10/30/20 6:20 PM

## AGENDA

#### **MEETING, NOVEMBER 6, 2020**

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

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

ELECTRONIC PARTICIPATION INFORMATION

(Instructions provided at bottom of the agenda)

Join Zoom Meeting - from PC, Laptop or Phone

https://scaqmd.zoom.us/j/93128605044

Meeting ID: 931 2860 5044 (applies to all)

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

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

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

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

# Questions About an Agenda Item

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

#### **Meeting Procedures**

- The public meeting of the South Coast AQMD Governing Board begins at 9:00 a.m. The Governing Board generally will consider items in the order listed on the agenda. However, <u>any item</u> may be considered in <u>any order</u>.
- After taking action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

All documents (i) constituting non-exempt public records, (ii) relating to an item on the agenda, and (iii) having been distributed to at least a majority of the Governing Board after the agenda is posted, are available prior to the meeting at South Coast AQMD's web page (<a href="https://www.aqmd.gov">www.aqmd.gov</a>).

#### Americans with Disabilities Act and Language Accessibility

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

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

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

## **CALL TO ORDER**

- Pledge of Allegiance
- Roll Call

Opening Comments: William A. Burke, Ed.D., Chair

Other Board Members

Wayne Nastri, Executive Officer

Staff/Phone (909) 396-

# **CONSENT CALENDAR (Items 1 through 15)**

Note: Consent Calendar items held for discussion will be moved to Item No. 16

1. Approve Minutes of October 2, 2020 Board Meeting and Minutes of the October 27, 2020 Special Board Meeting

Thomas/3268

 Set Public Hearings December 4, 2020 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations Nastri/3131

A. Determine That Coachella Valley Extreme Area Plan for 1997 8-Hour Ozone Standard Is Exempt from CEQA and Approve Coachella Valley Extreme Area Plan for 1997 8-Hour Ozone Standard

Rees/2856

On July 10, 2019, the Coachella Valley was reclassified from Severe-15 to Extreme nonattainment for the 1997 8-hour ozone National Ambient Air Quality Standard (standard) with an attainment date of June 15, 2024. A revision to the SIP is required to be submitted to U.S. EPA by February 14, 2021. The Coachella Valley Extreme Area Plan has been developed to demonstrate attainment of the 1997 8-hour ozone standard and to address the applicable federal Clean Air Act requirements for Extreme nonattainment areas. The Coachella Valley is expected to attain the 1997 ozone standard in 2023 based on the continued implementation of existing regulations and programs. This action is to adopt the Resolution: 1) Determining that the Coachella Valley Extreme Area Plan for the 1997 8-Hour Ozone Standard is exempt from the requirements of the California Environmental Quality Act; and 2) Approving the Coachella Valley Extreme Area Plan for the 1997 8-Hour Ozone Standard, and directing staff to forward to CARB for approval and submission to U.S. EPA for inclusion in the SIP. (Reviewed: Mobile Source Committee, September 18, 2020)

B. Determine That Attainment Plan for 2006 24-hour PM2.5 Standard for South Coast Air Basin Is Exempt from CEQA and Approve Attainment Plan for 2006 24-hour PM2.5 Standard for South Coast Air Basin

Rees/2856

The South Coast Air Basin (Basin) is a Serious nonattainment area for the 2006 24-hour PM2.5 National Ambient Air Quality Standard (standard) with an attainment deadline of December 31, 2019. Despite significant improvement in PM2.5 levels, the Basin failed to attain this standard by the required date based on 2017-2019 monitoring data. On September 16, 2020, U.S. EPA finalized its determination of the Basin's failure to attain the 2006 24-hour PM2.5 standard by the attainment date. Accordingly, a revision to the SIP is required to be submitted to U.S. EPA by December 31, 2020. The Basin is expected to attain the 2006 PM2.5 standard in 2023 based on the continued implementation of existing regulations and programs. This action is to adopt the Resolution: 1) Determining that the Attainment Plan for the 2006 24-hour PM2.5 Standard for the South Coast Air Basin is exempt from the requirements of the California Environmental Quality Act; and 2) Approving the Attainment Plan for the 2006 24-hour PM2.5 Standard for the South Coast Air Basin, and directing staff to forward the Attainment Plan to CARB for approval and submission to U.S. EPA for inclusion in the SIP. (Reviewed: Mobile Source Committee, August 21, 2020)

C. Determine That Amendments to Regulation XIII - New Source Review, Regulation XX - Regional Clean Air Incentives Market and Regulation XXX - Title V Permits, Are Exempt from CEQA and Amend Regulations XIII, XX and XXX

Nakamura/3105

Coachella Valley was recently reclassified from Severe-15 to Extreme nonattainment for the federal 1997 8-hour ozone standard, with a new attainment date of June 15, 2024. Under the federal Clean Air Act, the reclassification for Coachella Valley requires revisions to Regulations XIII - New Source Review, XX - Regional Clean Air Incentives Market and XXX - Title V Permits to reduce the Major Polluting Facility thresholds and the thresholds for federal Major Modifications for VOC and NOx which are ozone precursors. Additional amendments are proposed to remove outdated rule provisions, correct rule references, and improve rule clarity. This action is to adopt the Resolution: 1) Determining that the proposed amendments to Regulations XIII, XX and XXX, are exempt from the requirements of the California Environmental Quality Act; and 2) Amending Regulations XIII, XX and XXX. (Reviewed: Stationary Source Committee, October 16, 2020)

D. Determine That Proposed Amendments to Rule 1146 - Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters Are Exempt from CEQA; and Amend Rule 1146

Nakamura/3105

Rule 1146 establishes an ammonia slip limit for new and modified pollution controls with ammonia emissions such as Selective Catalytic Reduction (SCR). Proposed Amended Rule 1146 will remove the ammonia slip limit, which is currently addressed under Regulation XIII New Source Review. This action is to adopt the Resolution: 1) Determining that the proposed amendments to Rule 1146 - Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters are exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 1146 - Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters. (Reviewed: Stationary Source Committee, October 16, 2020)

#### Budget/Fiscal Impact

Reimburse CEC and Return Interest

Miyasato/3249

In February 2020, CEC issued a final audit report of CEC-funded projects, concluding that the majority of claimed agreement expenditures were in compliance with grant agreement requirements. However, the report questioned certain reimbursed subcontractor costs and requested that interest earned be returned to CEC. These actions are to: 1) reimburse CEC for unsupported costs with funds provided by two contractors in an amount not to exceed \$214,719 from the Clean Fuels Fund (31); 2) reimburse CEC for unsupported costs in an amount not to exceed \$70,631 from the Clean Fuels Fund (31); and 3) return to CEC interest earned on CEC funds in an amount not to exceed \$202,723 and future residual interest earned from the Hydrogen Fueling Infrastructure Network Fund (63). (Reviewed: Technology Committee, October 16, 2020; Recommended for Approval)

4. Amend Contract to Install Solar Panels for Volvo LIGHTS Project

Miyasato/3249

In November 2018, the Board approved execution of contracts for the Volvo Low Impact Green Heavy Transport Solutions (LIGHTS) project. In order to complete installation of solar panels at freight handling facilities participating in the Volvo LIGHTS project, CARB approved reallocating up to \$600,000 of administrative funding to project costs. This action is to amend a contract with Volvo Group North America, LLC in an amount not to exceed \$600,000 from the GHG Reduction Projects Special Revenue Fund (67) for the installation of solar panels. (Reviewed: Technology Committee, October 16, 2020; Recommended for Approval)

# Recognize Revenue, Issue Program Announcement, Execute Contracts, and Redistribute Funds for Heavy-Duty Truck Projects Meeting the Proposition 1B – Goods Movement Program Requirements

**Berry/2363** 

South Coast AQMD is currently administering and implementing the final funding cycle for the Proposition 1B – Goods Movement Program. Due to cancellation of some projects, new Proposition 1B funding granted by CARB, and availability of Community Air Protection Program incentives, a new solicitation is needed to receive applications for additional heavy-duty truck projects and infrastructure meeting the criteria of the Proposition 1B – Goods Movement Program. These actions are to: 1) recognize revenue from CARB up to \$6,406,088 into the Proposition 1B – Goods Movement Fund (81); 2) reimburse the General Fund up to \$305,052 for administrative costs; 3) issue a Program Announcement for heavy-duty truck and infrastructure projects; 4) execute contracts (or modify existing contracts) for eligible truck projects; and 5) redistribute funds, as needed, for the timely liquidation of incentive programs funds. (Reviewed: Technology Committee, October 16, 2020; Recommended for Approval)

6. Appropriate Funds, Execute and/or Amend Contracts, and Issue Solicitations and Purchase Orders for AB 617 Implementation

Jain/2804

In February and June 2020, the Board recognized up to \$21.88 million for the most recent allocation of the AB 617 implementation program funding. This action is to appropriate up to \$1.7 million into the FYs 2020-21 and/or 2021-22 Budgets, execute and/or amend contracts, and issue solicitations and purchase orders for AB 617 implementation. (Reviewed: Administrative Committee, October 9, 2020; Recommended for Approval)

7. Issue New Solicitations and Approve Contract Modification as Approved by MSRC

McCallon

The Mobile Source Air Pollution Reduction Review Committee (MSRC) approved RFPs for on- and off-road goods movement projects associated with warehouse and distribution facilities located in Riverside and San Bernardino Counties. Additionally, the MSRC approved the modification of a contract under the Local Government Partnership Program. At this time the MSRC seeks Board approval of the contract modification and to release the RFPs as part of the FYs 2016-18 and 2018-21 Work Programs. (Reviewed: Mobile Source Air Pollution Reduction Review Committee, October 15, 2020; Recommended for Approval)

#### Action Item/No Fiscal Impact

8. Establish Board Meeting Schedule for Calendar Year 2021

Nastri/3131

The proposed Board Meeting Schedule for Calendar Year 2021 is submitted for Board consideration. The meeting schedule for the Administrative Committee (second Friday of the month), as well as the other standing committees, is included for information only. (Reviewed: Administrative Committee, October 9, 2020; Recommended for Approval)

#### Items 9 through 15 - Information Only/Receive and File

## 9. Legislative, Public Affairs, and Media Report

Alatorre/3122

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

# 10. Hearing Board Report

Prussack/2500

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

## 11. Civil Filings and Civil Penalties Report

Gilchrist/3459

This reports the monthly penalties from September 1, 2020 through September 30, 2020, and legal actions filed by the General Counsel's Office from September 1 through September 30, 2020. An Index of South Coast AQMD Rules is attached with the penalty report. (Reviewed: Stationary Source Committee, October 16, 2020)

# 12. Lead Agency Projects and Environmental Documents Received

Nakamura/3105

This report provides a listing of CEQA documents received by the South Coast AQMD between September 1, 2020 and September 30, 2020, and those projects for which the South Coast AQMD is acting as lead agency pursuant to CEQA. (Reviewed: Mobile Source Committee, October 16, 2020)

### 13. Report of RFPs Scheduled for Release in November

Jain/2804

This report summarizes the RFPs for budgeted services over \$100,000 scheduled to be released for advertisement for the month of November. (Reviewed: Administrative Committee, October 9, 2020)

#### 14. Rule and Control Measure Forecast

Fine/2239

This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2020. (No Committee Review)

# 15. 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 item is to provide the monthly status report on major automation contracts and planned projects. (Reviewed: Administrative Committee, October 9, 2019)

### 16. Items Deferred from Consent Calendar

Review Committee (Receive & File)

# **BOARD CALENDAR**

17.	Administrative Committee (Receive & File)		Chair: Burke	Nastri/3131
18.	Legislative Committee		Chair: Mitchell	Alatorre/3122
	Receive and file; and take the f	mended:		
	Agenda Item	Recommendation		
	HR 7822 (Blunt Rochester) Public Health Air Quality Act	Support with Amendments		
19.	Mobile Source Committee (Receive & File)		Chair: Burke	Fine/2239
20.	Stationary Source Committee (Receive & File)		Chair: Benoit	Dejbakhsh/2618
21.	Technology Committee (Receive & File)		Chair: Buscaino	Miyasato/3249
22.	Mobile Source Air Pollution Reduction		Board Liaison: Benoit	Berry/2363

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

### Staff Presentations/Board Discussion

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

Staff will provide an update on economic indicators and key South Coast AQMD metrics. (Reviewed: Administrative Committee, October 9, 2020)

2020 Ozone Season and Wildfire Impacts (Presentation in Lieu of Board Letter)

Staff will provide a summary of the high ozone levels and the significant wildfire smoke impacts experienced during the summer and fall of 2020. (No Committee Review)

#### **PUBLIC HEARING**

26. Determine That Proposed Amendments to Rule 1178 – Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities, Are Exempt from CEQA and Amend Rule 1178 Nakamura/3105

Rule 1178 establishes requirements to control VOC emissions from storage tanks at petroleum facilities. Amendments to Rule 1178 are needed to address safety concerns related to the enclosure of external floating roof tanks that store sour water. Proposed Amended Rule 1178 will reinstate an expired provision that allows operators to accept a permit condition to limit the vapor pressure of organic liquid stored for external floating roof tanks that store sour water. This action is to adopt the Resolution: 1) Determining that the proposed amendments to Rule 1178 – Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities, are exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 1178 – Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities. (Reviewed: Stationary Source Committee, September 18, 2020)

<u>PUBLIC COMMENT PERIOD</u> – (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:

- <u>Communities for a Better Environment v. SCAQMD</u>, Los Angeles Superior Court Case No. BS161399 (RECLAIM);
- <u>Communities for a Better Environment v. South Coast Air Quality Management District,</u> Los Angeles Superior Court Case No. 19STCP05239; (Tesoro II)
- <u>People of the State of California, ex rel. SCAQMD v. Exide Technologies, Inc.</u>, Los Angeles Superior Court Case No. BC533528;
- In re: Exide Technologies, Inc., U.S. Bankruptcy Court, District of Delaware, Case No. 13-11482 (KJC) (Bankruptcy Case); Delaware District Court, Case No.: 19-00891 (Appellate Case); United States Court of Appeals, Third Circuit, Case No. 20-1858;
- <u>In re: Exide Holdings Inc.</u>, U.S. Bankruptcy Court, District of Delaware, Case No. 20-11157 (CSS) (Bankruptcy Case);
- In the Matter of SCAQMD v. Southern California Gas Company, Aliso Canyon Storage Facility, SCAQMD Hearing Board Case No. 137-76 (Order for Abatement); People of the State of California, ex rel SCAQMD v. Southern California Gas Company, Los Angeles Superior Court Case No. BC608322; Judicial Council Coordinated Proceeding No. 4861;

- <u>In the Matter of SCAQMD v. Torrance Refining Company, LLC, SCAQMD Hearing Board Case No. 6060-5 (Order for Abatement);</u>
- <u>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;</u>
- <u>Downwinders at Risk et al. v. EPA</u>, United States Court of Appeals, Ninth Circuit, Case No. 19-1024 (consolidated with Sierra Club, et al. v. EPA, No. 15-1465);
- <u>SCAQMD</u>, et al. v. Elaine L. Chao, et al., District Court for the District of Columbia, Case No. 1:19-cv-03436-KBJ;
- <u>SCAQMD, et al. v. EPA</u>, United States Court of Appeals, D.C. Circuit, Case No. 19-1241 (consolidated with Union of Concerned Scientists v. NHTSA, No. 19-1230);
- SCAQMD, et al. v. NHTSA, EPA, et al., United States Court of Appeals, D.C. Circuit, Filed May 28, 2020
- <u>Association of Irritated Residents v. U.S. EPA, SCAQMD, SJVUAPCD, et al.</u>, United States Court of Appeals, Ninth Circuit, Case No. 19-71223; and
- SCAQMD v. City of Los Angeles, Los Angeles City Council, City of LA Harbor Dept., LA Board of Harbor Commissioners, et al. Los Angeles Superior Court, Case No. 20STCP02985.

#### CONFERENCE WITH LEGAL COUNSEL – INITIATING LITIGATION

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

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

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

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

#### **CONFERENCE WITH LABOR NEGOTIATORS**

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

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

### ADJOURNMENT

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

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

All agendas are posted at South Coast AQMD Headquarters, 21865 Copley Drive, Diamond Bar, California, at least 72 hours in advance of the meeting. At the end of the agenda, an opportunity is also provided for the public to speak on any subject within the South Coast AQMD's authority. Speakers may be limited to a total of three (3) minutes for the entirety of the Consent Calendar plus Board Calendar, and three (3) minutes or less for each of the other agenda items.

Note that on items listed on the Consent Calendar and the balance of the agenda any motion, including action, can be taken (consideration is not limited to listed recommended actions). Additional matters can be added and action taken by two-thirds vote, or in the case of an emergency, by a majority vote. Matters raised under the Public Comment Period may not be acted upon at that meeting other than as provided above.

Written comments will be accepted by the Board and made part of the record. Individuals who wish to submit written or electronic comments must submit such comments to the Clerk of the Board, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765-4178, (909) 396-2500, or to <a href="mailto:cob@aqmd.gov">cob@aqmd.gov</a>, on or before 5:00 p.m. on the Tuesday prior to the Board meeting.

#### **ACRONYMS**

AQ-SPEC = Air Quality Sensor Performance Evaluation Center

AQIP = Air Quality Investment Program

AQMP = Air Quality Management Plan

AVR = Average Vehicle Ridership

BACT = Best Available Control Technology

BARCT = Best Available Retrofit Control Technology

Cal/EPA = California Environmental Protection Agency

CARB = California Air Resources Board

CEMS = Continuous Emissions Monitoring Systems

CEC = California Energy Commission

CEQA = California Environmental Quality Act

CE-CERT =College of Engineering-Center for Environmental

Research and Technology

CNG = Compressed Natural Gas

CO = Carbon Monoxide

DOE = Department of Energy

EV = Electric Vehicle

EV/BEV = Electric Vehicle/Battery Electric Vehicle

FY = Fiscal Year

GHG = Greenhouse Gas

HRA = Health Risk Assessment

LEV = Low Emission Vehicle

LNG = Liquefied Natural Gas

MATES = Multiple Air Toxics Exposure Study

MOU = Memorandum of Understanding

MSERCs = Mobile Source Emission Reduction Credits

MSRC = Mobile Source (Air Pollution Reduction) Review

Committee

NATTS = National Air Toxics Trends Station

NESHAPS = National Emission Standards for

Hazardous Air Pollutants

NGV = Natural Gas Vehicle

NOx = Oxides of Nitrogen

NSPS = New Source Performance Standards

NSR = New Source Review

OEHHA = Office of Environmental Health Hazard

Assessment

PAMS = Photochemical Assessment Monitoring

Stations

PEV = Plug-In Electric Vehicle

PHEV = Plug-In Hybrid Electric Vehicle

PM10 = Particulate Matter ≤ 10 microns

PM2.5 = Particulate Matter < 2.5 microns

RECLAIM=Regional Clean Air Incentives Market

RFP = Request for Proposals

RFQ = Request for Quotations

RFQQ=Request for Qualifications and Quotations

SCAG = Southern California Association of Governments

SIP = State Implementation Plan

SOx = Oxides of Sulfur

SOON = Surplus Off-Road Opt-In for NOx

SULEV = Super Ultra Low Emission Vehicle

TCM = Transportation Control Measure

ULEV = Ultra Low Emission Vehicle

U.S. EPA = United States Environmental Protection

Agency

VOC = Volatile Organic Compound

ZEV = Zero Emission Vehicle

#### INSTRUCTIONS FOR ELECTRONIC PARTICIPATION

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

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

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

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

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

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

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

If interpretation is needed, more time will be allotted.

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

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

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

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

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

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

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



BOARD MEETING DATE: November 6, 2020 AGENDA NO. 1

MINUTES: Governing Board Meetings

SYNOPSIS: Attached are the Minutes of the October 2, 2020 meeting and

October 27, 2020 special meeting.

# **RECOMMENDED ACTION:**

Approve Minutes of the October 2, 2020 Board Meeting and October 27, 2020 Special Board Meeting.

Faye Thomas Clerk of the Boards

FT:cmw

### FRIDAY, OCTOBER 2, 2020

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

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

Council Member Ben Benoit, Vice-Chairman Cities of Riverside County

Supervisor Kathryn Barger County of Los Angeles

Supervisor Lisa A. Bartlett County of Orange

Council Member Joe Buscaino City of Los Angeles

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

Senator Vanessa Delgado (Ret.) Senate Rules Committee Appointee

Gideon Kracov Governor's Appointee

Mayor Larry McCallon Cities of San Bernardino County

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

Supervisor V. Manuel Perez County of Riverside

Council Member Carlos Rodriguez Cities of Orange County

Supervisor Janice Rutherford County of San Bernardino

Members absent: None

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

- Pledge of Allegiance: Led by Vice-Chairman Benoit
- Roll Call

Supervisors Barger and Bartlett were absent for roll call. Supervisor Barger joined the meeting at approximately 9:05 a.m. and Supervisor Bartlett joined the meeting at approximately 10:35 a.m.

Opening Comments

Board Member Kracov requested that Item No. 27 be taken out of order due to the number of public speakers wishing to comment.

Chairman Burke noted that Item No. 26 is a short presentation; therefore, it is not necessary to change the order of the agenda.

# **CONSENT CALENDAR**

- 1. Approve Minutes of September 4, 2020 Board Meeting
- 2. Set Public Hearings to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations

#### October 27, 2020:

A. Determine That Proposed Amendments to Rule 445 – Wood-Burning Devices, Are Exempt from CEQA and Amend Rule 445

### November 6, 2020:

B. Determine That Proposed Amendments to Rule 1178 – Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities, Are Exempt from CEQA and Amend Rule 1178

#### Budget/Fiscal Impact

- 3. Execute Contract to Develop Model for Connected Network of Microgrids
- 4. Execute Contract to Develop and Demonstrate Natural Gas and Propane Conversion Systems for Medium-Duty Vehicles

- 5. Transfer and Appropriate Funds for Rule 1180 Program, Execute Purchase Orders and/or Contracts and Issue Solicitation
- 6. Issue Program Announcement for Lower Emission School Bus Program
- 7. Execute Lease Contract for Mailing Equipment
- 8. Amend South Coast AQMD Salary Resolution to Add Designated Deputy Position
- 9. Issue Purchase Order for Ingres Relational Database Management System Software Support
- 10. Appoint Alternate Public Member to Hearing Board

## <u>Items 11 through 18 – Information Only/Receive and File</u>

- 11. Legislative, Public Affairs and Media Report
- 12. Hearing Board Report
- 13. Civil Filings and Civil Penalties Report
- 14. Lead Agency Projects and Environmental Documents Received
- 15. Rule and Control Measure Forecast
- 16. Status Report on Major Ongoing and Upcoming Projects for Information Management
- 17. South Coast AQMD 2019-2020 Why Healthy Air Matters Program End-of-Year Report
- 18. Annual Progress Report for AB 617 Community Emissions Reduction Plans

Council Member Mitchell noted that she has no financial interest in Item No. 6 but is required to identify for the record that she is a Board Member of CARB, which is involved in this item.

Due to requests to speak and Board member questions on Consent Calendar Items 6 and 8, the vote on the Consent Calendar was deferred until after those comments were made.

## 19. <u>Items Deferred from Consent Calendar</u>

6. Issue Program Announcement for Lower Emission School Bus Program

Council Member Cacciotti expressed support for the program and noted the success of the program in replacing older diesel, high-emitting public school buses with new alternative fuel and zero emission buses. He inquired about outreach efforts to inform school districts of the solicitation.

Matt Miyasato, Chief Technologist/Science and Technology Advancement, explained that the notice of solicitation is sent to all school districts in the Basin. Additionally, staff promotes awareness of the program and does outreach to major school bus manufacturers. The program is popular and is usually oversubscribed but the key challenge for school districts is the high cost for electric buses; therefore, the decision of what type of bus to purchase is left to the school districts.

Ranji George, a member of the public, commented on the history and early efforts to promote the Lower Emission School Bus Program and thanked Dr. Burke for his leadership and vision. He urged staff to negotiate with vendors to lower the cost of electric school buses.

Emily Spokes, North East Los Angeles (NELA) Climate Collective, expressed support for the program and zero emission buses; and suggested that agenda items be displayed on the screen during Zoom meetings so that the public knows which item is being discussed.

Adrian Martinez, Earthjustice Todd Campbell, Clean Energy Katie Covell, NELA Climate Collective Marth Dina Arguello, Physicians for Social Responsibility Los Angeles (PSR-LA)

Expressed support for the program and moving toward zero emission vehicles; encouraged staff to look at other programs throughout the nation where a larger number of electric school buses are being deployed for less money and to work with the CEC to help schools get the needed infrastructure; and thanked the Board for pioneering the efforts to lower emissions from school buses.

Chairman Burke provided historical context and commented on the condition of school buses when the program first started, noting that there were more diesel emissions from the engines entering the bus cabin than at the tailpipe. He commended the progress achieved.

# Written Comments Submitted by: Los Angeles County Electric Truck & Bus Coalition

# 18. Annual Progress Report for AB 617 Community Emissions Reduction Plans

Board member Kracov noted that this item was presented to the Stationary Source Committee and commented on his participation in several AB 617 community steering committee meetings. He emphasized the significance of the program and thanked staff for their hard work and for building positive relationships with the community steering committees during development of the Community Emissions Reduction Plans (CERPs).

Council Member Mitchell commented on the collaborative efforts between CARB and South Coast AQMD staff and the program's effectiveness in focusing on communities most impacted by air pollution. CARB has reviewed the first three CERPs within the South Coast AQMD as well as communities in Northern and Central California. She noted that there is no sunset to the program but there is no guarantee of consistent funding by the Legislature. Due to the pandemic, CARB staff prepared videos of the communities for viewing at the CARB Board meeting. She noted the significance of the program to the air quality mission and encouraged Board members to attend the community steering committee meetings to hear the concerns of the communities.

Chairman Burke commented on the importance of the program for these communities but expressed concern about the availability of funding for the program.

Council Member Rodriguez commented on the importance of the program and the community-based focus. He expressed appreciation for Council Member Mitchell's leadership on the CARB Board and the program's collaborative approach. He asked whether minority business owners participate on the community steering committees and have a vote at the table.

Mr. Nastri explained that CARB's Community Air Protection Blueprint (Blueprint) specifies that the community steering committees include community members who live, work or own businesses within the community but a majority must be community residents. Community residents have a majority vote on matters that come before the community steering committee, but staff works closely and conducts outreach with all

businesses within the communities. Minority business owners may have direct involvement in some communities; however, in other communities the local chamber of commerce provides representation for the business community. The program is evolving, and CARB's staff is currently working with the AB 617 Consultation Group, community members, air districts, and stakeholders to revise and update the Blueprint. South Coast AQMD is a member of the AB 617 Consultation Group and it is expected that the revised Blueprint will be available in three months.

Council Member Mitchell noted that the Blueprint was established to provide guidelines for AB 617 implementation, including the community steering committee membership. However, each committee decides how they want to operate, and each community has different challenges. CARB recognizes that small business owners are important to the community and that the participation of businesses in the community steering committee is needed to implement the emissions reductions.

Senator Delgado expressed concerns about available funding to implement the CERPs. She inquired whether there could be a process to make the community steering committee members aware of the amount of available funding.

Supervisor Perez expressed concerns about unfunded mandates and emphasized the need to reach out to legislators and develop an action plan through the South Coast AQMD Legislative Committee to ensure future funding. He participated in a couple of the Eastern Coachella Valley AB 617 meetings and noted that collaboration at every level of government is important to develop long-term solutions. The community steering committee of Eastern Coachella Valley approved its charter and is committed to developing a CERP by the December 2020 deadline. He suggested scheduling community steering committee meetings twice a month to meet the deadline. Mr. Nastri responded that staff is equally committed to meeting the deadline and will schedule meetings twice a month.

Council Member Mitchell noted that the South Coast AQMD has the most AB 617 communities in the state and commented on the amount of work required of staff. She further noted the challenge in securing funding due to the state's current economic uncertainties and the decrease in revenue from the cap and trade auctions. However, there are other funding sources, such as the Carl Moyer program, that can be directed towards AB 617 communities.

Mr. Harvey Eder, Public Solar Power Coalition, expressed concerns about the time allotted for public comments, difficulties he encountered filing legal documents, climate change, the fires in California and the COVID-19 pandemic.

Angie Balderas, Sierra Club Yassi Kavezade, Sierra Club Adrian Martinez, Earthjustice

Emphasized the importance of allowing the community members to take the lead in the process; noted the expansion of warehouses and railyards in the San Bernardino/Muscoy community and expressed support for indirect source rules that complement efforts of the AB 617 program to reduce emissions; and encouraged Board members to attend San Bernardino/Muscoy AB 617 meetings.

Todd Campbell, Clean Energy, commented on his work many years ago in support of the Lower Emission School Bus program to protect children from diesel emissions. He noted the recent action by Governor Newsom requiring sales of all new passenger vehicles in the state to be zero emissions by 2035 and expressed support for indirect source rules that could accelerate the transition away from diesel; however, he emphasized the need for a multi-pronged approach to achieve clean air milestones.

Chris Chavez, Coalition for Clean Air, expressed concern about continued funding for AB 617 and stressed the need to demonstrate the successes of the program to the state legislature. He recommended implementing indirect source rules, strong rulemaking and enforcement that results in emissions reductions in those impacted communities as well as ensuring compliance with MOUs. He commended staff and the Board for their hard work and efforts.

Council Member Rodriguez reiterated the importance for community members to reach out to their state Senate and Assembly representatives to express their concerns about continued funding.

Council Member Mitchell thanked Angie Balderas for attending today's Board meeting and commended her for being a facilitator for the San Bernardino/Muscoy community. She also commented on the importance of keeping the needs of AB 617 communities in mind when regulatory measures come before the Board.

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

(Senator Delgado left the meeting during the discussion of this item.)

MOVED BY BENOIT, SECONDED BY CACCIOTTI, AGENDA ITEMS 1 THROUGH 18 APPROVED AS RECOMMENDED, BY THE FOLLOWING VOTE:

AYES: Barger, Benoit, Burke, Cacciotti,

Kracov, McCallon, Mitchell, Perez, Rodriguez and Rutherford

NOES: None

ABSENT: Bartlett, Buscaino and Delgado

(Senator Delgado rejoined the meeting.)

## **BOARD CALENDAR**

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

MOVED BY CACCIOTTI, SECONDED BY BARGER, AGENDA ITEMS 20 THROUGH 25, APPROVED AS RECOMMENDED, RECEIVING AND FILING THE COMMITTEE, MSRC AND CARB REPORTS, BY THE FOLLOWING VOTE:

AYES: Barger, Benoit, Burke, Cacciotti,

Delgado, Kracov, McCallon, Mitchell, Perez, Rodriguez and

Rutherford

NOES: None

ABSENT: Bartlett and Buscaino

(Council Member Buscaino rejoined the meeting at approximately 10:30 a.m.)

#### Staff Presentation/Board Discussion

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

Jill Whynot, Chief Operating Officer, gave the presentation on Item No. 26.

Chairman Burke inquired about potential action by the San Bernardino County Employees' Retirement Association (SBCERA) that may cause additional employees to abruptly retire and what plans are in place to address the resulting vacancies.

Ms. Whynot noted that the decision is pending but staff is working closely with SBCERA. She provided information on the number of employees that could be affected by the potential action and noted that management is actively looking at filling some vacancies through open recruitments as well as implementing succession planning strategies in case there is an increase in abrupt retirements.

Council Member Rodriguez inquired about the number of permits that may potentially expire and asked if the Administrative Committee considered any flexibility in the payment of these fees.

Ms. Whynot explained that staff has been reaching out and notifying businesses about their fee payment deadline as well as payment options to extend the payment over a six-month period. The majority of permits are typically paid within 30 to 60 days of being late. The information presented at the Administrative Committee meeting did not include the September data but there was discussion about staff focusing their efforts on providing payment plan options to businesses. Of the 529 potentially expiring permits last month, 150 of them are from one company, two other companies each have 20-25 permits and the rest are small companies. Staff continues to work with these companies and will keep the Board apprised.

Ranji George expressed concern about the potential SBCERA action related to the Alameda case and urged the Board to continue working on a solution for South Coast AQMD employees. He noted that additional loss of benefits would make it difficult to attract qualified employees.

Chairman Burke inquired about staff efforts in working with SBCERA to clarify the ruling in the Alameda case.

Bayron Gilchrist, General Counsel, stated that outside counsel had been retained to assist.

RECEIVE AND FILE; NO ACTION NECESSARY

(Supervisor Bartlett joined the meeting at approximately 10:35 a.m.)

# 27. Recommendation for Year 3 Implementation of Assembly Bill 617

Dr. Jo Kay Ghosh, Director of Community Air Programs/Health Effects Officer, gave the presentation on Item No. 27.

Council Member Buscaino announced his support for the recommendation of the South Los Angeles community for the AB 617 Year 3 Implementation and commented on the historical environmental inequities this community has faced. He expressed concern for continued funding but noted the strong coalition that has been built with community-based organizations, elected officials and environmental justice groups who are committed to working together to secure the necessary funding. He commended the efforts of the community for making this happen and thanked his colleagues on the L.A. City Council and Assembly Member Mike Gipson for their efforts and support.

Council Member Mitchell expressed her support for the selection of South Los Angeles. She commented on a bus tour of the South Los Angeles neighborhood that she participated in a few years ago with CARB staff and Board. During the tour, they observed multiple oil wells located in close proximity to nearby sensitive receptors like schools and homes.

Senator Delgado expressed her support for the selection of South Los Angeles and noted that the area is 65 percent Latinx/Hispanic and expressed the need to provide appropriate Spanish language support at meetings in the community.

Chairman Burke commented on his family's roots in the community and the environmental and pollution inequities that have been experienced in that community for decades. He expressed strong support for the inclusion of South Los Angeles as an AB 617 community.

Paula Torrado, PSR-LA, thanked the Board for efforts in reducing pollution in environmental justice communities and for the selection of South Los Angeles as an AB 617 community. She shared information about PSR-LA's community efforts, key partnerships, commitment, and readiness to work toward achieving tangible emission reductions.

Mr. Eder expressed support for low income subsidies for solar power, encouraged the South Coast AQMD and CARB to support solar energy, and expressed concerns about COVID-19 and other pandemics.

Erika Blyther, City of Los Angeles Office of Petroleum and Natural Gas Roberto Perez, Representing Los Angeles City Council Member Marqueece Harris-Dawson

Ruth Andrade, Strategic Concepts in Organizing and Policy Education (SCOPE) and PSR-LA Air Quality Ambassador

Hugo Garcia, Esperanza Community Housing

Iretha, PSR-LA Air Quality Ambassador

Sonja Taylor, SCOPE and PSR-LA Air Quality Ambassador

Guadalupe Rivas, SCOPE

Gina, SCOPE

Martha Dina Arguello, PSR-LA and Stand Together Against Neighborhood Drilling

Oscar Morales, PSR-LA Air Quality Ambassador

Manuel Hernandez, SCOPE

Chris Chavez, Coalition for Clean Air

OT Bremond, Los Angeles Brotherhood Crusade

Ignacio, PSR-LA Air Quality Ambassador

Patricia, SCOPE and PSR-LA Air Quality Ambassador

Araceli Celestino

Gloria Medina, SCOPE

Amanda Jimenez, USC Department of Preventative Medicine

Robert Jackson, Representing Senator Holly J. Mitchell

Expressed support for the selection of South Los Angeles as an AB 617 community and thanked the Board for their support. Commented on various industries that contribute to poor air quality in the community and health conditions affecting residents. Noted that South Los Angeles is a disadvantaged community that has disproportionately suffered from environmental inequities for too long. Commented on community efforts that demonstrate community readiness and commitment to implement environmental solutions that reduce air pollution and improve public health in South Los Angeles.

Chairman Burke noted that the strong interest from the South Los Angeles community in the environmental justice movement is a milestone for the South Coast AQMD and the community.

MOVED BY BUSCAINO, SECONDED BY BENOIT, AGENDA ITEM NO. 27 APPROVED AS RECOMMENDED, APPROVING THE RECOMMENDATION OF THE SOUTH LOS ANGELES COMMUNITY TO CARB FOR THEIR CONSIDERATION IN SELECTING COMMUNITIES FOR THE AB 617 PROGRAM: AND DIRECTING STAFF TO SEEK FUNDING FROM THE LEGISLATURE, IN THE AMOUNT OF \$4-\$6 MILLION PER YEAR FOR AT LEAST SIX YEARS. TO SUPPORT THE DEVELOPMENT AND IMPLEMENTATION OF THE COMMUNITY PLANS IN THE SOUTH LOS ANGELES COMMUNITY, BY THE **FOLLOWING VOTE:** 

AYES: Barger, Bartlett, Benoit, Burke,

Buscaino, Cacciotti, Delgado, Kracov, McCallon, Mitchell, Perez, Rodriguez, and Rutherford

NOES: None

ABSENT: None

#### **PUBLIC HEARINGS**

28. Certify Final Environmental Assessment and Adopt Rule 1179.1 – NOx Emission Reductions from Combustion Equipment at Publicly Owned Treatment Works Facilities

Staff waived the oral presentation on Item No. 28.

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

David Rothbart, County Sanitation Districts of Los Angeles County Stephen Jepsen, Southern California Alliance of Publicly owned Treatment Works (SCAP)

Expressed support for the rule and commended staff for their hard work. Noted that the emission limits are achievable with reasonable investment.

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

MOVED BY BENOIT. SECONDED BY MITCHELL, AGENDA ITEM NO. 28 APPROVED AS RECOMMENDED. ADOPTING RESOLUTION NO. 20-15 CERTIFYING THE FINAL ENVIRONMENTAL ASSESSMENT FOR PROPOSED RULE 1179.1 - EMISSION REDUCTIONS COMBUSTION **EQUIPMENT** FROM PUBLICLY OWNED TREATMENT WORKS FACILITIES AND ADOPTING RULE 1179.1 -**EMISSION** REDUCTIONS FROM COMBUSTION EQUIPMENT AT PUBLICLY OWNED TREATMENT WORKS FACILITIES. BY THE FOLLOWING VOTE:

AYES: Barger, Bartlett, Benoit, Burke,

Buscaino, Cacciotti, Delgado, Kracov, McCallon, Mitchell, Perez, Rodriguez, and Rutherford

NOES: None

ABSENT: None

29. Receive and File 2019 Annual Report on AB 2588 Program and Approve Updates to Facility Prioritization Procedure for AB 2588 Program, Public Notification Procedures, and AB 2588 and Rule 1402 Supplemental Guidelines

Tracy Goss, Planning and Rules Manager, gave the staff presentation on Item No. 29.

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

Mr. Eder expressed concerns about the toxic effects of benzene, the COVID-19 pandemic, climate change and fracking.

Mr. George expressed concerns about the use of cobalt in electric car and bus batteries and urged support for more environmentally friendly chemicals and substances.

David Rothbart, representing SCAP, expressed concerns about the lack of laboratory methods for testing the approximately 1,500 new compounds that have been added to the AB 2588 program. He urged the Board to provide feedback to CARB to make sure that whatever is implemented makes sense and serves the community rather than alarming the community.

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

MOVED BY BENOIT, SECONDED BY CACCIOTTI. AGENDA ITEM NO. 29 **APPROVED** AS RECOMMENDED. RECEIVING AND FILING THE 2019 ANNUAL REPORT ON THE AB 2588 PROGRAM AND APPROVING UPDATES TO THE GUIDANCE DOCUMENTS FOR THE **FACILITY** PRIORITIZATION PROCEDURE FOR THE AB 2588 PROGRAM, PUBLIC NOTIFICATION PROCEDURES: AND AB 2588 AND RULE 1402 SUPPLEMENTAL GUIDELINES. BY THE FOLLOWING VOTE:

AYES: Barger, Bartlett, Benoit, Burke,

Buscaino, Cacciotti, Delgado, Kracov, McCallon, Mitchell, Perez, Rodriguez, and Rutherford

NOES: None

ABSENT: None

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

Mayor McCallon provided an update on Metrolink's purchase and deployment of Tier 4 locomotives. He noted that CARB issued a verification certificate for the Tier 4 locomotives after emissions verification testing was successfully completed. The testing and certification confirm that Metrolink's locomotives continue to operate at the highest environmentally friendly standards, even after the units have been in service for an extended period. It also demonstrates their commitment to accelerating zero emission technologies.

lan Stewart, Rail Propulsion Systems, thanked the Board and South Coast AQMD staff for their support and updated the Board on the progress of their current battery powered switcher locomotive demonstration project. He expressed concerns regarding gaps in funding guidelines for ultra-low emission and zero emission switcher locomotive technologies and urged the Board to address the gaps in funding guidelines.

Mr. Eder commented on the record-breaking heat and fires in the state. He also commented on difficulties he experienced attempting to file legal documents in federal court, the COVID-19 pandemic, drug resistant antibiotics and the dangers of benzene.

Mallory, Long Beach student, expressed support for indirect source rules to regulate pollution and expressed concerns regarding delays in the warehouse indirect source rule. She noted that goods movement disproportionately impacts the air quality in environmental justice communities.

Yassi Kavezade, Sierra Club, expressed concerns about air pollution from warehouses and railyards in the Inland Empire that disproportionately impact environmental justice communities, and noted a proposed project by the High Speed Rail Authority to build a railyard in the city of Colton. She commended CARB for passing the Advanced Clean Truck Regulation, expressed support for zero emission technologies and urged the Board to move faster on adopting a warehouse indirect source rule.

Mr. George encouraged the Board to lobby the legislature to redefine the rules in the Carl Moyer program guidelines to include increase funding for zero emission and fuel cell technologies and expressed support for battery recycling.

Amy Francis, NELA Climate Collective, commented on air quality impacts from the goods movement industry and urged the Board to adopt indirect source rules for warehouses. Expressed concerns that her child cannot play outside because of the health effects of poor air quality.

Elliott Gonzales urged the Board to adopt indirect source rules for warehouses and expressed concerns about using natural gas as a clean energy source. Expressed opposition to fracking and fossil fuels and commented on methane emissions in the West Long Beach and Wilmington area.

Phil Barroca, South Coast AQMD employee Lisa Mirisola, South Coast AQMD employee

Expressed concerns about potential action by SBCERA related to the Alameda decision regarding pensionable pay items and its potential to cause an increased number of employees to retire abruptly.

# **CLOSED SESSION**

The Board recessed to closed session at 12:40 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:

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

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

<u>In re: Exide Holdings Inc.</u>, U.S. Bankruptcy Court, District of Delaware, Case No. 20-11157 (CSS) (Bankruptcy Case).

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

## **ADJOURNMENT**

There being no further business, the meeting was adjourned by Mr. Gilchrist at 12:50 p.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on October 2, 2020.

Respectfully Submitted,

Faye Thomas
Clerk of the Boards

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

CEC = California Energy Commission

CEQA = California Environmental Quality Act

CERP = Community Emissions Reduction Plan

FY = Fiscal Year

MSRC = Mobile Source (Air Pollution Reduction) Review Committee

NOx = Oxides of Nitrogen

U.S. EPA = United States Environmental Protection Agency

VOC = Volatile Organic Compound

### **TUESDAY, OCTOBER 27, 2020**

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

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

Council Member Ben Benoit, Vice Chairman Cities of Riverside County

Supervisor Lisa A. Bartlett County of Orange

Council Member Joe Buscaino City of Los Angeles

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

Senator Vanessa Delgado (Ret.) Senate Rules Committee Appointee

Gideon Kracov Governor's Appointee

Mayor Larry McCallon
Cities of San Bernardino County

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

Council Member Carlos Rodriguez Cities of Orange County

Supervisor Janice Rutherford County of San Bernardino

### Members absent:

Supervisor Kathryn Barger County of Los Angeles

Supervisor V. Manuel Perez County of Riverside

**CALL TO ORDER**: Chairman Burke called the meeting to order at 11:00 a.m.

Roll Call

Supervisor Bartlett and Council Member Buscaino were absent for roll call. Supervisor Bartlett and Council Member Buscaino joined the meeting at 11:05 a.m.

Opening Comments

There were no opening comments.

(Supervisor Bartlett and Council Member Buscaino joined the meeting.)

### **PUBLIC HEARING**

1. Determine That Proposed Amendments to Rule 445 – Wood-Burning Devices, Are Exempt from CEQA and Amend Rule 445

Dr. Philip Fine, DEO/Planning, Rule Development and Area Sources, gave an overview of the Proposed Amendments to Rule 445.

Sarah Rees, Assistant DEO/Planning, Rule Development and Area Sources, gave the staff presentation on Item No. 1.

The public hearing was opened, and the following individuals addressed the Board on Item 1.

Amy J. Wong, Active San Gabriel Valley

Emily Spokes, North East Los Angeles (NELA) Climate Collective

Chris Chavez, Clean Air Coalition

Regina Hsu, Earthjustice

Jessica Craven, NELA Climate Collective

Leah Louis-Prescott, Rocky Mountain Institute

Roxanna Barrera

Cora West, Sunrise Movement

Recognized the importance of No-Burn days and expressed support for the rule amendment; however, noted that No-Burn days are not sufficient to meet attainment goals by 2023. Noted the health impacts from exposure to air pollution, especially in communities of color, and urged the Board to adopt strong rules and policies that reduce NOx emissions from all sources within its authority, including refineries, warehouses, railyards and buildings. Recommended that the South Coast AQMD seek additional incentive funding, encourage CARB and U.S. EPA to do more, and incorporate impacts of climate change into the 2022 AQMP. (Council Member Buscaino left the meeting at approximately 11:20 a.m.)

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

# One Comment letter submitted on behalf of the following organizations:

Adrian Martinez/Regina Hsu, Earthjustice
Jane Williams, California Communities Against Toxics
Julia May, Communities for a Better Environment
Taylor Thomas, East Yard Communities for Environmental Justice
David Pettit, Natural Resources Defense Council
Martha Arguello, Physicians for Social Responsibility – Los Angeles
Leah Louis-Prescott, Rocky Mountain Institute
Matt Gough, Sierra Club
Jimmy O'Dea, Union of Concerned Scientists
Theral Golden, West Long Beach Association
Cora Went, Sunrise Movement LA
Andrea Vidaurre, Warehouse Worker Resource Center

MOVED BY CACCIOTTI, SECONDED BY BENOIT, AGENDA ITEM NO. 1 APPROVED AS RECOMMENDED, ADOPTING RESOLUTION NO. 20-16 DETERMINING THAT THE PROPOSED AMENDMENTS TO RULE 445 – WOOD-BURNING DEVICES, ARE EXEMPT FROM THE REQUIREMENTS OF CEQA AND AMENDING RULE 445 – WOOD-BURNING DEVICES, BY THE FOLLOWING VOTE:

AYES: Bartlett, Benoit, Burke, Cacciotti,

Delgado, Kracov, McCallon, Mitchell, Rodriguez, and

Rutherford

NOES: None

ABSENT: Barger, Buscaino and Perez

Council Member Rodriguez asked for thoughts and prayers for families under evacuation and fire fighters going through the Blue Ridge and Silverado fires.

