) An owner or operator of a RECLAIM or former RECLAIM facility with any Rule 1146 or Rule 1146.1 unit shall:
 - (A) On or before December 7, 2019, submit complete South Coast AQMD permit applications for any Rule 1146 and Rule 1146.1 units that currently do not meet the applicable NO_x concentration limit specified in paragraph (e)(3);
 - (B) On or before January 1, 2021 meet the applicable NO_x concentration limit for a minimum of 75% of the cumulative total rated heat input capacity of all Rule 1146 and Rule 1146.1 units at the facility; and
 - (C) On or before January 1, 2022 meet the applicable NO_x concentration limit of 100% of Rule 1146 and Rule 1146.1 units at the facility.
- (2) An owner or operator that elects to replace an existing Rule 1146 or Rule 1146.1 unit at a RECLAIM or former RECLAIM facility with a new unit may use the rated heat input capacity of the unit being replaced to meet the required percentage of the cumulative total rated heat input capacity for all Rule 1146 and Rule 1146.1 units at the facility specified under subparagraphs (e)(1)(B) and (e)(1)(C) provided the owner or operator:
 - (A) On or before December 7, 2019, submits complete South Coast AQMD permit applications for any applicable new Rule 1146 and Rule 1146.1 units, as well as accepts a permit condition that identifies

- (e) which unit(s) will be replaced and no longer operated when the new units are installed or after January 1, 2023, whichever is earlier; and
 - (B) Replaces the existing unit on or before January 1, 2023.
- (3) The applicable NOx concentration limits specified in subparagraphs (e)(1)(B) and (e)(1)(C) are as follows:
 - (A) Rule 1146 units shall meet the NOx concentration limit for the category of equipment specified in Rule 1146, Table 1146-1 – NOx Emission Limits and Compliance Schedule;
 - (B) Rule 1146 units that meet the applicability provisions specified in Rule 1146 paragraph (c)(2) shall meet the ammonia emission limit specified in Rule 1146 paragraph (c)(2); and
 - (C) Rule 1146.1 units shall meet the NOx concentration limit for the category of equipment specified in Rule 1146.1, Table 1146.1-1 – NOx Emission Limits and Compliance Schedule.
- (4) In lieu of complying with the applicable emission limits specified in paragraph (e)(3), the owner or operator of the following unit(s) in operation prior to December 7, 2019 with an annual heat input less than or equal to as specified below, shall retain and comply with the unit's NOx emission limit and source testing requirements specified in the South Coast AQMD Permit to Operate as of December 7, 2018.
 - (A) 90,000 therms per year and complying with the requirements specified in Rule 1146 paragraph (c)(5); or
 - (B) 18,000 therms per year and complying with the requirements specified in Rule 1146.1 paragraph (c)(4).
- (5) Notwithstanding paragraph (e)(1), an owner or operator of a RECLAIM or former RECLAIM facility that has installed, modified, or has been issued a South Coast AQMD Permit to Construct or Permit to Operate for the following Rule 1146 or Rule 1146.1 units prior to December 7, 2018 shall meet the NOx emission limit specified in paragraph (e)(3) by December 7, 2033 or when 50 percent or more of the unit's burners are replaced, whichever is earlier:
 - (A) Fire-tube boilers, as defined in Rule 1146 paragraph (b)(7), subject to Rule 1146 subparagraph (c)(1)(G) or (c)(1)(J) complying with a previous NOx emission limit that is less than or equal to 9 ppm and greater than 5 ppm;

- (e)
 - (B) Units subject to Rule 1146 subparagraph (c)(1)(H) or (c)(1)(K) complying with a previous NOx emission limit that is less than or equal to 12 ppm and greater than 5 ppm;
 - (C) Units subject to Rule 1146.1 subparagraph (c)(1)(E) complying with a previous NOx emission limit that is less than or equal to 12 ppm and greater than 9 ppm;
 - (D) Fire-tube boilers, as defined in Rule 1146.1 paragraph (b)(7), fired on natural gas subject to Rule 1146.1 subparagraph (c)(1)(F) complying with a previous NOx emission limit that is less than or equal to 9 ppm;
 - (E) Thermal fluid heaters, as defined in Rule 1146 paragraph (b)(26), subject to Rule 1146 subparagraph (c)(1)(L) complying with a previous NOx emission limit that is less than or equal to 20 ppm; or
 - (F) Thermal fluid heaters, as defined in Rule 1146.1 paragraph (b)(22), subject to Rule 1146.1 subparagraph (c)(1)(G) complying with a previous NOx emission limit that is less than or equal to 20 ppm.
- (6) Notwithstanding paragraph (e)(1), by December 7, 2033 or when 50 percent or more of the unit's burners are replaced, whichever is earlier, the owner or operator that has installed, modified, or has been issued a South Coast AQMD Permit to Construct or Permit to Operate prior to December 7, 2018 for the following units shall not operate in a manner that discharges NOx emissions (reference at 3 percent volume stack gas oxygen on a dry basis averaged over a period of 15 consecutive minutes) in excess of:
 - (A) 7 ppm for Rule 1146 Group I units operating without air pollution control equipment for the after treatment of the emissions in the exhaust complying with a previous NOx emission limit of 7 ppm or less and greater than 5 ppm; or
 - (B) 9 ppm for Rule 1146 Group III or Rule 1146.1 natural gas fired units complying with a previous NOx emission limit of 12 ppm or less and greater than 9 ppm.
- (7) The owner or operator of any Rule 1146 Group I unit complying with the requirements specified in subparagraph (e)(6)(A) that exceeds 300,000 therms of annual heat input from all fuels used shall:
 - (A) Within four months after exceeding 300,000 therms of annual heat input, submit complete South Coast AQMD permit applications for

- (e) the unit that does not meet the applicable NOx concentration limit specified in paragraph (e)(3); and
 - (B) Within 18 months after exceeding 300,000 therms of annual heat input, demonstrate and maintain compliance with the applicable NOx concentration limit specified in paragraph (e)(3) for the life of the unit.
 - (8) Any unit at a RECLAIM or former RECLAIM facility that is subject to a NOx emission limit in a different rule for an industry-specific category is not subject to the requirements contained in this subdivision.
- (f) The applicable monitoring, reporting, and recordkeeping requirements are as follows:
 - (1) For Title V facilities, an owner or operator of a RECLAIM facility shall comply with the monitoring, reporting, and recordkeeping requirements specified in Rule 2012.
 - (2) Except for Title V facilities, an owner or operator of a RECLAIM facility that becomes a former RECLAIM facility shall comply with the monitoring, reporting, and recordkeeping requirements in the applicable rule(s) as specified in subdivision (b) upon the date the facility becomes a former RECLAIM facility.

ATTACHMENT B

RESOLUTION NO. 20-_____

A Resolution of the Governing Board of the South Coast Air Quality Management District (South Coast AQMD) determining that Proposed Amended Rule 1100 – Implementation Schedule for NO_x Facilities is exempt from the requirements of the California Environmental Quality Act (CEQA).

A Resolution of the South Coast AQMD Governing Board amending Rule 1100 – Implementation Schedule for NO_x Facilities.

WHEREAS, the South Coast AQMD Governing Board has determined that Rule 1100 should be amended to modify the definition “industry-specific category” to clarify the applicability as originally intended; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that Proposed Amended Rule 1100 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 Proposed Amended Rule 1100 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 Proposed Amended Rule 1100 is exempt from CEQA; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that, because the proposed project is administrative and procedural in nature and would not cause any physical changes that would affect any environmental topic area, it can be seen with certainty that there is no possibility that Proposed Amended Rule 1100 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

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 staff conducted a public consultation meeting on December 18, 2019 regarding Proposed Amended Rule 1100; and

WHEREAS, Proposed Amended Rule 1100 and the January 10, 2020 South Coast AQMD Governing Board letter, including the Notice of Exemption and other supporting documentation, were presented to the South Coast AQMD Governing Board and the South Coast AQMD Governing Board has reviewed and considered this information, as well as has taken and considered staff testimony and public comment prior to approving the project; and

WHEREAS, the South Coast AQMD Governing Board finds and determines, taking into consideration the factors in Section (d)(4)(D) of the Governing Board Procedures (codified as Section 30.5(4)(D)(i) of the Administrative Code) that there were no modifications to Proposed Amended Rule 1100 since the notice of public hearing was published; and

WHEREAS, Proposed Amended Rule 1100 will be submitted for inclusion into the State Implementation Plan; and

WHEREAS, Health and Safety Code Section 40727 requires that prior to adopting, amending or repealing a rule or regulation, the South Coast AQMD 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 Board Letter (that serves as the Staff Report); and