Supervisor Bartlett expressed concerns regarding the fires in Orange County and noted the adverse impacts to air quality. She commented on the community concerns regarding All American Asphalt in Irvine and asked if staff's recent letter could be posted on the South Coast AQMD website so that the public could remain aware of the ongoing investigation.

Mr. Nastri responded that staff is working on options to make information broadly available to the community. The investigation is ongoing, and staff will keep the Board apprised.

Chairman Burke commented on the need to address some of the issues raised by the commenters. He also noted the impacts of climate change as it relates to fires in California.

# **ADJOURNMENT**

There being no further business, the meeting was adjourned by Chairman Burke at 11:35 a.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on October 27, 2020.

Respectfully Submitted,

Faye Inomas	
Clerk of the Boards	
Olerk of the Boards	

Date Minutes Approved:

Dr. William A. Burke, Chairman

#### **ACRONYMS**

AQMP – Air Quality Management Plan

CARB = California Air Resources Board

CEQA = California Environmental Quality Act

NOx = Oxides of Nitrogen

U.S. EPA = United States Environmental Protection Agency



BOARD MEETING DATE: November 6, 2020 AGENDA NO. 2

PROPOSAL:

Set Public Hearings December 4, 2020 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations:

A. <u>Determine That Coachella Valley Extreme Area Plan for 1997</u>
8-Hour Ozone Standard Is Exempt from CEQA and Approve
Coachella Valley Extreme Area Plan for 1997 8-Hour Ozone
Standard

On July 10, 2019, the Coachella Valley was reclassified from Severe-15 to Extreme nonattainment for the 1997 8-hour ozone National Ambient Air Quality Standard (standard) with an attainment date of June 15, 2024. A revision to the SIP is required to be submitted to U.S. EPA by February 14, 2021. The Coachella Valley Extreme Area Plan has been developed to demonstrate attainment of the 1997 8-hour ozone standard and to address the applicable federal Clean Air Act requirements for Extreme nonattainment areas. The Coachella Valley is expected to attain the 1997 ozone standard in 2023 based on the continued implementation of existing regulations and programs. This action is to adopt the Resolution: 1) Determining that the Coachella Valley Extreme Area Plan for the 1997 8-Hour Ozone Standard is exempt from the requirements of the California Environmental Quality Act; and 2) Approving the Coachella Valley Extreme Area Plan for the 1997 8-Hour Ozone Standard, and directing staff to forward to CARB for approval and submission to U.S. EPA for inclusion in the SIP. (Reviewed: Mobile Source Committee, September 18, 2020)

B. Determine That Attainment Plan for 2006 24-hour PM2.5 Standard for South Coast Air Basin Is Exempt from CEQA and Approve Attainment Plan for 2006 24-hour PM2.5 Standard for South Coast Air Basin

The South Coast Air Basin (Basin) is a Serious nonattainment area for the 2006 24-hour PM2.5 National Ambient Air Quality Standard (standard) with an attainment deadline of December 31, 2019. Despite significant improvement in PM2.5 levels, the Basin failed to attain this standard by the required date based on 2017-2019 monitoring data. On September 16, 2020, U.S. EPA finalized its

determination of the Basin's failure to attain the 2006 24-hour PM2.5 standard by the attainment date. Accordingly, a revision to the SIP is required to be submitted to U.S. EPA by December 31, 2020. The Basin is expected to attain the 2006 PM2.5 standard in 2023 based on the continued implementation of existing regulations and programs. This action is to adopt the Resolution: 1) Determining that the Attainment Plan for the 2006 24-hour PM2.5 Standard for the South Coast Air Basin is exempt from the requirements of the California Environmental Quality Act; and 2) Approving the Attainment Plan for the 2006 24-hour PM2.5 Standard for the South Coast Air Basin, and directing staff to forward the Attainment Plan to CARB for approval and submission to U.S. EPA for inclusion in the SIP. (Reviewed: Mobile Source Committee, August 21, 2020)

C. <u>Determine That Amendments to Regulation XIII - New Source</u>
Review, Regulation XX - Regional Clean Air Incentives Market
and Regulation XXX - Title V Permits, Are Exempt from CEQA
and Amend Regulations XIII, XX, and XXX

Coachella Valley was recently reclassified from Severe-15 to Extreme nonattainment for the federal 1997 8-hour ozone standard, with a new attainment date of June 15, 2024. Under the federal Clean Air Act, the reclassification for Coachella Valley requires revisions to Regulations XIII – New Source Review, XX – Regional Clean Air Incentives Market and XXX – Title V Permits to reduce the Major Polluting Facility thresholds and the thresholds for federal Major Modifications for VOC and NOx which are ozone precursors. Additional amendments are proposed to remove outdated rule provisions, correct rule references, and improve rule clarity. This action is to adopt the Resolution: 1) Determining that the proposed amendments to Regulations XIII, XX and XXX, are exempt from the requirements of the California Environmental Quality Act; and 2) Amending Regulations XIII, XX and XXX.

(Reviewed: Stationary Source Committee, October 16, 2020)

Determine That Proposed Amendments to Rule 1146 - Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters, Are Exempt from CEQA; and Amend Rule 1146
 Rule 1146 establishes an ammonia slip limit for new and modified pollution controls with ammonia emissions such as Selective Catalytic Reduction (SCR). Proposed Amended Rule 1146 will remove the ammonia slip limit, which is currently addressed under Regulation XIII New Source Review. This action is to adopt the

Resolution: 1) Determining that the proposed amendments to Rule 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters are exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters. (Reviewed: Stationary Source Committee, October 16, 2020)

The complete text of the proposed amendments, staff report and other supporting documents will be available from the South Coast AQMD's publication request line at (909) 396-2001, or from: Mr. Derrick Alatorre – Deputy Executive Officer/Public Advisor, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765, (909) 396-2432, <a href="mailto:dalatorre@aqmd.gov">dalatorre@aqmd.gov</a> and on the Internet (<a href="www.aqmd.gov">www.aqmd.gov</a>) as of November 4, 2020.

#### **RECOMMENDED ACTIONS:**

Set Public Hearings December 4, 2020 to Amend Rule 1146 and Regulations XIII, XX and XXX; Approve the Coachella Valley Extreme Area Plan for the 1997 8-Hour Ozone Standard; and Approve the Attainment Plan for the 2006 24-hour PM2.5 Standard for the South Coast Air Basin

Wayne Nastri Executive Officer

ft



BOARD MEETING DATE: November 6, 2020 AGENDA NO. 3

PROPOSAL: Reimburse CEC and Return Interest

SYNOPSIS: In February 2020, CEC issued a final audit report of CEC-

funded projects, concluding that the majority of claimed agreement expenditures were in compliance with grant agreement requirements. However, the report questioned certain reimbursed subcontractor costs and requested that interest earned be returned to CEC. These actions are to: 1) reimburse CEC for unsupported costs with funds provided by two contractors in an amount not to exceed \$214,719 from the Clean Fuels Fund (31); 2) reimburse CEC for unsupported costs in an amount not to exceed \$70,631 from the Clean Fuels Fund (31); and 3) return to CEC interest earned on CEC

funds in an amount not to exceed \$202,723 and future residual interest earned from the Hydrogen Fueling

Infrastructure Network Fund (63).

COMMITTEE: Technology, October 16, 2020; Recommended for Approval

#### RECOMMENDED ACTIONS:

- 1. Reimburse CEC for unsupported costs with funds provided by Clean Fuel Connection, Inc. and Cummins Westport Inc. in an amount not to exceed \$214,719 from the Clean Fuels Fund (31);
- 2. Reimburse CEC for unsupported costs on behalf of H2 Frontier in an amount not to exceed \$70,631 from the Clean Fuels Fund (31); and
- 3. Return to CEC interest earned on CEC funds in an amount not to exceed \$202,723 and residual interest earned from the Hydrogen Fueling Infrastructure Network Fund (63).

Wayne Nastri Executive Officer

### **Background**

The CEC conducted an audit on five funding agreements, with aggregated project funds of \$12.6 million, and issued a final audit report on February 4, 2020. These grants were leveraged with other funds, including more than \$3.5 million from South Coast AQMD as well as significant private investments and were successfully implemented within CEC budgeted amounts. Collectively, these projects have resulted in or paved the way for significant reduction in criteria pollutants, greenhouse gases and petroleum usage, furthering the goals of both agencies, especially the projects that commercialized heavyduty natural gas engines that are 90 percent cleaner than the existing standard and are currently being deployed throughout the Basin.

Existing processes and controls on invoices and supporting information are sound, however, research, development and demonstration projects, such as those included in the subject audit, often experience delays, and contractor/subcontractor reports need additional scrutiny to ensure completion of tasks. In line with existing controls, invoices and other documentation were thoroughly reviewed for accuracy prior to any payments and relied on contractors to provide true and accurate information for expenditures, especially indirect labor rates.

The final audit report concluded that the majority of claimed agreement expenditures were in compliance with grant agreement requirements. However, the final audit report contained two observations. The report questioned payments made to three contractors for unsupported labor, fringe benefits and indirect costs, totaling \$285,350. CEC also requested that South Coast AQMD return \$178,345 in interest earned on CEC funds. These funds were provided to South Coast AQMD as an advance payment on one of the agreements that was about to expire to prevent these funds from reverting to the state and enable the completion of three projects. Interest on the advance payment of funds was tracked in accordance with established protocols, and the interest income was always planned to be returned to CEC. Additional interest has been earned since the audit report, with a current interest balance of \$202,723. There is also residual interest which will continue to accrue and will also be returned to CEC.

### **Proposal**

Two contractors agreed to reimburse South Coast AQMD. One contractor has paid \$9,622 to South Coast AQMD. The final invoice for the second contractor will be adjusted by \$205,097. However, one contractor is in financial hardship and is not able to reimburse South Coast AQMD for \$70,631 in unsupported costs, which is the only out-of-pocket cost South Coast AQMD will incur due to the CEC audit. The total amount that would be returned to CEC for unsupported costs is \$285,350.

Staff is proposing the following actions: 1) reimburse CEC for unsupported costs with funds provided by Clean Fuel Connection, Inc. and Cummins Westport, Inc. in an amount not to exceed \$214,719 from the Clean Fuels Fund (31); 2) reimburse CEC for

unsupported costs on behalf of H2 Frontier in an amount not to exceed \$70,631 from the Clean Fuels Fund (31); and 3) return to CEC interest earned on CEC funds in an amount not to exceed \$202,723 and return any future residual interest earned from the Hydrogen Fueling Infrastructure Network Fund (63).

### **Resource Impacts**

The \$70,631 for unsupported costs for the contractor in financial hardship will be funded from the Clean Fuels Fund (31) which has sufficient funds available.



BOARD MEETING DATE: November 6, 2020 AGENDA NO. 4

PROPOSAL: Amend Contract to Install Solar Panels for Volvo LIGHTS

**Project** 

SYNOPSIS: In November 2018, the Board approved execution of contracts

> for the Volvo Low Impact Green Heavy Transport Solutions (LIGHTS) project. In order to complete installation of solar panels at freight handling facilities participating in the Volvo LIGHTS project, CARB approved reallocating up to \$600,000 of administrative funding to project costs. This action is to amend a contract with Volvo Group North America, LLC in an amount not to exceed \$600,000 from the GHG Reduction

> Projects Special Revenue Fund (67) for the installation of solar

panels.

COMMITTEE: Technology, October 16, 2020; Recommend for Approval

#### **RECOMMENDED ACTION:**

Authorize the Chairman to amend a contract with Volvo Group North America, LLC, in an amount not to exceed \$600,000 from the GHG Reduction Projects Special Revenue Fund (67) to install solar panels at freight handling facilities.

> Wayne Nastri **Executive Officer**

MMM:NB:JI:PSK

### Background

In November 2018, the Board approved an award of \$44,839,686 for the Volvo Low Impact Green Heavy Transport Solutions (LIGHTS) project to develop and demonstrate Class 8 battery electric trucks, freight handling equipment, infrastructure and solar panels under CARB's Low Carbon Transportation GHG Reduction Fund Investments. South Coast AQMD received \$2,151,436 or 5 percent of the total grant for

administrative funding towards project management including reporting, contracting, invoicing, and other administrative tasks.

Since the grant agreement with CARB was executed in 2019, tariffs on solar panels and inverters and construction challenges to comply with COVID-19 requirements have increased the cost of installing solar and construction projects in general. The grant agreement with CARB also had a significant solar production requirement of 1.8 million kWh annually. To achieve this target, over 1 MW of solar panels will be installed at up to two freight handling facilities in Chino and Ontario participating in the Volvo LIGHTS project. Solar panels will also increase resiliency for these fleets and their ability to charge their trucks, yard tractors, forklifts, and support EVs and pave the way for future development of a microgrid at these sites to enable these fleets to deploy larger numbers of battery electric trucks and off-road equipment to transition their entire fleets to zero emission.

### **Proposal**

In order to complete installation of solar panels at freight handling facilities in the Volvo LIGHTS project, South Coast AQMD staff recommends reallocating up to \$600,000 of its administrative funding to project costs, which CARB has approved. This action is to amend a contract with Volvo Group North America, LLC (Volvo) to add up to \$600,000 in CARB funding for the Volvo LIGHTS project. There is no net change in grant funds from CARB as a result of this action.

### **Sole Source Justification**

Section VIII.B.2. of the Procurement Policy and Procedure identifies four major provisions under which a sole source award may be justified. The request for sole source awards for the Volvo contract is made under the provisions B.2.c.(1): The unique experience and capabilities of the proposed contractor or contractor team; B.2.c.(2): The project involves the use of proprietary technology; and B.2.d.(1): Projects involving cost-sharing by multiple sponsors. Volvo has extensive knowledge and experience in advanced EV technologies and solar technologies to successfully complete this project. This project will be cost-shared by Volvo and other project partners as discussed in the Resource Impacts section.

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

Projects to support development and demonstration of various electric container and freight transport technologies and infrastructure, as well as to demonstrate solar and energy storage technologies to enable development and demonstration of microgrids with fleets charging heavy-duty trucks, yard tractors, and forklifts are included in the *Technology Advancement Office Clean Fuels Program 2020 Plan Update* under the categories of "Develop and Demonstrate Electric and Hybrid Vehicles," "Develop and Demonstrate Electric Container Transport Technologies," "Develop and Demonstrate Electric Charging Infrastructure," and "Develop and Demonstrate Microgrids with

Photovoltaic/Fuel Cell/Battery Storage/EV Chargers and Energy Management." This project is to develop and demonstrate zero emissions heavy-duty trucks, freight handling equipment, infrastructure and solar panels. Successful demonstrations of such projects will contribute to the attainment of national ambient air quality standards in the South Coast Air Basin by eliminating PM and NOx emissions from replaced diesel heavy-duty trucks and off-road freight handling equipment. The project also includes installation of infrastructure powered by solar panels and energy storage.

### **Resource Impacts**

The amended contract with Volvo will not exceed \$46,691,592 from the GHG Reduction Projects Special Revenue Fund (67). This will not exceed the total CARB funding of \$42,191,592, \$4,000,000 in South Coast AQMD cost share from the Clean Fuels Fund (31), and \$500,000 from the U.S. EPA Clean Air Technology Initiative (CATI) program. CARB funding of \$41,591,592 from project funding was previously recognized by the Board in November 2018, and up to \$600,000 is being reallocated from South Coast AQMD administrative funding to project funding from this grant. The funding sources and amounts for the project are in the following table:

**Proposed Volvo Project Costs** 

Troposed voivo rroje		<b>T</b> (
Source	Amount	Percent
CARB	\$41,591,592	45%
(recognized Nov 2018)		
CARB	\$600,000	.65%
(reallocation from admin to project funds)		
Volvo and partners	\$45,855,308	50%
(cash & in-kind)		
South Coast AQMD	\$4,000,000	4%
(approved Nov 2018)		
U.S. EPA (CATI)	\$500,000	.55%
(approved Sept 2020)		
Total	\$92,546,900	100%

Sufficient funds will be available in GHG Reduction Projects Special Revenue Fund (67) to amend the Volvo contract from the CARB funding for the Volvo LIGHTS project.



BOARD MEETING DATE: November 6, 2020 AGENDA NO. 5

PROPOSAL: Recognize Revenue, Issue Program Announcement, Execute

Contracts, and Redistribute Funds for Heavy-Duty Truck Projects

Meeting the Proposition 1B – Goods Movement Program

Requirements

SYNOPSIS: South Coast AQMD is currently administering and implementing

the final funding cycle for the Proposition 1B – Goods Movement Program. Due to cancellation of some projects, new Proposition 1B funding granted by CARB, and availability of Community Air Protection Program incentives, a new solicitation is needed to receive applications for additional heavy-duty truck projects and infrastructure meeting the criteria of the Proposition 1B – Goods Movement Program. These actions are to: 1) recognize revenue from CARB up to \$6,406,088 into the Proposition 1B – Goods Movement Fund (81); 2) reimburse the General Fund up to

\$305,052 for administrative costs; 3) issue a Program

Announcement for heavy-duty truck and infrastructure projects; 4) execute contracts (or modify existing contracts) for eligible truck

projects; and 5) redistribute funds, as needed, for the timely

liquidation of incentive programs funds.

COMMITTEE: Technology, October 16, 2020; Recommended for Approval

### RECOMMENDED ACTIONS:

- 1. Recognize, upon receipt, up to \$6,406,088 from CARB (Grant # GMB19-01) into the Proposition 1B Goods Movement Fund (81);
- 2. Reimburse the General Fund up to \$305,052 from the Proposition 1B Goods Movement Fund (81) for administrative costs associated with Grant #GMB19-01 to implement the Proposition 1B Goods Movement program;
- 3. Issue Program Announcement #PA2021-03 for heavy-duty truck and infrastructure projects under the Proposition 1B Goods Movement Program;
- 4. Authorize the Executive Officer to execute contracts (or modify existing contracts) for eligible truck projects, including infrastructure, from the Community Air Protection Fund (77) or Proposition 1B Goods Movement Program Fund (81); and

5. Authorize the Executive Officer to redistribute the source of funds within and/or between the Proposition 1B – Goods Movement Fund (81) and the Community Air Protection Fund (77) prior to payments made on a new contract or modification, as needed, for timely liquidation of funds in accordance with applicable guidelines, requirements, and direction from CARB.

Wayne Nastri Executive Officer

MMM:NB:VAW:TL

### **Background**

To date, CARB has granted approximately \$458 million in Proposition 1B – Goods Movement Program funds to the South Coast AQMD to reduce emissions from the goods movement sector, including the replacement of heavy-duty diesel trucks, transportation refrigeration units (TRUs) and locomotives with cleaner technologies, as well as installation of shore power for ships at berth. The vast majority of these vehicles/equipment are currently operational, providing significant emission reduction benefits to the region.

In October 2019, the Board issued Proposition 1B – Goods Movement Program Announcement (PA) #PA2021-03 to solicit additional projects to utilize turnback funds. The solicitation was closed on March 31, 2020. Due to the cancellation of some projects, new Proposition 1B funding granted by CARB, and the availability of Community Air Protection Program incentives, a new solicitation is now needed to receive applications for additional heavy-duty truck projects and infrastructure meeting the criteria of the Proposition 1B – Goods Movement Program. The amount of funding available is estimated to be up to \$50 million from both Proposition 1B and Community Air Protection funds. Pursuant to the Community Air Protection incentive grants, these incentive funds may be used for clean truck projects eligible under the Proposition 1B – Goods Movement Program, with the majority of these funds benefiting disadvantaged and/or low-income communities.

On August 4, 2020, CARB granted unused funds totaling \$6,406,088 from the Loan Assistance and Diesel Particulate Filter (DPF) Substrate Programs to the South Coast AQMD to fund additional truck and infrastructure projects received through the Proposition 1B Program.

#### **Proposal**

This action is to recognize up to \$6,406,088 from a new CARB grant (Grant #GMB19-01) into the Proposition 1B – Goods Movement Fund (81) and reimburse

the General Fund up to \$305,052, or up to five percent, from the Proposition 1B – Goods Movement Fund (81) for administrative costs necessary to implement the additional funds granted to this program.

This action is also to issue PA #PA2021-03 to solicit new heavy-duty truck and infrastructure projects and authorize the Executive Officer to execute contracts (or modify existing contracts) for eligible projects from this PA using funds from Community Air Protection Program Fund (77) or Proposition 1B – Goods Movement Fund(81).

In addition, staff also proposes to authorize the Executive Officer to redistribute the source of funding within and/or between the Proposition 1B – Goods Movement Fund (81) and the Community Air Protection Fund (77) prior to payments made on a new contract or modification, as needed, to facilitate timely liquidation of funds to the extent the redistribution would not be in conflict with any applicable guidelines, requirements or direction from CARB.

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

The projects funded will reduce NOx and PM emissions that are surplus to existing regulations and will occur throughout the life of the projects resulting in long-term emissions reduction benefits, including implementing specific measures included in AB 617 Community Emission Reduction Plans. Additionally, these projects will reduce exposure to toxic diesel exhaust emissions, especially in disadvantaged and low-income communities that are identified in the Community Air Protection incentives grants.

### **Resource Impacts**

The revenue of \$6,406,088 will be recognized into the Proposition 1B – Goods Movement Fund (81). Reimbursement of the General Fund for administrative costs will not exceed \$305,052 (or up to five percent of the grant amount).

The action of redistributing funding sources will not affect the Board-approved award amount for each project; therefore, no resource impacts are anticipated.

#### Attachment

Program Announcement #PA2021-03



### **Heavy-Duty Diesel Trucks**

### **Under the Proposition 1B - Goods Movement Emission Reduction Program**

The South Coast Air Quality Management District (South Coast AQMD) is pleased to announce the availability of funds from the Proposition 1B - Goods Movement Emission Reduction Program (hereafter "Program"). The Program is administered by a partnership between the California Air Resources Board (CARB) and local air agencies to reduce air pollution emissions and health risk from freight movement along California's trade corridors. Projects funded under this Program must achieve early or extra emission reductions not otherwise required by law or regulation. Program funding will be available until a sufficient number of eligible and complete applications have been received, and all Program funds are fully committed through executed contracts.

This Program Announcement is seeking applications for heavy-duty diesel truck projects, including the six project options identified below. Please note funding is also available for electric charging stations, hydrogen fueling units, and truck stop electrification infrastructure. About \$50 million in funding is available for this solicitation.

**WHO:** The following may apply for funding through this solicitation:

- 1. Owner of an on-road, heavy-duty diesel truck with a manufacturer's gross vehicle weight rating (GVWR) of 16,001 lbs. or greater (Class 5, 6, 7 or 8 truck) used to move goods as part of a sales transaction for a majority of the time,
- 2. Any entity who plans to own and operate the Program-funded electrification infrastructure at a truck stop, rail yard or other freight facility, with agreement from the site owner, including any entity who plans to own and operate an electric charging station or hydrogen fueling unit.

**WHAT:** There are six project options available as part of this solicitation.

- 1. Truck Replacement
- 2. Truck Engine Repower (Small Fleet Only)
- 3. Three-Way Truck Transaction
- 4. Two-for-One Truck Replacement
- 5. Electrification Infrastructure at a Truck Stop, Rail Yard or Other Facility
- 6. Electric Charging Stations or Hydrogen Fueling Units

Equipment specifications for each of these project options can be found in Appendix A of the 2015 Program Guidelines at: <a href="https://ww2.arb.ca.gov/our-work/programs/proposition-1b-goods-movement-emission-reduction-program">https://ww2.arb.ca.gov/our-work/programs/proposition-1b-goods-movement-emission-reduction-program</a>

HOW:

The application forms with instructions are attached to this Program Announcement (PA). For guidance on which application forms are required for your project type, please see Section VII of this PA. A copy of the application forms can be found at: http://www.aqmd.gov/Prop1B

WHERE: Three (3) copies of a <u>completed application (with all required supporting documents</u> <u>and signatures)</u> must be submitted via mail delivery, or in person to:



# Heavy-Duty Diesel Trucks Under the Proposition 1B - Goods Movement Emission Reduction Program PA2021-03

### South Coast Air Quality Management District 21865 Copley Dr., Diamond Bar, CA 91765 Attn: Procurement

**NOTE:** Facsimile or email submittals will not be accepted.

WHEN: This solicitation will open on November 6, 2020 and will close on April 30, 2021 at

1pm.

#### **Schedule:**

Solicitation Opens November 6, 2020 (and will close on April 30, 2021,

at 1 pm)

Anticipated:

South Coast AQMD Evaluation Period November 2020 to June 2021 South Coast AQMD to Issue Contracts February 2021 to June 2021

Operational Deadline Please refer to the Proposition 1B: Goods Movement

Emission Reduction Program Operational Deadlines

for Year 5 Truck Projects, posted at:

http://www.aqmd.gov/Prop1B

For general information or questions about the South Coast AQMD Proposition 1B – Goods Movement Emission Reduction Program, please contact:

Fan Xu, Air Quality Specialist • (909) 396-2347

### South Coast AQMD Program Announcement For

### **Heavy-Duty Diesel Trucks**

## Under the Proposition 1B - Goods Movement Emission Reduction Program PA2021-03

#### I. SUMMARY

The purpose of this Program Announcement (PA) is to solicit applications for the replacement of heavy-duty truck projects under the State's Proposition 1B – Goods Movement Emission Reduction Program. This PA will include projects of the following equipment types:

- Heavy-duty diesel trucks (replacement or repower with alternative fuel or advanced technologies identified in Tables 1 and 2)
- Truck stop electrification infrastructure
- Electric charging stations
- Hydrogen fueling infrastructure

### II. BACKGROUND

The diesel engines in trucks, locomotives, ships, harbor craft, and cargo handling equipment are major contributors to the State's air pollution challenges. These sources account for nearly half of the statewide particulate matter (PM) emissions. Diesel PM is both a toxic air contaminant and a contributor to black carbon, a powerful short-lived climate pollutant. Near-source exposure to emissions of this particulate matter is associated with health risks, especially near distribution centers, railyards, and seaports, many of which impact disadvantaged communities. Emissions from freight transport also account for over one-third of the statewide nitrogen oxides (NOx) that forms fine particles.

Proposition 1B (Prop. 1B), which was approved by the voters in 2006, authorizes \$1 billion in bond funding to CARB to cut freight emissions in four priority trade corridors, including the Los Angeles/Inland Empire trade corridor in the South Coast Air Basin. To date, CARB has granted close to \$938 million to local agencies for various goods movement projects. The project categories include heavy-duty diesel trucks, freight locomotives, ships at berth, commercial harbor craft, cargo handling equipment, transport refrigeration units (TRU), and infrastructure for electrification of truck stops, distribution centers and other places where trucks congregate.

The Program supplements existing regulations and may be combined with other funding programs to cut diesel emissions by funding projects "not otherwise required by law or regulation." The Program funds provide an incentive to equipment owners to upgrade to cleaner equipment and achieve early or extra emission reductions beyond those required by applicable rules, regulations or enforceable agreements.

#### III. **DEFINITIONS**

### a) Air Quality Improvement Program (AQIP)

AQIP is a voluntary incentive program administered by CARB to fund clean vehicle and equipment projects, research of biofuels production and air quality impacts of alternative fuels, and workforce training. AQIP was created in 2007 by Assembly Bill (AB) 118, the California Alternative and Renewable Fuel, Vehicle Technology, Clean Air, and Carbon Reduction Act of 2007 (Núñez, Chapter 750, Statutes of 2007). AB 8 (Perea, Chapter 401, Statutes of 2013) reauthorized the fees that support AQIP through 2023.

### South Coast AQMD Program Announcement For

### **Heavy-Duty Diesel Trucks**

### **Under the Proposition 1B - Goods Movement Emission Reduction Program PA2021-03**

CARB has focused AQIP investments on technology-advancing projects that support California's long-term air quality and climate change goals in addition to providing immediate emission benefits. AQIP investments have concentrated on three main categories: commercial deployment of clean vehicles, pre-commercial advanced technology demonstrations, and finance assistance to small trucking fleets. For the latest information on the AQIP, please visit: <a href="http://www.arb.ca.gov/msprog/aqip/aqip.htm">http://www.arb.ca.gov/msprog/aqip/aqip.htm</a>

### b) Class 5 Truck (Weight Classification)

A heavy duty truck with a Gross Vehicle Weight Rating of 16,001 to 19,500 pounds, equipped with a medium-heavy duty engine.

### c) Class 6 Truck (Weight Classification)

A heavy duty truck with a Gross Vehicle Weight Rating of 19,501 to 26,000 pounds, equipped with a medium-heavy duty engine.

### d) Class 7 Truck (Weight Classification)

A heavy duty truck with a Gross Vehicle Weight Rating of 26,001 to 33,000 pounds, equipped with either a medium-heavy duty engine or a heavy-heavy duty engine.

### e) Class 8 Truck (Weight Classification)

A heavy duty truck with a Gross Vehicle Weight Rating of 33,001 pounds or greater, equipped with a heavy-heavy duty engine.

### f) Drayage Truck

Drayage trucks are defined in the California Code of Regulations (CCR) by Section C.15 of the Drayage Truck Regulation (13 CCR §2027) as any in-use on-road vehicle with a gross vehicle weight rating (GVWR) greater than 26,000 pounds that is used for transporting cargo, such as containerized, bulk, or break-bulk goods, that operates:

- A. On or transgresses through port or intermodal rail yard property for the purpose of loading, unloading or transporting cargo, including transporting empty containers and chassis; or
- B. Off port or intermodal rail yard property transporting cargo or empty containers or chassis that originated from or is destined to a port or intermodal rail yard property.

### g) Freight Facility

Distribution centers, warehouses, retail and wholesale outlets, and agricultural processing centers, and other places where trucks congregate (other than truck stops).

### h) "Goods"

Defined as having the same meaning in California Code, Commercial Code section 2105, which essentially requires that:

- A. The goods must be movable.
- B. The goods being moved must be part of a transaction that involves a contract for the sale of the goods.
- C. Rental equipment does not qualify as "Goods."

### South Coast AQMD Program Announcement For

# Heavy-Duty Diesel Trucks Under the Proposition 1B - Goods Movement Emission Reduction Program PA2021-03

#### i) Hybrid Truck

Vehicle with an electric drive system powered by an on-board generator and approved for funding by CARB's AQIP.

#### j) Hybrid Zero Emission Mile Truck

Hybrid vehicle capable of zero emission miles.

### k) Middle-Aged Truck

A truck with a model year MY2007-2009 engine and an original equipment manufacturer (OEM) filter or a PM filter. (Note: these trucks may be selected for a reuse program)

This is commonly referred to as "Truck A" in a Three-Way Truck Transaction. In this type of transaction, this middle-aged truck is replaced with a new truck. The middle-aged truck can then be reused by another truck fleet that has a truck with a 2006 MY or older engine that will be scrapped.

Note that this Truck A may not be used to expand another business or entity's fleet size.

### l) New Truck

Truck with a model year 2019 or newer engine that has not been previously owned.

#### m) Optional Low-NOx Truck

Truck that utilizes a new Optional Reduced Emission Standard Heavy-Duty Engine that is certified/verified (as applicable) by CARB. The Optional Reduced Emission Standard is one of five separate but related regulatory actions that together will reduce GHG & NOx air emissions from medium- and heavy-duty vehicles and engines; harmonize State requirements with Federal requirements; establish new, optional provisions; and enhance enforcement and implementation of existing regulations.

Specifically, the optional low oxides of nitrogen (NOx) standards for heavy-duty vehicle engines provide a mechanism to allow heavy-duty engine manufacturers to optionally certify engines to standards more stringent than the 2010 standards. Trucks equipped with new engines that are certified by the CARB to the optional low-NOx standard of 0.02 g/bhp-hr NOx or lower will be considered for funding through this Program Announcement.

#### n) Repower

To replace a higher-emitting diesel engine in a truck with a new or remanufactured, diesel engine that meets a more stringent emission standard (pollutes less). In a repower, the truck chassis remains the same. For example, replacing a 2007 engine, in an MY2008 model year truck, with a 2015 engine. The emissions from the new engine are verified with the CARB Executive Order for that engine family.



# Heavy-Duty Diesel Trucks Under the Proposition 1B - Goods Movement Emission Reduction Program PA2021-03

#### o) Small Fleets

Fleets with one to three on-road, diesel trucks and buses or vehicles with a gross vehicle weight rating (GVWR) greater than 14,000 lbs., as long as the vehicles are under common ownership and or control even if they are part of different companies, subsidiaries, divisions, or other organizational structures of a company or agency, regardless of whether the vehicles operate in California.

### p) Three-Way Truck Transaction

The act of replacing a middle-aged truck with a new truck with an original equipment manufacturer (OEM) filter or a PM retrofit; using the middle-aged truck to replace an old truck; and scrapping the old truck.

### q) Zero Emission Truck

Vehicle that emits no criteria pollutant, toxic or greenhouse gas emissions at the tailpipe.

### IV. OWNERSHIP REQUIREMENTS

Applications shall be signed and submitted by the current legal owner of the existing equipment that will be upgraded or replaced. For infrastructure projects, if there is no existing equipment, the application must be signed and submitted by the future owner of the Program-funded equipment.

Non-owner applications are not eligible for funding.

Individuals or companies that operate the existing equipment under a lease agreement with the equipment owner are prohibited from applying for bond funding.

Third-party applications are not allowed.

#### V. FUNDING TABLES

For the funding tables below, please also reference the Definitions in Section III above for descriptions of each project type and/or replacement engine type.



### **Heavy-Duty Diesel Trucks**

### **Under the Proposition 1B - Goods Movement Emission Reduction Program PA2021-03**

**Table 1: Heavy-Duty Trucks – All Fleet Sizes** 

Project Type <sup>1</sup>	Truck	Old Truck	Replacement Engine Model Year	Maximum
110ject 1jpc	Class	Engine Model	replacement Engine Would I can	Funding
		Year		Amounts
Replacement	Class 8	2005-2009	New MY2019+ engine zero emission truck <sup>2,3</sup>	\$200,000
(2-for-1 also			New MY2019+ engine hybrid zero emission mile truck <sup>2,3</sup>	\$150,000
available)			New MY2019+ engine optional low-NOx truck (0.02	\$100,000
			g/bhp-hr NOx or less) <sup>2,3</sup>	
			New MY2019+ engine hybrid truck <sup>2,3</sup>	\$80,000
			New MY 2019+ engine natural gas truck <sup>2,3,4</sup>	\$65,000
	Class 7	2005-2009	New MY2019+ engine zero emission truck <sup>2,3</sup>	\$200,000
			New MY2019+ engine hybrid zero emission mile truck <sup>2,3</sup>	\$150,000
			New MY2019+ engine optional low-NOx truck (0.02	\$100,000
			g/bhp-hr NOx or less) <sup>2,3</sup>	
			New MY2019+ engine hybrid truck <sup>2,3</sup>	\$80,000
			New MY 2019+ engine natural gas truck <sup>2,3,4</sup>	\$65,000
	Class 6	2007 - 2009	New MY2019+ engine zero emission truck <sup>2,3</sup>	\$100,000
		(No filter	New MY2019+ engine hybrid zero emission mile truck <sup>2,3</sup>	\$65,000
		installed) & 1998 - 2007 (if	New MY2019+ engine optional low-NOx truck (0.02	\$50,000
		filter installed)	g/bhp-hr NOx or less) <sup>2,3</sup>	
		,9	New MY2019+ engine hybrid truck <sup>2,3,8</sup>	\$45,000
			New MY 2019+ engine natural gas truck <sup>2,3,4,8</sup>	\$40,000
	Class 5	2007 – 2009	New MY2019+ engine zero emission truck <sup>2,3</sup>	\$80,000
		(No filter	New MY2019+ engine hybrid zero emission mile truck <sup>2,3</sup>	\$50,000
		installed) & 1998 - 2007 (if	New MY2019+ engine optional low-NOx truck (0.02	\$40,000
		filter installed)	g/bhp-hr NOx or less) <sup>2,3</sup>	
		,9	New MY2019+ engine hybrid truck <sup>2,3,8</sup>	\$35,000
			New MY 2019+ engine natural gas truck <sup>2,3,4,8</sup>	\$25,000
Three-way Truck	Class	Truck A:	Replace Truck A with Truck C <sup>2,3</sup>	Contact
Transaction	5/6/7/8	MY2007-2009	Scrap Truck B and replace with Truck A (reuse)	South
		engine truck <sup>5,6,7</sup>	Truck A and B may be owned/operated by a different	Coast
		Truck B:	owner.	AQMD
		Truck with MY2006 or		
		older engine		
		Truck C:		
		New MY 2019+		
		engine truck as		
		described above		

#### Table 1 Notes:

- 1. Project life for replacement and repowered truck is five years.
- 2. Projects may be co-funded with CARB's Air Quality Improvement Program, Low Carbon Transportation Program, or the California Energy Commission's (CEC's) Alternative Renewable Fuel Vehicle Technology Program funds as applicable.
- 3. Co-funded projects can only utilize one additional source of State funding and the combined funding may not exceed 90% of the total eligible project cost or any other funding restrictions of each respective program. Projects must meet the requirements of each program providing funding.
- 4. Engines must meet the 2010 emission level of 0.20 g/bhp-hr or less NOx (FEL and CERT values engine EO's that do not have both FEL and CERT values can show eligibility by using CERT values) and 0.01 g/bhp-hr or less PM (CERT value). All engines must be approved by CARB to be sold in California.



### **Heavy-Duty Diesel Trucks**

## Under the Proposition 1B - Goods Movement Emission Reduction Program PA2021-03

- 5. Truck A must have an original equipment manufacturer (OEM) filter or Level 3 PM retrofit.
- 6. Owner of Truck A does not need to specify the business or entity that will accept this truck in the Three-Way Transaction at the time of application.
- 7. Truck A may not be used to expand another business or entity's fleet size.
- 8. This option is not available for the existing Class 5 and 6 trucks that have an engine of MY 1999.
- 9. Filter must have been installed by prior to Jan. 1, 2014 and reported prior to Jan. 31, 2014.

Table 2: Heavy-Duty Trucks - Small Fleets Only<sup>1</sup>

Project Type	Truck Class	Old Truck Engine Model Year	Replacement Engine Model Year	Maximum Funding Amounts
Repower	Class 8	2005 - 2009	Repower with new MY2019+ engine <sup>1</sup>	\$20,000
	Class 7	2005 - 2009	Repower with new MY2019+ engine <sup>1</sup>	\$20,000
	Class 6	2005 – 2009	Repower with new MY2019+ engine <sup>1</sup>	\$10,000

Table 2 Notes:

**Table 3: Truck Stop Electrification Infrastructure** 

Project Type	Project Description	Maximum Funding Amounts	Project Life (years)
Truck Stop Electrification	Landside electrification infrastructure at a truck stop, rail yard, or other freight facility.	50% of eligible costs or the calculated funding amount at 0.10 lbs/State \$, whichever is lower	10
Electric Charging Station(s) or Hydrogen Fueling Unit(s)	Infrastructure for an electric charging station or hydrogen fueling units for heavy-duty trucks. (Requires the purchase of at least one vehicle through the Program.)	50% of eligible costs or \$30,000, whichever is lower	5

### **IMPORTANT NOTES:**

- Clear all outstanding CARB violations for vehicle and/or fleet, and maintain compliance with CARB's Truck and Bus Regulation and all other CARB regulations.
- If you do not have copies of registration records, visit your local DMV office and request a Vehicle Registration Information Record (form INF 1125) for each truck in your application. To find your local DMV office, please visit <a href="http://www.dmv.ca.gov">http://www.dmv.ca.gov</a>. You may also obtain and pay for the DMV printout online at: <a href="http://www.dmv.ca.gov/online/vrr.htm">http://www.dmv.ca.gov/online/vrr.htm</a>.
- Gather at least 2 records showing valid odometer readings at least 6 months apart for each truck in your application.
- Determine the manufacturer's Gross Vehicle Weight Rating (GVWR) as identified on a sticker/label most commonly found on the truck door jamb or on the inside of the door. If this tag is missing or not readable/legible, please check with your local dealer
- Maintain current registration for the old truck; keep it in legal operating condition until delivered to dismantler. Truck must continue to move goods for sale a majority of the time. Planned Non-Operation (PNO) is not allowed at any time.
- Applicants may request reduced funding amounts to improve cost-effectiveness and competitiveness of the project.
- Projects committing to 90% operation in California may be less competitive due to decreased emission reductions achieved within California
- Clear all old truck titles of any lien holders. A copy of the clean title for each old truck will be required for replacement projects before the grant payment can be made.
- Make sure your truck has a readable/legible VIN tag on the truck and engine tag on the engine prior to any inspection (project pre-inspection and post-inspection).

<sup>&</sup>lt;sup>1</sup> The replacement engine must be either zero emission or meeting the option low-NOx standard.

### South Coast AQMD Program Announcement For

# Heavy-Duty Diesel Trucks Under the Proposition 1B - Goods Movement Emission Reduction Program PA2021-03

For complete Program requirements, please refer to the 2015 Update to the Program Guidelines and related supplemental materials listed on the CARB Program website at <a href="https://ww2.arb.ca.gov/our-work/programs/proposition-1b-goods-movement-emission-reduction-program">https://ww2.arb.ca.gov/our-work/programs/proposition-1b-goods-movement-emission-reduction-program</a> or call Fan Xu at the South Coast Air Quality Management District for guidance at (909) 396-2347.

#### VI. ELIGIBILITY

Project eligibility will be based on the Program Guidelines which can be found at: <a href="https://ww2.arb.ca.gov/our-work/programs/proposition-1b-goods-movement-emission-reduction-program">https://ww2.arb.ca.gov/our-work/programs/proposition-1b-goods-movement-emission-reduction-program</a>. Class 5, 6, 7, and 8 trucks are the only projects that can be funded under this solicitation.

In order to be eligible for funding, the equipment owner must demonstrate:

- Existing truck has been used to move goods a majority of time for the past 2 years
- Fleet compliance with the Statewide Truck and Bus Rule
- California Operation:
  - o At least 75% operation within California each year for the past 24 months.
  - o Annual vehicle miles traveled (VMT) in California each year for the past 2 years:
    - At least 20,000 miles for each Class 7 or 8 truck.
    - At least 10,000 miles for each Class 5 or 6 truck.
- California Registration:
  - O Current registration in California (California base-plated or California International Registration Plan (IRP), or dual-plated registration (California based-plated/California IRP and Mexico only) for trucks carrying goods across the California-Mexico border, as they are required to be dual-plated, AND
  - o Registration for the past 2 years:
    - California DMV registration cards verifying registration for the past 2 years, or
    - California DMV Vehicle Registration Information Record (DMV printout) showing:
      - 1) Registration in both the current and prior year with a minimum of 6 months of total registration, or
      - 2) If the DMV printout only shows registration of 8 months in the current year and no registration in the prior year, then alternative documentation (insurance certificate or 90-day BIT inspection form) will be required to verify registration in the prior year.

### **Ineligible Equipment**

- Vehicles subject to CARB's Public and Utility Fleet Rule.
- Vehicles subject to CARB's Solid Waste Collection Vehicle Rule.
- Vehicles subject to CARB's Diesel Cargo Handling Equipment Rule.
- Trucks not in compliance with the Statewide Truck and Bus Rule and the Drayage Truck Regulation including Dray-Off.
- Trucks registered outside the State of California, including dual-plated registration, except for trucks that carry goods across the California-Mexico border, as they are required to be dual-plated, as described above.

### South Coast AQMD Program Announcement For

# Heavy-Duty Diesel Trucks Under the Proposition 1B - Goods Movement Emission Reduction Program PA2021-03

- Trucks which are a salvage vehicle (see Chapter I, Table I.4) for which a minimum of 24 months of ownership and operation cannot be verified.
- Trucks constructed from a glider kit, unless allowed by the local agency for an old, existing truck to be replaced. Glider kit trucks may not be repowered or utilized as a replacement truck.
- Repowered trucks when used as a replacement truck.

### **General Requirements for Equipment Owners (Applicable to All Project Options)**

Selected applicants must sign a contract with South Coast AQMD including project milestone and completion deadlines and commit to the following:

- Certify that there are no outstanding CARB violations or non-compliance with CARB regulations associated with the equipment or the owner and provide a copy of the CARB compliance certificate from The Truck Regulation Upload, Compliance, and Reporting System (TRUCRs).
- Maintain fleet compliance with the Statewide Truck and Bus Rule without utilizing Programfunded equipment until the specified timeframe. CARB will post and update information on the Program website describing operational deadlines and when the Program-funded vehicle will become eligible to be included in the equipment owner's fleet compliance strategy for the applicable project option.
- Vehicle inspections by the South Coast AQMD at designated time & location.
- Destruction of the old truck (replacements) and/or engine (repowers & replacements) at a South Coast AQMD-approved Prop. 1B Program dismantling facility (the old truck must be kept in operating condition and registered as operational until it is delivered to the dismantler and must be able to be driven to the dismantler under its own power).
- Maintaining old truck eligibility for Program funds. This includes maintaining registration, keeping equipment in legal operating condition, correcting any air pollution citations, and reporting, repairing, or replacing equipment that has been damaged, destroyed, or stolen.
- Commit to the project life (contract term) specified with the applicable Program-funded equipment project option.
- Adhere to all Program requirements during the project life.
- Commit to move goods a majority of the time.
- Commit Program-funded equipment to 100% California operation (or 90% California operation as selected by the equipment owner) and California base-plated registration or California IRP. **Out-of-state registrations. including out-of-state IRP. are prohibited.**Dual plates are only allowed for trucks that carry goods across the California/Mexico border and are required to be dual plated (California/Mexico only for 90% California operation projects).
- Commit Program-funded equipment to at least 50% travel within the four trade corridors for the duration of the project life.
- Maintain current California DMV registration for Program-funded equipment at all times during the project life.
- Ownership of the old truck shall not change from the time an equipment project application is submitted to invoice payment.

### South Coast AQMD Program Announcement For

# Heavy-Duty Diesel Trucks Under the Proposition 1B - Goods Movement Emission Reduction Program PA2021-03

- Agree to accept an on-board electronic monitoring unit on program-funded equipment at any time during the project life.
- Comply with record-keeping, reporting, and audit requirements.
- Properly maintain Program-funded equipment in good operating condition and according to manufacturer's recommendations.
- Maintain collision/comprehensive insurance on the Program-funded truck for replacement projects.
- Demonstrate proof of equipment warranty (a minimum of 1 year or 100,000 mile major component engine warranty for the program-funded equipment) that covers parts and labor to include the diesel particulate filter (if the equipment is no longer under warranty or has less than 1 year of warranty).
- Correct outstanding CARB equipment violations associated with the owner's **entire fleet of vehicles**.
- Program-funded projects must be purchased and operational prior to the CARB's Truck and Bus Regulation applicable compliance deadlines.
- Agree and acknowledge that the South Coast AQMD may release the information the application contains to third parties if required by state and federal public records laws;
- Program funding shall only be used to pay down the capital cost of the new equipment.
- Any tax obligation associated with the funding award is the responsibility of the equipment owner (grantee). Equipment owners receiving funding may be issued a 1099-G form by the South Coast AQMD for the awarded amount if required.
- Any other Program provisions and requirements described in the Program Guidelines and the executed contract with the South Coast AQMD.
- The applicant must be the legal owner of the old truck at the time of application.
- COMPLIANCE WITH LABOR LAWS: If an application is deemed eligible, the applicant will be required to provide information on any and all labor violations that have occurred within the last three years to be further considered for an award. If awarded, the contractor will be required to notify SCAQMD in writing if they have been found by a court or federal or state agency to have violated labor laws. The contractor will complete a yearly certification in which they will either state that they have not been found by a court or federal or state agency to have violated labor laws or, if such violations have been found, the contractor will give SCAQMD details about those violations in the certification. If the contractor has previously provided that information to the SCAQMD, they will be required to reattach that previous notification to the certification and provide any additional details about those violations that have not previously been provided. The contractor's yearly certification will be due at the same time as the annual progress reports. SCAQMD reserves the right to terminate the contract with a contractor that has been found to have violated labor laws, and the contractor may be required to return any and all contract funds, as determined by SCAQMD. The contractor will also ensure that these requirements are included in all subcontracts.

### **Program Requirements for Engine Repower/Replacement Projects:**

Engines eligible for funding must be certified/verified (as applicable) by a CARB Executive Order for on-road use with the following:

### South Coast AQMD Program Announcement For

# Heavy-Duty Diesel Trucks Under the Proposition 1B - Goods Movement Emission Reduction Program PA2021-03

- O Alternative fuel engines must meet the 2010 emissions level of 0.20 grams per brake-horsepower hour (g/bhp-hr) or less NOx (FEL and CERT values engine EO's that do not have both FEL and CERT values can show eligibility by using CERT values) and 0.01 g/bhp-hr or less PM (CERT value).
- o Hybrid and zero emission engines must be 2019 or newer and certified/verified (as applicable) by CARB.
- o Low NOx engines must meet the optional low NOx standard of 0.02 g/bhp-hr or less NOx and be certified/verified (as applicable) by CARB.
- o Class 8 truck intended service of Heavy Heavy Duty (HHD) for diesel engines or Heavy Duty Otto (HDO) for applicable alternative fuel vehicles.
- o Class 7 truck intended service of Medium Heavy Duty (MHD) or HHD for diesel engines or HDO for applicable alternative fuel vehicles.
- Class 5 and 6 truck intended service of LHD (Class 5 trucks only) or MHD for diesel engines or HDO for applicable alternative fuel vehicles.
- Class 5-8 trucks all heavy duty hybrid or electric vehicles shall follow CARB's Heavy Duty Hybrid Electric Vehicle Certification Procedure.

### **Program Requirements for Truck Replacement Projects:**

- All replacement trucks must have a manufacturer's GVWR of:
  - o 16,001 lbs 19,500 lbs (Class 5)
  - o 19,501 lbs 26,000 lbs (Class 6)
  - o 26,001 lbs 33,000 lbs (Class 7)
  - o 33,001 lbs or greater (Class 8)
- The existing truck must have a MHD or HHD engine (service class), except Class 5 trucks which may have LHD engines.
- The replacement truck must have the same weight classification range (Class 5, 6, 7, or 8) and service class (HHD or MHD) as the existing truck, except for the following conditions (funding levels for trucks in different weight classification ranges are specified in Table 5 below):
  - O The equipment owner chooses to replace 2 eligible trucks for 1 replacement truck (Two-for-One option). For 2 for 1 replacement projects, the funding amount is based on the highest weight classification of the two existing trucks, or the weight classification of the replacement truck, whichever is less.
  - o Replacement required by the equipment owner in order to meet a vocational need, as approved by the South Coast AQMD.
  - Replacement of a Class 7 truck with a Class 8 truck or Class 8 with a Class 7 truck, as long as both trucks have a HHD engine. Please note that the funding amount would be at a Class 7 level for both scenarios.
- Original equipment manufacturer engine installed in a chassis of the same model year, make, and configuration as was originally provided from the truck manufacturer when the chassis and engine were both new.

### South Coast AQMD Program Announcement For

### **Heavy-Duty Diesel Trucks**

### **Under the Proposition 1B - Goods Movement Emission Reduction Program PA2021-03**

Table 4: Heavy-Duty Trucks – Funding Examples for Weight Class Modifications (Based on GVWR

Project Type	Old Truck	Replacement	<b>Funding Level</b>
		Truck	
Replacement (1 for 1)	Class 7	Class 8	Class 7
Replacement (1 for 1)	Class 8	Class 7	Class 7
Replacement (1 for 1)	Class 6	Class 5	Class 5
Replacement (2 for 1)	Class 7 and Class 8	Class 8	Class 8
Replacement (2 for 1)	Class 8 and Class 8	Class 7	Class 7
Replacement (2 for 1)	Class 6 and Class 6	Class 7	Class 6
Replacement (2 for 1)	Class 6 and Class 8	Class 7	Class 7
Replacement (2 for 1)	Class 6 and Class 5	Class 7	Class 6

Additional requirements specific to certain truck project options can be found in Appendix A of the Proposition 1B: Goods Movement Emission Reduction Program-Final 2015 Staff Report and Guidelines for Implementation available at: <a href="https://ww2.arb.ca.gov/our-work/programs/proposition-1b-goods-movement-emission-reduction-program">https://ww2.arb.ca.gov/our-work/programs/proposition-1b-goods-movement-emission-reduction-program</a>.

#### **Modifying an Application**

Equipment owners are limited in what they can change after the application is submitted, as changes will affect a project's competitive ranking. Equipment owners are encouraged to select the option that best suits their company as changes may not be possible at a later date. For Program-funded projects, equipment owners are able to select any make/model vehicle or engine as long as it meets the required emission levels and is in the same vehicle class as the existing truck (with limited exceptions) and meets all other program requirements. Please note that your funding amount may change if you modify your application. Under no circumstances will an engine that is dirtier than the 2010 emission levels (0.20 grams/bhp-hr NOx and 0.01 grams/bhp-hr PM) be eligible for funding.

Equipment owners may change the project option after the solicitation period has closed subject to the following requirements:

- The change must result in a funding amount equal to or less than the amount that was requested in the original application.
- The change must result in calculated project cost-effectiveness equal to or greater than the project listed in the original application.
- The change must result in the project remaining above the funding line on the ranked list.

Equipment owners **<u>cannot</u>** substitute a different vehicle or change the ownership of the existing truck identified on the application after the solicitation period has closed.

If a truck identified as a certain weight class in the application is later determined to be in a different weight class, the South Coast AQMD will reduce the amount of funding requested to the amount associated with the appropriate weight class or as specified above in Table 2.

### South Coast AQMD Program Announcement For

### **Heavy-Duty Diesel Trucks**

## Under the Proposition 1B - Goods Movement Emission Reduction Program PA2021-03

#### VII. APPLICATION SUBMITTAL REQUIREMENTS

An equipment owner **is not allowed to** submit a Proposition 1B application for the same vehicle to multiple local agencies. However, equipment owners may apply for co-funds from other funding programs up to 90% of the total project cost with the limitation that no more than one additional source of State funding is used. Please note that the other funding programs may have restrictions limiting opportunities to co-fund the same project. Equipment owners who are found to have submitted multiple Prop. 1B applications for the same equipment project and not disclosed any other requested or received financial incentive, may be disqualified from funding for that engine or piece of equipment under this Program.

The following documentation must be completed, signed and submitted to South Coast AQMD by the due date:

Project Type	Require application forms, and attachments
Truck Replacement	Form A1, Form B1 for each truck included in the application, including all supplemental information, and Attachments 1 through 5.
Two-for-One Truck Replacement	Form A1, Form B1, and Form B2 for each two-for-one truck transaction, included in the application, including all supplemental information, and Attachments 1 through 5.
Truck Engine Repower	Form A1, Form B3 for each truck included in the application, including all supplemental information, and Attachments 1 through 5.
Three-Way Truck Transaction	Form A1, Form B4 for each 3-way truck transaction in the application, including all supplemental information, and Attachments 1 through 5.
Electrification Infrastructure at a Truck Stop, Rail Yard or Other Freight Facility	Form C1 for each project in the application, including all supplemental information, and Attachments 1 through 5.
Electric Charging Stations or Hydrogen Fueling Units	Form C2 for each project in the application, including all supplemental information, and Attachments 1 through 5.

Below is a list of all application forms and attachments for the Prop 1B Program. Please refer to the above table for the specific application forms required for your project type.

- Form A1 Application Information (this form is required for all applicants)
- Form B1 Heavy-Duty Diesel Truck Replacement
- Form B2 Second Truck in Two-for-One Truck Replacement
- Form B3 Heavy-Duty Truck Engine Repower
- Form B4 Three-Way Truck Transaction
- Form C1 Truck Stop Electrification Infrastructure
- Form C2 Electric Charging Stations or Hydrogen Fueling Units
- Attachment 1 Business Information Request
- Attachment 2 Disadvantaged Business Certification
- Attachment 3 W-9 Request for Taxpayer Identification Number and Certification
- Attachment 4 Withholding Exemption Certificate
- Attachment 5 Campaign Contribution Disclosure

### South Coast AQMD Program Announcement For

# Heavy-Duty Diesel Trucks Under the Proposition 1B - Goods Movement Emission Reduction Program PA2021-03

Attachment 7 – Direct Deposit Authorization

Note: Each Attachment (#s 1-5) should be completed and submitted with each set of projects. If your application is approved, an updated Attachment 5 may be requested by your assigned Project Officer at a later date.

### VIII. EOUIPMENT PROJECT PURCHASE RESTRICTIONS

An equipment owner <u>may not</u> purchase, receive, install, pay for, or place into operation any engines, equipment, or vehicles, nor may work begin on a repower project or a project to install electrical infrastructure, until the project contract is fully executed. An equipment owner may preorder prior to contract execution at the equipment owner's risk. The South Coast AQMD <u>will not</u> reimburse grantees for orders or any payments on a new engine, piece of equipment, or vehicle that takes place prior to South Coast AQMD approval of the project through contract execution.

Dealers ordering engines, equipment, or vehicles prior to contract execution assume all financial risk, and are in no way assured grant funds.

If the new equipment is commercially available at the time of contract execution, the applicant must complete the project and submit the required invoice documentation within 18 months after contract execution, or no later than the operational deadline specified by CARB.

If the new equipment is not commercially available at the contract execution, the applicant must complete the project and submit the required invoice documentation by no later than the operational deadline specified by CARB.

For truck stop electrification infrastructure projects, the applicant must complete the project, obtain at least 1 year of data on actual use, and submit the required invoice documentation by the date specified in the contract.

### IX. PAYMENT PROCESS

The South Coast AQMD shall expend Program funds through invoice payments upon submittal of a complete invoice and after the satisfactory completion of a post-inspection by South Coast AQMD. Invoice payments provide Program funding to equipment owners on a reimbursement basis or to the vendor (or dealership) through a direct payment option provided the South Coast AQMD receives written instructions and approval from the grantee. For the direct payment option, an authorized representative of the dealership must have signed a Memorandum of Understanding agreement with the South Coast AQMD certifying their understanding of the Program requirements. Grant funds shall only be used toward the capital cost of the equipment.

#### **Invoice Payments**

Payment of the grant funds will only be made after the replacement truck has passed a post-inspection by the South Coast AQMD and the South Coast AQMD has received and approved a valid invoice package for the new engine, vehicle, or piece of equipment. The South Coast AQMD may issue the grant payment to the equipment owner upon submission of a valid invoice once the following requirements have been met:

### South Coast AQMD Program Announcement For

# Heavy-Duty Diesel Trucks Under the Proposition 1B - Goods Movement Emission Reduction Program PA2021-03

- Equipment owner or dealer must deliver the old truck/engine to a South Coast AQMD-approved, DMV-licensed dismantler within 30 calendar days after the new equipment is placed into operation.
- The equipment owner shall submit proof of a minimum 1-year or 100,000 mile major component engine warranty covering parts and labor for the new replacement vehicle or repowered engine (if the truck is no longer under warranty or has less than 1 year of warranty).
- Equipment owner must submit proof of insurance on the replacement or repowered truck.
- Equipment owner must demonstrate compliance with applicable regulations. For CARB's Truck and Bus Regulation, this includes a valid compliance certificate for the current year with the Truck Regulation Upload, Compliance, and Reporting System (TRUCRS)<sup>1</sup> ID that matches the information on the application. Equipment owners cannot use the old truck or new replacement/repowered truck for demonstrating compliance with the regulation.
- For the reimbursement option, the equipment owner must submit proof of payment and a copy of the original invoice from the vendor or dealership. Additional information may be required by the South Coast AQMD.
- For the reimbursement option, the South Coast AQMD will require verification from the dismantler that the old equipment has been delivered to the dismantling site and is in custody of the dismantler.
- The payment of grant funds will not exceed the amount directly paid by the equipment owner.

#### X. PROJECT EVALUATION

Complete applications will be evaluated by the South Coast AQMD in the order in which they are received. For truck projects, only complete and eligible projects will be posted on the South Coast AQMD website, once approved by CARB. Awards will be made to complete, and eligible projects until Program funds are fully committed. For complete information regarding project evaluation refer to Chapter IV of the Final 2015 Staff Report and Guidelines for Implementation found on the CARB Program website at <a href="https://ww2.arb.ca.gov/our-work/programs/proposition-1b-goods-movement-emission-reduction-program">https://ww2.arb.ca.gov/our-work/programs/proposition-1b-goods-movement-emission-reduction-program</a>.

#### XI. ANNUAL REPORTING REQUIREMENTS

### **Heavy-Duty Diesel Truck Projects**

Equipment owners that are awarded funding will be responsible for annual reporting to the South Coast AQMD. The equipment owner shall submit annual reports for the project life. The equipment owner's annual reports shall include, but is not limited to:

- Contact information (owner name, address, phone number, etc.).
- Proof of California DMV registration.
- Fleet size.
- Current odometer reading, including the date read (estimate total vehicle mileage if odometer is missing or broken).
- Annual VMT in California since last report.

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# Heavy-Duty Diesel Trucks Under the Proposition 1B - Goods Movement Emission Reduction Program PA2021-03

- Certification of the required 90% or 100% California-only operation.
- Certification of at least 50% of travel within the four trade corridors as well as provide the percentage of annual vehicle miles of travel in:
  - o Bay Area Trade Corridor
  - o Central Valley Trade Corridor
  - o Los Angeles/Inland Empire Trade Corridor
  - o San Diego/Border Trade Corridor
- Proof of insurance coverage.
- Certification that the bond-funded project was operated in accordance with the signed contract, and that all information submitted to the South Coast AQMD is true and accurate.
- Other information as requested by the South Coast AQMD.

### **Truck Stop Electrification**

Equipment owners that are awarded funding will be responsible for annual reporting to the South Coast AQMD for the project life. The equipment owner annual reports shall include, but is not limited to:

- Contact information (owner name, company, address, phone number).
- Project completion date.
- Actual number of truck connections to equipment per unit (parking space) each month in the reporting period.
- Actual number of hours the equipment was used per unit (parking space) each month in the reporting period. Include only equipment hours that enabled usage of heating and cooling to the cab or electrical power to TRUs or auxiliary power systems.
- Actual electrical usage by trucks or equipment documented by electric utility billing statements, electric meter readings, equipment monitoring data or other approved method in the reporting period. Include only electrical power that enabled usage of heating and cooling to the cab or electrical power to TRUs or auxiliary power systems.
- Date, duration, and general description of any equipment failure or other event that prevented trucks from using the system for more than 1 week.
- Certification of insurance.
- Signed certification statement that the bond-funded project was installed and is operating as it was approved in the post-inspection and that all information submitted to the local agency is true and accurate.
- Other information as requested by the South Coast AQMD.

### **Electric Charging Stations/Hydrogen Fueling Units**

Equipment owners that are awarded funding will be responsible for annual reporting to the South Coast AQMD for the project life. The equipment owner annual reports shall include, but is not limited to:

- Contact information (owner name, address, phone number, etc.).
- Actual number of truck connections to equipment per charging station/fueling unit each month in the reporting period.

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# Heavy-Duty Diesel Trucks Under the Proposition 1B - Goods Movement Emission Reduction Program PA2021-03

- Actual number of hours the equipment was used per charging station/fueling unit each month in the reporting period.
- For electrical charging stations, actual electrical usage per charging station documented by electric utility billing statements, electric meter readings, equipment monitoring data or other approved method in the reporting period.
- For hydrogen fueling units, actual usage per unit documented by billing statements, meter readings, equipment monitoring data or other approved method in the reporting period.
- Description of any equipment failure or other event that prevented trucks from using the charging/fueling units more than one week.
- Proof of equipment warranty coverage.
- Certification that the bond-funded project was operated in accordance with the signed contract, and that all information submitted to the South Coast AQMD is true and accurate.
- Other information as requested by the South Coast AQMD.

#### XII. INFORMATION ON TRUCK EFFICIENCY UPGRADES

The Program does not provide funding for technologies that improve fuel efficiency for trucks, which may include devices that reduce aerodynamic drag and rolling resistance. Aerodynamic drag may be reduced by using devices such as cab roof fairings, cab side gap fairings, and cab side skirts. On the trailer side, aerodynamic drag may be reduced by using trailer side skirts, gap fairings, and trailer tails. Rolling resistance may be reduced by using single wide tires or low-rolling resistance tires and automatic tire inflation systems on both the tractor and the trailer. These upgrades offer the potential to cut emissions of greenhouse gases and criteria pollutants, with a two- to three-year payback period through lower fuel costs. The benefits are variable based on the type of truck operations.

On December 11, 2008, CARB adopted a *Regulation to Reduce Greenhouse Gas Emissions from Heavy-Duty Vehicles (CCR, title 17, section 95300)*. This regulation applies primarily to owners of 53-foot or longer box-type trailers requiring their trucks and trailers to become more fuel efficient. Truck owners may be responsible for replacing or retrofitting their affected vehicles with efficiency upgrades that fit their operating profile. While the Program does not provide funding for the efficiency upgrades, other incentive programs may help offset the purchase cost or help finance the purchase of the upgrades, including CARB's Providing Loan Assistance for California Equipment (PLACE) Program (<a href="http://www.arb.ca.gov/ba/loan/on-road/on-road.htm">http://www.arb.ca.gov/ba/loan/on-road/on-road.htm</a>).

#### XIII. <u>USEFUL RESOURCES</u>

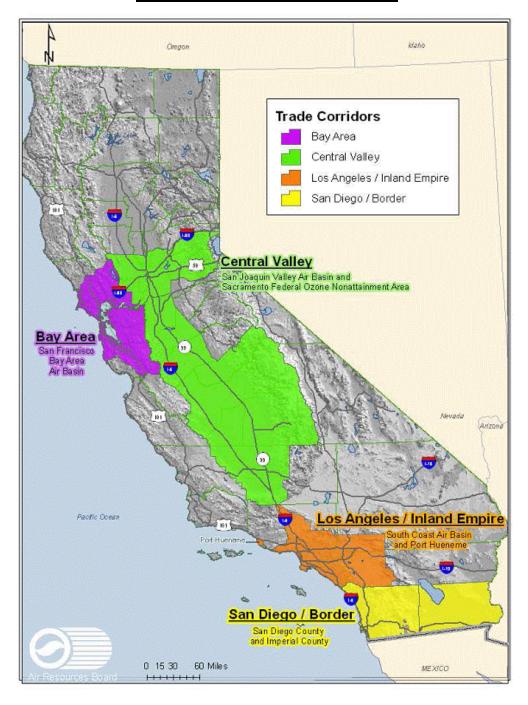
- CARB Goods Movement Emission Reduction Program: <a href="https://ww2.arb.ca.gov/our-work/programs/proposition-1b-goods-movement-emission-reduction-program">https://ww2.arb.ca.gov/our-work/programs/proposition-1b-goods-movement-emission-reduction-program</a>
- CARB Truck Stop website: http://www.arb.ca.gov/msprog/truckstop/truckstop.htm
- CARB TRUCRS: https://ssl.arb.ca.gov/ssltrucrstb/trucrs\_reporting/reporting.php
- South Coast AQMD Prop. 1B Website (where a copy of the solicitation and application forms can be found) <a href="http://www.aqmd.gov/prop1b">http://www.aqmd.gov/prop1b</a>

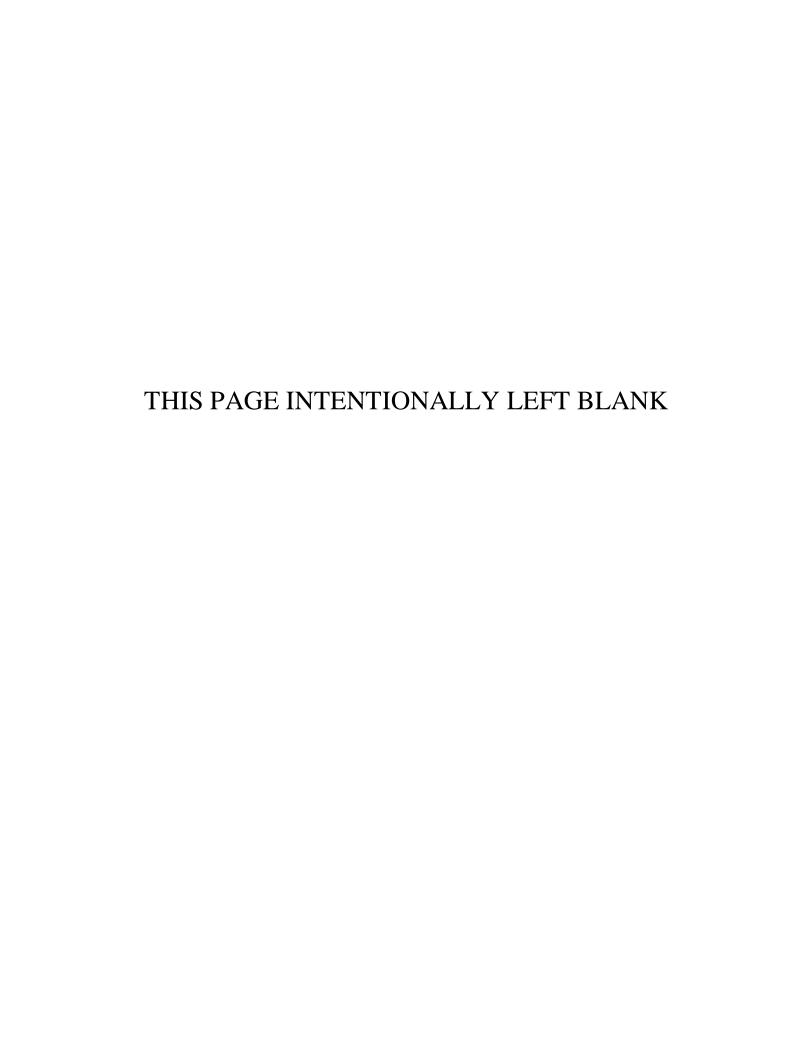


### **Heavy-Duty Diesel Trucks**

### **Under the Proposition 1B - Goods Movement Emission Reduction Program PA2021-03**

### MAP OF THE TRADE CORRIDORS







### **FORM A1: Applicant Information** (Complete one form per company)

Applicant Name/Regis	tered Owner (Equipment Owner):			
Business Name (if any)	):		TRUCRSI	D#:
Primary Contact Full N	ame:		Email:	
Mailing Address:			Phone Nu	umber:
City:		State:		Zip Code:
Fleet Size:		f 14,001 pounds or greater tha	at are under	e registered to be driven on public highways and have a common ownership or control [as defined in CCR section

#### **II. PROJECT INFORMATION**

	What type of project are you ap	pplying for?
Project Type	Total Number of trucks included	Additional forms to complete
Truck Replacement	Number of trucks being replaced:	Form B1 for each truck included in the application
Two-for-One Truck Replacement	Number of trucks being replaced:	Form B1 and B2 for each two-for-one truck replacement included in the application
Truck Engine Repower	Number of trucks being repowered:	Form B3 for each truck included in the application
Three-WayTruckTransaction	Total trucks included:	Form B4 for each 3-way truck transaction in the application
Truck Stop Electrification Infrastructure	Not Applicable	Form C1
Electric Charging Stations or Hydro- gen Fueling Units	Not Applicable	Form C2

### III. SUPPLEMENTAL INFORMATION-PLEASE ATTACH THE FOLLOWING DOCUMENTS TO COMPLETE YOUR APPLICATION

JO: : LL	THE TOLLOW	THE DOCUMENTS TO COMMEDIA TO CONTAIN FROM THE CONTAINS AND CONTAINS AN
	Attach one or more of the following forms to Form A1, as re	quired:
_	Form B1-Truck Replacement	
	Form B2-Two-for-One Truck Replacement	
	Form B3- Truck Engine Repower	
	Form B4- Three-Way Truck Transaction	
	Form C1- Truck Stop Electrification Infrastructure	
	Form C2- Electric Charging Stations or Hydrogen	
	Attach a copy of the "Certificate of Compliance" from CARB'	s TRUCRS database, this certificate must show that your fleet is in compliance with
П	CARB Truck and Bus Regulation at the time of application su	bmittal. The TRUCRS website can be accessed at: <a href="https://ssl.arb.ca.gov/ssltru-">https://ssl.arb.ca.gov/ssltru-</a>
	<pre>crstb/trucrs_reporting/reporting.php.</pre>	

Submit the original completed application (with all required supporting documents and signatures) along with **two (2) copies** of **the entire application package** via mail delivery, or in person to:

South Coast Air Quality Management District 21865 Copley Dr., Diamond Bar, CA 91765 Attn: Procurement

Application Deadline: Solicitation will close on April 30, 2021 at 1pm

**NOTE:** Facsimile or email submittals **will not be accepted**. You must submit total of 3 copies including the original application.

# South Coast

### PROPOSITION 1B - GOODS MOVEMENT EMISSION REDUCTION PROGRAM APPLICATION

### FORM A1: Applicant Information (Complete one form per company)

### I am the owner of the existing vehicle(s), have the legal authority to apply for incentive funding for the entity described in this application, and agree to the following statement by signing below:

- · I (equipment owner) have reviewed the information provided in this application, including all supporting documentation, and certify the application information is true and correct, and meet the minimum requirement of the proposition 1B –Good Movement Emission Reduction Program;
- · I agree to follow all requirements of the Proposition 1B Goods Movement Emission Reduction Program- Final 2015 Staff Report and Guidelines for Implementation;
- The program-funded equipment shall be placed into operation and post-inspected prior to the applicable operational deadline to remain eligible for funding;
- · I understand that the Program-funded equipment may not be used by the equipment owner to comply with any applicable CARB regulations for the specified timeframe;
- · Neither the owner nor equipment identified in the application has any outstanding violations or non-compliance with CARB regulations:
- The purchase of this low-emission vehicle is NOT required by any local, state, and/or federal rule or regulation, including, but not limited to, the Drayage Truck Regulation (13 CCR §2027), Truck and Bus Regulation (13 CCR §2025), and/or Solid Waste Collection Vehicle Regulation (13 CCR §2021);
- · I have not and will not apply for additional grant funds from any other agency or program for the vehicle(s) included in this application, except the funding programs allowed by the Guideline.
- · I will disclose any other source(s) of funding that has been applied for and will be used for the same project, including the source of funds, amount, and the purpose for funding;
- · I will disclose the value of any existing financial incentive that directly reduces the project cost, including tax credits or deductions, grants, or other public financial assistance for the same equipment;
- · Grant funds shall only be used to offset the capital cost of the equipment and/or shall reduce the principal owed to purchase the equipment:
- New equipment must **not** be purchased, received, installed, paid for, or placed into operation prior to contract execution unless specified by the Program Guidelines, and if allowed, equipment owner shall assume all financial risk and is in no way assured program funds;
- · New equipment purchased outside of California may be subject to California sales and/or use tax;
- I have all the information needed to understand what must be done to maintain eligibility for Program funds. This includes maintaining registration and ownership; keeping equipment in legal operating condition within California; correcting any air pollution citations; complying with all CARB regulations; and reporting, repairing, or replacing equipment that has been damaged, destroyed, or stolen;
- · I understand that an incomplete or illegible application, including applications that are missing required information, may be rejected by the South Coast AQMD at their discretion;
- · I acknowledge that the South Coast AQMD may release the information the application contains to third parties if required by state and federal public records laws;
- · I understand that the Program-funded equipment will be required to operate at least 90% or 100% of its operating time within California for the project life;
- · Program funds were not used to previously upgrade the equipment identified in the equipment project application (except for funds that may have been received to retrofit a truck with a diesel PM filter);
- · Any additional non-Program funding needed to complete the equipment project according to the proposed timeframe is reasonably available; and
- · I understand as an applicant that incentive programs have limited funds and shall terminate upon depletion of program funding.

Printed Name of Owner:	Title:	
Signature of Owner:	Date:	



### **FORM B1: Equipment Information – Heavy-Duty Diesel Truck Replacement** *(Complete one form per truck)*

### I. Required Truck Information

				Equipi	nent Fuel Type:
le Identification Number	(VIN):			Licens	e Plate Number:
Model Year:		Engine N	Model Year:	Engine	e Serial No.:
al Vehicle Miles Traveled	in California:	Current	Odometer Reading:		ecorded:
Take-off (PTO) Usage (ij	applicable):	С	Current PTO hour meter read	ding:Dat	e Recorded:
PTO operate while the n	nain truck engine is ope	erating? Yes	s 🗌 No		
facturer Gross Vehicle V			lbs tach a photograph of this label. <u>N</u>	<u>I<b>OTE:</b></u> This is <u>NOT</u> the numbe	er registered with the DMV)
rucks?	No		DPF installed?	Yes No	
7 5 11 15 16 1 11			Poultry	Other	
_	al Vehicle Miles Travele % Central Valley	_% LA/Inland Empire	e Corridors ( <i>Total percentag</i> % San Diego/Border	e cannot be over 100%	
ted Percentage of Annua% Bay Area	al Vehicle Miles Travele % Central Valley A during the contract terr	_% LA/Inland Empire  m (choose one): At I  All Fleets	e Corridors ( <i>Total percentag</i> % San Diego/Border least	e cannot be over 100%% Other in CA	A% Outside CA
ted Percentage of Annua % Bay Area  ed future operation within C	al Vehicle Miles Travele % Central Valley A during the contract terr	_% LA/Inland Empire  m (choose one): At I  All Fleets	e Corridors (Total percentag% San Diego/Border least90% 100%  ngine Emission Level (Please	e cannot be over 100%% Other in CA	A% Outside CA
ted Percentage of Annua	Al Vehicle Miles Travele Central Valley A during the contract terr  I Funding Requested:  New MY2019+ engine natural gas	_% LA/Inland Empire m (choose one): At I  All Fleets Replacement En  New MY2019+ e gine Hybrid	e Corridors (Total percentag	e cannot be over 100%  % Other in CA  e check only 1 Box Below)  New MY2019+ engine hybrid zero emission mile	New MY2019+ engine zero emission
ted Percentage of Annua  Bay Area  d future operation within C  sed New Equipment and  Existing Truck  Class 8  (33,001 lbs or greater	A Vehicle Miles Travele  Central Valley  A during the contract terr  Funding Requested:  New MY2019+ engine natural gas truck <sup>1,2,3</sup>		e Corridors (Total percentag	e cannot be over 100%  % Other in CA  e check only 1 Box Below)  New MY2019+ engine hybrid zero emission mile truck <sup>1,2,5</sup>	New MY2019+ engine zero emission truck <sup>1,2,6</sup>
ed New Equipment and Existing Truck  Class 8 (33,001 lbs or greater GVWR, HHD engine)  Class 7 (26,001 – 33,000 lbs GVWR, MHD or HHD	A Vehicle Miles Travele Central Valley A during the contract terr  Funding Requested:  New MY2019+ engine natural gas truck <sup>1,2,3</sup> \$65,000	_% LA/Inland Empire m (choose one): At I  All Fleets Replacement En  New MY2019+ e gine Hybrid truck1,2,4  \$80,000	e Corridors (Total percentag% San Diego/Border  least	e cannot be over 100%  % Other in CA  c check only 1 Box Below)  New MY2019+ engine hybrid zero emission mile truck <sup>1,2,5</sup> \$150,000	New MY2019+ engine zero emission truck <sup>1,2,6</sup>

5. Hybrid zero emission mile truck is defined as a hybrid vehicle capable of zero emission miles.

6. Zero emission truck is defined as a vehicle that emits no criteria pollutant, toxic or greenhouse gas emissions at the tailpipe.

### PROPOSITION 1B - GOODS MOVEMENT EMISSION REDUCTION PROGRAM APPLICATION

### **FORM B1: Equipment Information – Heavy-Duty Diesel Truck Replacement** *(Complete one form per truck)*

	atal Information- Please Attach the following Documents to Complete Your Application			
	Proof of Current and Prior Year Registration in CA:  Acceptable records may include: CA based-plated registration, CA International Registration Plan (IRP), or dual-plated registration (CA based-plated/CA IRP and Mexico only) for trucks carrying goods across the CA-Mexico border.			
	Please provide registration documents to verify the following:			
	<ol> <li>Current registration, AND</li> <li>Registration for the past 2 years: Must show proof of registration in the current year (1-12 months prior to application date) and prior year (13-24 months prior to application date).</li> </ol>			
	Two options:  1) CA DMV registration cards for the past 2 years, OR			
	2) CA DMV Vehicle Registration Information Record (DMV printout)			
	<ul> <li>The DMV printout must show registration in both the current year and prior year with a minimum of 6 months of total registration.</li> </ul>			
	<ul> <li>If the DMV printout shows no registration in the prior year, then alternative documentation (insurance certificate or BIT inspection) must be used to verify operation in the prior year.</li> </ul>			
	Note: The DMV printout may be obtained by submitting a Request for Driver Record Information form (INF 1125) to the DMV. To find your local DMV office, please visit <a href="http://www.dmv.ca.gov">http://www.dmv.ca.gov</a> . You may also obtain and pay for the DMV printout online at: <a href="http://www.dmv.ca.gov/online/vrr.htm">http://www.dmv.ca.gov/online/vrr.htm</a> )			
	Copy of Existing Vehicle Title (Note: Title may show a lienholder at the time of application however the title must be cleared of all liens prior to payment of any grant funds by South Coast AQMD.)			
	Vehicle Miles Traveled (VMT) in CA for the past 24 Months: Acceptable documentation includes, but is not limited to: maintenance records, Biennial Inspection of Terminals (BIT inspection), International Fuel Tax Agreement (IFTA) records, daily logs, etc.) Documentation must clearly identify the truck by ID number, license plate, or VIN. Two (2) mileage records showing odometer readings			
 □ Ifa <sub>l</sub>	pplicable, provide Power Take Off (PTO) activity for the past 24 months:			
	cceptable documentation is subject to approval by the South Coast AQMD, but must clearly identify the uck by ID number, license plate, or VIN.			
Tν	vo (2) PTO records showing hour meter			
	of of insurance for the past 24 months by of Certificate of Compliance from CARB's TRUCRS database			

### III. IMPORTANTNOTES

SUBMIT completed Forms A1, B1, and all required supplemental Information listed above to the South Coast AQMD by the requested due date.



### FORM B1: Equipment Information – Heavy-Duty Diesel Truck Replacement (Complete one form per truck)

- DO NOT PURCHASE NEW EQUIPMENT! New equipment funded by this program can only be purchased once the contract is signed between the equipment owner and the South Coast AQMD. An equipment owner may pre-order new equipment prior to contract execution and after posting of CARB's approved rank list at the equipment owner's risk.
- KEEP EXISTING OLD TRUCK REGISTERED AND IN OPERATION! Existing equipment must maintain continuous DMV registration and be in operation moving goods at a similar activity level to that listed in the application until the equipment has been relinquished to a South Coast AQMDapproved dismantler.
- **STAY COMPLIANT!** Applicants must maintain compliance with all applicable CARB regulations throughout the Proposition 1B Program process and the life of the contract. The Program-Funded equipment may not be used by the equipment owner to comply with any applicable CARB regulations.



FORM B2: Two-for-One Truck Replacement – For Second Truck Only (Complete this form for the second truck in the Two-for-One Truck Replacement)

Equipment Registered Owner:	Equipment Fuel Type:			
Vehicle Identification Number (VIN):	License Plate Number:			
Truck Model Year:	Engine Model Year:	Engine Serial No.:		
Annual Vehicle Miles Traveled in California:	Current Odometer Reading:	Date Recorded:		
Power Take-off (PTO) Usage (if applicable):	Current PTO hour meter reading:	Date Recorded:		
Does PTO operate while the main truck engine is operati	ng? Yes No			
Manufacturer Gross Vehicle Weight Rating (GVWR):		This is <u>NOT</u> the number registered with the DMV)		
Port Truck? Yes No	DPF Installed?	☐ No		
Vocation (Types of goods typically transported – Choose 1  "Goods" are defined as having the same meaning in Commercial Co  1) The goods must be movable, and 2) the goods being mov  Agricultural Concrete Mixer  Aggregates Container  Bulk or Break Bulk Dairy  Building/Construction Dump Truck  Estimated Percentage of Annual Vehicle Miles Traveled (V	de section 2105, which essentially requires that:  ed must be part of a transaction that involves a contract for the defendence of the def	☐ Vacuum Pneumatic Trailer ☐ Wood/Paper Products ☐ Restaurant/Grocery ☐ Other anot be over 100%)		
II. Supplemental Information – Please Attach the Following Documents to Complete Your Application				
<ul><li>Proof of Current and Prior Year Registr</li></ul>	ation in CA:			
Acceptable records may include: CA k	pased-plated registration, CA International F	Registration Plan (IRP), or dual-plated		

Acceptable records may include: CA based-plated registration, CA International Registration Plan (IRP), or dual-plated registration (CA based-plated/CA IRP and Mexico only) for trucks carrying goods across the CA-Mexico border.

Please provide registration documents to verify the following:

- 1) Current registration, AND
- 2) Registration for the past 2 years: Must show proof of registration in the current year (1-12 months prior to application date) and prior year (13-24 months prior to application date). Two options:
  - 1) CA DMV registration cards for the past 2 years, OR
  - 2) CA DMV Vehicle Registration Information Record (DMV printout)
    - o The DMV printout must show registration in both the current year and prior year with a minimum of 6 months of total registration.
    - If the DMV printout shows no registration in the prior year, then alternative documentation (insurance certificate or BIT inspection) must be used to verify operation in the prior year.

Note: The DMV printout may be obtained by submitting a Request for Driver Record Information form (INF 1125) to the DMV. To find your local DMV office, please visit <a href="http://www.dmv.ca.gov">http://www.dmv.ca.gov</a>. You may also obtain and pay for the DMV printout online at: <a href="http://www.dmv.ca.gov/online/vrr.htm">http://www.dmv.ca.gov/online/vrr.htm</a>)



**FORM B2: Two-for-One Truck Replacement – For Second Truck Only** (Complete this form for the second truck in the Two-for-One Truck Replacement)

Copy of Existing Vehicle Title  (Note: Title may show a lienholder at the time of application however the title must be cleared of all liens prior to the payment of any grant funds by South Coast AQMD.)
Vehicle miles traveled (VMT) in California for the past 24 Months: Acceptable documentation includes, but is not limited to: maintenance records, Biennial Inspection of Terminals (BIT inspection), International Fuel Tax Agreement (IFTA) records, daily logs, etc.) Documentation Two (2) mileage records that show odometer readings.
If applicable, provide Power Take Off (PTO) activity for the past 24 months: Acceptable documentation is subject to approval by the South Coast AQMD, but must clearly identify the truck by ID number, license plate, or VIN. Two (2) PTO records showing hour meter readings.
Proof of insurance for the past 24 months
Copy of Certificate of Compliance from CARB's TRUCRS database
Photograph of the manufacturer's label found in the door jamb of the truck showing VIN and GVWR (Legibly printed photos only)

#### **III. IMPORTANT NOTES**

- <u>SUBMIT</u> completed Forms A1, B1, B2 and all required supplemental Information listed above to the South Coast AQMD by the requested due date.
- <u>DO NOT PURCHASE NEW EQUIPMENT!</u> New equipment funded by this program can only be purchased once the contract is signed between the equipment owner and the South Coast AQMD. An equipment owner may pre-order new equipment prior to contract execution and after posting of CARB's approved rank list at the equipment owner's risk.
- KEEP EXISTING OLD TRUCK REGISTERED AND IN OPERATION! Existing equipment must maintain continuous DMV registration and be in operation moving goods at a similar activity level to that listed in the application until the equipment has been relinquished to a South Coast AQMD-approved dismantler.
- **STAY COMPLIANT!** Applicants must maintain compliance with all applicable CARB regulations throughout the Proposition 1B Program process and the life of the contract. The Program-Funded equipment may not be used by the equipment owner to comply with any applicable CARB regulations.



FORM B3: Heavy-Duty Diesel Truck Engine Repower (Small Fleet Only) (Complete one form per truck)

#### I. Required Truck Information

Equipment Registered Owner:		Equipment Fuel Type:		
Vehicle Identification Number (VIN):	License Plate Number:			
Truck Model Year:	del Year: Engine Model Year:			
Annual Vehicle Miles Traveled in California:	Current Odometer Reading:	Date Recorded:		
Power Take-off (PTO) Usage (if applicable):	Current PTO hour meter reading:	Date Recorded:		
Does PTO operate while the main truck engine is operate	ating?			
Manufacturer Gross Vehicle Weight Rating (GVWR):	lbs			
(Refer to the label found in the door jamb of your truck for the cor		: This is NOT the number registered with the DMV)		
Port Truck?  Yes  No	DPF Installed? Yes	□ No		
Proposed future operation within CA during the contrac	Code section 2105, which essentially requires that:  oved must be part of a transaction that involves a contract    Dry Bulk Blower   Hazardous Materials   Heavy Equipment/Metals   Poultry  (VMT) in CA Trade Corridors (Total percentage control of the control of			
Proposed New Equipment and Funding Requested:				
Existing Truck	Replacement En			
	Repower diesel engine with a new M <sup>1</sup> 2010 emission le			
Class 8 (33,001 lbs or greater, HHD engin (MY 2005-2009 Engine)	e)			
Class 7 (26,001 – 33,000 lbs, MHD or HH: (MY 2005 -2009 Engine)	\$20,000			
Class 6 (19,501 – 26,000 lbs, MHD engine (MHD engine) (MY 2007-2009 Engine (no filter installe 1998 – 2007 if filter installed				



FORM B3: Heavy-Duty Diesel Truck Engine Repower (Small Fleet Only) (Complete one form per truck)

			Diana Attac		g Documents to	Camanlata Va.	A
11. 2	inniementa	i intormation –	- PIESSE ATTAC	'n the Followin	g Documents to	l ombiete Yol	Ir Abbilcation
0	appicincine		case / tetae		B D C C C C C C C C C C C C C C C C C C	compices iou	, .ppcao

II. Supple	emental Information – Please Attach the Following Documents to Complete Your Application
	Proof of Current and Prior Year Registration in CA:
	Acceptable records may include: CA based-plated registration, CA International Registration Plan (IRP), or dual-plated registration (CA based-plated/CA IRP and Mexico only) for trucks carrying goods across the CA-
	Mexico border.
	Please provide registration documents to verify the following:
	1) Current registration, AND
	<ol> <li>Registration for the past 2 years: Must show proof of registration in the current year (1-12 months prior to application date) and prior year (13-24 months prior to application date).</li> </ol>
	Two options:
	1) CA DMV registration cards for the past 2 years, OR
	2) CA DMV Vehicle Registration Information Record (DMV printout)
	<ul> <li>The DMV printout must show registration in both the current year and prior year with a minimum of 6 months of total registration.</li> </ul>
	<ul> <li>If the DMV printout shows no registration in the prior year, then alternative doc-</li> </ul>
	umentation (insurance certificate or BIT inspection) must be used to verify operation in the prior year.
	Note: The DMV printout may be obtained by submitting a Request for Driver Record Information form (INF
	1125) to the DMV. To find your local DMV office, please visit <a href="http://www.dmv.ca.gov">http://www.dmv.ca.gov</a> . You may also obtain
	and pay for the DMV printout online at: <a href="http://www.dmv.ca.gov/online/vrr.htm">http://www.dmv.ca.gov/online/vrr.htm</a> )
	Copy of Existing Vehicle Title
	(Note: Title may show a lienholder at the time of application however the title must be cleared of all liens
	prior to payment of any grant funds by South Coast AQMD.)
	Vehicle miles traveled (VMT) in California for the past 24 Months:
1	Acceptable documentation includes, but is not limited to: maintenance records, Biennial Inspection of Termi-
	·
	nals (BIT inspection), International Fuel Tax Agreement (IFTA) records, daily logs, etc.) Documentation
	Two (2) mileage records that show odometer readings.
	If applicable, provide Power Take Off (PTO) activity for the past 24 months:
	Acceptable documentation is subject to approval by the South Coast AQMD, but must clearly identify the
	truck by ID number, license plate, or VIN.
	Two (2) PTO records showing hour meter readings.
	Proof of insurance for the past 24 months
	Copy of Certificate of Compliance from CARB's TRUCRS database
	Photograph of the manufacturer's label found in the door jamb of the truck showing VIN and GVWR
	(Legibly printed photos only)

## South Coast AQMD

#### PROPOSITION 1B - GOODS MOVEMENT EMISSION REDUCTION PROGRAM APPLICATION

FORM B3: Heavy-Duty Diesel Truck Engine Repower (Small Fleet Only) (Complete one form per truck)

#### III. IMPORTANTNOTES

- SUBMIT completed Forms A1, B1, and all required supplemental Information listed above to the South Coast AQMD by the requested due date.
- DO NOT PURCHASE NEW EQUIPMENT! New equipment funded by this program can only be purchased once the contract is signed between the equipment owner and the South Coast AQMD. An equipment owner may pre-order new equipment prior to contract execution and after posting of CARB's approved rank list at the equipment owner's risk.
- KEEP EXISTING OLD TRUCK REGISTERED AND IN OPERATION! Existing equipment must maintain continuous DMV registration and be in operation moving goods at a similar activity level to that listed in the application until the equipment has been relinquished to a South Coast AQMD-approved dismantler.
- **STAY COMPLIANT!** Applicants must maintain compliance with all applicable CARB regulations throughout the Proposition 1B Program process and the life of the contract. The Program-Funded equipment may not be used by the equipment owner to comply with any applicable CARB regulations.