WHEREAS, the South Coast AQMD Governing Board has determined that a need exists to amend Rule 1100 – Implementation Schedule for NO_x Facilities to further clarify the definition of industry-specific category to reflect the original intent of Rule 1100 that that category will apply to refineries even though a command and control rule that will be adopted has not yet been adopted; and

WHEREAS, the South Coast AQMD Governing Board obtains its authority to adopt, amend, or repeal rules and regulations from Sections 39002, 40000, 40001, 40440, 40702, 40725 through 40728, 41508, and 41700 of the Health and Safety Code; and

WHEREAS, the South Coast AQMD Governing Board has determined that Rule 1100, as proposed to be amended, is written and displayed so that its meaning can be easily understood by persons directly affected by it; and

WHEREAS, the South Coast AQMD Governing Board has determined that Rule 1100, as proposed to be amended, is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations; and

WHEREAS, the South Coast AQMD Governing Board has determined that Rule 1100, as proposed to be amended, does not impose the same requirements as any existing state or federal regulations, and the proposed amended rule is necessary and proper to execute the powers and duties granted to, and imposed upon, the South Coast AQMD; and

WHEREAS, the South Coast AQMD Governing Board, in amending the regulation, references the following statute which the South Coast AQMD hereby implements, interprets or makes specific: Health and Safety Code Section 40440 (a) (rules to carry out the plan); Health and Safety Code Section 40440 (c) (adoption of rules and regulations to assure efficiency of administrative practice); and

WHEREAS, the South Coast AQMD Governing Board has determined that a Socioeconomic Impact Assessment is not required, pursuant to Health and Safety Code Section 40440.8 or 40728.5, because Proposed Amended Rule 1100 is administrative in nature and will not have a significant impact on air quality or emissions limitations and no known cost impact; and

WHEREAS, the public hearing has been properly noticed in accordance with all provisions of Health and Safety Code Section 40725; and

WHEREAS, the South Coast AQMD Governing Board has held a public hearing in accordance with all provisions of law; and

WHEREAS, the South Coast AQMD specifies that the Planning and Rules Manager of Rule 1100 is the custodian of the documents or other materials which constitute the record of proceedings upon which the adoption of the proposed amendments is based, which are located at the South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, California; and

NOW, THEREFORE BE IT RESOLVED, that the South Coast AQMD Governing Board does hereby determine, pursuant to the authority granted by law, that Proposed Amended Rule 1100 is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. This information has been 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 Proposed Amended Rule 1100; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board does hereby adopt, pursuant to the authority granted by law, Proposed Amended Rule 1100 as set forth in the attached, and incorporated herein by this reference.

BE IT FURTHER RESOLVED, that the Executive Officer is hereby directed to forward a copy of this Resolution and Proposed Amended Rule 1100 to the California Air Resources Board for approval and subsequently submitted to the U.S. Environmental Protection Agency for inclusion into the State Implementation Plan.

DATE: _____

CLERK OF THE BOARDS

ATTACHMENT C



South Coast Air Quality Management District

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

SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

PROJECT TITLE: PROPOSED AMENDED RULE 1100 – IMPLEMENTATION SCHEDULE FOR NOX FACILITIES


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.

South Coast AQMD staff is proposing to amend Rule 1100 to clarify the definition of “industry-specific category” to reflect the original intent for this definition which was to include refineries and related industries that will be subject to Proposed Rule 1109.1 – Refinery Equipment, even though Rule 1109.1 has not yet been adopted. Both the adoption of Rule 1100 in December 2018 and the amendment in November 2019 were based on the assumption that the development and adoption of Rule 1109.1 would be completed in 2019. The proposed amendments to Rule 1100 will affirm that refineries and related industries within the industry-specific category are exempt from the NOx emission limits in the following three source-specific South Coast AQMD rules: Rule 1110.2 – Emissions from Gaseous- and Liquid-Fueled Engines; Rule 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters; and Rule 1146.1 – Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters.

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 clarifying the rule’s original intent is administrative and procedural in nature and would not cause any physical changes that would affect any environmental topic area, it can be seen with certainty that there is no possibility that Proposed Amended Rule 1100 may have any significant adverse effects on the environment. Therefore, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. If the proposed project is approved, this Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties.

Any questions regarding this Notice of Exemption should be directed to Luke Eisenhardt (c/o Planning, Rule Development and Area Sources) at the above address. Mr. Eisenhardt can also be reached at (909) 396-2324. Mr. Jong Hoon Lee is also available at (909) 396-3903 to answer any questions regarding Proposed Amended Rule 1100.