#### **FORM B4: Three-Way Truck Transaction**

#### I. Truck A Information (Engine Model Year 2007-2009 with a OEM or Level 3 PM Filter Installed)

Equipment Registered Owner: Equipment Fuel Type:							
Vehicle Identification Number (VIN):		License Plate Number:					
Truck Model Year:	Engine Model Year:	Engine Serial No.:					
Annual Vehicle Miles Traveled:	Current Odometer Reading:	Date Recorded:					
Power Take-off (PTO) Usage (if applicable):	Current PTO hour meter reading:	Date Recorded:					
Does PTO operate while the main truck engine is operating? Yes No							
Manufacturer Gross Vehicle Weight Rating (GVWR):	lbs						
(Refer to the label found in the door jamb of your truck for the correc	t GVWR. Please attach a photograph of this label. <b>NOTE:</b> The	is is NOT the number registered with the DMV)					
Vocation (Types of goods typically transported – Choose 1  "Goods" are defined as having the same meaning in Commercial Cod  1) The goods must be movable, and 2) the goods being move Agricultural Concrete Mixer gates Container Bulk or Break Bulk Dairy Building/Construction Dump Truck  Estimated Percentage of Annual Vehicle Miles Traveled (V May Bay Area Central Valley St	de section 2105, which essentially requires that:  ed must be part of a transaction that involves a contract for to the distribution of the part of a transaction that involves a contract for the part of a transaction that involves a contract for the part of	Vacuum Pneumatic Trailer Aggre- Wood/Paper Products Restaurant/Grocery Otherot be over 100%)					
II. Truck B Information (Engine Model Year 2006 or Older	r that has demonstrated compliance with the Sta	·					
Equipment Registered Owner:	r that has demonstrated compliance with the Sta	Equipment Fuel Type:					
Equipment Registered Owner:  Vehicle Identification Number (VIN):		Equipment Fuel Type: License Plate Number:					
Equipment Registered Owner:  Vehicle Identification Number (VIN):  Truck Model Year:	Engine Model Year:	Equipment Fuel Type: License Plate Number: Engine Serial No.:					
Equipment Registered Owner:  Vehicle Identification Number (VIN):  Truck Model Year:  Annual Vehicle Miles Traveled:	Engine Model Year: Current Odometer Reading:	Equipment Fuel Type: License Plate Number: Engine Serial No.: Date Recorded:					
Equipment Registered Owner:  Vehicle Identification Number (VIN):  Truck Model Year:  Annual Vehicle Miles Traveled:  Power Take-off (PTO) Usage (if applicable):	Engine Model Year: Current Odometer Reading: Current PTO hour meter reading:	Equipment Fuel Type: License Plate Number: Engine Serial No.: Date Recorded:					
Equipment Registered Owner:  Vehicle Identification Number (VIN):  Truck Model Year:  Annual Vehicle Miles Traveled:  Power Take-off (PTO) Usage (if applicable):  Does PTO operate while the main truck engine is operation	Engine Model Year:  Current Odometer Reading:  Current PTO hour meter reading:  ng? Yes No	Equipment Fuel Type: License Plate Number: Engine Serial No.: Date Recorded:					
Equipment Registered Owner:  Vehicle Identification Number (VIN):  Truck Model Year:  Annual Vehicle Miles Traveled:  Power Take-off (PTO) Usage (if applicable):  Does PTO operate while the main truck engine is operation.  Manufacturer Gross Vehicle Weight Rating (GVWR):	Engine Model Year:  Current Odometer Reading:  Current PTO hour meter reading:  ng? Yes No lbs	Equipment Fuel Type: License Plate Number: Engine Serial No.: Date Recorded:					
Equipment Registered Owner:  Vehicle Identification Number (VIN):  Truck Model Year:  Annual Vehicle Miles Traveled:  Power Take-off (PTO) Usage (if applicable):  Does PTO operate while the main truck engine is operating.  Manufacturer Gross Vehicle Weight Rating (GVWR):  (Refer to the label found in the door jamb of your truck for the correct	Engine Model Year:  Current Odometer Reading:  Current PTO hour meter reading:  ng? Yes No  lbs  tt GVWR. Please attach a photograph of this label. NOTE: The	Equipment Fuel Type: License Plate Number: Engine Serial No.: Date Recorded:					
Equipment Registered Owner:  Vehicle Identification Number (VIN):  Truck Model Year:  Annual Vehicle Miles Traveled:  Power Take-off (PTO) Usage (if applicable):  Does PTO operate while the main truck engine is operating the state of the label found in the door jamb of your truck for the correct of the label found in the door jamb of your truck for the correct of the label found in the same meaning in Commercial Coording (Types of goods typically transported – Choose 1 "Goods" are defined as having the same meaning in Commercial Coording are defined as having the same meaning in Coording are defined as having the same meaning in Coording are defined as having the same meaning in Coording are defined as having the same meaning in Coording are defined as having the same meaning in Coording are def	Engine Model Year:  Current Odometer Reading:  Current PTO hour meter reading:  ng? Yes No  lbs  t GVWR. Please attach a photograph of this label. NOTE: This box only)  de section 2105, which essentially requires that: ed must be part of a transaction that involves a contract for the lost of t	Equipment Fuel Type: License Plate Number: Engine Serial No.: Date Recorded:					

**Note:** If owner of Truck B is different than owner of Truck A and has not yet been identified, Table II may be left blank. Ranking may be increased if Truck B information is provided at the time of application submittal.



#### **FORM B4: Three-Way Truck Transaction**

## III. Truck C Information – New Equipment And Funding Request for <u>All Fleet</u> (Must be the same vehicle class as Truck A)

		Replacement Engine Emission Level (Please check only 1 Box Below)					
Existing Truck	New MY2019+ engine natural gas truck <sup>1,2,3</sup>	gine Hybrid gine optional Low- truck <sup>1,2,4</sup> NOx truck (0.02		New MY2019+ engine hybrid zero emission mile truck <sup>1,2,5</sup>	New MY2019+ engine zero emission truck <sup>1,2,6</sup>		
Class 8 (33,001 lbs or greater GVWR, HHD engine)	\$65,000	\$80,000	\$100,000	\$150,000	\$200,000		
<b>Class 7</b> (26,001 – 33,000 lbs GVWR, MHD or HHD engine)	\$65,000	\$80,000	\$100,000	\$150,000	\$200,000		
<b>Class 6</b> (19,501 – 26,000 lbs GVWR, MHD engine)	\$40,000	\$45,000	\$50,000	\$65,000	\$100,000		
<b>Class 5</b> (16,001 - 19,501 lbs GVWR, LHD or MHD engine)	\$25,000	\$35,000	\$40,000	\$50,000	\$80,000		

- 1. Projects may be co-funded with CARB's Air Quality Improvement Program, Low Carbon Transportation Program, or the California Energy Commission's (CEC's) Alternative Renewable Fuel Vehicle Technology Program funds as applicable.
- Co-funded projects can only utilize one additional source of State funding and the combined funding may not exceed 90% of the total eligible
  project cost or any other funding restrictions of each respective program. Projects must meet the requirements of each program providing funding.
- 3. Engines must meet the 2010 emission level of 0.20 g/bhp-hr or less NOx (FEL and CERT values engine EO's that do not have both FEL and CERT values can show eligibility by using CERT values) and 0.01 g/bhp-hr or less PM (CERT value). All engines must be approved by CARB to be sold in California.
- 4. Hybrid truck is defined as a vehicle with an electric drive system powered by an on-board generator and approved for funding by AQIP.
- 5. Hybrid zero emission mile truck is defined as a hybrid vehicle capable of zero emission miles.
- 6. Zero emission truck is defined as a vehicle that emits no criteria pollutant, toxic or greenhouse gas emissions at the tailpipe.



#### IV. Supplemental Information – Please Attach the Following Documents to Complete Your Application

Proof of Current and Prior Year Registration in CA:
Acceptable records may include: CA based-plated registration, CA International Registration Plan (IRP), or dual-plated registration (CA based-plated/CA IRP and Mexico only) for trucks carrying goods across the CA-Mexico border.
Please provide registration documents to verify the following:  Current registration, AND
Registration for the past 2 years: Must show proof of registration in the current year (1-12 months prior to application date) and prior year (13-24 months prior to application date).  Two options:
CA DMV registration cards for the past 2 years, OR CA DMV Vehicle Registration Information Record (DMV printout) The DMV printout must show registration in both the current year and prior year with a minimum of 6 months of total registration.
If the DMV printout shows no registration in the prior year, then alternative documentation (insurance certificate or BIT inspection) must be used to verify operation in the prior year.
Note: The DMV printout may be obtained by submitting a Request for Driver Record Information form (INF 1125) to the DMV. To find your local DMV office, please visit <a href="http://www.dmv.ca.gov">http://www.dmv.ca.gov</a> . You may also obtain and pay for the DMV printout online at: <a href="http://www.dmv.ca.gov/online/vrr.htm">http://www.dmv.ca.gov/online/vrr.htm</a> )
Copy of Existing Vehicle Title (Note: Title may show a lienholder at the time of application however the title must be cleared of all liens prior to payment of any grant funds by South Coast AQMD.)
Vehicle Miles Traveled (VMT) in CA for the past 24 Months:  Acceptable documentation includes, but is not limited to: maintenance records, Biennial Inspection of Terminals (BIT inspection), International Fuel Tax Agreement (IFTA) records, daily logs, etc.) Documentation must clearly identify the truck by ID number, license plate, or VIN.  Two (2) mileage records that show odometer readings.
If applicable, provide Power Take Off (PTO) activity for the past 24 months: Acceptable documentation is subject to approval by the South Coast AQMD, but must clearly identify the truck by ID number, license plate, or VIN. Two (2) PTO records showing hour meter
Proof of insurance for the past 24 months
Copy of Certificate of Compliance from CARB's TRUCRS database
Photograph of the manufacturer's labels found in the door jamb of the truck showing VIN and GVWR (Legibly printed photos only)



#### **V. IMPORTANTNOTES**

- Submit completed Forms A1, B1, and all required supplemental Information listed above to the South Coast AQMD by the requested due date.
- DO NOT PURCHASE NEW EQUIPMENT! New equipment funded by this program can only be purchased once the contract is signed between the equipment owner and the South Coast AQMD. An equipment owner may pre-order new equipment prior to contract execution and after posting of CARB's approved rank list at the equipment owner's risk.
- KEEP EXISTING OLD TRUCK REGISTERED AND IN OPERATION! Existing equipment must maintain continuous DMV registration and be in operation moving goods at a similar activity level to that listed in the application until the equipment has been relinquished to a South Coast AQMD-approved dismantler.
- STAY COMPLIANT! Applicants must maintain compliance with all applicable CARB regulations throughout the Proposition 1B Program process and the life of the contract. The Program-Funded equipment may not be used by the equipment owner to comply with any applicable CARB regulations.



#### FORM C1: Truck Stop Electrification Infrastructure

I. APPLICANT INFORMATION							
Name :							
Business Name (if any):							
Primary Contact Name:		Email: Phone	Number:				
Mailing Address:							
City:	State:			Zip (	Code:		
Person with contract signing authority					Title:		
(if different than above):							
Have you applied for any other grant programs for this pr If yes, specify the grant program(s) that you applied to:		0					
II. LOCATION INFORMATION							
Facility Name:							
Location/Project Site Address:							
Type of Project:							
☐ Truck Stop - Number of Existing Parking Spaces :	Truck Stop - Number of Existing Parking Spaces : Dis-						
tribution Center-Number of Existing Docks:	<u> </u>						
Other (please specify):							
How many heavy-duty diesel trucks are currently operate	ed at this facility annua	llv?					
Average daily time a refrigeration units (TRUs) operates wh		,. <u> </u>					
III. PROJECT INFORMATION – PROJECTED ACTIVITIE			ID EMISSIONS	BENEF	FITS DATA*		
Brief Description of Project (please include the detailed de	esign pian with applica	tion):					
Number of electrification units to be installed: Individual power required: Total power required:							
Annual estimated of number of trucks connect to electric power : Average connection time per truck:hrs							
Annual estimated of number of TRU connect to electric power : Average connection time per TRU:					time per TRU:hrs.		



#### FORM C1: Truck Stop Electrification Infrastructure

Projected annual usage in hours (expected percent occupancy):							
Year 1 : <u>%</u> Year 2 : <u>%</u> Year 3 : <u>%</u> Year 4 : <u>%</u> Year 5 : <u>%</u>							
Year 6 : <u>%</u> Year 7 : <u>%</u> Year 8 : <u>%</u> Year 9 : <u>%</u> Year 10 : <u>%</u>							
Projected power usage for TRU (expected percent occupancy):							
Year 1 : <u>%</u> Year 2 : <u>%</u> Year 3 : <u>%</u> Year 4 : <u>%</u> Year 5 : <u>%</u>							
Year 6 : <u>%</u> Year 7 : <u>%</u> Year 8 : <u>%</u> Year 9 : <u>%</u> Year 10 : <u>%</u>							
Baseline emission (without project) for the first 10-year of operation: NOxlb. and PMlb.							
Emission from the project during the first 10-year of operation: NOxlb. and PMlb.							
Emission reduction for the first 10-year of project operation: NOxlb. and PMlb.							
Cost Effectiveness:lb./State dollars							
* Applicant must use CARB's 2015 Emissions Benefits Calculator to estimate the baseline and future emissions, the amount of emissions reduced, and the cost-effectiveness of the project together with the annual usage in hours. The calculator will be posted on CARB's website. Applicant must provide an electronic copy and a hardcopy of the completed calculator with the application.  IV. EQUIPMENTVENDORINFORMATION							
Vendor Name:							
Contact person: Email:							
Phone Number:							
V. EQUIPMENT PROJECT FUNDING REQUEST							
Total project cost (\$):							
Program dollar requested (\$):							
Source of funds to pay for the balance of the project:  Private (cash/loan) Local Other state Federal Other(please specify):							



#### **FORM C1: Truck Stop Electrification Infrastructure**

#### VI. ATTACHMENTS-PLEASE ATTACH THE FOLLOWING DOCUMENTS TO COMPLETE YOUR APPLICATION

- o Completed Form C1.
- Complete ARB's 2015 Emission Benefit Calculator. The calculator can be accessed at: <a href="https://ww2.arb.ca.gov/our-work/programs/proposition-1b-goods-movement-emission-reduction-program">https://ww2.arb.ca.gov/our-work/programs/proposition-1b-goods-movement-emission-reduction-program</a>
- o Truck electrification infrastructure detailed design plan.
- o Itemized cost information by phase (design, environmental, construction).
- Written project acknowledgement form the site owner (if applicant does not own the site where the equipment will be installed) which acknowledge/agrees to the following, at a minimum, for the duration of the project life:
  - The equipment owner will be allowed to install and operate the Program-funded equipment at the site address.
  - Program-funded equipment will be the property of the applicant listed in the equipment project application.
  - The local agency, ARB, or their designees will be allowed to access the site, equipment, and associated records for inspection, Program reviews, or fiscal audits.

#### VII. Applicant Statement

## I have the legal authority to apply for incentive funding for the entity described in this application, and agree to the following statements by signing below:

- · I (applicant) have reviewed the information provided in this application, including all supporting documentation, and certify the application information is true and correct, and meets the minimum requirements of the Proposition 1B Goods Movement Emission Reduction Program;
- I agree to follow all requirements of the 2015 Proposition 1B Goods Movement Emission Reduction Program Guidelines;
- The program-funded equipment shall be placed into operation and post-inspected prior to the applicable operational deadline to remain eligible for funding;
- I understand that the Program-funded equipment may not be used by the equipment owner to comply with any applicable CARB regulations for the specified timeframe;
- I have not and will not apply for additional grant funds from any other agency or program for this proposed project, except the funding programs allowed by the Guideline.
- · I will disclose any other source(s) of funding that has been applied for and will be used for the same project, including the source of funds, amount, and the purpose for funding;
- I will disclose the value of any existing financial incentive that directly reduces the project cost, including tax credits or deductions, grants, or other public financial assistance for the same equipment;
- Grant funds shall only be used to offset the capital cost of the equipment and/or shall reduce the principal owed to purchase the equipment;
- New equipment must **not** be purchased, received, installed, paid for, or placed into operation prior to contract execution;
- New equipment purchased outside of California may be subject to California sales and/or use tax;
- · I agree to properly maintain program funded equipment in good operating condition and according to manufacturer's recommendation during the project life;
- · I understand that an incomplete or illegible application, including applications that are missing required documentation, may be rejected by the South Coast AQMD at their discretion;
- · I acknowledge that the South Coast AQMD may release the information the application contains to third parties if required by state and federal public records laws; and
- · I understand that landside electrification infrastructure to reduce diesel engine idling and use of diesel-fueled internal combustion auxiliary power systems may be funded at the lower of 50% of eligible project costs or a level commensurate with a cost-effectiveness of 0.10 pounds of weighted emissions reduced per State dollars invested.
- · I understand that truck stop/distribution center electrification infrastructure projects shall be eligible to compete for funding

## South Coast

#### PROPOSITION 1B - GOODS MOVEMENT EMISSION REDUCTION PROGRAM APPLICATION

#### **FORM C1: Truck Stop Electrification Infrastructure**

only if the cost-effectiveness is equal to or greater than 0.10 pounds of weighted emissions reduced per State dollars invested.

- I understand that eligible costs for the project include purchase and installation of electrical infrastructure to: enable heating, cooling, and the use of cab power for parked trucks at truck stops, intermodal facilities, and other places where trucks congregate. Reimbursement for the eligible costs shall be based on demonstrated use over the first year of operation. Ineligible costs include on-board auxiliary power units and other equipment installed on trucks.
- I understand that the reimbursement for the eligible cost will be based on demonstrated use over the first year of operation.
- Equipment project match funding is reasonably available to complete the equipment project according to the proposed timeframe.

Printed Name of Owner:	_Title:
Signature of Owner:	_Date:



#### **FORM C2: Electric Charging Stations or Hydrogen Fueling Units**

This funding option is only available if the equipment owner replaces a minimum of one vehicle through the Program (Form B1)

I. APPLICANT INFORMATION					
Name:					
Business Name (if any):					
Primary Contact Name:		Email: Phone Number:			
Mailing Address:					
City:	State:		Zip Code:		
Person with contract signing authority			Title:		
(if different than above):					
Have you applied for any other grant programs for this program, specify the grant program(s) that you applied to:	roject? Yes N	0			
II. CHARGING/FUELING EQUIPMENT INFORMAITON					
Equipment/ Construction Location:					
Project type?   Electric charging station  Hy	/drogen Fueling Unit				
Equipment Manufacturer:					
Equipment Power Rating for Electric Charger Only (Voltage, Amperage, Wattage, Efficiency):					
Equipment Serial Number:					
Equipment Recharge Rate (Electric Charger Only):					
Anticipated Cost of Eligible Equipment:					
Description of Usage Monitoring System					
Estimated Annual Truck connections:Truc	ks. Estimated connec	ction time/Truck:	hours.		
III. EQUIPMENT PROJECT FUNDING REQUEST					
Estimated Cost of Charging Stations/Fueling Units :\$					
Program Dollars Requested:\$(Partia	I funding of up to the l	ower of 50% or \$30,	000 for 1 charging or fueling units)		
Equipment Power Rating for Electric Charger Only (Voltag	e, Amperage, Wattage	, Efficiency):			
Equipment Serial Number:					
Equipment Recharge Rate (Electric Charger Only):					

**Business Name** 



#### **BUSINESS INFORMATION REQUEST**

Division of									
Subsidiary of									
Website Address									
Type of Business Check One:		] D	orporatio LC/LLP,	ne on, ID No ID No		ed in			
	•	RF	EMITT	ING ADDR	ESS INFOI	RMA	ΓΙΟΝ		
Address									
City/Town									
State/Province					Zip				
Phone	(	)	-	Ext	Fax	(	)	-	
Contact					Title				
E-mail Address					•	•			
Payment Name if Different									

All invoices must reference the corresponding Purchase Order Number(s)/Contract Number(s) if applicable and mailed to:

Attention: Accounts Payable, Accounting Department South Coast Air Quality Management District 21865 Copley Drive Diamond Bar, CA 91765-4178

#### Attachment 2

#### **BUSINESS STATUS CERTIFICATIONS**

Federal guidance for utilization of disadvantaged business enterprises allows a vendor to be deemed a small business enterprise (SBE), minority business enterprise (MBE) or women business enterprise (WBE) if it meets the criteria below.

• is certified by the Small Business Administration or

TELEPHONE NUMBER

is certified by a state or federal agency or

• is an independent MBE(s) or WBE(s) business concern we member(s) who are citizens of the United States.	which is at least 51 percent owned and controlled by minority group
Statements of certification:	
As a prime contractor to South Coast AQMD,	tion 33.301, and will follow the six affirmative steps listed below for
1. Place qualified SBEs, MBEs, and WBEs on solicita	tion lists.
2. Assure that SBEs, MBEs, and WBEs are solicited w	whenever possible.
<ol><li>When economically feasible, divide total requireme SBEs, MBEs, and WBEs.</li></ol>	ents into small tasks or quantities to permit greater participation by
4. Establish delivery schedules, if possible, to encoura	ge participation by SBEs, MBEs, and WBEs.
<ol><li>Use services of Small Business Administration, Mir Commerce, and/or any agency authorized as a clear</li></ol>	nority Business Development Agency of the Department of inghouse for SBEs, MBEs, and WBEs.
6. If subcontracts are to be let, take the above affirmation	ive steps.
Check all that apply:  Small Business Enterprise/Small Business Joint Venture  Local business  Minority-owned Business Enterprise  Percent of ownership:%	ding additional points, as applicable, in accordance with South  ☐ Women-owned Business Enterprise ☐ Disabled Veteran-owned Business Enterprise/DVBE Joint Venture ☐ Most Favored Customer Pricing Certification
Name of Qualifying Owner(s):  State of California Public Works Contractor ReINCLUDED IF BID PROPOSAL IS FOR PUBLIC	
I, the undersigned, hereby declare that to the best of my know information submitted is factual.	rledge the above information is accurate. Upon penalty of perjury, I certify
NAME	TITLE

DATE

#### **Definitions**

Disabled Veteran-Owned Business Enterprise means a business that meets all of the following criteria:

- is a sole proprietorship or partnership of which is at least 51 percent owned by one or more disabled veterans, or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more disabled veterans; a subsidiary which is wholly owned by a parent corporation but only if at least 51 percent of the voting stock of the parent corporation is owned by one or more disabled veterans; or a joint venture in which at least 51 percent of the joint venture's management and control and earnings are held by one or more disabled veterans.
- the management and control of the daily business operations are by one or more disabled veterans. The
  disabled veterans who exercise management and control are not required to be the same disabled veterans as
  the owners of the business.
- is a sole proprietorship, corporation, partnership, or joint venture with its primary headquarters office located
  in the United States and which is not a branch or subsidiary of a foreign corporation, firm, or other foreignbased business.

**Joint Venture** means that one party to the joint venture is a DVBE and owns at least 51 percent of the joint venture. In the case of a joint venture formed for a single project this means that DVBE will receive at least 51 percent of the project dollars.

**Local Business** means a business that meets all of the following criteria:

- has an ongoing business within the boundary of South Coast AQMD at the time of bid application.
- performs 90 percent of the work within South Coast AQMD's jurisdiction.

Minority-Owned Business Enterprise means a business that meets all of the following criteria:

- is at least 51 percent owned by one or more minority persons or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more minority persons.
- is a business whose management and daily business operations are controlled or owned by one or more minority person.
- is a business which is a sole proprietorship, corporation, partnership, joint venture, an association, or a
  cooperative with its primary headquarters office located in the United States, which is not a branch or
  subsidiary of a foreign corporation, foreign firm, or other foreign business.

"Minority" person means a Black American, Hispanic American, Native American (including American Indian, Eskimo, Aleut, and Native Hawaiian), Asian-Indian American (including a person whose origins are from India, Pakistan, or Bangladesh), Asian-Pacific American (including a person whose origins are from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the United States Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia, or Taiwan).

Small Business Enterprise means a business that meets the following criteria:

- a. 1) an independently owned and operated business; 2) not dominant in its field of operation; 3) together with affiliates is either:
  - A service, construction, or non-manufacturer with 100 or fewer employees, and average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years, or
  - A manufacturer with 100 or fewer employees.
- b. Manufacturer means a business that is both of the following:
  - Primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products.
  - Classified between Codes 311000 to 339000, inclusive, of the North American Industrial Classification System (NAICS) Manual published by the United States Office of Management and Budget, 2007 edition.

**Small Business Joint Venture** means that one party to the joint venture is a Small Business and owns at least 51 percent of the joint venture. In the case of a joint venture formed for a single project this means that the Small Business will receive at least 51 percent of the project dollars.

#### Women-Owned Business Enterprise means a business that meets all of the following criteria:

- is at least 51 percent owned by one or more women or in the case of any business whose stock is publiclyheld, at least 51 percent of the stock is owned by one or more women.
- is a business whose management and daily business operations are controlled or owned by one or more women
- is a business which is a sole proprietorship, corporation, partnership, or a joint venture, with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign business.

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

## (Hov. October 2019)

#### Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not ed to the IDE

Internal Pa	evorue Service	► Go to ww	w.irs.gav	//FormW9 for inst	ructions and the lo	test information.	acid to bit into,	
	l Namo (ao atown un	your income tax return). N	ame is rec	guired on this line; co	not towa this line blan	ne.		
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- 1	c custiless indiaeosi	ega.ces entry name, ron	I ALLE OF THE ST	T SE ET GO				
on page 3.	3 Check appropriate box for federal texic assistication of the person whose name is entered on the 1. Check only one of the following seven boxes.						4 Exemptions joodes apply only to certain entities, not individuals; see instructions on page 5)	
5 2	☐ Individual/pole: puppider or ☐ Componation ☐ Signo-member ☐ Farinership single-member LLC						Exempl payon code (i) any)	
물음	Limited flamility of							
Print or type. Specific instructions of	Note: Check the appropriate has in the lips above for the desired collect of the single-member owner. Do not clearly LLC it the LLC is dissified as a citagle-member LLC that is disregarded from the owner unless the owner of the LLC is showner LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is 36x04x04x04 from the owner should check the appropriate box for the fax class feation of its power.						Exemption from EATCA reporting onde (if any)	
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9. : am :	a U.S. oftizen of oth	er U.S. parson (defined	d below);	and				
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Sign Here	Signature of U.S. person ►	18			55555	Dale▶		
Gene	eral Instru	ctions			• Form 1099-DIV (	jdividende, including	l linoso from stacks or mutual	

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

Future developments. For the latest information about developments. related to Form W-9 and its instructions, such as logiciation enacted after they were published, go to www.lra.gov/Fount/vs.

#### Purpose of Form

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

Form 1099-INT (Interest earned or paid)

- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-6 (stock or mutual fund as es and certain other transactions by brokers).
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-5 (student foan interest), 1098-T (luition)
- Form 1092-Q (cance ad dabl)
- Form 1099-A (acquisition or absorbenment of secured property).

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

If you do not return Form W-9 to the requester with a Tihi, you might he subject to backup withholding. See What is backup withholding, hiter.

CALIFORNIA FORM TAXABLE YEAR Withholding Exemption Certificate 590 2019 The payee completes this form and submits it to the withholding agent. The withholding agent keeps this form with their records. Withholding Agent Information Payee Information SSN or ITIN TEN CA Corp No. CA SOS No res. Address (apt/ste., room, PD box, or PMB no.) City (If you have a foreign address, see instructions.) State ZIP code **Exemption Reason** Check only one box. By checking the appropriate box below, the payee certifies the reason for the exemption from the California income tax withholding requirements on payment(s) made to the entity or individual. ☐ Individuals — Certification of Residency: I am a resident of California and I reside at the address shown above. If I become a nonresident at any time, I will promptly notify the withholding agent. See instructions for General Information D, Definitions. Corporations: The corporation has a permanent place of business in California at the address shown above or is qualified through the California Secretary of State (SOS) to do business in California. The corporation will flie a California tax return. If this corporation ceases to have a permanent place of business in California or ceases to do any of the above, I will promptly notify the withholding agent. See instructions for General Information D, Definitions. □ Partnerships or Limited Liability Companies (LLCs): The partnership or LLC has a permanent place of business in California at the address shown above or is registered with the California SOS, and is subject to the laws of California. The partnership or LLC will file a California tax return. If the partnership or LLC ceases to do any of the above, I will promptly inform the withholding agent. For withholding purposes, a limited liability partnership (LLP) is treated like any other partnership. The entity is exempt from tax under California Revenue and Taxation Code (R&TC) Section 23701 internal Revenue Code Section 501(c) \_\_\_\_\_ (insert number). If this entity ceases to be exempt from tax, I will promptly notify the withholding agent. Individuals cannot be tax-exempt entities. Insurance Companies, Individual Retirement Arrangements (IRAs), or Qualified Pension/Profit-Sharing Plans: The entity is an insurance company, IRA, or a federally qualified pension or profit-sharing plan. California Trusts: At least one trustee and one noncontingent beneficiary of the above-named trust is a California resident. The trust will file a California fiduciary tax return. If the trustee or noncontingent beneficiary becomes a nonresident at any time, I will promptly notify the withholding agent. ☐ Estates — Certification of Residency of Deceased Person: I am the executor of the above-named person's estate or trust. The decedent was a California resident at the time of death. The estate will flie a California fiduciary tax return. Nonmilitary Spouse of a Military Servicemember: I am a nonmilitary spouse of a military servicemember and I meet the Military Spouse Residency Relief Act (MSRRA) regulrements. See Instructions for General Information E, MSRRA. CERTIFICATE OF PAYEE: Payee must complete and sign below. To learn about your privacy rights, how we may use your information, and the consequences for not providing the requested information, go to ftb.ca.gov/forms and search for 1131. To request this notice by mail, call 800.852.5711. Under penalties of perjury, I declare that I have examined the information on this form, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. I further declare under penalties of perjury that If the facts upon which this form are based change, I will promptly notify the withholding agent. Type or print payee's name and title \_\_\_\_ Payee's signature > Date\_



#### CAMPAIGN CONTRIBUTIONS DISCLOSURE

In accordance with California law, bidders and contracting parties are required to disclose, at the time the application is filed, information relating to any campaign contributions made to South Coast Air Quality Management District (South Coast AQMD) Board Members or members/alternates of the MSRC, including: the name of the party making the contribution (which includes any parent, subsidiary or otherwise related business entity, as defined below), the amount of the contribution, and the date the contribution was made. 2 C.C.R. §18438.8(b).

California law prohibits a party, or an agent, from making campaign contributions to South Coast AQMD Governing Board Members or members/alternates of the Mobile Source Air Pollution Reduction Review Committee (MSRC) of more than \$250 while their contract or permit is pending before South Coast AQMD; and further prohibits a campaign contribution from being made for three (3) months following the date of the final decision by the Governing Board or the MSRC on a donor's contract or permit. Gov't Code §84308(d). For purposes of reaching the \$250 limit, the campaign contributions of the bidder or contractor plus contributions by its parents, affiliates, and related companies of the contractor or bidder are added together. 2 C.C.R. §18438.5.

In addition, South Coast AQMD Board Members or members/alternates of the MSRC must abstain from voting on a contract or permit if they have received a campaign contribution from a party or participant to the proceeding, or agent, totaling more than \$250 in the 12-month period prior to the consideration of the item by the Governing Board or the MSRC. Gov't Code §84308(c).

The list of current South Coast AQMD Governing Board Members can be found at South Coast AQMD website (<a href="www.aqmd.gov">www.aqmd.gov</a>). The list of current MSRC members/alternates can be found at the MSRC website (<a href="http://www.cleantransportationfunding.org">http://www.cleantransportationfunding.org</a>).

#### SECTION I.

Contractor (Legal Name):
DBA, Name, County Filed in
Corporation, ID No
LLC/LLP, ID No
List any parent, subsidiaries, or otherwise affiliated business entities of Contractor: (See definition below).
SECTION II.
Has Contractor and/or any parent, subsidiary, or affiliated company, or agent thereof, made campaign contribution(s) totaling \$250 or more in the aggregate to a current member of the South Coast Air Quality Management Governing Board or member/alternate of the MSRC in the 12 months preceding the date of execution of this disclosure?
Yes No If YES, complete Section II below and then sign and date the form If NO, sign and date below. Include this form with your submittal.

### Campaign Contributions Disclosure, continued: Name of Contributor Date of Contribution Governing Board Member or MSRCMember/Alternate Amount of Contribution Name of Contributor Governing Board Member or MSRC Member/Alternate Amount of Contribution Date of Contribution Name of Contributor Date of Contribution Governing Board Member or MSRC Member/Alternate Amount of Contribution Name of Contributor \_\_\_\_\_ Governing Board Member or MSRC Member/Alternate Amount of Contribution Date of Contribution

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

Ву:			
Title:			
Date:			

#### DEFINITIONS

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

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



BOARD MEETING DATE: November 6, 2020 AGENDA NO. 6

PROPOSAL: Appropriate Funds, Execute and/or Amend Contracts, and Issue

Solicitations and Purchase Orders for AB 617 Implementation

SYNOPSIS: In February and June 2020, the Board recognized up to \$21.88

million for the most recent allocation of the AB 617

implementation program funding. This action is to appropriate up to \$1.7 million into the FYs 2020-21 and/or 2021-22 Budgets, execute and/or amend contracts, and issue solicitations and

purchase orders for AB 617 implementation.

COMMITTEE: Administrative, October 9, 2020; Recommended for Approval

#### **RECOMMENDED ACTIONS:**

- 1. Appropriate up to \$1.7 million into the FYs 2020-21 and/or 2021-22 Budget for AB 617 expenditures from the General Fund Undesignated (Unassigned) Fund Balance as set forth in Tables 1-3; and
- 2. Authorize the Executive Officer to execute and/or amend contracts, and issue solicitations and purchase orders for AB 617 implementation in accordance with South Coast AQMD Procurement Policy and Procedure for items listed in Tables 1-3.

Wayne Nastri Executive Officer

JW:SJ

#### **Background**

South Coast AQMD's portion of the statewide funding for the most recent allocation of the AB 617 program (Implementation Funds) is \$21.88 million. In February 2020, the Board recognized \$20 million and in June 2020 the Board recognized the remaining \$1.88 million.

Two legislative changes in the year 2017 resulted in significant increases in the responsibilities and workload for South Coast AQMD. AB 617 requires major efforts in the following areas: accelerated BARCT rule making, community engagement, community air monitoring, community emissions reduction plans, and statewide emission reporting consistency. The intent of the bill, which was a companion bill to the extension of the state greenhouse gas cap and trade program, is to improve air quality in disadvantaged communities with high cumulative exposures. The bill requires the development and implementation of air monitoring and emission reduction plans in specific designated communities. For stationary sources that are in the state greenhouse gas cap and trade program, the bill requires the air districts to adopt an expedited schedule to implement BARCT controls. The bill also has additional requirements for CARB to designate communities for the development of the community plans, improve consistency and accessibility of emissions data, and implement a statewide BARCT and BACT clearinghouse. AB 109 provided funding for implementing AB 617, and South Coast AQMD has been awarded \$21.88 million this year as our portion of the state funding. Additional resources (contracts, capital outlays and related services and supplies) are needed to fulfill these requirements.

The AB 617 statute specifies that each year, CARB may designate communities for the development of air monitoring and/or emission reduction plans. In 2018, CARB designated three communities in the South Coast AQMD, and in 2019, two more South Coast AQMD communities were added. Staff is working very closely with CARB staff to develop and implement the community plans for all five communities. These community-specific efforts are very resource intensive, especially when there are very tight statutory deadlines associated with these plans. In addition, AB 617 also requires that BARCT be implemented by December 31, 2023 for sources in the state greenhouse gas program. Intensive rulemaking efforts have already been underway to implement these requirements and several rules have already been adopted. Other areas that require significant work from South Coast AQMD staff includes coordinating with CARB staff to support their BARCT and BACT clearinghouse, and implementing CARB's recent statewide emission reporting regulation, which expands the requirements for annual emissions reporting.

#### **Proposal**

Staff is seeking Board approval to appropriate funds and execute and/or amend contracts as listed in Table 1 and Table 2, and procure related services and supplies listed in Table 3 to support work required under AB 617.

#### **Sole Source Justifications**

The request for sole source award for Aclima, Inc. is made under provision VIII.B.2.c.(1) the desired services are available from only the sole source based on the unique experience and capabilities of the proposed contractor or contractor team; (2) the project involves the use of proprietary technology; and (3) the contractor has ownership

of key assets required for project performance. Aclima, Inc., is the only contractor capable of delivering hyperlocal PM, black carbon and other air pollution data using a scalable mobile platform that combines leading-edge sensor technology and machine learning to generate high-resolution maps.

In accordance with South Coast AQMD Procurement Policy and Procedure Section VIII.B.2.d, the request for a sole source award for VMA Communications is recommended based on the fact that other circumstances exist which in the determination of the Executive Officer require such waiver in the best interests of the South Coast AQMD. VMA Communications has provided the South Coast AQMD with an excellent level of service and has help moved the AB 617 Program forward. VMA Communications is familiar with the different AB 617 Communities and is well equipped to continue to provide an outstanding level of service.

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

The contracts, equipment, and related services and supplies will help support South Coast AQMD efforts to fulfill the legislative directives of AB 617, which will result in benefits to environmental justice communities and to the entire region.

#### **Resource Impacts**

South Coast AQMD has been awarded \$21.88 million from CARB's Air Protection Program as its portion of the statewide funding for the third year of the AB 617 program. The amount of \$20 million has been received under award G19-CAPP-31 and \$1.88 million has been received under award G19-CAPP-37. This funding will provide the resources to implement South Coast AQMD's AB 617 program for the third year as proposed.

#### **Attachments (Tables):**

- 1. FYs 2020-21 and/or 2021-22 Proposed Capital Outlay Expenditures for AB 617
- 2. FYs 2020-21 and/or 2021-22 Proposed Contracts/Contract Amendments for AB 617
- 3. FYs 2020-21 and/or 2021-22 Proposed Other Services and Supplies Expenditures for AB 617

Table 1
FYs 2020-21 and/or 2021-22 Proposed Capital Outlay Expenditures for AB 617

Description	Org Unit	Account	Estimated Amount	Contracting Method
AER Reporting	PRDAS	77000	\$ 200,000	Solicitation to Prequalified Vendors
Application for Data Visualization	IM	77000	100,000	Solicitation to Prequalified Vendors
		Total	\$ 300,000	

Note: Expenditures may be appropriated in the Services & Supplies Major Object as warranted.

Table 2 FYs 2020-21 and/or 2021-22 Proposed Contracts/Contract Amendments for AB 617

Contractor	Description	Org Unit	Account	Estimated Amount	Contracting Method
TBD	Operation and Maintenance for Data Platform	STA	67450	\$ 50,000	Solicitation to Prequalified Vendors
TBD	Cloud Data Storage	STA	67450	100,000	Solicitation to Prequalified Vendors
Aclima, Inc.	Mobile PM and BC Measurements	STA	67450	160,000	Sole Source
TBD	CERP Implementation Support	PRDAS	67450	75,000	RFP
VMA Communications	Facilitators	LPAM	67450	48,000	Sole Source
			Total	\$433,000	

Total \$433,000

Note: Expenditures may be appropriated in the Capital Outlays Major Object as warranted.

Table 3
FYs 2020-21 and/or 2021-22 Proposed Other Services and Supplies
Expenditures for AB 617

Description	Org Unit	Account	Estimated Amount
Outreach/Interpretation	LPAM	Various	\$300,000
Stipends	LPAM	69700	85,000
Insurance	STA	67250	11,356
Rents & Leases Equipment	STA	67300	100,000
Rents & Leases Structure	STA	67350	9,085
Building Maintenance Operation	STA	67650	34,068
Professional & Special Services	STA	67450	147,225
Temporary Agency Services	STA	67460	22,712
Demurrage	STA	67550	9,085
Maintenance of Equipment	STA	67600	56,780
Communications	STA	67900	22,712
Laboratory Supplies	STA	68050	45,424
Postage	STA	68060	3,180
Office Expense	STA	68100	4,542
Small Tools, Instruments, Equipment	STA	68300	102,204
Training	STA	69500	13,627
		Total	\$967,000





BOARD MEETING DATE: November 6, 2020 AGENDA NO. 7

PROPOSAL: Issue New Solicitations and Approve Contract Modification as

Approved by MSRC

SYNOPSIS: The Mobile Source Air Pollution Reduction Review Committee

(MSRC) approved RFPs for on- and off-road goods movement projects associated with warehouse and distribution facilities located in Riverside and San Bernardino Counties. Additionally, the MSRC approved the modification of a contract under the Local Government Partnership Program. At this time, the MSRC seeks Board approval of the contract modification and to release the RFPs as part of the FYs 2016-18 and 2018-21 Work Programs.

COMMITTEE: Mobile Source Air Pollution Reduction Review, October 15, 2020;

Recommended for Approval

#### **RECOMMENDED ACTIONS:**

- 1. Approved modified contract with the City of Santa Monica, substituting the installation of 40 public access charging ports for 32 public access charging stations, and substituting the installation of 10 limited access charging ports for the installation of 7 limited access stations, as part of approval of the FYs 2016-18 Work Program, as described in this letter;
- 2. Issue RFP for Zero and Near-Zero Emission Trucking to Warehouse, Distribution and Intermodal Facilities in Riverside and San Bernardino Counties as part of approval of the FYs 2018-21 Work Program, as described in this letter and in the attached RFP;
- 3. Issue RFP for Zero and Near-Zero Emission Cargo Handling Equipment at Warehouse, Distribution and Intermodal Facilities in Riverside and San Bernardino Counties as part of approval of the FYs 2018-21 Work Program, as described in this letter and in the attached RFP; and
- 4. Authorize the Chairman of the Board to execute the modified contract under the FYs 2016-18 Work Program, as described above and in this letter.

Larry McCallon Chair, MSRC

#### **Background**

In September 1990, Assembly Bill 2766 was signed into law (Health & Safety Code Sections 44220-44247) authorizing an annual \$4 motor vehicle registration fee to fund the implementation of programs exclusively to reduce air pollution from motor vehicles. AB 2766 provides that 30 percent of the annual \$4 vehicle registration fee subvened to the South Coast AQMD be placed into an account to be allocated pursuant to a work program developed and adopted by the MSRC and approved by the Board.

#### **Proposal**

At its October 15, 2020 meeting, the MSRC considered recommendations from the MSRC Technical Advisory Committee (MSRC-TAC) and approved the following:

#### FYs 2016-18 Local Government Partnership Program

As part of the FYs 2016-18 Local Government Partnership Program, the MSRC approved an award of \$121,500 to the City of Santa Monica for the installation of 39 electric vehicle charging stations. To better serve the needs of their residents and staff, the city requested to use multi-port charging stations. These modifications would result in a greater number of charging ports overall, exceeding expectations for both public and limited access, for the same MSRC investment. The MSRC considered and approved the city's requested contract modifications.

FYs 2018-21 Inland Ports Zero and Near-Zero Emission Trucking and Cargo Handling At the September 2020 meeting, the MSRC authorized the development of draft RFPs for on- and off-road goods movement projects associated with the "Inland Ports"—warehouse and distribution facilities located in Riverside and San Bernardino Counties. The MSRC considered and approved separate RFPs targeting on- and off-road vehicles involved in goods movement. Both RFPs allow for funding of associated refueling infrastructure and/or electric vehicle supply equipment (EVSE) as applicable.

RFP #P2021-07 seeks proposals to reduce emissions through the implementation of zero and near-zero emission technologies on heavy-duty trucks which transport containerized or bulk goods. The MSRC set a targeted funding amount of \$14 million for this RFP. Projects will be evaluated on a competitive basis scored on cost effectiveness, project readiness, and percentage of truck trips that serve the Inland Empire. RFP #P2021-08 seeks proposals to reduce emissions from cargo handling equipment. The MSRC set a targeted funding amount of \$6 million for this RFP. Projects will be evaluated on a competitive basis scored on cost effectiveness and project readiness. Each RFP includes an optional bidders' conference on Wednesday, November 18, 2020, and proposals for both RFPs will be due by 11:59 p.m. on January 15, 2021. The MSRC approved the release of the RFPs.

At this time, the MSRC requests the South Coast AQMD Board approve the contract modification and the release of the RFPs as part of approval of the FYs 2016-18 and

2018-21 AB 2766 Discretionary Fund Work Programs as outlined above. The MSRC also requests the Board authorize the South Coast AQMD Board Chairman to execute all agreements described in this letter.

#### **Resource Impacts**

The South Coast AQMD acts as fiscal administrator for the AB 2766 Discretionary Fund Program (Health & Safety Code Section 44243). Money received for this program is recorded in a special revenue fund (Fund 23) and the contracts specified herein will be drawn from this fund.

#### **Attachments**

- 1. Request for Proposals RFP2021-07 Zero and Near-Zero Emission Trucking to Warehouse, Distribution and Intermodal Facilities in Riverside and San Bernardino Counties
- 2. Request for Proposals RFP2021-08 Zero and Near-Zero Emission Cargo Handling Equipment at Warehouse, Distribution and Intermodal Facilities in Riverside and San Bernardino Counties



## **Request for Proposals**

For

# Zero & Near-Zero Emission Trucking to Warehouse, Distribution, & Intermodal Facilities in Riverside & San Bernardino Counties

Financial Assistance to Transition to Zero & Near-Zero Emission Goods Movement Operations

P2021-07

**November 6, 2020** 

Clean Transportation Funding™ from the Mobile Source Air Pollution Reduction Review Committee (MSRC)

#### **SECTION 1: INTRODUCTION**

The ability to move goods efficiently across the South Coast basin is crucial to the economic vitality of Southern California. In Los Angeles County alone, goods movement dependent industries generate one third of the county's economy and support one third of all employment. Our region is also home to the largest container port complex in the United States. Forty percent (40%) of all containerized goods imported into the United States enter through the Ports of Long Beach and Los Angeles, known as the San Pedro Bay Ports.

However, the movement of goods does not stop at the maritime ports. Approximately 70% of the containerized cargo that moves through the San Pedro Bay Ports travels by heavy-duty diesel trucks through the South Coast basin, where 40% of it ends up at a vast network of warehouses, distribution centers, and logistics facilities located in Riverside and San Bernardino counties.

Each warehouse and logistics facility is – in and of itself – a small scale port. There are over 400 of these facilities currently within Riverside and San Bernardino counties (Inland Empire). Goods are delivered, trans-loaded, and depart each facility primarily by heavy-duty diesel trucks. While individually smaller in scale, when viewed collectively the hundreds of warehouses, distribution centers, and logistics facilities in the Inland Empire generate air pollutant emissions that endanger the health of the communities they are located in and adversely impact the entire South Coast region.

#### SECTION 2: PURPOSE OF THIS REQUEST FOR PROPOSALS

To reduce air pollutant emissions generated by heavy-duty diesel trucks that transport goods to the "Inland Ports", the MSRC Clean Transportation Funding™ Program is seeking to partner with trucking fleet owners to begin their transition to zero or near-zero emission goods movement.

Specifically, this Request for Proposals (RFP) seeks proposals from qualified businesses who frequently transport containerized or bulk goods to warehouses, distribution centers, logistics facilities, or intermodal freight transportation hubs located in Riverside or San Bernardino counties. MSRC Clean Transportation Funding™ is available to partially offset the cost of acquiring zero or near-zero emission heavy-duty trucks and associated refueling infrastructure and/or electric vehicle supply equipment (EVSE), as applicable.

A total of \$14 million in MSRC funding is available under this RFP. The following Sections outline the eligibility requirements, conditions, and other relevant information to assist fleets in developing a proposal.

#### SECTION 3: PROGRAM ELIGIBILITY REQUIREMENTS

3.1 <u>Eligible Respondents to this RFP</u> – the MSRC is seeking proposals from entities who, as a part of their business enterprise, frequently transport goods to warehouse and distribution facilities located in the Inland Empire using heavy-duty Class 7 or 8 trucks.

Eligible entities include licensed motor carriers, third party logistics companies, freight forwarding companies, truck leasing companies, and private businesses who own or lease trucks to transport goods to freight facilities located in San Bernardino and Riverside counties.

- 3.2 <u>Minimum Operation within the South Coast AQMD Jurisdiction & Inland Empire</u> heavy-duty trucks that will be used in conjunction with a project submitted under this RFP must, at a minimum:
  - Accrue at least 85 percent of their annual mileage within the geographical boundaries of the South Coast Air Quality Management District; and
  - Demonstrate that at least 70 percent of annual trips include destinations within Riverside and/or San Bernardino County.
- 3.3 <u>Eligible Project Elements</u> This RFP seeks proposals for the acquisition of heavy-duty zero or near-zero emission trucks and supporting infrastructure primarily used to transport goods within the South Coast AQMD region with destinations in the Inland Empire. The following are project elements eligible to receive MSRC Clean Transportation Funding™:

#### Acquisition of Zero-Emission or Near-Zero Emission (Z/NZE) Heavy-Duty On-Road Trucks

O Purchase or lease and deploy into revenue service new on-road heavy-duty Class 7 or Class 8 trucks (gross vehicle weight rating greater than 26,000 pounds) that are zero-emission (e.g., battery or fuel cell) or equipped with a "near-zero" emission natural gas engine<sup>1</sup>. Under this RFP, "zero emission" is defined as having no tailpipe emissions and includes battery electric and hydrogen fuel cell technologies. "Near-zero" includes engines certified to the CARB Optional Low-NO<sub>x</sub> standard of 0.02 grams per brake horsepower-hour or cleaner.

#### Electrification to Support Zero Emission Trucks

 Design and install Electric Vehicle Support Equipment (EVSE, i.e., chargers) to allow onsite recharging of battery electric on-road trucks. For the purpose of this RFP, "EVSE" includes

3

<sup>&</sup>lt;sup>1</sup> "Near-Zero" engines compatible with Class 7 and Class 8 heavy-duty trucks currently include natural gas engines certified by the California Air Resources Board at the Optional Low-NOx Certification Standard of 0.02 g/bhp-hr.

vehicle chargers, solar canopies, charge management system hardware, and energy storage system hardware.

#### • Development of Onsite Renewable Natural Gas Refueling Infrastructure

 Design and install natural gas refueling infrastructure to allow onsite fueling of near-zero emission natural gas on-road heavy-duty trucks.

#### Development of Onsite Hydrogen Refueling infrastructure

 Design and install hydrogen refueling infrastructure to allow fueling of hydrogen fuel cell heavy-duty on-road trucks.

**IMPORTANT!** Transportation companies seeking MSRC funding to buy down the capital cost of <u>leased vehicles</u> must partner with the truck leasing company and submit a joint proposal. Any Contract resulting from an MSRC funding award will require the Truck Leasing Company to act as the prime contractor and contract signatory.

**IMPORTANT!** A proposal may request funding for Infrastructure-Only, either EVSE, renewable natural gas refueling equipment, or hydrogen refueling equipment. However, the proposer must demonstrate that qualifying on-road vehicles intended to utilize the MSRC-funded infrastructure have or are in the process of being acquired. Documentation will be required to confirm vehicle acquisition has been initiated prior to execution by the MSRC of an Infrastructure-Only funding award.

**IMPORTANT!** Vehicles and infrastructure receiving MSRC funds are required to be retained by the awardee for a minimum of five (5) years from the date MSRC co-funded vehicles or infrastructure enters revenue service.

#### **SECTION 4: FUNDING AVAILABLITY**

The total amount of MSRC Clean Transportation Funding<sup>™</sup> allocated for this Program is \$14M<sup>2</sup>. Funding will be awarded on a competitive basis in accordance with the proposal evaluation and scoring procedures outlined in Section 9 of this RFP.

The MSRC reserves the right to increase the amount of total funding available. Additionally, if total funding requests are less than the amount currently allocated, or if proposals are deemed non-

<sup>&</sup>lt;sup>2</sup> MSRC Clean Transportation Funding<sup>™</sup> is derived from motor vehicle registration fees collected by the California Department of Motor Vehicles (DMV) in accordance with the California Health and Safety Code. The availability of MSRC Clean Transportation Funding<sup>™</sup> is contingent upon the timely receipt of funds from the DMV. Neither the MSRC nor South Coast AQMD can guarantee the collection or remittance of registration fees by the DMV.

meritorious, the MSRC reserves the right to reduce the total funding available and reallocate funds to other Work Program categories.

- 4.1 <u>Maximum Funding Award</u> The maximum funding award to any entity under this RFP shall not exceed 50% of the total available funding, or a current maximum award amount of \$7M. This maximum funding restriction can be waived by the MSRC in the event the MSRC does not receive meritorious proposals from other bidders or if the MSRC allocates additional funds to the program.
- 4.2 <u>Funding Restrictions</u> The following funding restrictions have been imposed by the MSRC:
  - MSRC funds must be applied towards the capital purchase/lease and installation costs of qualifying zero-near-zero heavy-duty vehicles and infrastructure.
  - MSRC funds cannot be used to purchase real property, fuel, including electricity, or used to offset vehicle operations or maintenance costs.
  - MSRC funds cannot be used to offset recurring fees associated with the operation and maintenance of EVSE charge management systems.
- 4.3 <u>Earliest Date for an MSRC-Funded Project to Commence</u> The release date of this RFP, November 6, 2020, is the earliest date work on a project can commence and be potentially eligible for MSRC funding. Any expenditures made in anticipation of an award and prior to execution of a contract are solely at the proposer's risk. If no contract is executed, neither the MSRC nor South Coast AQMD is liable for payment of any funds expended in anticipation of a contract. Please note that in the event a contract is executed, reimbursement for any costs incurred by the proposer in anticipation of the contract is at the discretion of the MSRC and South Coast AQMD.

#### 4.4 Additional Conditions on MSRC Funding

- MSRC funds will be distributed on a reimbursement basis only upon completion of approved project tasks and submission of all required reports and invoices;
- MSRC funds are not intended to fund staff salaries or administrative costs;
- Funding provided under this RFP opportunity cannot be comingled with funds from any other MSRC Program, i.e., no "double dipping";
- Finally, in accordance with state law, all projects awarded MSRC Clean Transportation Funding™ are subject to audit. The provisions of the audit are discussed in the Sample Contract, attached to this RFP. It is highly recommended that bidders employ Generally Accepted Accounting Principles (GAAP) when administering their MSRC co-funded project.

#### **SECTION 5 - SCHEDULE OF EVENTS**

This RFP will be administered in accordance with the timeline shown below in Table 6-1. Proposals may be submitted anytime during the period commencing November 6, 2020 and ending January 15, 2021.

Table 6-1 - Key Inland Port Program Dates

Program Event	Date
RFP Release	November 6, 2020
Online Bidders' Conference	November 18, 2020
Latest Date/Time to Submit a Proposal	January 15, 2021 @ 11:59 pm

**IMPORTANT!** Proposals must be submitted to the MSRC website no later than 11:59 pm on January 15, 2021. Late proposals cannot be accepted for any reason. Please refer to Section 7, below, for instructions on how to submit a proposal.

5.1 <u>Online Bidders' Conference</u> – this Zoom Webinar will further explain the goals and requirements of this RFP and provide an opportunity for participants to ask questions. Participation in the online bidders' conference is voluntary. **The webinar will take place on Wednesday, November 18**<sup>th</sup> at 10:00 am and can be accessed using the following link:

When: Wednesday, November 18, 2020 10:00 AM-11:00 AM (UTC-08:00) Pacific Time (US & Canada).

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join. https://scaqmd.zoom.us/j/93533914127

#### Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or +1 929 436 2866 or +1 301 715 8592

Webinar ID: 935 3391 4127

International numbers available: https://scaqmd.zoom.us/u/abYPVgID0c

In addition, proposers seeking clarification to this RFP can contact the MSRC staff at any time – see Section 8, below, for a MSRC staff member contact information.

#### SECTION 6 PROPOSAL PREPARATION INSTRUCTIONS

The following instructions are intended to assist bidders in preparing a proposal for funding consideration under this RFP. Proposals should be concisely written, but include all necessary technical and financial detail requested in the following Subsections.

**IMPORTANT!** The MSRC seeks proposals that offer a "Complete Project" – meaning that the entire project scope - zero or near-zero vehicles to be demonstrated, essential infrastructure, coordination with project partners, including utilities, and necessary co-funding - are all considered and discussed within the proposal narrative.

Questions regarding proposal preparation and submittal should be directed to the appropriate MSRC staff representative listed in Section 8 of this RFP.

- 6.1 <u>Cover Letter</u> A cover letter should accompany the proposal, referencing RFP number P2021-07, specify contact person(s) for technical and contractual matters, and be <u>signed</u> by the person(s) authorized to contractually bind the bidding entity.
- 6.2 <u>Project Partner Letters of Support, MOA, or MOU</u> The proposal must include a letter of support, Memorandum of Agreement (MOA), or Memorandum of Understanding (MOU) from all participating entities of a joint proposal acknowledging their participation in the proposed project.
- 6.3 <u>Proposal Team Contact Information</u> Proposers may use the template provided (Attachment A to this RFP) or provide the requested information in another format.
- 6.4 <u>Project Technical Description</u> The proposal should include a concise yet thorough description of the overall project scope. While the format is left to the discretion of the proposer, the technical description should include, to the extent currently known and applicable, the following key elements:
- 6.4.1 Zero & Near-Zero Emission Heavy-Duty Truck Project Component
  - Host Fleet the name and characteristics of the fleet that will be operating the vehicles associated with the proposed project, including the proposed vehicle and infrastructure domicile address. Links to existing websites that describe the host fleet may be included to augment information provided in the proposal;
  - Zero/Near-Zero Emission Technical Specifications to the extent available, include information
    on the vehicles associated with the proposed project. This may include, but is not limited to,
    technical specifications, manufacturer publications, etc. Links to existing websites that
    describe the vehicle characteristics may be included to augment the proposal;
  - <u>Vehicle Duty Cycle</u> the zero or near-zero vehicles associated with the project, provide information as it relates to average daily or weekly miles traveled per vehicle, anticipated

route or destination location(s), total average annual miles per vehicle, and the percentage of truck trips that service freight facilities in the Inland Empire. To the extent feasible, identify specific Inland Empire facilities that the trucks are expected to frequent.

## 6.4.2 <u>Infrastructure Components</u>

Provide an overview and technical description of the infrastructure elements associated with the proposed project, including but not limited to the following:

- <u>Technical Description & Specifications for the Proposed Infrastructure</u> This element of the proposal should include, to the extent available, technical specifications, equipment lists, preliminary designs, site plans, etc., as available;
- <u>Infrastructure Accessibility</u> Discuss the near-term and future plans for infrastructure accessibility, i.e., whether the infrastructure will be private access only or offer limited access to other fleets;
- <u>Utility Coordination</u> As applicable to the proposed project, discuss the status of coordination with the cognizant California Public Utility or municipal utility(s) that will have a role in the siting, utility service upgrades, and construction of proposed infrastructure.
- 6.5 <u>Project Cost & Funding Sources</u> The MSRC strongly encourages the formation of partnerships and the leveraging of multiple funding sources to increase the scope of Inland Port projects and improve their economic feasibility. The proposal should discuss in detail the total project cost, funding requested from the MSRC, and the amounts and sources of additional project co-funding.

Specifically, proposers should specify the sources of all funding applied to the project, including contributions from the project partners, or funding either sought or in hand from local, state, and federal agencies, including but not limited to the South Coast AQMD (non-MSRC), Air Resources Board, Energy Commission, US Department of Energy, etc.

In addition, for projects that propose EVSE, proposers should discuss funding available through public or municipal electric utilities. For example, under the Southern California Edison Charge Ready Transport Program, warehouse, distribution centers, and logistics facilities located within the SCE service territory may be able to take advantage of "make ready" financial incentives for the installation of electric vehicle charging equipment to support heavy-duty battery electric trucks.

See <a href="https://www.sce.com/business/electric-cars/charge-ready-transport">https://www.sce.com/business/electric-cars/charge-ready-transport</a> for more information regarding this program.

If utility incentives are being sought, the proposal should address the coordination status with the utility, i.e., whether and application for incentive funding has been submitted, is in preparation, or if discussions between the proposer team and utility have been initiated.

- 6.6 <u>Project Implementation Schedule</u> The proposal should discuss key project milestones and their expected implementation dates. From a Project Readiness standpoint, the MSRC would prefer that projects be initially deployed within 36 months from the date of contract execution and authority to proceed, with full project deployment no later than 48 months from contract execution. The MSRC does, however, have discretion in this regard; thus, it is requested that proposers provide accurate information regarding the project's implementation schedule.
- 6.7 <u>Project Scalability</u> Limited availability of MSRC funding could result in the need to descope or scale-back a proposed project, including but not limited to reducing the number of vehicles funded, etc. In this event, the resulting award would be lower than the proposer's requested amount. The MSRC asks that proposers address this potential contingency in their proposal and provide the following information:
  - Is the proposer amenable to project scaling? If Yes,
  - What is the <u>minimum</u> project scope and cost offered by the proposer, with the understanding that anything less than this minimum would no longer represent a viable project?

**IMPORTANT!** Proposers should review the Evaluation & Scoring Criteria discussed below in Section 9 of this RFP and ensure their proposal provides all information necessary to maximize the proposal's scoring potential.

- 6.8 <u>Certifications</u> All proposers must complete and submit the following forms, located in Attachment B, as an element of their proposal:
  - a) <u>Internal Revenue Service Form W-9</u> Request for Taxpayer Identification Number and Certification and <u>California Form 590</u> Withholding Exemption Certificate. If you are selected for an award, you cannot be established as a vendor without this information.
  - b) <u>Disadvantaged Business Certification</u> The South Coast AQMD needs this information for their vendor database. It will not be considered in proposal evaluation or the determination of any MSRC funding award.
  - c) <u>Certificates of Insurance</u> Bidders are required to provide a statement that upon notification of award, a certificate of insurance naming the South Coast AQMD as an additional insured will be provided within forty-five (45) days. The certificate of Insurance does not need to be submitted as an element of the proposal.
  - d) Campaign Contribution Disclosure Form

**IMPORTANT!** In the event a business enterprise is <u>self-insured</u>, a statement to that effect must be included in proposal.

#### SECTION 7 PROPOSAL SUBMITAL INSTRUCTIONS

Proposals must be submitted electronically in PDF format using the MSRC Website. We believe this benefits the proposer, the MSRC staff, and the environment. A tutorial has been developed to guide proposers step by step through the electronic proposal submittal process. This tutorial is available on the MSRC Website at www.cleantransportationfunding.org. Look for the tutorial on the "Proposal Process – Proposal Upload Tutorial" page:

http://www.cleantransportationfunding.org/sites/default/files/downloads/Guide%20to%20Using %20the%20Website.pdf

- 7.1 <u>Proprietary and Trade Secret Information</u> to the extent feasible, proposals should avoid including information or data that is considered confidential, company proprietary, or a trade secret. If a proposal does include information that the proposer does not want publicly disclosed, that information must be clearly marked and identified as "Proprietary Do Not Disclose".
- 7.2 <u>Addenda</u> The MSRC reserves the right to issue corrections, supplemental information, or revisions to this RFP during the proposal preparation period of November 6, 2020 to January 15, 2021.
- 7.3 <u>Grounds for Rejection</u> A proposal will be rejected and not undergo further evaluation and scoring if:
  - It is received after the proposal submittal deadline, January 15, 2021 at 11:59 pm;
  - It is not prepared in the format described; or
  - It is not signed by an individual authorized to represent the proposing entity.
- 7.4 <u>Modification or Withdrawal</u> Once submitted, proposals cannot be altered without the consent of MSRC. All proposals shall constitute firm offers and may not be withdrawn for a period of ninety (90) days following the last day to accept proposals. All proposals become the property of the MSRC.

#### SECTION 8 IF YOU NEED HELP...

This RFP can be obtained by accessing the MSRC web site at <a href="www.cleantransportationfunding.org">www.cleantransportationfunding.org</a>. MSRC staff members are available to answer questions during the proposal preparation period. In order to help expedite assistance, please direct your inquiries to the applicable staff person, as follows:

## • For **General and Administrative Assistance**, please contact:

Cynthia Ravenstein

MSRC Program Administrator

Phone: 909-396-3269

E-mail: cynthia@cleantransportationfunding.org

## For Technical Assistance, please contact:

Ray Gorski

MSRC Technical Advisor Phone: 909-396-2479

E-mail: ray@cleantransportationfunding.org

## For Contractual Assistance, please contact:

Dean Hughbanks

**AQMD Procurement Manager** 

Phone: 909-396-2808

E-mail: dhughbanks@aqmd.gov

#### **SECTION 9 - PROPOSAL EVALUATION & SCORING**

Proposals received prior to the submittal deadline will be forwarded to an Evaluation Subcommittee comprised of members of the MSRC Technical Advisory Committee (MSRC-TAC). Proposals will be evaluated and scored against (3) evaluation criteria: Cost-Effectiveness, Project Readiness, and the percentage of trips that serve freight facilities in the Inland Empire. The total points available is 100, with each evaluation criterion weighted as follows.

1. Criteria Air Pollutant Emissions Reduction Cost-Effectiveness (40 points maximum score) – Reductions in criteria air pollutant emissions in the South Coast AQMD Region, and particularly the Inland Empire, are the primary motivation for releasing this Request for Proposals. Proposals will be evaluated based on the quantifiable reduction in reactive organic gases, oxides of nitrogen (NO<sub>x</sub>), and diesel particulate matter exhaust pollution as compared to the current California Air Resources Board NO<sub>x</sub> threshold of 0.2 grams per brake horsepower-hour (g/bhp-hr). Cost-effectiveness will be computed as the ratio of the quantified air pollutant reductions per MSRC funding requested. The quantification methodologies included in the Air Resources Board's 2017 Carl Moyer Memorial Air Quality Standards Attainment Program Guidelines will be used to the extent applicable to ensure consistency in proposal evaluation.

As discussed in Section 3.3, proposals seeking MSRC funds for infrastructure-only are eligible but must include a co-funded zero/near-zero vehicle acquisition component. Cost-effectiveness will be calculated based on the co-funded zero/near-zero vehicle component of the overall project.

**IMPORTANT!** To facilitate proposal evaluation with respect to air pollutant cost-effectiveness, ensure that all requested information and documentation relating to the vehicles duty cycle and mileage accrual is provided.

- 2. **Project Readiness** (40 points maximum) This evaluation criterion assesses a proposed project's perceived ability to adhere to the proposed schedule and budget. Factors that will impact a project's successful implementation within budget and schedule projections include:
  - Zero/Near-Zero Vehicle Acquisition:
    - Have the zero/near-zero vehicles proposed for deployment under this project been specified?
    - o Has the sales or leasing agent been contacted, and are negotiations underway?
    - o Is the proposer ready to execute a vehicle purchase order upon MSRC funding award?
  - Supporting Infrastructure Development:
    - Has an equipment specification for supporting EVSE or gaseous fuel infrastructure been prepared?
    - o What is the stage of site planning, i.e., preliminary design, final design, etc.?
    - o Has coordination begun with the cognizant utilities?
  - Project Funding:
    - o Has the necessary project co-funding been identified?
    - o Is co-funding in hand or applied for?
    - Will final status of other pending funding awards be known within the first quarter of calendar year 2021?

**IMPORTANT!** Proposers should address the Project Readiness criteria listed above within the narrative of their Project Description. The MSRC is less concerned with project implementation <u>immediacy</u> as compared to understanding the true status of a project's state of readiness. Thus, it is requested that proposers provide accurate information regarding the project's state of readiness in a forthcoming manner.

- 3. Percentage of Truck Trips that Serve Facilities Located in the Inland Empire (20 points maximum)
  - The MSRC seeks to reduce air pollutant emissions from heavy-duty diesel trucks that transport

goods within the South Coast Air Basin with destinations to the Inland Empire. This evaluation criterion recognizes fleets who commit to utilize the zero or near-zero vehicles associated with this project on a frequent basis to serve destinations within the Inland Empire. The following rubric will be used to assign points:

Estimated Percentage of Project

Vehicle Trips that Serve Inland Empire Point Allocation

Goods Movement Facilities

95% or Greater	20
90% - 94%	15
80% - 89%	10
75% - 80%	5
74% or Less	0

**IMPORTANT!** Proposers should ensure their Project Description addresses the intended routes for the project vehicles and provides sufficient data to estimate the percentage of overall trips that will serve goods movement facilities within Riverside and San Bernardino counties.

## ATTACHMENT A: PROPOSAL CONTACT INFORMATION

Please provide the following Proposer information in the space provided (this is information about the entity <u>submitting the proposal</u>):

Business Name											
Division of:											
Subsidiary of:											
Website Address											
Type of Business Check One:		DBA Corp	ooration, /LLP, ID N	ID No No	, Coui						
Address											
City											
State						Zip					
Phone	(	)	-	Ext		Fax	(	)	-		
Contact Name						Title					
E-mail Address Payment Name if											
Different	1										

#### **ATTACHMENT B - CERTIFICATIONS**

# Request for Taxpayer Identification Number and Certification

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

	Revenue Service	► Go to www.irs.gov/FormW9 for ins	tructions and the late	est inforr	nation.		36	ina to	uie i	no,
	1 Name (as shown	on your income tax return). Name is required on this line; do	o not leave this line blank,							
	2 Business name/	disregarded entity name, if different from above								
, 36	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the 4 Exemptions (codes appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the									
g	of Scheck appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the certain of following seven boxes.							s, not ind i page 3		s; see
ĕ	Individual/sole proprietor or C Corporation S Corporation Partnership Trust/estate Exemp  Limited flability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership)  Note: Check the appropriate box in the fine above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.  Other (see instructions)  Address (number, street, and apt. or suite no.) See instructions.  Requester's name and address.									
9 6	l 👝 🐧					Exempt	payee	code (if a	any)	
i di		ty company. Enter the tax classification (C=C corporation, Sathe appropriate box in the line above for the tax classification			nat abaak	ļ		E+T0		
Print or type. c Instructions	LLC if the LLt	C is classified as a single-member LLC that is disregarded fr	om the owner unless the	owner of t	he LLC is			n FATC	repor	ung
<u> </u>	another LLC is disregarde	that is <b>not</b> disregarded from the owner for U.S. federal tax pr d from the owner should check the appropriate box for the tr	urposes. Otherwise, a sin ax classification of its owr	gle-memb ner.	er LLC tha	1 4000 ,	,,			
<u>ģ</u>	Other (see ins	structions) ►				(Applies to	eccounts	maintained	f outside t	he U.S.)
	5 Address (numbe	r, street, and apt. or suite no.) See instructions.		Request	ter's name	and addre	ess (opt	tional)		
See	6 City state and	ZID and	_	1						
	6 City, state, and 2	zir code								
	7 List account num	nber(s) here (optional)								
Par	Taxpa	yer Identification Number (TIN)								
		propriate box. The TIN provided must match the nan	ne given on line 1 to av	oid	Social se	curity nu	mber			
backu	p withholding. For	r individuals, this is generally your social security nun	nber (SSN). However, f				$\top$		TT	$\neg \Box$
		rietor, or disregarded entity, see the instructions for I yer identification number (EIN). If you do not have a r		eta (		╛┖		-L	Ш	
TIN, la			, ,		or					_
		n more than one name, see the instructions for line 1 quester for guidelines on whose number to enter.	. Also see What Name	and (	Employe	r identific	ation n	umber	<del></del>	┥
	0. 10 0.10 1.10 1.10	quoties for gardenice of whose harnees to affect.				-				
Par	Certifi	cation							للساد	
Unde	penalties of perju	ry, I certify that:								
1. The	number shown o	n this form is my correct taxpayer identification numb	ber (or I am waiting for	a numbe	er to be is	sued to	me); ar	nd		
Ser	vice (IRS) that I ar	ackup withholding because: (a) I am exempt from bac n subject to backup withholding as a result of a failur backup withholding; and								
3. l ar	n a U.S. citizen or	other U.S. person (defined below); and								
4. The	FATCA code(s) e	ntered on this form (if any) indicating that I am exemp	ot from FATCA reportir	ng is corr	ect.					
Certif	cation instruction	s. You must cross out item 2 above if you have been no	otified by the IRS that yo	ou are cu	rrently sul	ject to b	ackup	withhol	ding b	ecause
		all interest and dividends on your tax return. For real est ent of secured property, cancellation of debt, contribution								nts
other	than interest and di	vidends, you are not required to sign the certification, b	ut you must provide you	ur correct	t TIŇ. See	the instr	uctions	for Par	rt II, lat	ter.
Sign				Date ►						
	Cit. percent	•			Industra	ı thass f		ooko s	- maritir	
	neral Instr		<ul> <li>Form 1099-DIV (di funds)</li> </ul>	iviuenas,	moluding	j u iose fi	Uni St	JOKS OF	mutu	ai
Section noted		to the Internal Revenue Code unless otherwise	<ul> <li>Form 1099-MISC proceeds)</li> </ul>	(various t	types of i	ncome, p	orizes,	<b>a</b> war <b>d</b> s	s, or g	ross
relate	d to Form W-9 and	For the latest information about developments dits instructions, such as legislation enacted	Form 1099-B (stock transactions by brokens		tual fund	sales and	d certa	iin othe	ır	
after t	hey were publishe	d, go to www.irs.gov/FormW9.	• Form 1099-S (pro	•	m real es	tate tran	sactio	กร)		
Pur	pose of For	m	<ul> <li>Form 1099-K (mer</li> </ul>	rchant ca	rd and th	ird party	netwo	ırk tran	sactio	ns)
		form W-9 requester) who is required to file an the IRS must obtain your correct taxpayer	<ul> <li>Form 1098 (home 1098-T (tuition)</li> </ul>	mortgag	e interest	), 1098-6	: (stud	ent loa	n inter	est),
		IN) which may be your social security number	<ul> <li>Form 1099-C (can</li> </ul>	celed de	bt)					
		er identification number (ITIN), adoption number (ATIN), or employer identification number	<ul> <li>Form 1099-A (acqu</li> </ul>							
(EIN),	to report on an inf	formation return the amount paid to you, or other	Use Form W-9 on			. person	(includ	ling a r	esider	nt
	amount reportable on an information return. Examples of information returns include, but are not limited to, the following.  If you do not return Form W-9 to the requester with a TIN, you might be requested by the requester with a TIN, you might be requested by the requested by					night				

Cat. No. 10231X

• Form 1099-INT (Interest earned or paid)

Form W-9 (Rev. 10-2018)

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

Form W-9 (Rev. 10-2018) / Page 2

By signing the filled-out form, you:

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

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- · An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- · An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301,7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable Income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States.

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

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities)

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

- 1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
  - 2. The treaty article addressing the income
- 3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
- The type and amount of income that qualifies for the exemption from tax.
- Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

#### **Backup Withholding**

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

- 1. You do not furnish your TIN to the requester,
- You do not certify your TIN when required (see the instructions for Part II for details),
  - 3. The IRS tells the requester that you furnished an incorrect TIN,
- 4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
- You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See Exempt payee code, later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see Special rules for partnerships, earlier.

#### What is FATCA Reporting?

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

#### Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

#### **Penalties**

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding, if you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

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Form W-9 (Rev. 10-2018)

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

## Specific Instructions

#### Line '

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

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

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

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

- b. Sole proprietor or single-member LLC. Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.
- c. Partnership, LLC that is not a single-member LLC, C corporation, or S corporation. Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.
- d. Other entities. Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.
- e. Disregarded entity. For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TiN.

#### Line 2

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

#### l ino 3

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

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

#### Line 4, Exemptions

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

#### Exempt payee code.

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

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

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2-The United States or any of its agencies or instrumentalities
- 3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5-A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8-A real estate investment trust
- $9\!-\!\text{An}$  entity registered at all times during the tax year under the Investment Company Act of 1940
- 10-A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

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The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for	THEN the payment is exempt for
Interest and dividend payments	All exempt payees except for 7
Broker transactions .	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,0001	Generally, exempt payees 1 through 5 <sup>2</sup>
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

See Form 1099-MISC, Miscellaneous Income, and its instructions.

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

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

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

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

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

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

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

G-A real estate investment trust

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

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

J-A bank as defined in section 581

K-A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1) M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

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

#### Line 5

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

#### Line 6

Enter your city, state, and ZIP code.

#### Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note: See What Name and Number To Give the Requester, later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one Immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.SSA.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/Businesses and clicking on Employer Identification Number (EIN) under Starting a Business. Go to www.irs.gov/Forms to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to www.irs.gov/OrderForms to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

**Note:** Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon,

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

#### Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see Exempt payee code, earlier.

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

<sup>&</sup>lt;sup>2</sup> However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

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- Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.
- 2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.
- 3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.
- 4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).
- 5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to ston the certification.

#### What Name and Number To Give the Requester

Give name and SSN of:
The individual
The actual owner of the account or, if combined funds, the first individual on the account
Each holder of the account
The minor <sup>2</sup>
The grantor-trustee <sup>1</sup>
The actual owner <sup>1</sup>
The owner <sup>3</sup>
The grantor*
Give name and EIN of:
The owner
Legal entity <sup>4</sup>
The corporation
The organization
The partnership
The broker or nominee

For this type of account:	Give name and EIN of
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
15, Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i(B))	The trust

- <sup>1</sup> List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.
- <sup>2</sup> Circle the minor's name and fumish the minor's SSN.
- <sup>3</sup> You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.
- <sup>4</sup> List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships*, earlier.
- \*Note: The grantor also must provide a Form W-9 to trustee of trust.

  Note: If no name is circled when more than one name is listed, the

number will be considered to be that of the first name listed.

#### Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An Identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- · Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes. Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

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The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at spam@uce.gov or report them at www.ftc.gov/complaint. You can contact the FTC at www.ftc.gov/idtheft or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see www.ldentityTheft.gov and Pub. 5027.

Visit www.lrs.gov/ldentityTheft to learn more about identity theft and how to reduce your risk.

#### Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file Information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.

## 2020 Withholding Exemption Certificate

590

The payee completes this form and submits it to the withholding agent. The withho	lding agent keeps this form with their records.
Withholding Agent Information	
Name	
Payee Information	***
Name	☐ SSN or ITIN ☐ FEIN ☐ CA Corp. no. ☐ CA SOS
Address (apt./ste., room, PO box, or PMB no.)	I.
City IV you have a feeder address and leadered and 1	State ZIP code
City (if you have a foreign address, see instructions.)	State ZIP code
Exemption Reason Check only one box.	
By checking the appropriate box below, the payee certifies the reason for the exemp requirements on payment(s) made to the entity or individual.	tion from the California income tax withholding
Individuals — Certification of Residency: I am a resident of California and I reside at the address shown above. If I be notify the withholding agent. See instructions for General Information D, De	
Corporations: The corporation has a permanent place of business in California at the add California Secretary of State (SOS) to do business in California. The corpor corporation ceases to have a permanent place of business in California or the withholding agent. See instructions for General Information D, Definition	ration will file a California tax return. If this ceases to do any of the above, I will promptly no
Partnerships or Limited Liability Companies (LLCs): The partnership or LLC has a permanent place of business in California at California SOS, and is subject to the laws of California. The partnership or L or LLC ceases to do any of the above, I will promptly inform the withholding partnership (LLP) is treated like any other partnership.	LLC will file a California tax return. If the partner
Tax-Exempt Entities: The entity is exempt from tax under California Revenue and Taxation Code Internal Revenue Code Section 501(c) (insert number). If this entity of the withholding agent. Individuals cannot be tax-exempt entities.	
Insurance Companies, Individual Retirement Arrangements (IRAs), or Qua The entity is an insurance company, IRA, or a federally qualified pension or	
California Trusts: At least one trustee and one noncontingent beneficiary of the above-named California fiduciary tax return. If the trustee or noncontingent beneficiary be notify the withholding agent.	
Estates — Certification of Residency of Deceased Person: I am the executor of the above-named person's estate or trust. The deceder The estate will file a California fiduciary tax return.	nt was a California resident at the time of death.
Nonmilitary Spouse of a Military Servicemember: I am a nonmilitary spouse of a military servicemember and I meet the Military requirements. See instructions for General Information E, MSRRA.	ary Spouse Residency Relief Act (MSRRA)
CERTIFICATE OF PAYEE: Payee must complete and sign below.	
To learn about your privacy rights, how we may use your information, and the conse go to ftb.ca.gov/forms and search for 1131. To request this notice by mail, call 800.8	
Under penalties of perjury, I declare that I have examined the information on this for statements, and to the best of my knowledge and belief, it is true, correct, and comp if the facts upon which this form are based change, I will promptly notify the withhold	lete. I further declare under penalties of perjury
Type or print payee's name and title	Telephone
Payee's signature ▶	Date
7061203	Form 590 2019

## 2020 Instructions for Form 590

Withholding Exemption Certificate

References in these instructions are to the California Revenue and Taxation Code (R&TC).

#### **General Information**

Galifornia Revenue and Taxation Code (R&TC) Section 18662 requires withholding of Income or franchise tax on payments of California source income made to nonresidents of California. For more information, See General Information 8, Income Subject to Withholding.

Registered Domestic Partners (RDP) – For purposes of California income tax, references to a spouse, husband, or wife also refer to a California RDP unless otherwise specified. For more information on RDPs, get FTB Pub. 737, Tax information for Registered Domestic Partners.

#### A Purpose

Use Form 590, Withholding Exemption Certificate, to certify an exemption from nonresident withholding.

Form 590 does not apply to payments of backup withholding. For more information, go to fib.ca.gov and search for backup withholding.

Form 590 does not apply to payments for wages to employees. Wage withholding is administered by the California Employment Development Department (EDD). For more information, go to edd.ca.gov or call 848,745,3886.

Do not use Form 590 to certify an exemption from withholding if you are a seller of California real estate. Sellers of California real estate use Form 593, Real Estate Withholding Statement, to claim an exemption from the real estate withholding requirement.

#### The following are excluded from withholding and completing this form:

- The United States and any of its agencies or instrumentalities.
- A state, a possession of the United States, the District of Columbia, or any of its political subdivisions or instrumentalities.
- A foreign government or any of its political subdivisions, agencies, or instrumentalities.

## B Income Subject to Withholding

Withholding is required on the following, but is not limited to:

- Payments to nonresidents for services rendered in California.
- Distributions of California source income made to domestic nonresident partners, members, and S corporation shareholders and allocations of California source income made to foreign partners and members.
- Payments to nonresidents for rents if the payments are made in the course of the withholding agent's business.
- Payments to nonresidents for royalties from activities sourced to California.

- Distributions of California source income to nonresident beneficiaries from an estate or trust.
- Endorsement payments received for services performed in California.
- Prizes and winnings received by nonresidents for contests in California.

However, withholding is optional if the total payments of California source income are \$1,500 or less during the calendar year.

For more information on withholding, get FTB Pub. 1017, Resident and Norresident Withholding Guidelines. To get a withholding publication, see Additional Information.

#### C Who Certifies this Form

Form 590 is certified (completed and signed) by the payee. California residents or entities exempt from the withholding requirement should complete Form 590 and submit it to the withholding agent before payment is made. The withholding agent is then relieved of the withholding requirements if the agent relies in good faith on a completed and signed Form 590 unless notified by the Franchise Tax Board (FTB) that the form should not be relied upon.

An incomplete certificate is invalid and the withholding agent should not accept it. If the withholding agent receives an incomplete certificate, the withholding agent is required to withhold tax on payments made to the payee until a valid certificate is received. In lieu of a completed exemption certificate, the withholding agent may accept a letter from the payee as a substitute explaining why they are not subject to withholding. The letter must contain all the information required on the certificate in similar language, including the under penalty of perjury statement and the payee's taxpayer identification number (TIN).

The certification does not need to be renewed annually. The certification on Form 590 remains valid until the payer's status changes. The withholding agent must retain a copy of the certification or substitute for at least five years after the last payment to which the certification applies. The agent must provide it to the FTB upon request.

If an entertainer (or the entertainer's business entity) is paid for a performance, the entertainer's information must be provided. Do act submit the entertainer's agent or promoter information.

The grantor of a grantor trust shall be treated as the payee for withholding purposes. Therefore, if the payee is a grantor trust and one or more of the grantors is a nonresident, withholding is required. If all of the grantors on the trust are residents, no withholding is required. Resident grantors can check the box on Form 590 labeled "Individuals — Certification of Residency."

#### D Definitions

For California nonwage withholding purposes, nonresident includes all of the following:

- Individuals who are not residents of California.
- Corporations not qualified through the California Secretary of State (CA SOS) to do business in California or having no permanent place of business in California.
- Partnerships or limited liability companies (LLCs) with no permanent place of business in California.
- Any trust without a resident grantor, beneficiary, or trustee, or estates where the decedent was not a California resident.

Foreign refers to non-U.S.

For more information about determining resident status, get FTB Pub. 1031, Guidelines for Determining Resident Status. Military servicemembers have special rules for residency. For more information see General Information E, Military Spouse Residency Relief Act (MSRPA), and FTB Pub. 1032, Tax Information for Military Personnel.

#### Permanent Place of Business:

A corporation has a permanent place of business in California if it is organized and existing under the laws of California or it has qualified through the CA SOS to transact intrastate business. A corporation that has not qualified to transact intrastate business (e.g., a corporation engaged exclusively in interstate commerce) will be considered as having a permanent place of business in California only if it maintains a permanent office in California that is permanently staffed by its employees.

## E Military Spouse Residency Relief Act (MSRRA)

Generally, for tax purposes you are considered to maintain your existing residence or domicile. If a military servicementer and nonmilitary spouse have the same state of domicile, the MSRRA provides:

- A spouse shall not be deemed to have lost a residence or domicile in any state solely by reason of being absent to be with the servicemember serving in compliance with military orders.
- A space shall not be deemed to have acquired a residence or domicile in any other state solely by reason of being there to be with the servicementer serving in compilance with military orders.

Domicile is defined as the one place:

- Where you maintain a true, fixed, and permanent home.
- To which you intend to return whenever you are absent.

A military servicemember's normilitary spouse is considered a nonresident for tax purposes if the servicemember and spouse have the same domicile outside of California and the spouse is in California solely to be with the servicemember who is serving in compilance with Permanent Change of Station orders.

California may require normilitary spouses of military servicemembers to provide proof that they meet the criteria for California personal income tax exemption as set forth in the MSRIFA.

Income of a military servicemember's normilitary spouse for services performed in California is not California source income subject to state tax if the spouse is in California to be with the servicemember serving in compliance with military orders, and the servicemember and spouse have the same domicile in a state other than California.

For additional information or assistance in determining whether the applicant meets the MSRPA requirements, get FTB Pub. 1032.

## Specific Instructions

#### **Payee Instructions**

Enter the withholding agent's name.

Enter the payer's information, including the TIN and check the appropriate TIN box.

You must provide a valid TIN as requested on this form. The following are acceptable TINs: social security number (SSN); individual taxpayer identification number (ITIN); federal employer identification number (FEIN); California corporation number (CA Corp no.); or CA SOS file number.

Private Mall Box (PMB) – Include the PMB in the address field. Write "PMB" first, then the box number. Example: 111 Main Street PMB 123

Foreign Address – Follow the country's practice for entering the city, county, province, state, country, and postal code, as applicable, in the appropriate boxes. Bo not abbreviate the country name.

Exemption Reason – Check the box that reflects the reason why the payer is exempt from the California income tax withholding requirement.

#### Withholding Agent Instructions

Do not send this form to the FTB. The certification on Form 590 remains valid until the payer's status changes. The withholding agent must retain a copy of the certificate or substitute for at least five years after the last payment to which the certificate applies. The agent must provide it to the FTB upon request. The payee must notify the withholding agent if any of the following situations occur:

- The individual payee becomes a nonresident.
- The corporation ceases to have a permanent place of business in California or ceases to be qualified to do business in California.
- The partnership ceases to have a permanent place of business in California.
- The LLC ceases to have a permanent place of business in California.
- The tax-exempt entity loses its tax-exempt status.

If any of these situations occur, then withholding may be required. For more information, get Form 582, Resident and Nonresident Withholding Statement, Form 592-8, Resident and Nonresident Withholding Tax Statement, Form 592-PTE, Pass-Through Entity Annual Withholding Return, Form 582-Q Payment Voucher for Pass-Through Entity Withholding, and Form 592-V, Payment Voucher for Resident or Nonresident Withholding.

## Additional Information

Website: For more information, go to

ftb.ca.gov and search for

nonwage.

MyFTB offers secure online tax account information and services. For more information, go to fib.ca.gov and login or register for MyFTB.

Telephone: 888.792.4900 or 916.845.4900,

Withholding Services and Compliance phone service

Fax: 916.845.9512

Mail: WITHHOLDING SERVICES AND

COMPLIANCE MS F182 FRANCHISE TAX BOARD PO BOX 942867

SACRAMENTO CA 94257-0551

For questions unrelated to withholding, or to download, view, and print California tax forms and publications, or to access the TTY/ TDD numbers, see the Internet and Telephone Assistance section.

#### Internet and Telephone Assistance

Website: ffb.ca.gov

Telephone: 800.852.5711 from within the

United States

916.845.6500 from outside the

United States

TTY/TDD: 800.822.6268 for persons with

hearing or speech disability 711 or 800.735.2929 California

relay service

## Asistencia Por Internet y Teléfono

Sitio web: ftb.ca.gov

Teléfong: 800.852.5711 dentro de los

Estados Unidos

916,845,6500 fuera de los

Estados Unidos

TTY/TDD: 800.822.6268 para personas con

discapacidades auditivas

o de habla

711 à 800,735,2929 servido de

relevo de California

## **BUSINESS STATUS CERTIFICATIONS**

Federal guidance for utilization of disadvantaged business enterprises allows a vendor to be deemed a small business enterprise (SBE), minority business enterprise (MBE) or women business enterprise (WBE) if it meets the criteria below.

- is certified by the Small Business Administration or
- is certified by a state or federal agency or
- is an independent MBE(s) or WBE(s) business concern which is at least 51 percent owned and controlled by minority group member(s) who are citizens of the United States.

Statemen	ents of certification:								
to a		(name of business) will engage in good faith efforts ection 33.301, and will follow the six affirmative steps listed below <b>for</b> part by federal grants and contracts.							
1.	Place qualified SBEs, MBEs, and WBEs on solic	citation lists.							
2.	2. Assure that SBEs, MBEs, and WBEs are solicited whenever possible.								
3.	When economically feasible, divide total required SBEs, MBEs, and WBEs.	ments into small tasks or quantities to permit greater participation by							
4.	Establish delivery schedules, if possible, to encou	urage participation by SBEs, MBEs, and WBEs.							
5.	Use services of Small Business Administration, N Commerce, and/or any agency authorized as a cle	Minority Business Development Agency of the Department of earinghouse for SBEs, MBEs, and WBEs.							
6.	If subcontracts are to be let, take the above affirm	native steps.							
		Self-Certification Verification: Also for use in awarding additional points, as applicable, in accordance with South Coast AQMD Procurement Policy and Procedure:							
Check al	ıll that apply:								
	all Business Enterprise/Small Business Joint Ventural business	re							
Venture		☐ Most Favored Customer Pricing Certification							
Percent	of ownership:%								
Name of	f Qualifying Owner(s):								
	of California Public Works Contractor R UDED IF BID PROPOSAL IS FOR PUBLIC	egistration No MUST BE C WORKS PROJECT.							
	ndersigned, hereby declare that to the best of my kn tion submitted is factual.	owledge the above information is accurate. Upon penalty of perjury, I certify							
	NAME	TITLE							
	TELEPHONE NUMBER	. — — — — — — — — — — — — — — — — — — —							

## **Definitions**

Disabled Veteran-Owned Business Enterprise means a business that meets all of the following criteria:

- is a sole proprietorship or partnership of which is at least 51 percent owned by one or more disabled veterans, or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more disabled veterans; a subsidiary which is wholly owned by a parent corporation but only if at least 51 percent of the voting stock of the parent corporation is owned by one or more disabled veterans; or a joint venture in which at least 51 percent of the joint venture's management and control and earnings are held by one or more disabled veterans.
- the management and control of the daily business operations are by one or more disabled veterans. The disabled veterans who exercise management and control are not required to be the same disabled veterans as the owners of the business.
- is a sole proprietorship, corporation, partnership, or joint venture with its primary headquarters office located in the United States and which is not a branch or subsidiary of a foreign corporation, firm, or other foreign-based business.

**Joint Venture** means that one party to the joint venture is a DVBE and owns at least 51 percent of the joint venture. In the case of a joint venture formed for a single project this means that DVBE will receive at least 51 percent of the project dollars.

Local Business means a business that meets all of the following criteria:

- has an ongoing business within the boundary of South Coast AQMD at the time of bid application.
- performs 90 percent of the work within South Coast AQMD's jurisdiction.

Minority-Owned Business Enterprise means a business that meets all of the following criteria:

- is at least 51 percent owned by one or more minority persons or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more minority persons.
- is a business whose management and daily business operations are controlled or owned by one or more minority person.
- is a business which is a sole proprietorship, corporation, partnership, joint venture, an association, or a cooperative with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign business.

"Minority" person means a Black American, Hispanic American, Native American (including American Indian, Eskimo, Aleut, and Native Hawaiian), Asian-Indian American (including a person whose origins are from India, Pakistan, or Bangladesh), Asian-Pacific American (including a person whose origins are from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the United States Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia, or Taiwan).

Small Business Enterprise means a business that meets the following criteria:

- a. 1) an independently owned and operated business; 2) not dominant in its field of operation; 3) together with affiliates is either:
  - A service, construction, or non-manufacturer with 100 or fewer employees, and average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years, or
  - A manufacturer with 100 or fewer employees.
- b. Manufacturer means a business that is both of the following:
  - Primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products.

2) Classified between Codes 311000 to 339000, inclusive, of the North American Industrial Classification System (NAICS) Manual published by the United States Office of Management and Budget, 2007 edition.

**Small Business Joint Venture** means that one party to the joint venture is a Small Business and owns at least 51 percent of the joint venture. In the case of a joint venture formed for a single project this means that the Small Business will receive at least 51 percent of the project dollars.

Women-Owned Business Enterprise means a business that meets all of the following criteria:

- is at least 51 percent owned by one or more women or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more women.
- is a business whose management and daily business operations are controlled or owned by one or more women.
- is a business which is a sole proprietorship, corporation, partnership, or a joint venture, with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign business.