Date: December 17, 2019

Signature: 

Barbara Radlein
Program Supervisor, CEQA
Planning, Rule Development, and Area Sources

**NOTICE OF EXEMPTION FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

To: County Clerks
Counties of Los Angeles, Orange,
Riverside and San Bernardino

From: South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Project Title: Proposed Amended Rule 1100 – Implementation Schedule for NOx Facilities

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).

Description of Nature, Purpose, and Beneficiaries of Project: South Coast AQMD staff is proposing to amend Rule 1100 to clarify the definition of “industry-specific category” to reflect the original intent for this definition which was to include refineries and related industries that will be subject to Proposed Rule 1109.1 – Refinery Equipment, even though Rule 1109.1 has not yet been adopted. Both the adoption of Rule 1100 in December 2018 and the amendment in November 2019 were based on the assumption that the development and adoption of Rule 1109.1 would be completed in 2019. The proposed amendments to Rule 1100 will affirm that refineries and related industries within the industry-specific category are exempt from the NOx emission limits in the following three source-specific South Coast AQMD rules: Rule 1110.2 – Emissions from Gaseous- and Liquid-Fueled Engines; Rule 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters; and Rule 1146.1 – Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters.

Public Agency Approving Project: South Coast Air Quality Management District

Agency Carrying Out Project: South Coast Air Quality Management District

Exempt Status:
CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption

Reasons why project is exempt: Pursuant to the California Environmental Quality Act (CEQA), South Coast AQMD, as Lead Agency, has reviewed Proposed Amended Rule 1100 in accordance with: 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 clarifying the rule’s original intent is administrative and procedural in nature and would not cause any physical changes that would affect any environmental topic area, it can be seen with certainty that there is no possibility that the Proposed Amended Rule 1100 may have any significant adverse effects on the environment. Therefore, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption.

Date When Project Will Be Considered for Approval (subject to change):
South Coast AQMD Governing Board Hearing: January 10, 2020; South Coast AQMD Headquarters

CEQA Contact Person:	Phone Number:	Email:	Fax:
Mr. Luke Eisenhardt	(909) 396-2324	leisenhardt@aqmd.gov	(909) 396-3982

Rule Contact Person:	Phone Number:	Email:	Fax:
Mr. Jong Hoon Lee	(909) 396-3903	jhlee@aqmd.gov	(909) 396-3807

Date Received for Filing: _____ **Signature:** _____ *(Signed Upon Board Approval)*
Barbara Radlein
Program Supervisor, CEQA
Planning, Rule Development, and Area Sources

Proposed Amended Rule 1100: Implementation Schedule for NOx Facilities

Governing Board Meeting
January 10, 2020

Background

- Adopted in 2018; last amended in November 2019
- Establishes implementation schedule for three NO_x source-specific rules for RECLAIM and former RECLAIM facilities
 - Rule 1110.2 – Emissions from Gaseous- and Liquid-Fueled Engines
 - Rule 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters
 - Rule 1146.1 – Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters

Applicability

- Under Rule 1100, “Industry-Specific Category” is defined:
 - RECLAIM or former RECLAIM facilities subject to NO_x emission limits in a rule adopted on or after November 2, 2018 for refineries or electricity generating facilities
- Intent was to exempt equipment from NO_x emission limits of Rules 1110.2, 1146, 1146.1 that will be regulated in industry-specific rule:
 - Proposed Rule (PR) 1109.1 – Emissions of Oxides of Nitrogen from Petroleum Refineries and Related Industries
 - Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities

Need for Amending Rule 1100

Rule 1135

Amended in 2018

Covered in “industry-specific category”

PR 1109.1

Has not been adopted yet

Clarification needed that equipment at PR 1109.1 facilities are exempt from the NOx emission limits under Rules 1110.2, 1146, and 1146.1 or permit submission deadlines specified in Rule 1100

Proposed Rule Amendment

Revise the definition of “industry-specific category” to clarify the applicability as originally intended:

RECLAIM or former RECLAIM facilities **that are, or will be,** subject to NOx emission limits in a rule adopted on or after November 2, 2018 for refineries or electricity generating facilities

Staff Recommendations



Determine that proposed amendment to Rule 1100 – Implementation Schedule for NOx Facilities, are exempt from CEQA

Adopt the Resolution

Amend Rule 1100 – Implementation Schedule for NOx Facilities