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



#### CAMPAIGN CONTRIBUTIONS DISCLOSURE

In accordance with California law, bidders and contracting parties are required to disclose, at the time the application is filed, information relating to any campaign contributions made to Board Members or members/alternates of the MSRC, including: the name of the party making the contribution (which includes any parent, subsidiary or otherwise related business entity, as defined below), the amount of the contribution, and the date the contribution was made. 2 C.C.R. §18438.8(b).

California law prohibits a party, or an agent, from making campaign contributions to SCAQMD Governing Board Members or members/alternates of the Mobile Source Air Pollution Reduction Review Committee (MSRC) of more than \$250 while their contract or permit is pending before the SCAQMD; and further prohibits a campaign contribution from being made for three (3) months following the date of the final decision by the Governing Board or the MSRC on a donor's contract or permit. Gov't Code §84308(d). For purposes of reaching the \$250 limit, the campaign contributions of the bidder or contractor *plus* contributions by its parents, affiliates, and related companies of the contractor or bidder are added together. 2 C.C.R. §18438.5.

In addition, Board Members or members/alternates of the MSRC must abstain from voting on a contract or permit if they have received a campaign contribution from a party or participant to the proceeding, or agent, totaling more than \$250 in the 12-month period prior to the consideration of the item by the Governing Board or the MSRC. Gov't Code \$84308(c).

The list of current SCAQMD Governing Board Members can be found at the SCAQMD website (<a href="www.aqmd.gov">www.aqmd.gov</a>). The list of current MSRC members/alternates can be found at the MSRC website (<a href="http://www.cleantransportationfunding.org">http://www.cleantransportationfunding.org</a>).

#### SECTION I.

Contractor (Legal Name):	
☐ DBA, Name	_, County Filed in
☐ Corporation, ID No	
☐ LLC/LLP, ID No.	
ist any parent, subsidiaries, o See definition below).	or otherwise affiliated business entities of Contractor:

Campaign Contributions Disclosure, continued:

## **SECTION II.**

ampaign contribution(s) totaling \$250 or more in the aggregate to a current member of the South Coast Air Quality Management Governing Board or member/alternate of the MSRC in the 12 nonths preceding the date of execution of this disclosure?								
☐ Yes ☐ No If YES, complete Section If NO, sign and date below.								
Name of Contributor								
Governing Board Member or MSRC Member/Alternate	Amount of Contribution	Date of Contribution						
Name of Contributor								
Governing Board Member or MSRC Member/Alternate	Amount of Contribution	Date of Contribution						
Name of Contributor								
Governing Board Member or MSRC Member/Alternate	Amount of Contribution	Date of Contribution						
Name of Contributor								
Governing Board Member or MSRC Member/Alternate	Amount of Contribution	Date of Contribution						

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

Ву:			
Title:			
Date			

#### **DEFINITIONS**

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

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

## Attachment C: Sample Contract



#### AB 2766/MSRC WORK PROGRAM CONTRACT

 PARTIES - The parties to this Contract are the South Coast Air Quality Management District (hereinafter referred to as "SCAQMD") whose address is 21865 Copley Drive, Diamond Bar, California 91765-4178, and the \*\*\* (hereinafter referred to as "CONTRACTOR") whose address is \*\*\*.

## 2. RECITALS

- A. SCAQMD is the local agency with primary responsibility for regulating stationary source air pollution within the geographical boundaries of the South Coast Air Quality Management District in the State of California (State). SCAQMD is authorized under State Health & Safety Code Section 44225 (AB 2766) to levy a fee on motor vehicles for the purpose of reducing air pollution from such vehicles and to implement the California Clean Air Act.
- B. Under AB 2766, SCAQMD's Governing Board has authorized the imposition of the statutorily set motor vehicle fee. By taking such action, the State's Department of Motor Vehicles (DMV) is required to collect such fee and remit it periodically to SCAQMD.
- C. AB 2766 further mandates that thirty (30) percent of such vehicle registration fees be placed by SCAQMD into a separate account for the sole purpose of implementing and monitoring programs to reduce air pollution from motor vehicles.
- D. AB 2766 creates a regional Mobile Source Air Pollution Reduction Review Committee (MSRC) to develop a work program to fund projects from the separate account. Pursuant to approval of the work program by SCAQMD's Governing Board, SCAQMD authorized this Contract with CONTRACTOR for equipment or services described in Attachment 1 Statement of Work, expressly incorporated herein by this reference and made a part hereof of this Contract.
- E. CONTRACTOR has met the requirements for receipt of AB 2766 Discretionary Funds as set forth in CONTRACTOR's \*\*\* Program Application/Proposal dated \*\*\*.
- F. CONTRACTOR is authorized to do business in the State of California and attests that it is in good tax standing with the California Franchise Tax Board.
- G. All parties to this Contract have had the opportunity to have this Contract reviewed by their attorney.
- 3. <u>DMV FEES</u> CONTRACTOR acknowledges that SCAQMD cannot guarantee that the amount of fees to be collected under AB 2766 will be sufficient to fund this Contract. CONTRACTOR further acknowledges that payment under this Contract is contingent upon SCAQMD receiving sufficient funds from the DMV, and that SCAQMD assumes no responsibility for the collection and remittance of motor vehicle registration fees.

## 4. AUDIT AND RECORDS RETENTION

5. CONTRACTOR shall, at least once every two years, or within two years of the termination of the Contract if the term is less than two years, be subject to an audit by SCAQMD or its authorized

- representative to determine if the revenues received by CONTRACTOR were spent for the reduction of pollution from motor vehicles pursuant to the Clean Air Act of 1988.
- 6. CONTRACTOR agrees to maintain records related to this Contract during the Contract term and continue to retain these records for a period of two years beyond the Contract term, except that in no case shall CONTRACTOR be required to retain more than the most recent five years' records. SCAQMD shall coordinate such audit through CONTRACTOR'S audit staff.
- 7. If an amount is found to be inappropriately expended, SCAQMD may withhold funding, or seek reimbursement, from CONTRACTOR in the amount equal to the amount that was inappropriately expended. Such withholding shall not be construed as SCAQMD's sole remedy and shall not relieve CONTRACTOR of its obligation to perform under the terms of this Contract.
- 8. <u>TERM</u> The term of this Contract is for \*\*\* (\*\*) months from the date of execution by both parties, unless terminated earlier as provided for in the TERMINATION clause of this Contract, the EARLY TERMINATION clause, [OPTIONAL] or the term is extended by amendment of this Contract in writing. No work shall commence prior to the Contract start date, except at CONTRACTOR's cost and risk, and no charges are authorized until this Contract is fully executed, subject to the provisions stated in the PRE-CONTRACT COSTS clause of this Contract.
- 9. <u>SUCCESSORS-IN-INTEREST</u> This Contract, and the obligations arising under the Contract, shall be binding on and inure to the benefit of CONTRACTOR and their executors, administrators, successors, and assigns.
- 10. <u>REPORTING</u> CONTRACTOR shall submit reports to SCAQMD as outlined in Attachment 1 Statement of Work. SCAQMD reserves the right to review, comment, and request changes to any report produced as a result of this Contract.

## 11. TERMINATION

- A. In the event any party fails to comply with any term or condition of this Contract, or fails to provide services in the manner agreed upon by the parties, including, but not limited to, the requirements of Attachment 1 Statement of Work, this failure shall constitute a breach of this Contract. The non-breaching party shall notify the breaching party that it must cure this breach or provide written notification of its intention to terminate this contract. Notification shall be provided in the manner set forth in the NOTICES clause of this Contract. The non-breaching party reserves all rights under law and equity to enforce this Contract and recover damages.
- B. SCAQMD reserves the right to terminate this Contract, in whole or in part, without cause, upon thirty (30) days' written notice. Once such notice has been given, CONTRACTOR shall, except as and to the extent or directed otherwise by SCAQMD, discontinue any Work being performed under this Contract and cancel any of CONTRACTOR's orders for materials, facilities, and supplies in connection with such Work, and shall use its best efforts to procure termination of existing subcontracts upon terms satisfactory to SCAQMD. Thereafter, CONTRACTOR shall perform only such services as may be necessary to preserve and protect any Work already in progress and to dispose of any property as requested by SCAQMD.
- B. Either party may terminate this Contract upon thirty (30) days written notice to the other party.
- C. CONTRACTOR shall be paid in accordance with this Contract for all Work performed before the effective date of termination under section B of the TERMINATION clause of this Contract. Before

expiration of the thirty (30) days' written notice, CONTRACTOR shall promptly deliver to SCAQMD all copies of documents and other information and data prepared or developed by CONTRACTOR under this Contract with the exception of a record copy of such materials, which may be retained by CONTRACTOR.

- 12. <u>EARLY TERMINATION</u> This Contract may be terminated early due to the following circumstances: The infrastructure identified in Attachment 1, Statement of Work, becomes inoperable, and is either not technically able to be repaired, or is too costly to repair, and such failure is not caused by CONTRACTOR's negligence, misuse, or malfeasance. [OPTIONAL]
- 13. <a href="STOP WORK">SCAQMD</a> may, at any time, by written notice to CONTRACTOR, require CONTRACTOR to stop all or any part of the Statement of Work tasks in this Contract. A stop work order may be issued for reasons including, but not limited to, the project exceeding the budget, out of scope work, delay in project schedule, or misrepresentations. Upon receipt of the stop work order, CONTRACTOR shall immediately take all necessary steps to comply with the order. CONTRACTOR shall resume the work only upon receipt of written instructions from SCAQMD cancelling the stop work order. CONTRACTOR agrees and understands that CONTRACTOR will not be paid for performing work while the stop work order is in effect, unless SCAQMD agrees to do so in its written cancellation of the stop work order.

## 14. INSURANCE

- A. CONTRACTOR shall furnish evidence to SCAQMD of workers' compensation insurance for each of its employees, in accordance with either California or other states' applicable statutory requirements prior to commencement of any work on this Contract.
- B. CONTRACTOR shall furnish evidence to SCAQMD of general liability insurance with a limit of at least \$1,000,000 per occurrence, and \$2,000,000 in a general aggregate prior to commencement of any work on this Contract. SCAQMD shall be named as an additional insured on any such liability policy, and thirty (30) days written notice prior to cancellation of any such insurance shall be given by CONTRACTOR to SCAQMD.
- C. CONTRACTOR shall furnish evidence to SCAQMD of automobile liability insurance with limits of at least \$100,000 per person and \$300,000 per accident for bodily injuries, and \$50,000 in property damage, or \$1,000,000 combined single limit for bodily injury or property damage, prior to commencement of any work on this Contract. SCAQMD shall be named as an additional insured on any such liability policy, and thirty (30) days written notice prior to cancellation of any such insurance shall be given by CONTRACTOR to SCAQMD.
- D. CONTRACTOR shall furnish evidence to SCAQMD of Professional Liability Insurance with an aggregate limit of not less than \$5,000,000. OPTIONAL
- E. If CONTRACTOR fails to maintain the required insurance coverage set forth above, SCAQMD reserves the right either to purchase such additional insurance and to deduct the cost thereof from any payments owed to CONTRACTOR or terminate this Contract for breach.
- F. All insurance certificates shall be mailed to: SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765-4178, Attention: Cynthia Ravenstein, MSRC Contracts Administrator. The SCAQMD Contract Number must be included on the face of the certificate.
- G. CONTRACTOR must provide updates on the insurance coverage throughout the term of the Contract to ensure that there is no break in coverage during the period of contract performance.

Failure to provide evidence of current coverage shall be grounds for termination for breach of Contract.

## [USE ABOVE CLAUSE OR SELF INSURANCE CLAUSE BELOW]

## Self Insurance Clause:

INSURANCE - CONTRACTOR represents that it is permissibly self-insured and will maintain such self-insurance in accordance with applicable provisions of California law throughout the term of this Contract. CONTRACTOR shall provide evidence of sufficient coverage during the term of this Contract and any extensions thereof that meet or exceed the minimum requirements set forth by the SCAQMD below. The certificate of self-insurance shall be mailed to: SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765-4178, Attention: Cynthia Ravenstein, MSRC Contracts Administrator. The SCAQMD Contract Number must be included on the face of the certificate. If CONTRACTOR fails to maintain the required insurance coverage, SCAQMD reserves the right to terminate the Contract or purchase such additional insurance and bill CONTRACTOR or deduct the cost thereof from any payments owed to CONTRACTOR. Minimum insurance coverages are as follows:

- A. Worker's compensation insurance in accordance with either California or other state's applicable statutory requirements.
- B. General Liability insurance with a limit of at least \$1,000,000 per occurrence, and \$2,000,000 in general aggregate.
- C. Automobile Liability insurance with limits of at least \$100,000 per person and \$300,000 per accident for bodily injuries and \$50,000 in property damage, or \$1,000,000 combined single limit for bodily injury or property damage.
- 15. <u>INDEMNIFICATION</u> CONTRACTOR agrees to hold harmless, defend and indemnify SCAQMD, its officers, employees, agents, representatives, and successors-in-interest against any and all loss, damage, costs, lawsuits, claims, demands, causes of action, judgments, attorney's fees, or any other expenses arising from or related to any third party claim against SCAQMD, its officers, employees, agents, representatives, or successors in interest that arise or result in whole or in part, from any actual or alleged act or omission of CONTRACTOR, its employees, subcontractors, agents or representatives in the performance of this Contract. This Indemnification Clause shall survive the expiration or termination (for any reason) of the Contract and shall remain in full force and effect.
- 16. <u>DISCLAIMER OF WARRANTY</u> The purchase or lease of funded vehicles/equipment is the CONTRACTOR's decision. The SCAQMD does not make any express or implied warranty of merchantability, fitness for a particular purpose or otherwise, quality or usefulness of the technology or product. Without limiting the foregoing, the SCAQMD will not be financially responsible, or otherwise liable, for the installation or performance of the vehicle/equipment. [OPTIONAL]

#### 17. PAYMENT

- A. SCAQMD shall reimburse CONTRACTOR up to a total amount of \*\*\* Dollars (\$\*\*\*) in accordance with Attachment 2 Payment/Cost Schedule expressly incorporated herein by this reference and made a part hereof of the Contract.
- B. A withhold amount or percentage (if any) shall be identified in the Payment/Cost Schedule, and such amount shall be withheld from each invoice. Upon satisfactory completion of project and final acceptance of work and the final report, CONTRACTOR's invoice for the withheld amount shall be released. Proof of project completion shall include a Final Report detailing the project goals and accomplishments, data collected during project performance, if any, documentation of significant results, and emissions reduction input data needed for calculation of emissions reductions.
- C. Any funds not expended upon early Contract termination or Contract completion shall revert to the AB 2766 Discretionary Fund. Payment of charges shall be made by SCAQMD to CONTRACTOR within thirty (30) days after approval by SCAQMD of an itemized invoice prepared and furnished by CONTRACTOR.
- D. An invoice submitted to SCAQMD for payment must be prepared in duplicate, on company letterhead, and list SCAQMD's contract number, period covered by invoice, and CONTRACTOR's social security number or Employer Identification Number and submitted to:

South Coast Air Quality Management District 21865 Copley Drive Diamond Bar, CA 91765-4178 Attn: Cynthia Ravenstein, MSRC Contracts Administrator

- Charges for equipment, material, and supply costs, travel expenses, subcontractors, and other charges, as applicable, must be itemized by CONTRACTOR. Reimbursement for equipment, material, supplies, subcontractors, and other charges, as applicable, shall be made at actual cost. Supporting documentation must be provided for all individual charges (with the exception of direct labor charges provided by CONTRACTOR).
- SCAQMD shall pay CONTRACTOR for travel-related expenses only if such travel is expressly set forth in Attachment 2 – Payment/Cost Schedule of this Contract or preauthorized by SCAQMD in writing.
- CONTRACTOR's failure to provide receipts shall be grounds for SCAQMD's nonreimbursement of such charges. CONTRACTOR may reduce payments on invoices by those charges for which receipts were not provided.
- 4. CONTRACTOR must submit final invoice no later than ninety (90) days after the termination date of this Contract or invoice may not be paid.
- 18. <u>COMPLIANCE WITH APPLICABLE LAWS</u> CONTRACTOR agrees to comply with all federal, state, and local laws, ordinances, codes and regulations and orders of public authorities in the performance of this Contract. CONTRACTOR must also ensure that the vehicles and/or equipment to be purchased, leased or installed is in compliance with all applicable federal, state, and local air quality rules and regulations, and that it will maintain compliance for the full Contract term. CONTRACTOR shall ensure that the provisions of this clause are included in all subcontracts.

## 19. MOBILE SOURCE EMISSION REDUCTION CREDITS (MSERCs)

- A. The MSRC has adopted a policy that no MSERCs resulting from AB 2766 Discretionary Funds may be generated and/or sold.
- B. CONTRACTOR has the opportunity to generate MSERCs as a by-product of the project if a portion of the air quality benefits attributable to the project resulted from funding sources other than AB2766. These MSERCs, which are issued by SCAQMD, are based upon the quantified vehicle miles traveled (VMT) by project vehicles or other activity data as appropriate. Therefore, a portion of prospective MSERCs, generated as a result of AB 2766 Funds, must be retired. The portion of prospective credits funded by the AB 2766 program, and which are subject to retirement, shall be referred to as "AB 2766-MSERCs."
- C. The determination of AB 2766-MSERC's is to be prorated based upon the AB 2766 program's contribution to the cost associated with the air quality benefits. In the case where AB 2766 Discretionary Funds are used to pay for the full differential cost of a new alternative fuel vehicle or for the retrofitting or repowering of an existing vehicle, all MSERCs attributable to AB 2766 Discretionary Funds must be retired. The determination of AB 2766-MSERCs for infrastructure and other ancillary items is to be prorated based upon the AB 2766 program's contribution to the associated air quality benefits. Determination of the project's overall cost will be on a case-by-case basis at the time an MSERC application is submitted. SCAQMD staff, at the time an MSERC application is submitted, will calculate total MSERCs and retire the AB 2766-MSERCs. CONTRACTOR would then receive the balance of the MSERCs not associated with AB 2766 funding.
- 20. <u>NOTICES</u> All notices that are required under this Contract shall be provided in the manner set forth herein, unless specified otherwise. Notice to a party shall be delivered to the attention of the person listed below, or to such other person or persons as may hereafter be designated by that party in writing. Notice shall be in writing sent by email, U.S. Mail, express, certified, return receipt requested, or a nationally recognized overnight courier service. In the case of email communications, valid notice shall be deemed to have been delivered upon sending, provided the sender obtained an electronic confirmation of delivery. Email communications shall be deemed to have been received on the date of such transmission, provided such date was a business day (Tuesday-Friday) and delivered prior to 5:30pm Pacific Standard Time. Otherwise, receipt of email communications shall be deemed to have occurred on the following business day. In the case of U.S. Mail notice, notice shall be deemed to be received when delivered or five (5) business days after deposit in the U. S. Mail. In the case of a nationally recognized overnight courier service, notice shall be deemed received when delivered (written receipt of delivery).

SCAQMD:

South Coast Air Quality Management District 21865 Copley Drive Diamond Bar, CA 91765-4178

Attn: Cynthia Ravenstein, MSRC Contracts Administrator, email:

cravenstein@aqmd.gov

CONTRACTOR:

\*\*\*

\*\*\*

Attn: \*\*\*, email: \*\*\*

- 21. <a href="INDEPENDENT CONTRACTOR">INDEPENDENT CONTRACTOR</a> CONTRACTOR is an independent contractor. CONTRACTOR, its officers, employees, agents, representatives, or subcontractors shall in no sense be considered employees or agents of SCAQMD, nor shall CONTRACTOR, its officers, employees, agents, representatives, or subcontractors be entitled to or eligible to participate in any benefits, privileges, or plans, given or extended by SCAQMD to its employees. SCAQMD will not supervise, direct, or have control over, or be responsible for, CONTRACTOR's or subcontractor's means, methods, techniques, work sequences or procedures, or for the safety precautions and programs incident thereto, or for any failure by them to comply with any local, state, or federal laws, or rules or regulations, including state minimum wage laws and OSHA requirements.
- 22. <u>SUBCONTRACTOR APPROVAL</u> If CONTRACTOR intends to subcontract all or a portion of the work under this Contract, then CONTRACTOR must first obtain written approval from SCAQMD's Executive Officer or designee prior to subcontracting any work. Any material changes to the subcontract(s) that affect the scope of work, deliverable schedule, and/or payment/cost schedule shall also require the prior written approval of the SCAQMD Executive Officer or designee. No subcontract charges will be reimbursed unless the required approvals have been obtained from SCAQMD.
- 23. <u>OWNERSHIP</u> Title and full ownership rights to any equipment purchased under this Contract shall at all times remain with CONTRACTOR.

## [USE ABOVE CLAUSE, OR USE CLAUSE BELOW FOR PROFESSIONAL SERVICES

<u>OWNERSHIP</u> - Title and full ownership rights to any products purchased or developed under this Contract shall at all time remain with CONTRACTOR. CONTRACTOR shall also retain title and full ownership rights to any documents or reports developed under this Contract. All of the above shall be subject to the following limitations:

- A. PATENT RIGHTS CONTRACTOR shall have patent rights, as well as title and full ownership rights, for invention(s) developed under this Contract, subject to SCAQMD retaining a no-cost, nonexclusive, nontransferable, irrevocable license to use or test such invention(s) for SCAQMD purposes. CONTRACTOR must obtain agreements to effectuate this clause with all persons or entities obtaining an ownership interest in the patented subject invention(s). Previously documented (whether patented or unpatented under the patent laws of the United States, 35 U.S.C. 1 et seq., or any foreign country) inventions are exempt from this provision. CONTRACTOR shall submit a written report to SCAQMD's Agent disclosing each subject invention and specifying patents applied for, patents issued, and patent application(s) abandoned and/or cosponsored participants on subject invention(s).
- B. RIGHTS OF TECHNICAL DATA SCAQMD shall have unlimited right to use technical data resulting from performance of CONTRACTOR under this Contract. CONTRACTOR shall have the right to use data for its own benefit.

- C. COPYRIGHT CONTRACTOR agrees to grant SCAQMD a royalty free, nonexclusive, irrevocable, nontransferable license to produce, translate, publish, use, and dispose of all copyrightable material first produced or composed in the performance of this Contract.
- D. SOFTWARE RIGHTS CONTRACTOR agrees to grant SCAQMD a worldwide, royalty free, nonexclusive, irrevocable, nontransferable license in perpetuity to use any software developed by CONTRACTOR in performing its obligations under this Contract. CONTRACTOR further agrees to obtain the rights required from any third party for SCAQMD to have a worldwide, royalty free, nonexclusive, irrevocable license in perpetuity to use any other software essential to performance of CONTRACTOR'S obligations under this Contract or necessary to the operation of the software developed by CONTRACTOR. CONTRACTOR shall provide SCAQMD with documentation confirming CONTRACTOR'S right to assign the use of such software. CONTRACTOR shall also provide SCAQMD with all documentation and manuals required to operate the software developed by it or third parties.
- E. CONTRACTOR'S INSOLVENCY OR BANKRUPTCY, or PROJECT'S DISCONTINUATION CONTRACTOR agrees that in the event that CONTRACTOR becomes insolvent or files for bankruptcy during the term of the Contract or does not complete the intent of the Contract, title to goods, services software, and equipment purchased for the performance of this Contract with AB 2766 Discretionary Funds shall revert to the SCAQMD.
- 24. <u>SECURITY INTEREST</u> CONTRACTOR hereby grants SCAQMD a security interest in any and all equipment purchased, in whole or in part, with funding provided by SCAQMD pursuant to this Contract. CONTRACTOR acknowledges and agrees that SCAQMD shall have all lien rights as a secured creditor on any and all equipment purchased in whole or in part by the CONTRACTOR, under this Contract or any amendments thereto. The SCAQMD shall have lien rights in effect until the CONTRACTOR satisfies all terms under the Contract, including but not limited to, the use and reporting requirements. Accordingly, CONTRACTOR further agrees that SCAQMD is authorized to file a UCC filing statement or similar security instrument to secure its interests in the equipment that is the subject of the Contract. In the event CONTRACTOR files for bankruptcy protection, CONTRACTOR shall notify SCAQMD within 10 business days of such filing. OPTIONAL
- 25. NON-DISCRIMINATION In the performance of this Contract, CONTRACTOR shall not discriminate in recruiting, hiring, promotion, demotion, or termination practices on the basis of race, religious creed, color, national origin, ancestry, sex, age, or physical handicap and shall comply with the provisions of the California Fair Employment & Housing Act (Government Code Section 12900, et seq.), the Federal Civil Rights Act of 1964 (P.L. 88-352) and all amendments thereto, Executive Order No. 11246 (30 Federal Register 12319), and all administrative rules and regulations issued pursuant to said Acts and Order. CONTRACTOR shall likewise require each subcontractor to comply with this clause and shall include in each such subcontract language similar to this clause.

#### 26. CITIZENSHIP AND ALIEN STATUS

A. CONTRACTOR warrants that it fully complies with all laws regarding the employment of aliens and others, and that its employees performing services hereunder meet the citizenship or alien status requirements contained in federal and state statutes and regulations including, but not limited to, the Immigration Reform and Control Act of 1986 (P.L. 99-603). CONTRACTOR shall obtain from all covered employees performing services hereunder all verification and other

- documentation of employees' eligibility status required by federal statutes and regulations as they currently exist and as they may be hereafter amended. CONTRACTOR shall have a continuing obligation to verify and document the continuing employment authorization and authorized alien status of employees performing services under this Contract to insure continued compliance with all federal statutes and regulations. Notwithstanding the above, CONTRACTOR, in the performance of this Contract, shall not discriminate against any person in violation of 8 USC Section 1324b.
- B. CONTRACTOR shall retain such documentation for all covered employees for the period described by law. CONTRACTOR shall indemnify, defend, and hold harmless SCAQMD, its officers and employees from employer sanctions and other liability which may be assessed against CONTRACTOR or SCAQMD, or both in connection with any alleged violation of federal statutes or regulations pertaining to the eligibility for employment of persons performing services under this Contract.

## 27. ASSIGNMENT AND TRANSFER OF EQUIPMENT

- A. The rights and responsibilities granted hereby may not be assigned, sold, licensed, or otherwise transferred by CONTRACTOR without the prior written consent of SCAQMD, and any attempt by CONTRACTOR to do so shall be void upon inception.
- B. CONTRACTOR agrees to obtain SCAQMD's written consent to any assignment, sale, license or transfer of Equipment, if any, <u>prior</u> to completing the transaction. CONTRACTOR shall inform the proposed assignee, buyer, licensee or transferee (collectively referred to here as "Buyer") of the terms of this Contract. CONTRACTOR is responsible for establishing contact between SCAQMD and the Buyer and shall assist SCAQMD in facilitating the transfer of this Contract's terms and conditions to the Buyer. CONTRACTOR will not be relieved of the legal obligation to fulfill the terms and conditions of this Contract until and unless the Buyer has assumed responsibility of this Contract's terms and conditions through an executed contract with SCAQMD. OPTIONAL
- 28. <u>NON-EFFECT OF WAIVER</u> The failure of CONTRACTOR or SCAQMD to insist upon the performance of any or all of the terms, covenants, or conditions of this Contract, or failure to exercise any rights or remedies hereunder, shall not be construed as a waiver or relinquishment of the future performance of any such terms, covenants, or conditions, or of the future exercise of such rights or remedies, unless otherwise provided for herein.
- 29. <u>PROPOSAL INCORPORATION</u> CONTRACTOR's Technical Proposal dated \*\*\* submitted in response to Request for Proposal (RFP) #\*\*\*, is expressly incorporated herein by this reference and made a part hereof of this Contract. In the event of any conflict between the terms and conditions of this Contract and CONTRACTOR's Technical Proposal, this Contract shall govern and control. [OPTIONAL]
- 30. <a href="KEY PERSONNEL">KEY PERSONNEL</a> [OPTIONAL]insert person's name is deemed critical to the successful performance of this Contract. Any changes in key personnel by CONTRACTOR must be approved by SCAQMD. All substitute personnel must possess qualifications/experience equal to the original named key personnel and must be approved by SCAQMD. SCAQMD reserves the right to interview proposed substitute key personnel. OPTIONAL]

- 31. <u>TAX IMPLICATIONS FROM RECEIPT OF MSRC FUNDS</u> CONTRACTOR is advised to consult a tax attorney regarding potential tax implications from receipt of MSRC funds.
- 32. <u>ATTORNEYS' FEES</u> In the event any action is filed in connection with the enforcement or interpretation of this Contract, each party in said action shall pay its own attorneys' fees and costs.
- 33. <u>FORCE MAJEURE</u> Neither SCAQMD nor CONTRACTOR shall be liable or deemed to be in default for any delay or failure in performance under this Contract or interruption of services resulting, directly or indirectly, from acts of God, civil or military authority, acts of public enemy, war, strikes, labor disputes, shortages of suitable parts, materials, labor or transportation, or any similar cause beyond the reasonable control of SCAQMD or CONTRACTOR.
- 34. <u>SEVERABILITY</u> In the event that any one or more of the provisions contained in this Contract shall for any reason be held to be unenforceable in any respect by a court of competent jurisdiction, such holding shall not affect any other provisions of this Contract, and the Contract shall then be construed as if such unenforceable provisions are not a part hereof.
- 35. <u>HEADINGS</u> Headings on the clauses of this Contract are for convenience and reference only, and the words contained therein shall in no way be held to explain, modify, amplify, or aid in the interpretation, construction, or meaning of the provisions of this Contract.
- 36. <u>DUPLICATE EXECUTION</u> This Contract is executed in duplicate. Each signed copy shall have the force and effect of an original.
- 37. <u>GOVERNING LAW</u> This Contract shall be construed and interpreted and the legal relations created thereby shall be determined in accordance with the laws of the State of California. Venue for resolution of any disputes under this Contract shall be Los Angeles County, California.
- 38. <a href="PRE-CONTRACT COSTS">PRE-CONTRACT COSTS</a> Any costs incurred by CONTRACTOR prior to CONTRACTOR receipt of a fully executed Contract shall be incurred solely at the risk of the CONTRACTOR. In the event that a formal Contract is not executed, neither the MSRC nor the SCAQMD shall be liable for any amounts expended in anticipation of a formal Contract. If a formal Contract does result, pre-contract cost expenditures authorized by the Contract will be reimbursed in accordance with the <a href="Payment/CostSchedule">Payment/CostSchedule</a> and payment provision of the Contract.
- 39. <u>CHANGE TERMS</u> Changes to any part of this Contract must be requested in writing by CONTRACTOR and approved by MSRC in accordance with MSRC policies and procedures. CONTRACTOR must make requests a minimum of 90 days prior to desired effective date of change. All modifications to this Contract shall be in writing and signed by the authorized representatives of the parties. Fueling station location changes shall not be approved under any circumstances.
- 40. <u>PREVAILING WAGES</u> CONTRACTOR is alerted to the prevailing wage requirements of California Labor Code section 1770 et seq., and the compliance monitoring and enforcement of such requirements by the Department of Industrial Relations ("DIR"). CONTRACTOR and all of

CONTRACTOR's subcontractors must comply with the California Public Works Contractor Registration Program and, where applicable, must be registered with the DIR to participate in public works projects. CONTRACTOR shall be responsible for determining the applicability of the provisions of California Labor Code and complying with the same, including, without limitation, obtaining from the Director of the Department of Industrial Relations the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work, making the same available to any interested party upon request, paying any applicable prevailing rates, posting copies thereof at the job site and flowing all applicable prevailing wage rate requirements to its subcontractors. Proof of compliance with these requirements must be provided to SCAQMD upon request. CONTRACTOR shall indemnify, defend and hold harmless the South Coast Air Quality Management District against any and all claims, demands, damages, defense costs or liabilities based on failure to adhere to the above referenced statutes. [OPTIONAL]

- 41. <u>ENTIRE CONTRACT</u> This Contract represents the entire agreement between CONTRACTOR and SCAQMD. There are no understandings, representations, or warranties of any kind except as expressly set forth herein. No waiver, alteration, or modification of any of the provisions herein shall be binding on any party unless in writing and signed by the authorized representative of the party against whom enforcement of such waiver, alteration, or modification is sought.
- 42. <u>AUTHORITY</u> The signator hereto represents and warrants that he or she is authorized and empowered and has the legal capacity to execute this Contract and to legally bind CONTRACTOR both in an operational and financial capacity and that the requirements and obligations under this Contract are legally enforceable and binding on CONTRACTOR.

(THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK)

IN WITNESS WHEREOF, the parties to this Contract have caused this Contract to be duly executed on their behalf by their authorized representatives.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT	***
By: Dr. William A. Burke, Chairman, Governing Board	By: Name: Title:
Date:	Date:
ATTEST: Faye Thomas, Clerk of the Board	
By:	
APPROVED AS TO FORM: Bayron Gilchrist, General Counsel	
By:	
//MSRC Master Boilerplate Revised January 27, 2016	



# **Request for Proposals**

For

Zero & Near-Zero Emission Cargo Handling
Equipment & Infrastructure at
Warehouse, Distribution, & Intermodal Facilities
in Riverside & San Bernardino Counties

Financial Assistance to Transition to Zero & Near-Zero Emission Goods Movement Operations

P2021-08

**November 6, 2020** 

Clean Transportation Funding™ from the Mobile Source Air Pollution Reduction Review Committee (MSRC)

#### SECTION 1: INTRODUCTION

Riverside and San Bernardino counties are home to a vast network of warehouses, distribution centers, and logistics facilities. Over 400 of these facilities are currently in operation, where shipping containers arriving through the San Pedro Bay Ports are delivered, de-aggregated, and transloaded for destinations across the United States. Containerized cargo is moved using heavy-duty diesel cargo handling equipment such as yard tractors and heavy-duty container lifting equipment – the same equipment utilized at the maritime ports. While individually smaller in scale, when viewed collectively the hundreds of warehouses, distribution centers, and logistics facilities in the Inland Empire generate air pollutant emissions that endanger the health of the communities they are located in and adversely impact the entire South Coast region. It is for this reason that the local and State air pollution regulatory agencies are promulgating new rules and regulations to reduce air pollution generated by goods movement activities at these "Inland Ports".

To reduce air pollutant emissions generated by warehouse, distribution, and logistics center operations within the South Coast AQMD portions¹ of Riverside and San Bernardino counties, the MSRC Clean Transportation Funding™ Program is seeking to partner with these facilities to begin the transition to zero or near-zero emission onsite goods movement.

Partnering with the MSRC Clean Transportation Funding™ Program offers the potential for owners and operators of eligible Inland Empire freight facilities to receive incentives for the early implementation of key air pollution reduction strategies and potentially go "above and beyond" future air quality obligations on the horizon from State and local air quality regulators. This also affords an opportunity for warehouses, distribution centers, and logistics facilities to implement "good neighbor" policies and practices to reduce air pollution exposure to adjacent residences, your community, and the region as a whole.

#### SECTION 2: PURPOSE OF THIS REQUEST FOR PROPOSALS

To reduce air pollutant emissions generated at Inland Empire freight facilities, the MSRC Clean Transportation Funding™ Program is seeking to partner with owners and/or operators of warehouses, distribution centers, logistics facilities, and intermodal hubs located in Riverside or San Bernardino county to implement air pollution reduction strategies that reduce emissions generated during shipping container movement and bulk material processing.

<sup>&</sup>lt;sup>1</sup> See <a href="https://www.aqmd.gov/nav/about/jurisdiction">https://www.aqmd.gov/nav/about/jurisdiction</a> for a listing of zip codes that fall within the South Coast AQMD jurisdiction.

MSRC Clean Transportation Funding™ is available to partially offset the cost of acquiring zero or near-zero emission cargo handling equipment and supporting infrastructure.

A total of \$6 million in MSRC funding is available under this RFP. The following Sections outline the eligibility requirements, conditions, and other relevant information to assist Inland Empire freight facilities in developing a proposal.

#### **SECTION 3: PROGRAM ELIGIBILITY REQUIREMENTS**

- 3.1 <u>Eligible Respondents to this RFP</u> Eligible bidders include owners or lessees of freight facilities located in San Bernardino and Riverside counties. For the purposes of this RFP, freight facilities include warehouse, distribution, logistics, and intermodal transportation hubs that receive containerized goods or bulk materials.
- 3.2 <u>Eligible Project Elements</u> This RFP seeks proposals for the acquisition of heavy-duty zero or near-zero emission cargo handling equipment and supporting infrastructure used to move shipping containers or bulk material onsite at freight facilities in the Inland Empire. The following vehicles and supporting infrastructure are eligible to receive MSRC Clean Transportation Funding™:

## Off-Road Zero or Near-Zero Emission Cargo Handling Equipment

o Purchase and deploy into revenue service off-road heavy-duty cargo handling equipment that are zero-emission or equipped with a near-zero emission engine. This would include, but is not necessarily limited to, zero and near-zero emission yard tractors (hostlers), top picks, side loaders, and other types of equipment typically used to reposition shipping containers or bulk commodities at an Inland Empire freight facility. Under this RFP, "zero emission" is defined as having no tailpipe emissions and includes battery electric and hydrogen fuel cell technologies. "Near-zero" includes engines certified to the CARB Optional Low-NO<sub>x</sub> standard of 0.02 grams per brake horsepower-hour.

## Facility Electrification to Support Zero Emission Off-Road Cargo Handling Equipment

Design, perform site modifications, and install Electric Vehicle Support Equipment (EVSE) to allow onsite recharging of battery electric on-road trucks or off-road cargo handling equipment. For the purpose of this RFP, "EVSE" includes vehicle chargers, solar canopies used in conjunction with EV charging, charge management system hardware, and energy storage system hardware.

## Onsite Renewable Natural Gas Refueling Infrastructure

 Design, perform site modifications, and install natural gas refueling infrastructure to allow onsite fueling of near-zero emission natural gas off-road cargo handling equipment or on-road natural gas trucks that dray to the freight facility. The use of renewable natural gas is required.

#### Onsite Hydrogen Refueling infrastructure

 Design, perform site modifications, and install hydrogen refueling infrastructure to allow fueling of hydrogen fuel cell off-road cargo handling equipment or on-road fuel cell trucks that dray to the freight facility.

**IMPORTANT!** A proposal may request funding for <u>Infrastructure-Only</u>, either EVSE, renewable natural gas, or hydrogen refueling equipment. However, the proposer must demonstrate that vehicles intended to utilize the MSRC-funded infrastructure have been or are in the process of being acquired, or identify a specific fleet that will commit to utilize the MSRC-funded infrastructure once commissioned.

Documentation will be required to confirm that: a) vehicle acquisition has been initiated; or b) a refueling agreement is in place with an identified fleet prior to contract execution by the MSRC of an <u>Infrastructure-Only</u> funding award.

**IMPORTANT!** Vehicles and infrastructure receiving MSRC funds are required to be retained by the awardee for a minimum of five (5) years from the date MSRC co-funded vehicles or infrastructure enters revenue service.

#### **SECTION 4: FUNDING AVAILABLITY**

The total amount of MSRC Clean Transportation Funding<sup>™</sup> allocated for this Program is \$6M<sup>2</sup>. Funding will be awarded on a competitive basis in accordance with the proposal evaluation and scoring procedures outlined in Section 9 of this RFP.

The MSRC reserves the right to increase the amount of total funding available. Additionally, if total funding requests are less than the amount currently allocated, or if proposals are deemed non-

<sup>&</sup>lt;sup>2</sup> MSRC Clean Transportation Funding<sup>™</sup> is derived from motor vehicle registration fees collected by the California Department of Motor Vehicles (DMV) in accordance with the California Health and Safety Code. The availability of MSRC Clean Transportation Funding<sup>™</sup> is contingent upon the timely receipt of funds from the DMV. Neither the MSRC nor South Coast AQMD can guarantee the collection or remittance of registration fees by the DMV.

meritorious, the MSRC reserves the right to reduce the total funding available and reallocate funds to other Work Program categories.

- 4.1 <u>Maximum Funding Award</u> The maximum funding award to any entity under this RFP shall not exceed 50% of the total available funding, or a current maximum award amount of \$3M. This maximum funding restriction can be waived by the MSRC in the event the MSRC does not receive meritorious proposals from other bidders or if the MSRC allocates additional funds to the program.
- 4.2 Funding Restrictions The following funding restrictions have been imposed by the MSRC:
  - MSRC funds must be applied towards the capital purchase/lease and installation costs of qualifying zero-near/zero emission heavy-duty vehicles and infrastructure.
  - MSRC funds cannot be used to purchase real property, fuel, including electricity, or used to
    offset vehicle operations or maintenance costs.
  - MSRC funds cannot be used to offset recurring fees associated with the operation and maintenance of EVSE charge management systems.
- 4.3 <u>Earliest Date for an MSRC-Funded Project to Commence</u> The release date of this RFP, November 6, 2020, is the earliest date work on a project can commence and be potentially eligible for MSRC funding. Any expenditures made in anticipation of an award and prior to execution of a contract are solely at the proposer's risk. If no contract is executed, neither the MSRC nor South Coast AQMD is liable for payment of any funds expended in anticipation of a contract. Please note that in the event a contract is executed, reimbursement for any costs incurred by the proposer in anticipation of the contract is at the discretion of the MSRC and South Coast AQMD.

#### 4.4 Additional Conditions on MSRC Funding

- MSRC funds will be distributed on a reimbursement basis only upon completion of approved project tasks and submission of all required reports and invoices;
- MSRC funds are not intended to fund staff salaries or administrative costs:
- Funding provided under this RFP opportunity cannot be comingled with funds from any other MSRC Program, i.e., no "double dipping";
- Finally, in accordance with state law, all projects awarded MSRC Clean Transportation
   Funding™ are subject to audit. The provisions of the audit are discussed in the Sample
   Contract, attached to this RFP. It is highly recommended that bidders employ Generally
   Accepted Accounting Principles (GAAP) when administering their MSRC co-funded project.

#### **SECTION 5 - SCHEDULE OF EVENTS**

This RFP will be administered in accordance with the timeline shown below in Table 6-1. Proposals may be submitted anytime during the period commencing November 6, 2020 and ending January 15, 2021.

Table 6-1 - Key Inland Port Program Dates

Program Event	Date
RFP Release	November 6, 2020
Online Bidders' Conference	November 18, 2020
Latest Date/Time to Submit a Proposal	January 15, 2021 @ 11:59 pm

**IMPORTANT!** Proposals must be submitted to the MSRC website no later than 11:59 pm on January 15, 2021. Late proposals cannot be accepted for any reason. Please refer to Section 7, below, for instructions on how to submit a proposal.

5.1 <u>Online Bidders' Conference</u> – this Zoom Webinar will further explain the goals and requirements of this RFP and provide an opportunity for participants to ask questions. Participation in the online bidders' conference is voluntary. **The webinar will take place on Wednesday, November 18**<sup>th</sup> at 11:00 am and can be accessed using the following link:

When: Wednesday, November 18, 2020 11:00 AM-12:00 PM (UTC-08:00) Pacific Time (US & Canada).

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join. <a href="https://scaqmd.zoom.us/j/97656386320">https://scaqmd.zoom.us/j/97656386320</a>

## Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 436 2866 or +1 301

715 8592 or +1 312 626 6799

Webinar ID: 976 5638 6320

International numbers available: https://scaqmd.zoom.us/u/a014PQj8B

In addition, proposers seeking clarification to this RFP can contact the MSRC staff at any time – see Section 8, below, for MSRC staff contact information.

#### SECTION 6 PROPOSAL PREPARATION INSTRUCTIONS

The following instructions are intended to assist bidders in preparing a proposal for funding consideration under this RFP. Proposals should be concisely written, but include all necessary technical and financial detail requested in the following Subsections.

**IMPORTANT!** The MSRC seeks proposals that offer a "Complete Project" – meaning that the entire project scope - zero or near-zero vehicles to be demonstrated, essential infrastructure, coordination with project partners, including utilities, and necessary co-funding - are all considered and discussed within the proposal narrative.

Questions regarding proposal preparation and submittal should be directed to the appropriate MSRC staff representative listed in Section 8 of this RFP.

- 6.1 <u>Cover Letter</u> A cover letter should accompany the proposal, referencing RFP number P2021-08, specifying the contact person(s) for technical and contractual matters, and be <u>signed</u> by the person(s) authorized to contractually bind the bidding entity.
- 6.2 <u>Project Partner Letters of Support, MOA, or MOU</u> The proposal must include a letter of support, Memorandum of Agreement (MOA), or Memorandum of Understanding (MOU), as applicable, from all participating entities of a joint proposal acknowledging their participation in the proposed project.
- 6.3 <u>Proposal Team Contact Information</u> Proposers may use the template provided (Attachment A to this RFP) or provide the requested information in another format.
- 6.4 <u>Project Technical Description</u> The proposal should include a concise yet thorough description of the overall project scope. While the format is left to the discretion of the proposer, the technical description should include, to the extent currently known and applicable, the following key elements:
- 6.4.1 Zero & Near-Zero Emission Cargo Handling Equipment (CHE)
  - <u>Freight Facility</u> the name, location, and description of the Inland Empire freight facility that will purchase and operate the CHE. Links to existing websites that describe the freight facility may be included to augment information provided in the proposal;
  - <u>Zero/Near-Zero Emission CHE Technical Specifications</u> provide technical information on the CHE. This may include, but is not limited to, technical specifications, manufacturer

publications, etc. Links to existing websites that describe the vehicle specifications may be included to augment the proposal;

 Vehicle Duty Cycle – For each piece of zero or near-zero CHE, provide information as it relates to the anticipated average daily or weekly hours of operation, anticipated operations profile, and total average annual hours of operation per CHE. Please address any unique duty-cycle requirements specific to the freight facility in the technical discussion.

## 6.4.2 Infrastructure Components

Provide an overview and technical description of the infrastructure elements associated with the proposed project, including but not limited to the following:

- <u>Technical Description & Specifications for the Proposed Infrastructure</u> This element of the proposal should include, to the extent available, technical specifications, equipment lists, preliminary designs, site plans, etc., as available;
- <u>Utility Coordination</u> As applicable to the proposed project, discuss the status of coordination with the cognizant California Public Utility or municipal utility(s) that will have a role in the siting, utility service upgrades, and construction of proposed infrastructure.
- 6.5 <u>Project Cost & Funding Sources</u> The MSRC strongly encourages the formation of partnerships and the leveraging of multiple funding sources to increase the scope of Inland Port projects and improve their economic feasibility. The proposal should discuss in detail the total project cost, funding requested from the MSRC, and the amounts and sources of additional project co-funding.

Specifically, proposers should specify the sources of all funding applied to the project, including contributions from the project partners, or funding either sought or in hand from local, state, and federal agencies, including but not limited to the South Coast AQMD (non-MSRC), Air Resources Board, Energy Commission, US Department of Energy, etc.

In addition, for projects that propose EVSE, proposers should discuss funding available through public or municipal electric utilities. For example, under the Southern California Edison Charge Ready Transport Program, warehouse, distribution centers, and logistics facilities located within the SCE service territory may be able to take advantage of "make ready" financial incentives for the installation of electric vehicle charging equipment to support heavy-duty battery electric trucks.

See <a href="https://www.sce.com/business/electric-cars/charge-ready-transport">https://www.sce.com/business/electric-cars/charge-ready-transport</a> for more information regarding this program.

If utility incentives are being sought, the proposal should address the coordination status with the utility, i.e., whether and application for incentive funding has been submitted, is in preparation, or if discussions between the proposer team and utility have been initiated.

- 6.6 <u>Project Implementation Schedule</u> The proposal should identify key project milestones and their expected implementation dates. From a Project Readiness standpoint, the MSRC would prefer that projects be initially deployed within 36 months from the date of contract execution and authority to proceed, with full project deployment no later than 48 months from contract execution. The MSRC does, however, have discretion in the regard; thus, it is requested that proposers provide accurate information regarding the project's implementation schedule.
- 6.7 <u>Project Scalability</u> Limited availability of MSRC funding could result in the need to descope or scale-back a proposed project, including but not limited to reducing the number of CHE, etc. In this event, the resulting award would be lower than the proposer's requested amount. The MSRC asks that proposers address this potential contingency in their proposal and provide the following information:
  - Is the proposer amenable to project scaling? If Yes,
  - What is the <u>minimum</u> project scope and cost offered by the proposer, with the understanding that anything less than this minimum would no longer represent a viable project?

**IMPORTANT!** Proposers should review the Evaluation & Scoring Criteria discussed below in Section 9 of this RFP and ensure their proposal provides all information necessary to maximize the proposal's scoring potential.

- 6.8 <u>Certifications</u> All proposers must complete and submit the following forms, located in Attachment B, as an element of their proposal:
  - a) Internal Revenue Service Form W-9 Request for Taxpayer Identification Number and Certification and California Form 590 Withholding Exemption Certificate. If you are selected for an award, you cannot be established as a vendor without this information.
  - b) <u>Disadvantaged Business Certification</u> The South Coast AQMD needs this information for their vendor database. It will not be considered in proposal evaluation or the determination of any MSRC funding award.
  - c) Campaign Contribution Disclosure
  - d) <u>Certificates of Insurance</u> Bidders are required to provide a statement that upon notification of award, a certificate of insurance naming the South Coast AQMD as an

Zero/Near-Zero Emission Goods Movement at Inland Ports Freight Facilities

additional insured will be provided within forty-five (45) days. The certificate of Insurance does not need to be submitted as an element of the proposal.

**IMPORTANT!** In the event a business enterprise is <u>self-insured</u>, a statement to that effect must be included in proposal.

#### SECTION 7 PROPOSAL SUBMITAL INSTRUCTIONS

Proposals must be submitted electronically in PDF format using the MSRC Website. We believe this benefits the proposer, the MSRC staff, and the environment. A tutorial has been developed to guide proposers step by step through the electronic proposal submittal process. This tutorial is available on the MSRC Website at www.cleantransportationfunding.org. Look for the tutorial on the "Proposal Process – Proposal Upload Tutorial" page:

http://www.cleantransportationfunding.org/sites/default/files/downloads/Guide%20to%20Using%20the%20Website.pdf

- 7.1 <u>Proprietary and Trade Secret Information</u> to the extent feasible, proposals should avoid including information or data that is considered confidential, company proprietary, or a trade secret. If a proposal does include information that the proposer does not want publicly disclosed, that information must be clearly marked and identified as "Proprietary Do Not Disclose".
- 7.2 <u>Addenda</u> The MSRC reserves the right to issue corrections, supplemental information, or revisions to this RFP during the proposal preparation period of November 6, 2020 to January 15, 2021.
- 7.3 <u>Grounds for Rejection</u> A proposal will be rejected and not undergo further evaluation and scoring if:
  - It is received after the proposal submittal deadline, January 15, 2021 at 11:59 pm;
  - It is not prepared in the format described; or
  - It is not signed by an individual authorized to represent the proposing entity.
- 7.4 <u>Modification or Withdrawal</u> Once submitted, proposals cannot be altered without the consent of MSRC. All proposals shall constitute firm offers and may not be withdrawn for a period of ninety (90) days following the last day to accept proposals. All proposals become the property of the MSRC.

#### SECTION 8 IF YOU NEED HELP...

This RFP can be obtained by accessing the MSRC web site at <a href="www.cleantransportationfunding.org">www.cleantransportationfunding.org</a>. MSRC staff members are available to answer questions during the proposal preparation period. In order to help expedite assistance, please direct your inquiries to the applicable staff person, as follows:

#### For General and Administrative Assistance, please contact:

Cynthia Ravenstein

MSRC Program Administrator

Phone: 909-396-3269

E-mail: cynthia@cleantransportationfunding.org

#### For Technical Assistance, please contact:

Ray Gorski

MSRC Technical Advisor Phone: 909-396-2479

E-mail: <u>ray@cleantransportationfunding.org</u>

#### For Contractual Assistance, please contact:

Dean Hughbanks

**AQMD Procurement Manager** 

Phone: 909-396-2808

E-mail: <u>dhughbanks@aqmd.gov</u>

#### **SECTION 9 - PROPOSAL EVALUATION & SCORING**

Proposals received prior to the submittal deadline will be forwarded to an Evaluation Subcommittee comprised of members of the MSRC Technical Advisory Committee (MSRC-TAC). Proposals will be evaluated and scored against (3) evaluation criteria: Cost-Effectiveness, Project Readiness, and the percentage of trips that serve freight facilities in the Inland Empire. The total points available is 100, with each evaluation criterion weighted as follows.

1. Criteria Air Pollutant Emissions Reduction Cost-Effectiveness (50 points maximum score) – Reductions in criteria air pollutant emissions in the South Coast AQMD Region, and particularly the Inland Empire, are the primary motivation for releasing this Request for Proposals. Proposals will be evaluated based on the quantifiable reduction in reactive organic gases, oxides of nitrogen (NO<sub>x</sub>), and diesel particulate matter exhaust pollution as compared to the

current Tier 4 Final off-road diesel emission standards and CARB on-road heavy-duty emissions standard. Cost-effectiveness will be computed as the ratio of the quantified air pollutant reductions per MSRC funding requested. The quantification methodologies included in the Air Resources Board's 2017 Carl Moyer Memorial Air Quality Standards Attainment Program Guidelines will be used to the extent applicable to ensure consistency in proposal evaluation.

As discussed in Section 3.3, proposals seeking MSRC funds for <u>infrastructure-only</u> are eligible but must include the information requested under Section 6.4.1, above, to allow co-funded zero/near-zero CHE emission reductions to be quantified. Cost-effectiveness will be calculated based on the co-funded zero/near-zero vehicle component of the overall project.

**IMPORTANT!** If the infrastructure to be constructed at the freight facility is intended to support on-road heavy-duty trucks that dray goods to that facility, provide information as it relates to the number of on-road heavy-duty trucks, the average daily or weekly miles traveled per vehicle, anticipated routes, and total average annual miles per vehicle.

**IMPORTANT!** To facilitate proposal evaluation with respect to air pollutant cost-effectiveness, ensure that all requested information and documentation relating to the CHE duty cycle and hours of operation/mileage accrual is provided.

- 2. **Project Readiness** (50 points maximum) This evaluation criterion assesses a proposed project's perceived ability to adhere to the proposed schedule and budget. Factors that will impact a project's successful implementation within budget and schedule projections include:
  - Zero/Near-Zero Vehicle Acquisition:
    - Have the zero/near-zero vehicles proposed for deployment under this project been specified?
    - o Has the sales or leasing agent been contacted, and are negotiations underway?
    - o Is the proposer ready to execute a vehicle purchase order upon MSRC funding award?
  - Supporting Infrastructure Development:
    - Has an equipment specification for supporting EVSE or gaseous fuel infrastructure been prepared?
    - o What is the stage of site planning, i.e., preliminary design, final design, etc.
    - o Has coordination begun with the cognizant utilities?
  - Project Funding:

- o Has the necessary project co-funding been identified?
- o Is co-funding in hand or applied for?
- Will final status of other pending funding awards be known within the first quarter of calendar year 2021?

**IMPORTANT!** Proposers should address the Project Readiness criteria listed above within the narrative of their Project Description. The MSRC is less concerned with project implementation <u>immediacy</u> as compared to understanding the true status of a project's state of readiness. Thus, it is requested that proposers provide accurate information regarding the project's state of readiness in a forthcoming manner.

# ATTACHMENT A: PROPOSAL CONTACT INFORMATION

Please provide the following Proposer information in the space provided (this is information about the entity <u>submitting the proposal</u>):

Business Name			
Division of:			
Subsidiary of:			
Website Address			
Type of Business Check One:	☐ Corporation, ID No		
Address			
City			
State		Zip	
Phone	( ) - Ext	Fax ( ) -	
Contact Name		Title	
E-mail Address Payment Name if Different			

#### **ATTACHMENT B - CERTIFICATIONS**

(Rev. October 2018) Department of the Treasury

## **Request for Taxpayer Identification Number and Certification**

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

➤ Go to www.irs.gov/FormW9 for instructions and the latest information

	- Co to in managem of miles in			
	1 Name (as shown on your income tax return). Name is required on this line; do	not leave this line blank,		
	2 Business name/disregarded entity name, if different from above			
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the cert inst				4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):
e. Insor	☐ Individual/sole proprietor or ☐ C Corporation ☐ S Corporation single-member LLC	Exempt payee code (if any)		
Limited flability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership)				
Trust/estate    Composition   Composition				node (if now)
₩.	Other (see instructions) ▶			(Applies to accounts maintained outside the U.S.)
જુ	5 Address (number, street, and apt. or suite no.) See instructions.		Requester's name a	ind address (optional)
Š	6 City, state, and ZIP code	_		
	o ony, state, and zir code			
ĺ	7 List account number(s) here (optional)			· ·
Par	Taxpayer Identification Number (TIN)			
	our TIN in the appropriate box. The TIN provided must match the name	e diven on line 1 to av	oid Social sec	curity number
backu	p withholding. For individuals, this is generally your social security num	nber (SSN). However, f	UIG	
	nt allen, sole proprietor, or disregarded entity, see the instructions for F s, it is your employer identification number (EIN). If you do not have a n		et a	-     -
TIN, la			or	
	If the account is in more than one name, see the instructions for line 1.	. Also see What Name	and Employer	identification number
NUMB	er To Give the Requester for guidelines on whose number to enter.		.	-
Part	Certification			<del>                                     </del>
Under	penalties of perjury, I certify that:			
<ol> <li>The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and</li> <li>I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and</li> </ol>				
3. l am	a U.S. citizen or other U.S. person (defined below); and			
4. The	FATCA code(s) entered on this form (if any) indicating that I am exemp	ot from FATCA reportir	ng is correct.	
you ha acquis	cation instructions. You must cross out item 2 above if you have been no ve failed to report all interest and dividends on your tax return. For real est ltion or abandonment of secured property, cancellation of debt, contribution han interest and dividends, you are not required to sign the certification, but	ate transactions, item 2 ons to an individual retir	does not apply. For does not apply. For ement arrangement	r mortgage interest paid, (IRA), and generally, payments
Sign Here	Signature of U.S. person ►		Date ►	
Ger	neral Instructions	<ul> <li>Form 1099-DIV (di funds)</li> </ul>	lvidends, including	those from stocks or mutual
Section references are to the Internal Revenue Code unless otherwise noted.  Section references are to the Internal Revenue Code unless otherwise noted.  Form 1099-MISC (various types of income, prizes, awards, or grosproceeds)			come, prizes, awards, or gross	
Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted transactions by brokers)  • Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)				
	after they were published, go to www.lrs.gov/FormW9.  • Form 1099-S (proceeds from real estate transactions)  • Form 1099-K (merchant card and third party network transactions)			
	ividual or entity (Form W-9 requester) who is required to file an	•		d party network transactions) , 1098-E (student loan interest),
inform	reduced to early (round variety expense) who is required to the an attended to the area atten	1098-T (tuition) • Form 1099-C (can		, rosa E (Stadent lour meresty,
(SSN),	individual taxpayer identification number (ITIN), adoption		•	ment of secured property)
	taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other			
amour	t reportable on an information return. Examples of information	alien), to provide you	ur correct TIN.	
returns	s include, but are not limited to, the following.	if you do not retur	n Form W-9 to the	requester with a TIN, you might

• Form 1099-INT (Interest earned or paid)

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

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By signing the filled-out form, you:

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

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- · An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301,7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States.

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

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515, Withholding of Tax on Nonresident Allens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treatles contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

- 1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
  - 2. The treaty article addressing the income
- The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
- The type and amount of income that qualifies for the exemption from tax.
- Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

#### **Backup Withholding**

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TiN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

- 1. You do not furnish your TIN to the requester,
- You do not certify your TIN when required (see the instructions for Part II for details),
  - 3. The IRS tells the requester that you furnished an incorrect TIN,
- 4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
- You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See Exempt payee code, later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see Special rules for partnerships, earlier.

#### What is FATCA Reporting?

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

## **Updating Your Information**

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

#### **Penalties**

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding, if you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

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Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

## Specific Instructions

#### Line 1

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

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

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

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

- b. Sole proprietor or single-member LLC. Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.
- c. Partnership, LLC that is not a single-member LLC, C corporation, or S corporation. Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.
- d. Other entities. Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.
- e. Disregarded entity. For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TiN.

#### Line 2

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

#### Line 3

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

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

#### Line 4, Exemptions

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

#### Exempt payee code.

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

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

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2-The United States or any of its agencies or instrumentalities
- 3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5-A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8-A real estate investment trust
- $9\!-\!\text{An}$  entity registered at all times during the tax year under the Investment Company Act of 1940
- 10-A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

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The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for	THEN the payment is exempt for
Interest and dividend payments	All exempt payees except for 7
Broker transactions .	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,0001	Generally, exempt payees 1 through 5 <sup>2</sup>
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

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

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

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

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

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

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

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

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

G-A real estate investment trust

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

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

J-A bank as defined in section 581

K-A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1) M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

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

#### Line 5

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

#### Line 6

Enter your city, state, and ZIP code.

#### Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note: See What Name and Number To Give the Requester, later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one Immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.SSA.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/Businesses and clicking on Employer Identification Number (EIN) under Starting a Business. Go to www.irs.gov/Forms to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to www.irs.gov/OrderForms to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

**Note:** Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon,

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

#### Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee cade*, earlier.

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

<sup>&</sup>lt;sup>2</sup> However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

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- Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983.
   You must give your correct TIN, but you do not have to sign the certification.
- 2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.
- 3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.
- 4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).
- 5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

#### What Name and Number To Give the Requester

	<del></del>
For this type of account:	Give name and SSN of:
1. Individual	The individual
Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account
Two or more U.S. persons     (joint account maintained by an FFI)	Each holder of the account
<ol> <li>Custodial account of a minor (Uniform Gift to Minors Act)</li> </ol>	The minor <sup>2</sup>
<ol><li>a. The usual revocable savings trust (grantor is also trustee)</li></ol>	The grantor-trustee <sup>1</sup>
<ul> <li>b. So-called trust account that is not a legal or valid trust under state law</li> </ul>	The actual owner <sup>1</sup>
<ol><li>Sole proprietorship or disregarded entity owned by an individual</li></ol>	The owner <sup>3</sup>
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(a)(2)(i) (A))	The grantor*
For this type of account:	Give name and EIN of:
<ol> <li>Disregarded entity not owned by an individual</li> </ol>	The owner
9. A valid trust, estate, or pension trust	Legal entity <sup>4</sup>
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
Association, club, religious, charitable, educational, or other tax- exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee

For this type of account:	Give name and EIN of
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The pub¶c entity
15, Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i(B))	The trust

- <sup>1</sup> List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.
- <sup>2</sup> Circle the minor's name and fumish the minor's SSN.
- <sup>3</sup> You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.
- <sup>4</sup> List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships*, earlier.
- \*Note: The grantor also must provide a Form W-9 to trustee of trust.

  Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

#### Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An Identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN.
- · Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes. Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

Form W-9 (Rav. 10-2018) Page **6** 

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at spam@uce.gov or report them at www.ftc.gov/complaint. You can contact the FTC at www.ftc.gov/idtheft or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see www.ldentityTheft.gov and Pub. 5027.

Visit www.lrs.gov/ldentityTheft to learn more about identity theft and how to reduce your risk.

#### Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file Information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.

# 2020 Withholding Exemption Certificate

590

The payee completes this form and submits it to the withholding agent. The withho	lding agent keeps this form with their records.
Withholding Agent Information	
Name	
Payee Information	**
Name	☐ SSN or ITIN ☐ FEIN ☐ CA Corp. no. ☐ CA SOS
Address (apt./ste., room, PO box, or PMB no.)	I.
City IV you have a feeder address and leadered and 1	State ZIP code
City (if you have a foreign address, see instructions.)	State ZIP code
Exemption Reason Check only one box.	
By checking the appropriate box below, the payee certifies the reason for the exemp requirements on payment(s) made to the entity or individual.	tion from the California income tax withholding
Individuals — Certification of Residency: I am a resident of California and I reside at the address shown above. If I be notify the withholding agent. See instructions for General Information D, De	
Corporations: The corporation has a permanent place of business in California at the add California Secretary of State (SOS) to do business in California. The corpor corporation ceases to have a permanent place of business in California or the withholding agent. See instructions for General Information D, Definition	ration will file a California tax return. If this ceases to do any of the above, I will promptly no
Partnerships or Limited Liability Companies (LLCs): The partnership or LLC has a permanent place of business in California at California SOS, and is subject to the laws of California. The partnership or L or LLC ceases to do any of the above, I will promptly inform the withholding partnership (LLP) is treated like any other partnership.	LLC will file a California tax return. If the partner
Tax-Exempt Entities: The entity is exempt from tax under California Revenue and Taxation Code Internal Revenue Code Section 501(c) (insert number). If this entity of the withholding agent. Individuals cannot be tax-exempt entities.	
Insurance Companies, Individual Retirement Arrangements (IRAs), or Qua The entity is an insurance company, IRA, or a federally qualified pension or	
California Trusts: At least one trustee and one noncontingent beneficiary of the above-named California fiduciary tax return. If the trustee or noncontingent beneficiary be notify the withholding agent.	
Estates — Certification of Residency of Deceased Person: I am the executor of the above-named person's estate or trust. The deceder The estate will file a California fiduciary tax return.	nt was a California resident at the time of death.
Nonmilitary Spouse of a Military Servicemember: I am a nonmilitary spouse of a military servicemember and I meet the Military requirements. See instructions for General Information E, MSRRA.	ary Spouse Residency Relief Act (MSRRA)
CERTIFICATE OF PAYEE: Payee must complete and sign below.	
To learn about your privacy rights, how we may use your information, and the conse go to ftb.ca.gov/forms and search for 1131. To request this notice by mail, call 800.8	
Under penalties of perjury, I declare that I have examined the information on this for statements, and to the best of my knowledge and belief, it is true, correct, and comp if the facts upon which this form are based change, I will promptly notify the withhold	lete. I further declare under penalties of perjury
Type or print payee's name and title	Telephone
Payee's signature ▶	Date
7061203	Form 590 2019

# 2020 Instructions for Form 590

Withholding Exemption Certificate

ns are to the California Revenue and Taxation Code (R&TC)

#### General Information

California Revenue and Taxation Code (R&TC) Section 18662 requires withholding of income or franchise tax on payments of California source income made to nonresidents of California. For more information, See General Information 8, Income Subject to Withholding.

Registered Domestic Partners (RDP) - For purposes of California Income tax, references to a spouse, husband, or wife also refer to a California ROP unless otherwise specified. For more information on RDPs, get FTB Pub. 737, Tax Information for Registered Domestic Partners.

## A Purpose

Use Form 590, Withholding Exemption Certificate, to certify an exemption from norresident withholding.

Form 590 does not apply to payments of backup withholding. For more information, go to ftb.ca.gov and search for backup withholding.

Form 590 does not apply to payments for wages to employees. Wage withholding is administered by the California Employment Development Department (EDD). For more information, go to edd.ca.gov or call 888,745,3885

Do not use Form 590 to certify an exemption from withholding if you are a seller of California real estate. Sellers of California real estate use Form 583, Real Estate Withholding Statement, to claim an exemption from the real estate withholding requirement.

#### The following are excluded from withholding and completing this form:

- The United States and any of its agencies or instrumentalities.
- A state, a possession of the United States. the District of Columbia, or any of its political subdivisions or instrumentalities
- A foreign government or any of its political subdivisions, agencies, or instrumentalities.

## Income Subject to Withholding

Withholding is required on the following, but is not limited to:

- Payments to nonresidents for services rendered in California.
- Distributions of California source income made to domestic nonresident partners, members, and S corporation shareholders and allocations of California source income made to foreign partners and members.
- · Payments to nonresidents for rents if the payments are made in the course of the withholding agent's business.
- Payments to nonresidents for royalties from activities sourced to California.

- Distributions of California source income to norresident beneficiaries from an estate or trust.
- Endorsement payments received for services performed in California.
- Prizes and winnings received by nonresidents for contests in California.

However, withholding is optional if the total payments of California source income are \$1,500 or less during the calendar year.

For more information on withholding, get FTB Pub. 1017, Resident and Nonresident Withholding Guidelines. To get a withholding publication, see Additional Information.

#### Who Certifies this Form

Form 590 is certified (completed and signed) by the payee. California residents or entities exempt from the withholding requirement should complete Form 590 and submit it to the withholding agent before payment is made. The withholding agent is then relieved of the withholding requirements if the agent relies in good faith on a completed and signed Form 590 unless notified by the Franchise Tax Board (FTB) that the form should not be relied

An incomplete certificate is invalid and the withholding agent should not accept it. If the withholding agent receives an incomplete certificate, the withholding agent is required to withhold tax on payments made to the payee until a valid certificate is received. In lieu of a completed exemption certificate, the withholding agent may accept a letter from the payee as a substitute explaining why they are not subject to withholding. The letter must contain all the information required on the certificate in similar language, including the under penalty of perjury statement and the payee's taxpayer identification number (TIN).

The certification does not need to be renewed annually. The certification on Form 590 remains valid until the payee's status changes. The withholding agent must retain a copy of the certification or substitute for at least five years after the last payment to which the certification applies. The agent must provide it to the FTB upon request.

If an entertainer (or the entertainer's business entity) is paid for a performance, the entertainer's information must be provided. Do not submit the entertainer's agent or promoter information.

The grantor of a grantor trust shall be treated as the payee for withholding purposes. Therefore, if the payee is a grantor trust and one or more of the grantors is a nonresident, withholding is required. If all of the grantors on the trust are residents, no withholding is required. Resident grantors can check the box on Form 590 labeled "Individuals — Certification of Residency."

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#### Definitions

For California nonwage withholding purposes, nonresident includes all of the following:

- Individuals who are not residents of California.
- Corporations not qualified through the California Secretary of State (CA SOS) to do business in California or having no permanent place of business in California.
- Partnerships or limited liability companies (LLCs) with no permanent place of business in California.
- Any trust without a resident grantor, bereficiary, or trustee, or estates where the decedent was not a California resident.

Foreign refers to non-U.S.

For more information about determining resident status, get FTB Pub. 1031, Guidelines for Determining Resident Status, Military servicemembers have special rules for residency. For more information see General Information E, Military Spouse Residency Relief Act (MSRRA), and FTB Pub. 1032, Tax Information for Military Personnel.

#### Permanent Place of Business:

A corporation has a permanent place of business in California if it is organized and existing under the laws of California or it has qualified through the CA SOS to transact Intrastate business. A corporation that has not qualified to transact intrastate business (e.g., a corporation engaged exclusively in interstate commerce) will be considered as having a permanent place of business in California only if it maintains a permanent office in California that is permanently staffed by its employees.

## Military Spouse Residency Relief Act (MSRRA)

Generally, for tax purposes you are considered to maintain your existing residence or domicile. If a military servicemember and nonmilitary spouse have the same state of domicile, the MSRRA provides:

- A spause shall not be deemed to have lost a residence or domicile in any state solely by reason of being absent to be with the servicemember serving in compliance with military orders.
- A spouse shall not be deemed to have acquired a residence or domicile in any other state solely by reason of being there to be with the servicemember serving in compliance with military orders.

Domicile is defined as the one place:

- Where you maintain a true, fixed, and permanent home.
- To which you intend to return whenever you are absent.

A military servicemember's normilitary spouse is considered a nonresident for tax purposes if the servicemember and spouse have the same domicile outside of California and the spouse is in California solely to be with the servicemember who is serving in compilance with Permanent Change of Station orders.

California may require normilitary spouses of military servicemembers to provide proof that they meet the criteria for California personal income tax exemption as set forth in the MSRRA.

Income of a military servicemember's nonmilitary spouse for services performed in California is not California source income subject to state tax if the spouse is in California to be with the servicemember serving in compliance with military orders, and the servicemember and spouse have the same domicile in a state other than California.

For additional information or assistance in determining whether the applicant meets the MSRPA requirements, get FTB Pub. 1032.

## Specific Instructions

## Payee Instructions

Enter the withholding agent's name.

Enter the payer's information, including the TIN and check the appropriate TIN box.

You must provide a valid TIN as requested on this form. The following are acceptable TINs: social security number (SSN); Individual taxpayer identification number (ITIN); federal employer identification number (FEIN); Galifornia corporation number (CA Corp no.); or CA SOS file number.

Private Mall Box (PMB) – Include the PMB in the address field. Write "PMB" first, then the box number. Example: 111 Main Street PMB 123

Foreign Address – Follow the country's practice for entering the city, county, province, state, country, and postal code, as applicable, in the appropriate boxes. Bo not abbreviate the country name.

Exemption Reason – Check the box that reflects the reason why the payee is exempt from the California income tax withholding requirement.

#### Withholding Agent Instructions

Do not send this form to the FTB. The certification on Form 590 remains valid until the payer's status changes. The withholding agent must retain a copy of the certificate or substitute for at least five years after the last payment to which the certificate applies. The agent must provide it to the FTB upon request. The payee must notify the withholding agent if any of the following situations occur:

- The individual payee becomes a nonresident.
- The corporation ceases to have a permanent place of business in California or ceases to be qualified to do business in California.
- The partnership ceases to have a permanent place of business in California.
- The LLC ceases to have a permanent place of business in California.
- The tax-exempt entity loses its tax-exempt status.

If any of these situations occur, then withholding may be required. For more information, get Form 582, Resident and Nonresident Withholding Statement, Form 592-8, Resident and Nonresident Withholding Tax Statement, Form 592-PTE, Pass-Through Entity Annual Withholding Return, Form 582-Q Payment Voucher for Pass-Through Entity Withholding, and Form 592-V, Payment Voucher for Resident or Nonresident Withholding.

## Additional Information

Website: For mi

For more information, go to fib.ca.gov and search for nonwage.

MyFTB offers secure online tax account information and services. For more information, go to fib.ca.gov and login or register

for MyFTB.

Telephone: 888.792.4900 or 916.845.4900,

Withholding Services and Compliance phone service

Fax: 916.845.9512

Mail: WITHHOLDING SERVICES AND

COMPLIANCE MS F182 FRANCHISE TAX BOARD PO BOX 942867

SACRAMENTO CA 94257-0551

For questions unrelated to withholding, or to download, view, and print California tax forms and publications, or to access the TTY/ TDD numbers, see the Internet and Telephone Assistance section.

#### Internet and Telephone Assistance

Website: ffb.ca.gov

Telephone: 800.852.5711 from within the

United States

916.845.6500 from outside the

United States

TTY/TDD: 800.822.6268 for persons with

hearing or speech disability 711 or 800.735.2929 California

relay service

## Asistencia Por Internet y Teléfono

Sitio web: ftb.ca.gov

Teléfona: 800.852.5711 dentro de los

Estados Unidos

916,845,6500 fuera de los

Estados Unidos

TTY/TDD: 800.822.6268 para personas con

discapacidades auditivas

o de habla

711 è 800,735,2929 servido de

relevo de California

#### **BUSINESS STATUS CERTIFICATIONS**

Federal guidance for utilization of disadvantaged business enterprises allows a vendor to be deemed a small business enterprise (SBE), minority business enterprise (MBE) or women business enterprise (WBE) if it meets the criteria below.

is certified by the Small Business Administration or

TELEPHONE NUMBER

is certified by a state or federal agency or

is an independent MBE(s) or WBE(s) business concern which is at least 51 percent owned and controlled by minority group member(s) who are citizens of the United States.

Statamar	nts of contification.
As a	a prime contractor to South Coast AQMD,(name of business) will engage in good faith effor chieve the fair share in accordance with 40 CFR Section 33.301, and will follow the six affirmative steps listed below for tracts or purchase orders funded in whole or in part by federal grants and contracts.
1.	Place qualified SBEs, MBEs, and WBEs on solicitation lists.
2.	Assure that SBEs, MBEs, and WBEs are solicited whenever possible.
3.	When economically feasible, divide total requirements into small tasks or quantities to permit greater participation by SBEs, MBEs, and WBEs.
4.	Establish delivery schedules, if possible, to encourage participation by SBEs, MBEs, and WBEs.
5.	Use services of Small Business Administration, Minority Business Development Agency of the Department of Commerce, and/or any agency authorized as a clearinghouse for SBEs, MBEs, and WBEs.
6.	If subcontracts are to be let, take the above affirmative steps.
	(a) <u>Self-Certification Verification: Also for use in awarding additional</u> points, as applicable, in accordance with South Coast AQMD Procurement Policy and Procedure:
Smal Loca Venture	Il that apply:  Il Business Enterprise/Small Business Joint Venture  Il Business Enterprise/Small Business Joint Venture  Il Business Enterprise/DVBE Joint  Disabled Veteran-owned Business Enterprise/DVBE Joint  Ority-owned Business Enterprise  Most Favored Customer Pricing Certification
Percent	of ownership:%
Name of	Qualifying Owner(s):
	of California Public Works Contractor Registration No MUST BE DED IF BID PROPOSAL IS FOR PUBLIC WORKS PROJECT.
	dersigned, hereby declare that to the best of my knowledge the above information is accurate. Upon penalty of perjury, I certain submitted is factual.
	NAME TITLE

DATE

## **Definitions**

Disabled Veteran-Owned Business Enterprise means a business that meets all of the following criteria:

- is a sole proprietorship or partnership of which is at least 51 percent owned by one or more disabled veterans, or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more disabled veterans; a subsidiary which is wholly owned by a parent corporation but only if at least 51 percent of the voting stock of the parent corporation is owned by one or more disabled veterans; or a joint venture in which at least 51 percent of the joint venture's management and control and earnings are held by one or more disabled veterans.
- the management and control of the daily business operations are by one or more disabled veterans. The
  disabled veterans who exercise management and control are not required to be the same disabled veterans as
  the owners of the business.
- is a sole proprietorship, corporation, partnership, or joint venture with its primary headquarters office located in the United States and which is not a branch or subsidiary of a foreign corporation, firm, or other foreign-based business.

**Joint Venture** means that one party to the joint venture is a DVBE and owns at least 51 percent of the joint venture. In the case of a joint venture formed for a single project this means that DVBE will receive at least 51 percent of the project dollars.

Local Business means a business that meets all of the following criteria:

- has an ongoing business within the boundary of South Coast AQMD at the time of bid application.
- performs 90 percent of the work within South Coast AQMD's jurisdiction.

Minority-Owned Business Enterprise means a business that meets all of the following criteria:

- is at least 51 percent owned by one or more minority persons or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more minority persons.
- is a business whose management and daily business operations are controlled or owned by one or more minority person.
- is a business which is a sole proprietorship, corporation, partnership, joint venture, an association, or a cooperative with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign business.

"Minority" person means a Black American, Hispanic American, Native American (including American Indian, Eskimo, Aleut, and Native Hawaiian), Asian-Indian American (including a person whose origins are from India, Pakistan, or Bangladesh), Asian-Pacific American (including a person whose origins are from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the United States Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia, or Taiwan).

Small Business Enterprise means a business that meets the following criteria:

- a. 1) an independently owned and operated business; 2) not dominant in its field of operation; 3) together with affiliates is either:
  - A service, construction, or non-manufacturer with 100 or fewer employees, and average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years, or
  - A manufacturer with 100 or fewer employees.
- b. Manufacturer means a business that is both of the following:
  - Primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products.

2) Classified between Codes 311000 to 339000, inclusive, of the North American Industrial Classification System (NAICS) Manual published by the United States Office of Management and Budget, 2007 edition.

**Small Business Joint Venture** means that one party to the joint venture is a Small Business and owns at least 51 percent of the joint venture. In the case of a joint venture formed for a single project this means that the Small Business will receive at least 51 percent of the project dollars.

Women-Owned Business Enterprise means a business that meets all of the following criteria:

- is at least 51 percent owned by one or more women or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more women.
- is a business whose management and daily business operations are controlled or owned by one or more women.
- is a business which is a sole proprietorship, corporation, partnership, or a joint venture, with its primary
  headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation,
  foreign firm, or other foreign business.

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



#### CAMPAIGN CONTRIBUTIONS DISCLOSURE

In accordance with California law, bidders and contracting parties are required to disclose, at the time the application is filed, information relating to any campaign contributions made to Board Members or members/alternates of the MSRC, including: the name of the party making the contribution (which includes any parent, subsidiary or otherwise related business entity, as defined below), the amount of the contribution, and the date the contribution was made. 2 C.C.R. §18438.8(b).

California law prohibits a party, or an agent, from making campaign contributions to SCAQMD Governing Board Members or members/alternates of the Mobile Source Air Pollution Reduction Review Committee (MSRC) of more than \$250 while their contract or permit is pending before the SCAQMD; and further prohibits a campaign contribution from being made for three (3) months following the date of the final decision by the Governing Board or the MSRC on a donor's contract or permit. Gov't Code §84308(d). For purposes of reaching the \$250 limit, the campaign contributions of the bidder or contractor *plus* contributions by its parents, affiliates, and related companies of the contractor or bidder are added together. 2 C.C.R. §18438.5.

In addition, Board Members or members/alternates of the MSRC must abstain from voting on a contract or permit if they have received a campaign contribution from a party or participant to the proceeding, or agent, totaling more than \$250 in the 12-month period prior to the consideration of the item by the Governing Board or the MSRC. Gov't Code \$84308(c).

The list of current SCAQMD Governing Board Members can be found at the SCAQMD website (<a href="www.aqmd.gov">www.aqmd.gov</a>). The list of current MSRC members/alternates can be found at the MSRC website (<a href="http://www.cleantransportationfunding.org">http://www.cleantransportationfunding.org</a>).

#### **SECTION I.**

ontractor (Legai Name):	
☐ DBA, Name	, County Filed in
Corporation, ID No	
☐ LLC/LLP, ID No.	
<u> </u>	otherwise affiliated business entities of Contractor:
	omerwise anniated business endires of Contractor.

Campaign Contributions Disclosure, continued:

# **SECTION II.**

Has Contractor and/or any parent, subsidiary, or campaign contribution(s) totaling \$250 or more in to Coast Air Quality Management Governing Board months preceding the date of execution of this disclo	he aggregate to a current or member/alternate of	t member of the South
☐ Yes ☐ No If YES, complete Section If NO, sign and date below.	O	
Name of Contributor		
Governing Board Member or MSRC Member/Alternate	Amount of Contribution	Date of Contribution
Name of Contributor		
Governing Board Member or MSRC Member/Alternate	Amount of Contribution	Date of Contribution
Name of Contributor		
Governing Board Member or MSRC Member/Alternate	Amount of Contribution	Date of Contribution
Name of Contributor		
Governing Board Member or MSRC Member/Alternate	Amount of Contribution	Date of Contribution

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

By:		
Title:		
<u></u>		
Date:		

#### **DEFINITIONS**

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

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

## Attachment C: Sample Contract



#### AB 2766/MSRC WORK PROGRAM CONTRACT

 PARTIES - The parties to this Contract are the South Coast Air Quality Management District (hereinafter referred to as "SCAQMD") whose address is 21865 Copley Drive, Diamond Bar, California 91765-4178, and the \*\*\* (hereinafter referred to as "CONTRACTOR") whose address is \*\*\*.

## 2. RECITALS

- A. SCAQMD is the local agency with primary responsibility for regulating stationary source air pollution within the geographical boundaries of the South Coast Air Quality Management District in the State of California (State). SCAQMD is authorized under State Health & Safety Code Section 44225 (AB 2766) to levy a fee on motor vehicles for the purpose of reducing air pollution from such vehicles and to implement the California Clean Air Act.
- B. Under AB 2766, SCAQMD's Governing Board has authorized the imposition of the statutorily set motor vehicle fee. By taking such action, the State's Department of Motor Vehicles (DMV) is required to collect such fee and remit it periodically to SCAQMD.
- C. AB 2766 further mandates that thirty (30) percent of such vehicle registration fees be placed by SCAQMD into a separate account for the sole purpose of implementing and monitoring programs to reduce air pollution from motor vehicles.
- D. AB 2766 creates a regional Mobile Source Air Pollution Reduction Review Committee (MSRC) to develop a work program to fund projects from the separate account. Pursuant to approval of the work program by SCAQMD's Governing Board, SCAQMD authorized this Contract with CONTRACTOR for equipment or services described in Attachment 1 Statement of Work, expressly incorporated herein by this reference and made a part hereof of this Contract.
- E. CONTRACTOR has met the requirements for receipt of AB 2766 Discretionary Funds as set forth in CONTRACTOR's \*\*\* Program Application/Proposal dated \*\*\*.
- F. CONTRACTOR is authorized to do business in the State of California and attests that it is in good tax standing with the California Franchise Tax Board.
- G. All parties to this Contract have had the opportunity to have this Contract reviewed by their attorney.
- 3. <u>DMV FEES</u> CONTRACTOR acknowledges that SCAQMD cannot guarantee that the amount of fees to be collected under AB 2766 will be sufficient to fund this Contract. CONTRACTOR further acknowledges that payment under this Contract is contingent upon SCAQMD receiving sufficient funds from the DMV, and that SCAQMD assumes no responsibility for the collection and remittance of motor vehicle registration fees.

## 4. AUDIT AND RECORDS RETENTION

5. CONTRACTOR shall, at least once every two years, or within two years of the termination of the Contract if the term is less than two years, be subject to an audit by SCAQMD or its authorized

- representative to determine if the revenues received by CONTRACTOR were spent for the reduction of pollution from motor vehicles pursuant to the Clean Air Act of 1988.
- 6. CONTRACTOR agrees to maintain records related to this Contract during the Contract term and continue to retain these records for a period of two years beyond the Contract term, except that in no case shall CONTRACTOR be required to retain more than the most recent five years' records. SCAQMD shall coordinate such audit through CONTRACTOR'S audit staff.
- 7. If an amount is found to be inappropriately expended, SCAQMD may withhold funding, or seek reimbursement, from CONTRACTOR in the amount equal to the amount that was inappropriately expended. Such withholding shall not be construed as SCAQMD's sole remedy and shall not relieve CONTRACTOR of its obligation to perform under the terms of this Contract.
- 8. <u>TERM</u> The term of this Contract is for \*\*\* (\*\*) months from the date of execution by both parties, unless terminated earlier as provided for in the TERMINATION clause of this Contract, the EARLY TERMINATION clause, [OPTIONAL] or the term is extended by amendment of this Contract in writing. No work shall commence prior to the Contract start date, except at CONTRACTOR's cost and risk, and no charges are authorized until this Contract is fully executed, subject to the provisions stated in the PRE-CONTRACT COSTS clause of this Contract.
- 9. <u>SUCCESSORS-IN-INTEREST</u> This Contract, and the obligations arising under the Contract, shall be binding on and inure to the benefit of CONTRACTOR and their executors, administrators, successors, and assigns.
- 10. <u>REPORTING</u> CONTRACTOR shall submit reports to SCAQMD as outlined in Attachment 1 Statement of Work. SCAQMD reserves the right to review, comment, and request changes to any report produced as a result of this Contract.

## 11. TERMINATION

- A. In the event any party fails to comply with any term or condition of this Contract, or fails to provide services in the manner agreed upon by the parties, including, but not limited to, the requirements of Attachment 1 Statement of Work, this failure shall constitute a breach of this Contract. The non-breaching party shall notify the breaching party that it must cure this breach or provide written notification of its intention to terminate this contract. Notification shall be provided in the manner set forth in the NOTICES clause of this Contract. The non-breaching party reserves all rights under law and equity to enforce this Contract and recover damages.
- B. SCAQMD reserves the right to terminate this Contract, in whole or in part, without cause, upon thirty (30) days' written notice. Once such notice has been given, CONTRACTOR shall, except as and to the extent or directed otherwise by SCAQMD, discontinue any Work being performed under this Contract and cancel any of CONTRACTOR's orders for materials, facilities, and supplies in connection with such Work, and shall use its best efforts to procure termination of existing subcontracts upon terms satisfactory to SCAQMD. Thereafter, CONTRACTOR shall perform only such services as may be necessary to preserve and protect any Work already in progress and to dispose of any property as requested by SCAQMD.
- B. Either party may terminate this Contract upon thirty (30) days written notice to the other party.
- C. CONTRACTOR shall be paid in accordance with this Contract for all Work performed before the effective date of termination under section B of the TERMINATION clause of this Contract. Before

expiration of the thirty (30) days' written notice, CONTRACTOR shall promptly deliver to SCAQMD all copies of documents and other information and data prepared or developed by CONTRACTOR under this Contract with the exception of a record copy of such materials, which may be retained by CONTRACTOR.

- 12. <u>EARLY TERMINATION</u> This Contract may be terminated early due to the following circumstances: The infrastructure identified in Attachment 1, Statement of Work, becomes inoperable, and is either not technically able to be repaired, or is too costly to repair, and such failure is not caused by CONTRACTOR's negligence, misuse, or malfeasance. OPTIONAL
- 13. <a href="STOP WORK">SCAQMD</a> may, at any time, by written notice to CONTRACTOR, require CONTRACTOR to stop all or any part of the Statement of Work tasks in this Contract. A stop work order may be issued for reasons including, but not limited to, the project exceeding the budget, out of scope work, delay in project schedule, or misrepresentations. Upon receipt of the stop work order, CONTRACTOR shall immediately take all necessary steps to comply with the order. CONTRACTOR shall resume the work only upon receipt of written instructions from SCAQMD cancelling the stop work order. CONTRACTOR agrees and understands that CONTRACTOR will not be paid for performing work while the stop work order is in effect, unless SCAQMD agrees to do so in its written cancellation of the stop work order.

## 14. INSURANCE

- A. CONTRACTOR shall furnish evidence to SCAQMD of workers' compensation insurance for each of its employees, in accordance with either California or other states' applicable statutory requirements prior to commencement of any work on this Contract.
- B. CONTRACTOR shall furnish evidence to SCAQMD of general liability insurance with a limit of at least \$1,000,000 per occurrence, and \$2,000,000 in a general aggregate prior to commencement of any work on this Contract. SCAQMD shall be named as an additional insured on any such liability policy, and thirty (30) days written notice prior to cancellation of any such insurance shall be given by CONTRACTOR to SCAQMD.
- C. CONTRACTOR shall furnish evidence to SCAQMD of automobile liability insurance with limits of at least \$100,000 per person and \$300,000 per accident for bodily injuries, and \$50,000 in property damage, or \$1,000,000 combined single limit for bodily injury or property damage, prior to commencement of any work on this Contract. SCAQMD shall be named as an additional insured on any such liability policy, and thirty (30) days written notice prior to cancellation of any such insurance shall be given by CONTRACTOR to SCAQMD.
- D. CONTRACTOR shall furnish evidence to SCAQMD of Professional Liability Insurance with an aggregate limit of not less than \$5,000,000. OPTIONAL
- E. If CONTRACTOR fails to maintain the required insurance coverage set forth above, SCAQMD reserves the right either to purchase such additional insurance and to deduct the cost thereof from any payments owed to CONTRACTOR or terminate this Contract for breach.
- F. All insurance certificates shall be mailed to: SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765-4178, Attention: Cynthia Ravenstein, MSRC Contracts Administrator. The SCAQMD Contract Number must be included on the face of the certificate.
- G. CONTRACTOR must provide updates on the insurance coverage throughout the term of the Contract to ensure that there is no break in coverage during the period of contract performance.

Failure to provide evidence of current coverage shall be grounds for termination for breach of Contract.

## [USE ABOVE CLAUSE OR SELF INSURANCE CLAUSE BELOW]

## Self Insurance Clause:

INSURANCE - CONTRACTOR represents that it is permissibly self-insured and will maintain such self-insurance in accordance with applicable provisions of California law throughout the term of this Contract. CONTRACTOR shall provide evidence of sufficient coverage during the term of this Contract and any extensions thereof that meet or exceed the minimum requirements set forth by the SCAQMD below. The certificate of self-insurance shall be mailed to: SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765-4178, Attention: Cynthia Ravenstein, MSRC Contracts Administrator. The SCAQMD Contract Number must be included on the face of the certificate. If CONTRACTOR fails to maintain the required insurance coverage, SCAQMD reserves the right to terminate the Contract or purchase such additional insurance and bill CONTRACTOR or deduct the cost thereof from any payments owed to CONTRACTOR. Minimum insurance coverages are as follows:

- A. Worker's compensation insurance in accordance with either California or other state's applicable statutory requirements.
- B. General Liability insurance with a limit of at least \$1,000,000 per occurrence, and \$2,000,000 in general aggregate.
- C. Automobile Liability insurance with limits of at least \$100,000 per person and \$300,000 per accident for bodily injuries and \$50,000 in property damage, or \$1,000,000 combined single limit for bodily injury or property damage.
- 15. <u>INDEMNIFICATION</u> CONTRACTOR agrees to hold harmless, defend and indemnify SCAQMD, its officers, employees, agents, representatives, and successors-in-interest against any and all loss, damage, costs, lawsuits, claims, demands, causes of action, judgments, attorney's fees, or any other expenses arising from or related to any third party claim against SCAQMD, its officers, employees, agents, representatives, or successors in interest that arise or result in whole or in part, from any actual or alleged act or omission of CONTRACTOR, its employees, subcontractors, agents or representatives in the performance of this Contract. This Indemnification Clause shall survive the expiration or termination (for any reason) of the Contract and shall remain in full force and effect.
- 16. <u>DISCLAIMER OF WARRANTY</u> The purchase or lease of funded vehicles/equipment is the CONTRACTOR's decision. The SCAQMD does not make any express or implied warranty of merchantability, fitness for a particular purpose or otherwise, quality or usefulness of the technology or product. Without limiting the foregoing, the SCAQMD will not be financially responsible, or otherwise liable, for the installation or performance of the vehicle/equipment. [OPTIONAL]

#### 17. PAYMENT

- A. SCAQMD shall reimburse CONTRACTOR up to a total amount of \*\*\* Dollars (\$\*\*\*) in accordance with Attachment 2 Payment/Cost Schedule expressly incorporated herein by this reference and made a part hereof of the Contract.
- B. A withhold amount or percentage (if any) shall be identified in the Payment/Cost Schedule, and such amount shall be withheld from each invoice. Upon satisfactory completion of project and final acceptance of work and the final report, CONTRACTOR's invoice for the withheld amount shall be released. Proof of project completion shall include a Final Report detailing the project goals and accomplishments, data collected during project performance, if any, documentation of significant results, and emissions reduction input data needed for calculation of emissions reductions.
- C. Any funds not expended upon early Contract termination or Contract completion shall revert to the AB 2766 Discretionary Fund. Payment of charges shall be made by SCAQMD to CONTRACTOR within thirty (30) days after approval by SCAQMD of an itemized invoice prepared and furnished by CONTRACTOR.
- D. An invoice submitted to SCAQMD for payment must be prepared in duplicate, on company letterhead, and list SCAQMD's contract number, period covered by invoice, and CONTRACTOR's social security number or Employer Identification Number and submitted to:

South Coast Air Quality Management District 21865 Copley Drive Diamond Bar, CA 91765-4178 Attn: Cynthia Ravenstein, MSRC Contracts Administrator

- Charges for equipment, material, and supply costs, travel expenses, subcontractors, and other charges, as applicable, must be itemized by CONTRACTOR. Reimbursement for equipment, material, supplies, subcontractors, and other charges, as applicable, shall be made at actual cost. Supporting documentation must be provided for all individual charges (with the exception of direct labor charges provided by CONTRACTOR).
- 2. SCAQMD shall pay CONTRACTOR for travel-related expenses only if such travel is expressly set forth in Attachment 2 Payment/Cost Schedule of this Contract or preauthorized by SCAQMD in writing.
- CONTRACTOR's failure to provide receipts shall be grounds for SCAQMD's nonreimbursement of such charges. CONTRACTOR may reduce payments on invoices by those charges for which receipts were not provided.
- 4. CONTRACTOR must submit final invoice no later than ninety (90) days after the termination date of this Contract or invoice may not be paid.
- 18. <u>COMPLIANCE WITH APPLICABLE LAWS</u> CONTRACTOR agrees to comply with all federal, state, and local laws, ordinances, codes and regulations and orders of public authorities in the performance of this Contract. CONTRACTOR must also ensure that the vehicles and/or equipment to be purchased, leased or installed is in compliance with all applicable federal, state, and local air quality rules and regulations, and that it will maintain compliance for the full Contract term. CONTRACTOR shall ensure that the provisions of this clause are included in all subcontracts.

## 19. MOBILE SOURCE EMISSION REDUCTION CREDITS (MSERCs)

- A. The MSRC has adopted a policy that no MSERCs resulting from AB 2766 Discretionary Funds may be generated and/or sold.
- B. CONTRACTOR has the opportunity to generate MSERCs as a by-product of the project if a portion of the air quality benefits attributable to the project resulted from funding sources other than AB2766. These MSERCs, which are issued by SCAQMD, are based upon the quantified vehicle miles traveled (VMT) by project vehicles or other activity data as appropriate. Therefore, a portion of prospective MSERCs, generated as a result of AB 2766 Funds, must be retired. The portion of prospective credits funded by the AB 2766 program, and which are subject to retirement, shall be referred to as "AB 2766-MSERCs."
- C. The determination of AB 2766-MSERC's is to be prorated based upon the AB 2766 program's contribution to the cost associated with the air quality benefits. In the case where AB 2766 Discretionary Funds are used to pay for the full differential cost of a new alternative fuel vehicle or for the retrofitting or repowering of an existing vehicle, all MSERCs attributable to AB 2766 Discretionary Funds must be retired. The determination of AB 2766-MSERCs for infrastructure and other ancillary items is to be prorated based upon the AB 2766 program's contribution to the associated air quality benefits. Determination of the project's overall cost will be on a case-by-case basis at the time an MSERC application is submitted, will calculate total MSERCs and retire the AB 2766-MSERCs. CONTRACTOR would then receive the balance of the MSERCs not associated with AB 2766 funding.
- 20. <u>NOTICES</u> All notices that are required under this Contract shall be provided in the manner set forth herein, unless specified otherwise. Notice to a party shall be delivered to the attention of the person listed below, or to such other person or persons as may hereafter be designated by that party in writing. Notice shall be in writing sent by email, U.S. Mail, express, certified, return receipt requested, or a nationally recognized overnight courier service. In the case of email communications, valid notice shall be deemed to have been delivered upon sending, provided the sender obtained an electronic confirmation of delivery. Email communications shall be deemed to have been received on the date of such transmission, provided such date was a business day (Tuesday-Friday) and delivered prior to 5:30pm Pacific Standard Time. Otherwise, receipt of email communications shall be deemed to have occurred on the following business day. In the case of U.S. Mail notice, notice shall be deemed to be received when delivered or five (5) business days after deposit in the U. S. Mail. In the case of a nationally recognized overnight courier service, notice shall be deemed received when delivered (written receipt of delivery).

SCAQMD:

South Coast Air Quality Management District 21865 Copley Drive Diamond Bar, CA 91765-4178

Attn: Cynthia Ravenstein, MSRC Contracts Administrator, email:

cravenstein@aqmd.gov

CONTRACTOR:

\*\*\*

\*\*\*

Attn: \*\*\*, email: \*\*\*

- 21. <a href="INDEPENDENT CONTRACTOR">INDEPENDENT CONTRACTOR</a> CONTRACTOR is an independent contractor. CONTRACTOR, its officers, employees, agents, representatives, or subcontractors shall in no sense be considered employees or agents of SCAQMD, nor shall CONTRACTOR, its officers, employees, agents, representatives, or subcontractors be entitled to or eligible to participate in any benefits, privileges, or plans, given or extended by SCAQMD to its employees. SCAQMD will not supervise, direct, or have control over, or be responsible for, CONTRACTOR's or subcontractor's means, methods, techniques, work sequences or procedures, or for the safety precautions and programs incident thereto, or for any failure by them to comply with any local, state, or federal laws, or rules or regulations, including state minimum wage laws and OSHA requirements.
- 22. <u>SUBCONTRACTOR APPROVAL</u> If CONTRACTOR intends to subcontract all or a portion of the work under this Contract, then CONTRACTOR must first obtain written approval from SCAQMD's Executive Officer or designee prior to subcontracting any work. Any material changes to the subcontract(s) that affect the scope of work, deliverable schedule, and/or payment/cost schedule shall also require the prior written approval of the SCAQMD Executive Officer or designee. No subcontract charges will be reimbursed unless the required approvals have been obtained from SCAQMD.
- 23. <u>OWNERSHIP</u> Title and full ownership rights to any equipment purchased under this Contract shall at all times remain with CONTRACTOR.

## **IUSE ABOVE CLAUSE, OR USE CLAUSE BELOW FOR PROFESSIONAL SERVICES**

<u>OWNERSHIP</u> - Title and full ownership rights to any products purchased or developed under this Contract shall at all time remain with CONTRACTOR. CONTRACTOR shall also retain title and full ownership rights to any documents or reports developed under this Contract. All of the above shall be subject to the following limitations:

- A. PATENT RIGHTS CONTRACTOR shall have patent rights, as well as title and full ownership rights, for invention(s) developed under this Contract, subject to SCAQMD retaining a no-cost, nonexclusive, nontransferable, irrevocable license to use or test such invention(s) for SCAQMD purposes. CONTRACTOR must obtain agreements to effectuate this clause with all persons or entities obtaining an ownership interest in the patented subject invention(s). Previously documented (whether patented or unpatented under the patent laws of the United States, 35 U.S.C. 1 et seq., or any foreign country) inventions are exempt from this provision. CONTRACTOR shall submit a written report to SCAQMD's Agent disclosing each subject invention and specifying patents applied for, patents issued, and patent application(s) abandoned and/or cosponsored participants on subject invention(s).
- B. RIGHTS OF TECHNICAL DATA SCAQMD shall have unlimited right to use technical data resulting from performance of CONTRACTOR under this Contract. CONTRACTOR shall have the right to use data for its own benefit.

- C. COPYRIGHT CONTRACTOR agrees to grant SCAQMD a royalty free, nonexclusive, irrevocable, nontransferable license to produce, translate, publish, use, and dispose of all copyrightable material first produced or composed in the performance of this Contract.
- D. SOFTWARE RIGHTS CONTRACTOR agrees to grant SCAQMD a worldwide, royalty free, nonexclusive, irrevocable, nontransferable license in perpetuity to use any software developed by CONTRACTOR in performing its obligations under this Contract. CONTRACTOR further agrees to obtain the rights required from any third party for SCAQMD to have a worldwide, royalty free, nonexclusive, irrevocable license in perpetuity to use any other software essential to performance of CONTRACTOR'S obligations under this Contract or necessary to the operation of the software developed by CONTRACTOR. CONTRACTOR shall provide SCAQMD with documentation confirming CONTRACTOR'S right to assign the use of such software. CONTRACTOR shall also provide SCAQMD with all documentation and manuals required to operate the software developed by it or third parties.
- E. CONTRACTOR'S INSOLVENCY OR BANKRUPTCY, or PROJECT'S DISCONTINUATION -CONTRACTOR agrees that in the event that CONTRACTOR becomes insolvent or files for bankruptcy during the term of the Contract or does not complete the intent of the Contract, title to goods, services software, and equipment purchased for the performance of this Contract with AB 2766 Discretionary Funds shall revert to the SCAQMD.
- 24. <u>SECURITY INTEREST</u> CONTRACTOR hereby grants SCAQMD a security interest in any and all equipment purchased, in whole or in part, with funding provided by SCAQMD pursuant to this Contract. CONTRACTOR acknowledges and agrees that SCAQMD shall have all lien rights as a secured creditor on any and all equipment purchased in whole or in part by the CONTRACTOR, under this Contract or any amendments thereto. The SCAQMD shall have lien rights in effect until the CONTRACTOR satisfies all terms under the Contract, including but not limited to, the use and reporting requirements. Accordingly, CONTRACTOR further agrees that SCAQMD is authorized to file a UCC filing statement or similar security instrument to secure its interests in the equipment that is the subject of the Contract. In the event CONTRACTOR files for bankruptcy protection, CONTRACTOR shall notify SCAQMD within 10 business days of such filing. OPTIONAL
- 25. NON-DISCRIMINATION In the performance of this Contract, CONTRACTOR shall not discriminate in recruiting, hiring, promotion, demotion, or termination practices on the basis of race, religious creed, color, national origin, ancestry, sex, age, or physical handicap and shall comply with the provisions of the California Fair Employment & Housing Act (Government Code Section 12900, et seq.), the Federal Civil Rights Act of 1964 (P.L. 88-352) and all amendments thereto, Executive Order No. 11246 (30 Federal Register 12319), and all administrative rules and regulations issued pursuant to said Acts and Order. CONTRACTOR shall likewise require each subcontractor to comply with this clause and shall include in each such subcontract language similar to this clause.

#### 26. CITIZENSHIP AND ALIEN STATUS

A. CONTRACTOR warrants that it fully complies with all laws regarding the employment of aliens and others, and that its employees performing services hereunder meet the citizenship or alien status requirements contained in federal and state statutes and regulations including, but not limited to, the Immigration Reform and Control Act of 1986 (P.L. 99-603). CONTRACTOR shall obtain from all covered employees performing services hereunder all verification and other

- documentation of employees' eligibility status required by federal statutes and regulations as they currently exist and as they may be hereafter amended. CONTRACTOR shall have a continuing obligation to verify and document the continuing employment authorization and authorized alien status of employees performing services under this Contract to insure continued compliance with all federal statutes and regulations. Notwithstanding the above, CONTRACTOR, in the performance of this Contract, shall not discriminate against any person in violation of 8 USC Section 1324b.
- B. CONTRACTOR shall retain such documentation for all covered employees for the period described by law. CONTRACTOR shall indemnify, defend, and hold harmless SCAQMD, its officers and employees from employer sanctions and other liability which may be assessed against CONTRACTOR or SCAQMD, or both in connection with any alleged violation of federal statutes or regulations pertaining to the eligibility for employment of persons performing services under this Contract.

## 27. ASSIGNMENT AND TRANSFER OF EQUIPMENT

- A. The rights and responsibilities granted hereby may not be assigned, sold, licensed, or otherwise transferred by CONTRACTOR without the prior written consent of SCAQMD, and any attempt by CONTRACTOR to do so shall be void upon inception.
- B. CONTRACTOR agrees to obtain SCAQMD's written consent to any assignment, sale, license or transfer of Equipment, if any, <u>prior</u> to completing the transaction. CONTRACTOR shall inform the proposed assignee, buyer, licensee or transferee (collectively referred to here as "Buyer") of the terms of this Contract. CONTRACTOR is responsible for establishing contact between SCAQMD and the Buyer and shall assist SCAQMD in facilitating the transfer of this Contract's terms and conditions to the Buyer. CONTRACTOR will not be relieved of the legal obligation to fulfill the terms and conditions of this Contract until and unless the Buyer has assumed responsibility of this Contract's terms and conditions through an executed contract with SCAQMD. OPTIONAL
- 28. <u>NON-EFFECT OF WAIVER</u> The failure of CONTRACTOR or SCAQMD to insist upon the performance of any or all of the terms, covenants, or conditions of this Contract, or failure to exercise any rights or remedies hereunder, shall not be construed as a waiver or relinquishment of the future performance of any such terms, covenants, or conditions, or of the future exercise of such rights or remedies, unless otherwise provided for herein.
- 29. <u>PROPOSAL INCORPORATION</u> CONTRACTOR's Technical Proposal dated \*\*\* submitted in response to Request for Proposal (RFP) #\*\*\*, is expressly incorporated herein by this reference and made a part hereof of this Contract. In the event of any conflict between the terms and conditions of this Contract and CONTRACTOR's Technical Proposal, this Contract shall govern and control. [OPTIONAL]
- 30. <a href="KEY PERSONNEL">KEY PERSONNEL</a> [OPTIONAL]insert person's name is deemed critical to the successful performance of this Contract. Any changes in key personnel by CONTRACTOR must be approved by SCAQMD. All substitute personnel must possess qualifications/experience equal to the original named key personnel and must be approved by SCAQMD. SCAQMD reserves the right to interview proposed substitute key personnel. OPTIONAL]

- 31. <u>TAX IMPLICATIONS FROM RECEIPT OF MSRC FUNDS</u> CONTRACTOR is advised to consult a tax attorney regarding potential tax implications from receipt of MSRC funds.
- 32. <u>ATTORNEYS' FEES</u> In the event any action is filed in connection with the enforcement or interpretation of this Contract, each party in said action shall pay its own attorneys' fees and costs.
- 33. <u>FORCE MAJEURE</u> Neither SCAQMD nor CONTRACTOR shall be liable or deemed to be in default for any delay or failure in performance under this Contract or interruption of services resulting, directly or indirectly, from acts of God, civil or military authority, acts of public enemy, war, strikes, labor disputes, shortages of suitable parts, materials, labor or transportation, or any similar cause beyond the reasonable control of SCAQMD or CONTRACTOR.
- 34. <u>SEVERABILITY</u> In the event that any one or more of the provisions contained in this Contract shall for any reason be held to be unenforceable in any respect by a court of competent jurisdiction, such holding shall not affect any other provisions of this Contract, and the Contract shall then be construed as if such unenforceable provisions are not a part hereof.
- 35. <u>HEADINGS</u> Headings on the clauses of this Contract are for convenience and reference only, and the words contained therein shall in no way be held to explain, modify, amplify, or aid in the interpretation, construction, or meaning of the provisions of this Contract.
- 36. <u>DUPLICATE EXECUTION</u> This Contract is executed in duplicate. Each signed copy shall have the force and effect of an original.
- 37. <u>GOVERNING LAW</u> This Contract shall be construed and interpreted and the legal relations created thereby shall be determined in accordance with the laws of the State of California. Venue for resolution of any disputes under this Contract shall be Los Angeles County, California.
- 38. <a href="PRE-CONTRACT COSTS">PRE-CONTRACT COSTS</a> Any costs incurred by CONTRACTOR prior to CONTRACTOR receipt of a fully executed Contract shall be incurred solely at the risk of the CONTRACTOR. In the event that a formal Contract is not executed, neither the MSRC nor the SCAQMD shall be liable for any amounts expended in anticipation of a formal Contract. If a formal Contract does result, pre-contract cost expenditures authorized by the Contract will be reimbursed in accordance with the <a href="Payment/CostSchedule">Payment/CostSchedule</a> and payment provision of the Contract.
- 39. <u>CHANGE TERMS</u> Changes to any part of this Contract must be requested in writing by CONTRACTOR and approved by MSRC in accordance with MSRC policies and procedures. CONTRACTOR must make requests a minimum of 90 days prior to desired effective date of change. All modifications to this Contract shall be in writing and signed by the authorized representatives of the parties. Fueling station location changes shall not be approved under any circumstances.
- 40. <u>PREVAILING WAGES</u> CONTRACTOR is alerted to the prevailing wage requirements of California Labor Code section 1770 et seq., and the compliance monitoring and enforcement of such requirements by the Department of Industrial Relations ("DIR"). CONTRACTOR and all of

CONTRACTOR's subcontractors must comply with the California Public Works Contractor Registration Program and, where applicable, must be registered with the DIR to participate in public works projects. CONTRACTOR shall be responsible for determining the applicability of the provisions of California Labor Code and complying with the same, including, without limitation, obtaining from the Director of the Department of Industrial Relations the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work, making the same available to any interested party upon request, paying any applicable prevailing rates, posting copies thereof at the job site and flowing all applicable prevailing wage rate requirements to its subcontractors. Proof of compliance with these requirements must be provided to SCAQMD upon request. CONTRACTOR shall indemnify, defend and hold harmless the South Coast Air Quality Management District against any and all claims, demands, damages, defense costs or liabilities based on failure to adhere to the above referenced statutes.

- 41. <u>ENTIRE CONTRACT</u> This Contract represents the entire agreement between CONTRACTOR and SCAQMD. There are no understandings, representations, or warranties of any kind except as expressly set forth herein. No waiver, alteration, or modification of any of the provisions herein shall be binding on any party unless in writing and signed by the authorized representative of the party against whom enforcement of such waiver, alteration, or modification is sought.
- 42. <u>AUTHORITY</u> The signator hereto represents and warrants that he or she is authorized and empowered and has the legal capacity to execute this Contract and to legally bind CONTRACTOR both in an operational and financial capacity and that the requirements and obligations under this Contract are legally enforceable and binding on CONTRACTOR.

(THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK)

IN WITNESS WHEREOF, the parties to this Contract have caused this Contract to be duly executed on their behalf by their authorized representatives.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRIC	CT ***
By: Dr. William A. Burke, Chairman, Governing Board	By: Name: Title:
Date:	Date:
ATTEST: Faye Thomas, Clerk of the Board	
By:	
APPROVED AS TO FORM: Bayron Gilchrist, General Counsel	
Ву:	
//MSRC Master Boilerplate	

Revised January 27, 2016



BOARD MEETING DATE: November 6, 2020 AGENDA NO: 8

REPORT: Establish Board Meeting Schedule for Calendar Year 2021

SYNOPSIS: The proposed Board Meeting Schedule for Calendar Year 2021 is

submitted for Board consideration. The meeting schedule for the Administrative Committee meeting, (second Friday of the month),

as well as the other standing committees is included for

information only.

COMMITTEE: Administrative, October 9, 2020; Recommended for Approval

#### **RECOMMENDED ACTION:**

Adopt the attached Resolution establishing the 2021 Board Meeting Schedule.

Dr. William A. Burke, Chair Administrative Committee

nv

# Calendar Year 2021 Board Meeting Schedule

MONTH	DATE	START TIME
January:	January 8*	9:00 a.m.
February:	February 5	9:00 a.m.
March:	March 5	9:00 a.m.
April:	April 2	9:00 a.m.
-	. May 7	
•	June 4	
	No Meeting	
August:	. August 6	9:00 a.m.
•	September 3	
•	October 1	
	November 5	
	December 3	

<sup>\*</sup>January meeting is scheduled for 2<sup>nd</sup> Friday of the month to accommodate New Year's Day (January 1) holiday.

#### **Attachments**

- 1. Resolution
- 2. Proposed 2021 Meeting Schedule for Governing Board and Standing Committees

A Resolution of the South Coast Air Quality Management District Governing Board setting the time and place of regular meetings.

WHEREAS, the regular meetings of the South Coast Air Quality Management District Governing Board have been established by Resolution in the past, and

WHEREAS, the Governing Board is establishing the regularly scheduled meetings for Calendar Year 2021.

NOW, THEREFORE, BE IT RESOLVED that, effective January 2021, the regular meetings of the Governing Board shall be held at 9:00 a.m. on the first Friday of each month, except for January to accommodate a holiday when it will be held the second Friday of January, and July where there is no meeting scheduled, in the Auditorium at South Coast AQMD Headquarters, 21865 Copley Dr., Diamond Bar, California.

Dated:	
	Faye Thomas, Clerk of the Boards

# South Coast AQMD Governing Board & Standing Committees Proposed 2021 Meeting Schedule

GOVERNING		STANDING COMMITTEES			
BOARD Time – 9:00 a.m.	<b>Legislative</b> Time – 9:00 a.m.	Administrative Time – 10:00 a.m.	Mobile Source Time – 9:00 a.m.	Stationary Source Time – 10:30 a.m.	<b>Technology</b> Time – 12:00 p.r
January 8*	January 15	January 15	January 22	January 22	January 22
February 5	February 12	February 12	February 19	February 19	February 19
March 5	March 12	March 12	March 19	March 19	March 19
April 2	April 9	April 9	April 16	April 16	April 16
May 7	May 14	May 14	May 21	May 21	May 21
June 4	June 11	June 11	June 18	June 18	June 18
July		DARK			
August 6	August 13	August 13	August 20	August 20	August 20
September 3	September 10	September 10	September 17	September 17	September 17
October 1	October 8	October 8	October 15	October 15	October 15
November 5	November 12	November 12	November 19	November 19	November 19
December 3	December 10	December 10	No Meeting	No Meeting	No Meeting

<sup>\*</sup> Second Friday of the month to accommodate holiday.



BOARD MEETING DATE: November 6, 2020 AGENDA NO: 9

REPORT: Legislative, Public Affairs and Media Report

SYNOPSIS: This report highlights the September 2020 outreach activities of the

Legislative, Public Affairs and Media Office, which includes Major

Events, Community Events/Public Meetings, Environmental

Justice Update, Speakers Bureau/Visitor Services, Communications Center, Public Information Center, Business Assistance, Media Relations, and Outreach to Community Groups and Federal, State

and Local Governments.

COMMITTEE: No Committee Review

**RECOMMENDED ACTION:** 

Receive and file.

Wayne Nastri Executive Officer

DJA:NM:LTO:KH:DM:mc:ar

#### BACKGROUND

This report summarizes the activities of the Legislative, Public Affairs and Media Office for September. The report includes: Major Events; Community Events/Public Meetings; Environmental Justice Update; Speakers Bureau/Visitor Services; Communications Center; Public Information Center; Business Assistance; Media Relations; and Outreach to Community Groups and Governments.

#### MAJOR EVENTS (HOSTED AND SPONSORED)

Each year, South Coast AQMD staff engage in holding and sponsoring several major events throughout South Coast AQMD's four county areas to promote, educate, and provide important information to the public regarding reducing air pollution, protecting public health, improving air quality, and the economy.

No major events were hosted or sponsored in September due to the COVID-19 pandemic.

#### COMMUNITY EVENTS/PUBLIC MEETINGS

Each year, South Coast AQMD staff engage with thousands of residents and stakeholders, 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 September events and meetings:

# San Gabriel Valley City Managers Association

Staff attended the virtual San Gabriel Valley City Managers Association monthly meeting on September 9. Staff provided the South Coast AQMD wildfire flyer and encouraged them to post it on their websites to provide air quality information to the public. City Managers were updated on current funding opportunities including the Volkswagen Settlement Fund and the Voucher Incentive Program administered by South Coast AQMD.

#### Clean Air Coalition

Staff participated in a meeting hosted by the Clean Air Coalition of North Whittier and Avocado Heights on Quemetco. on September 9. Staff updated attendees on the development of a South Coast AQMD webpage, to share public information related to Quemetco.

LA City Council Committee on Energy, Climate Change, and Environmental Justice On September 9, staff presented at the Los Angeles City Council Committee meeting on the methane leak at the Valley Generating Station in Sun Valley. The overview included information on the facility's compliance status and Title V permits.

# Orange County Council of Governments (OCCOG)

On September 24, staff supported Council Member Rodriguez during the OCCOG Board meeting and provided information on South Coast AQMD programs, including

AB 2766 Subvention Fund Program, National Drive Electric Week and wildfire updates.

# Coachella Valley Public Consultation and Public Workshop

Staff conducted stakeholder outreach and organized logistics for the public consultation meeting on the draft Coachella Valley Extreme Area Plan for the 8-Hour Ozone Standard and public workshop on Proposed Amended Regulations XIII – New Source Review, XX - RECLAIM, and XXX – Title V Permits on September 25. The meeting/workshop was attended by approximately 74 stakeholders including members of the public, businesses, government and community organizations.

#### ENVIRONMENTAL JUSTICE UPDATE

The following are key environmental justice-related activities in which staff participated during September. These events and meetings involve communities affected disproportionately from adverse air quality impacts.

# Environmental Justice Community Partnership (EJCP) Advisory Council

On September 2, approximately 35 people participated in the EJCP Advisory Council meeting. Staff provided an update on state legislation, including environmental justice-related bills impacting our region. The Center for Community Action and Environmental Justice presented on their mission and work in the Inland Empire during COVID-19. Staff also led a discussion on South Coast AQMD environmental justice initiatives to garner feedback from members on how to engage their communities.

#### Cultural Proficiency Webinar

Staff attended a webinar hosted by the Center for Diversity, Equity, and Inclusive Excellence at Azusa Pacific University on September 3. The discussion focused on Cultural Proficiency as a model to promote social justice and equity through integrating cultural knowledge, valuing diversity, understanding the dynamics of difference, adapting to diversity and institutionalizing knowledge.

#### **Environmental Justice Training**

On September 10, staff participated in the U.S. EPA "Information Systems to Advance Environmental Justice," training webinar. The training focused on environmental emissions and exposures, health effects, and social determinants of health.

#### Natural Disasters in Vulnerable Communities

Staff attended a webinar hosted by the Security and Sustainability Forum on September 15. The panelists were all members of the Federal Interagency Working Group on EJ. The panelists discussed best practices and time-sensitive solutions for the vulnerable, overburdened, and underserved communities impacted by natural disasters such as hurricanes, tornadoes, major floods, wildfires, earthquakes, and other disasters like COVID-19.

#### Racial Justice

Staff participated in a webinar "2020 Healing Communities Through Racial Justice" hosted by Reach Out and the Center for Civic Policy & Leadership on September 17. The webinar engaged Inland Empire leaders in a dialogue to support building healthy, safe, and peaceful communities, with a focus on disadvantaged communities.

#### Coachella Valley EJ Enforcement Task Force

Staff participated in the monthly Coachella Valley EJ Enforcement Task Force meeting with over 25 attendees on September 23. Staff announced upcoming South Coast AQMD public meetings and workshops as well as the EJ Conference. Attendees included representatives from the Department of Toxic Substances Control, Comite Civico del Valle, State Water Board, Riverside Agriculture Commissioner, Twenty-nine Palms Tribal Environmental Protection Agency, Mosquito Vector Control, Coachella Unified School District, SoCal Gas, Leadership Counsel for Justice and Accountability and Coachella Valley residents.

#### Southern California Edison (SCE) EJ Event

On September 28, staff participated as a panelist at SCE's Environmental Justice event and to present on South Coast AQMD's Environmental Justice programs. The panel featured faculty from the University of Southern California and was followed by questions and answers. There were approximately 70 attendees.

#### Clean Air Patrol Club

Staff met virtually with 12 fifth and sixth-grade students and their teacher from North Verdemont Elementary School in San Bernardino on September 28. The students created a "Clean Air Patrol Club" and invited South Coast AQMD staff to discuss the app for iPhone and Android and the air quality flag program.

#### **AB 617 UPDATE**

The following are key AB 617-related activities in which staff participated during September. These events, workshops and meetings involve AB 617 communities to support the Community Steering Committees (CSC), Community Air Monitoring Plans (CAMPs) and Community Emissions Reduction Plans (CERPs).

### First-Year AB 617 Communities date

On September 11, the CARB Board approved South Coast AQMD Community Emission Reduction Plans (CERPS) for all three of the first-year communities (Wilmington, Carson, West Long Beach; East Los Angeles, West Commerce, Boyle Heights; and San Bernardino, Muscoy). Community Steering Committee members and South Coast AQMD staff provided testimony.

Southeast Los Angeles (SELA) AB 617 Community Steering Committee Meeting On September 17, approximately 80 people participated in the SELA Community Steering Committee meeting co-hosted by one of the committee members. Staff

presented an overview of two top air quality priorities identified by the Committee - rendering and general industrial facilities. The staff presentations covered rules, compliance efforts, complaint response and air monitoring activities for the air quality priorities. Committee members asked how staff responds to odor complaints for rendering facilities, potential emission and exposure reduction strategies to address these odors and methods to identify odor sources.

# Boyle Heights Neighborhood Council

Staff attended the virtual monthly Boyle Heights Neighborhood Council General Board Meeting on September 23. Staff announced the next quarterly AB 617 Community Steering Committee meeting for the East Los Angeles, Boyle Heights, West Commerce community would be held on December 8, 2020 via Zoom webinar.

# Long Beach Alliance for Children with Asthma (LBACA)

On September 23, staff met with LBACA on an ongoing collaborative outreach effort on the AB 617 CERP and air filtration systems in schools. Staff presented on the status of the AB 617 program and discussed various air quality topics. LBACA provided feedback on the project and an update on their outreach efforts to Long Beach Unified School District.

AB 617 Eastern Coachella Valley (ECV) Community Steering Committee Meeting Approximately 65 people attended this meeting. Staff provided an update on the Committee Charter, and the Committee approved the document. Staff provided an overview of the CERP requirements, including approaching statutory deadlines and solicited committee input on ways to move forward. The top air quality priorities were discussed. The Committee choose to focus on one topic for the initial portion of the CERP to meet the December 2020 statutory deadlines, with the remaining priorities to be addressed by mid-2021.

# AB 617 Consultation Group Subcommittee

Staff participated in the first AB 617 Consultation Group Subcommittee meeting hosted by CARB on September 28. The Subcommittee focused on updates to the AB 617 Blueprint and a public comment session for community members and other stakeholders to present and provide input. Topics included land use and agency collaboration, the conflict resolution process and other issues.

### SPEAKERS BUREAU/VISITOR SERVICES

South Coast AQMD regularly receives requests for staff to speak on air quality-related issues from a wide variety of organizations, such as trade associations, chambers of commerce, community-based groups, schools, hospitals and health-based organizations. South Coast AQMD also hosts visitors from around the world who meet with staff on a wide range of air quality issues.

Due to the COVID-19 pandemic, there were no requests for the Speaker's Bureau and Visitor Services in September.

#### **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 these lines. Total calls received in the month of September were:

Calls to South Coast AQMD's Main Line and	2,711
1-800-CUT-SMOG® Line	
Calls to South Coast AQMD's Spanish-	25
language Line	
Clean Air Connections	8
Total Calls	2,744

#### PUBLIC INFORMATION CENTER STATISTICS

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

Calls Received by PIC Staff		8
Calls to Automated System		2005
	Total Calls	2,013

Email Advisories Sent	66,780

#### **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 virtual on-site consultation, as summarized below for September.

- Provided permit application assistance to 381 companies; and,
- Processed 65 Air Quality Permit Checklists.

# Types of businesses assisted:

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

#### MEDIA RELATIONS

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

Major Media Interactions	544
Press Releases	36
News Carousel	3

# Major Media Topics

- LACMA Demolition: Architect's Newspaper submitted a second set of followup questions regarding a previous inquiry. A written response was sent.
- Residential Air Filtration Projects: KQED reached out for information on residential air filtration projects in disadvantaged communities. A written response was sent.
- **Student Reporter Documentary:** USC film student requested an interview for a documentary on air pollution from the Twin Ports. Working on responses for the October deadline.

# • Heat Wave and Wildfires, Ongoing Coverage:

- Staff participated in interviews with ABC7, NBC4, FOX 11, KPCC, KCBS/KCAL, Spectrum News 1, SGV Connect Podcast, LA Times and two live interviews on "Air Talk with Larry Mantle" regarding air quality conditions due to the heat wave and wildfires. FOX 11 sent follow-up questions. A written response was provided.
- O Staff participated in interviews with KPCC, KESQ, Southern California News Group, KCBS/KCAL, Newsnet, Vox, California Black Media, three interviews with ABC7 and three interviews with KNX, discussing the health impacts due to the ongoing wildfires.
- Univision requested recorded responses to reporter questions for newscast. Videos were -recorded and sent.
- Wall Street Journal, Fuji TV Japan-Los Angeles, ENR Magazine, Southern California News Group, USC Annenberg Radio News, ABC7, FOX 11 and KTLA and NBC 4 submitted questions. A written response was provided.

# • Ozone Advisory: Record ozone levels:

- KCBS/KCAL, CNN and City News Service reached out asking for the latest smoke advisory and a response on record ozone levels. A written response was provided.
- O Courthouse News Service inquired about record ozone levels and historical smoke advisory data. A written response was provided.
- o NBC 4 inquired whether the record high ozone levels were related to wildfire smoke and ash. A written response was provided.

- O Los Angeles Times reached out asking if a special advisory would be issued for the weekend of September 4- 6 due to the forecasted heat wave and AQI predictions. A copy of the special advisory was sent to the reporter, as well as forecasted information for those dates.
- **Meteorological Questions**: Los Angeles Times, OC Register, Crescenta Valley Weekly, NBC4 and ABC7 meteorologists had questions regarding smoke and ash and other AQI information. A written response was provided.
- Valley Generating Station Methane Leak: S&P Global Market Intelligence reached out for a statement on the VGS methane leak. A written response was provided. An update was also sent to Spanish-language media to ensure awareness of actions taken there.
- **Marathon Refinery Fire:** City News Service inquired about the Marathon Refinery Fire. A written response was provided.
- **Prescribed Burns:** Science Magazine inquired about district policy on prescribed burns and how COVID-19 has impacted recent policy. A written response was provided.
- Particulate Matter 24-hr Averages: The Long Beach Report submitted written questions on PM 24-hour averages and their use during wildfires. A written response was provided.
- Governor's Heat Wave Proclamation: Inside EPA sent some questions regarding waivers and data received as a result of the Governor's proclamations. A written response was provided.
- Air Quality, Weather, and South Coast AQMD app: FOX 11 sent questions regarding current weather, air quality and the district app. A written response was provided.

# • China Shipping lawsuit:

- O Pitches were sent to six local news outlets regarding the China Shipping lawsuit at Port of Los Angeles.
- o Staff participated in an interview with Random Lengths News to discuss the recent lawsuit.
- O Staff participated in an interview with the Los Angeles Times to discuss the lawsuit and future actions to reduce emissions at the Ports.
- City News Service requested clarification for a story on the topic.
   Responses were provided. Inside EPA reached out with some questions and responses were sent.
- General Air Quality Inquiries: Staff appeared on FOX 11 "In Depth with Hal Eisner" to discuss ongoing poor air quality in Los Angeles. KCBS/KCAL inquired about general air quality and how often advisories are declared. The latest advisory was provided, along with information on locating advisory information, alerts and forecasts on the South Coast AQMD website. New York Daily News requested information on potential air quality impacts in Los Angeles. A student reporter with Los Angeles City College submitted written questions regarding air quality, and responses were sent.

- Air Quality Index and Forecast: Staff participated in interviews with National Geographic and Sky News on the history and interpretation of the AQI. Two reporters with the Los Angeles Times inquired on how to read and interpret AQI data and AQI Ranges. A written response was provided. ABC 7 inquired about the AQI forecast and was sent a written response. KCBS/KCAL and the Los Angeles Times requested information regarding the weekend forecast. A written response was provided, with a copy of the smoke advisory.
- Compton Chemical Spill: KPCC inquired about the South Coast AQMD's response to a chemical spill and related odor complaints in Compton. The reporter was sent a news brief regarding NOVs issued to the facility.
- Atlas Iron & Metal: Telemundo/NBC 4 inquired regarding allegations from Los Angeles Unified School District against Atlas Iron and Metal Company. A written statement was provided.
- **VOCs and COVID-19:** City News Service inquired of a South Coast AQMD study on VOCs and COVID-19. A written response was provided.
- Wildfires and Cooling Stations: Crescenta Valley Weekly inquired about cooling stations. The reporter was sent the latest advisory and advised that fire departments provide the lead on fire responses and evacuations.
- Commercial Air Quality Monitors: Vox submitted questions regarding the accessibility and popularity of commercial air quality monitors. A written response was provided.
- Story Corrections: Reached out to ABC7 regarding a correction to be made to a story identifying staff incorrectly. The correction was made. An additional correction was requested from City News Service for an incorrect reference to GHG on a story about the China Shipping lawsuit. CNS issued a news wire advisory asking outlets to make the correction.
- Governor's Executive Order: Statement was sent to local media and five specific pitches were sent to news wires. Staff participated in an interview with LAist.
- General Air Quality Inquiries: A student reporter with Los Angeles City College submitted written questions regarding air quality. A response was provided.
- **Number of Air Quality Advisories:** FOX 11 inquired on how many consecutive air quality advisories had been issued and whether it had surpassed historical records. A response was provided.
- **AB 617:** Bloomberg News was contacted regarding participation in a statewide story on AB 617. Reporter did not respond.
- EVs and Clean Technologies: The Jehu Garcia Podcast requested a speaker to appear on the podcast to discuss EVs and clean technology in November. An interview is scheduled with staff.
- Lamb Canyon Landfill: Southern California News Group reached out for information regarding a petition against Lamb Canyon Landfill in Riverside County. A copy of the petition was sent to the reporter.

- **Propane and Zero Emissions:** WPGA Magazine submitted questions regarding South Coast AQMD and CARB's position on propane and its role in meeting goals for zero emissions. A response was provided.
- **VOC Limits in House Paint:** Fine Homebuilding Magazine inquired about VOC limits in house paint and potential regulatory changes in the future. A response was provided.

#### News Release and Announcements

- Issues Ozone Advisory due to Heat Wave September 3, 2020: Ozone advisory due to heat wave issued for the holiday weekend.
- South Coast AQMD Issues Smoke Advisory due to El Dorado Fire near Yucaipa September 5-6, 2020: Informed residents of smoke conditions due to fire. Advisory was extended once.
- South Coast AQMD Issues Smoke Advisory due to Bobcat Fire near Azusa and Glendora September 6, 2020: Informed residents of smoke conditions due to fire.
- Smoke Advisory extension due to Bobcat Fire and El Dorado Fire September 7-17, 2020: Updated residents of smoke conditions due to fire. Extensions were continued 10 times.
- South Coast AQMD Issues Windblown Dust Advisory September 7, 2020: Informed residents of dust conditions in Riverside and San Bernardino counties.
- Dependable Highway Express Begins Piloting Volvo VNR Electric Heavy-Duty Trucks in its Southern California Fleet – September 10, 2020: Announced two Volvo electric trucks to be added to the Dependable Highway Express fleet.
- South Coast AQMD issues violations for chemical spill that impacted the Compton area, schools and public September 11, 2020: Informed residents of enforcement action regarding a chemical spill in the Compton area.
- South Coast AQMD sues over Port of LA's failure to reduce emissions from operations at the China Shipping Container Terminal September 16, 2020: Informed residents about legal actions taken against City and Port of Los Angeles.
- South Coast AQMD Issues Smoke Advisory Due to Snow Fire Near Cabazon and Whitewater September 17, 2020: Informed residents of smoke conditions due to Snow Fire.
- Smoke Advisory extensions due to Bobcat, El Dorado and Snow Fires September 18-21, 2020: Updated residents of air quality and smoke conditions due to ongoing fires. Extensions were continued four times.
- NFI Begins Piloting Volvo VNR Electric Heavy-Duty Trucks in Southern California September 21, 2020: Links to Volvo's press release regarding the use of VNR vehicles in Southern California.

- South Coast AQMD Continues Smoke Advisory Due to Bobcat Fire and El Dorado Fire September 22-23, 2020: Updated residents of air quality and smoke conditions due to ongoing fires. Advisory was extended once.
- South Coast AQMD Statement on Governor Newsom's Order to Phase Out Gasoline-Powered Cars and Reduce Demand for Fossil Fuel in California September 23, 2020: Provided agency statement on Governor's order.
- South Coast AQMD Continues Smoke Advisory Due to Bobcat Fire September 24-29, 2020: Updated residents of smoke conditions due to fire. Extensions were continued five times.
- South Coast AQMD Issues Ozone Advisory Due to Heat Wave September 29, 2020: Ozone advisory was issued due to heat wave.
- Volvo LIGHTS Project Team Wins 2020 Innovation Award September 30, 2020: Announced the 2020 Innovation Award win.

#### Social Media Notable Posts

- AQ Advisory Update (9/7): 23,328 Twitter Impressions
- AQ Advisory Update (9/8): 54,671 Twitter Impressions
- Smoke Advisory Update (9/9): 64,632 Twitter Impressions
- Smoke Advisory Update (9/12): 86,490 Twitter Impressions
- Smoke Advisory Update (9/13): 70,687 Twitter Impressions
- AQ Forecast (9/15): 56,880 Twitter Impressions
- Smoke Advisory Update for Snow Fire (9/17): 48,681 Twitter Impressions
- Smoke Advisory Update, El Dorado Fire Discontinued (9/24): 17,389 Twitter Impressions
- Smoke Advisory Update (9/27): 19,294 Twitter Impressions
- Smoke Advisory Update, Bobcat Fire Discontinued (9/30): 20,172 Twitter Impression.

**Special Note:** Due to timely information sharing and outreach, social media saw some high numbers throughout all of September. Specifically, the stats for social media for the week of September 12-18 showed great growth and engagement. That week alone, there were more than 841,000 Twitter impressions. Between last week and the week before, there were well over a million impressions on our Twitter posts alone. Impressions are the number of times people saw our posts on our site or through shares from others. Additionally, there was a large spike in followers that same week: Twitter: 1,461 new followers, Instagram: 1,301 new followers, and Facebook: 498 new followers.

#### **News Carousel**

Glendale

- Keep up with the Latest News from South Coast AQMD August 28, 2020: Posted the newest edition of the Advisor.
- Watch South Coast AQMD's Governing Board via Webcast September 2, 2020: Posted a link to Friday's Governing Board webcast.
- Spectrum News Surrounded by Wildfires, Asthmatic Worries About Poor Air Quality September 11, 2020: Linked to staff's interview with Spectrum News.

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

In light of COVID-19, outreach was conducted virtually in September, utilizing web based and other technologies to communicate with elected officials or staff from the following cities:

Alhambra Glendora Pasadena
Anaheim Hidden Hills Placentia
Arcadia Huntington Beach Pomona
Arusa Indian Wells Panaha N

Azusa Indian Wells Rancho Mirage
Baldwin Park Indio Riverside
Big Bear Lake Industry Rosemead
Bradbury Irvine San Bernardino
Brea Irwindale San Dimas

Buena Park La Cañada Flintridge San Fernando Burbank San Gabriel La Habra La Puente San Marino Calabasas La Quinta Cathedral City Santa Ana Claremont La Verne Santa Clarita Santa Monica Coachella Laguna Niguel

ColtonLong BeachSierra MadreCovinaLos AlamitosSouth El MonteDiamond BarLos AngelesSouth PasadenaDesert Hot SpringsMalibuTemple City

Duarte Manhattan Beach Tustin
El Monte Mission Viejo Walnut

Fountain Valley Monrovia West Covina
Fullerton Monterey Park Yorba Linda
Garden Grove Palm Desert

Palm Springs

Communication conducted in September with elected officials and/or staff from the following state and federal offices:

- U.S. Senator Dianne Feinstein
- U.S. Senator Kamala Harris
- U.S. Representative Nanette Barragán
- U.S. Representative Lisa Blunt Rochester
- U.S Representative Judy Chu
- U.S. Representative Lou Correa
- U.S. Representative Grace Napolitano
- U.S. Representative Harley Rouda

- Senator Ling Ling Chang
- Senator Anthony Portantino
- Senator Susan Rubio
- Assembly Member Ed Chau
- Assembly Member Tyler Diep
- Assembly Member Laura Friedman
- Assembly Member Chris Holden
- Assembly Member Blanco Rubio

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

Alameda Corridor-East Construction Authority
Association of California Cities, Orange County
Building Industry Association, Orange County
California Contract Cities Association
California Department of Transportation
California Fuel Cell Partnership
California Natural Resources Agency
California Special Districts Association
CALSTART

**CARB** 

Coachella Valley Association of Governments Coachella Valley Chamber of Commerce

Drive Electric

Foothill Transit

Fountain Valley Chamber of Commerce

Harbor Association of Industry and Commerce

Hollywood Burbank Airport

Imperial Irrigation District

LA Metro

Las Virgenes-Malibu Council of Governments

League of California Cities, Los Angeles

Long Beach Chamber of Commerce

Los Angeles County Board of Supervisors

Manhattan Beach Chamber of Commerce

Miller Children's and Women's Hospital, Long Beach

Move LA

**Omnitrans** 

**Orange County Business Council** 

**OCCOG** 

**Orange County Transportation Authority** 

Port of Long Beach

Port of Los Angeles

Riverside County Board of Supervisors

Riverside Transit Agency, Transportation NOW

San Bernardino County Board of Supervisors

San Bernardino County Transportation Authority

San Fernando Valley Council of Governments

San Gabriel Valley City Managers' Association

San Gabriel Valley Council of Governments

Santa Ana Chamber of Commerce

Santa Fe Springs Chamber of Commerce

South Pasadena Chamber of Commerce

Southern California Association of Governments

Southern California Edison

Southern California Regional Energy Network

Sustain Southern California

United States Army Corps of Engineers

Valley Economic Alliance

Western Riverside Council of Governments

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

Breathe Southern California (formerly Breathe LA)

Clean Air Coalition of North Whittier and Avocado Heights

Coalition for Clean Air

Electric Auto Association

Healthy Chino Coalition

League of Women's Voters, La Habra

Long Beach Alliance for Children with Asthma

National Drive Electric

Pacoima Beautiful

Pasadena Neighborhood Connections

Pediatric Therapy Network

Plug-In America

Sierra Club

Sustainable Claremont

Taking Responsibility and Control (TRAC) Neighborhood Watch



BOARD MEETING DATE: November 6, 2020 AGENDA NO. 10

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the

period of September 1 through September 30, 2020.

COMMITTEE: No Committee Review

**RECOMMENDED ACTION:** 

Receive and file.

Julie Prussack

Chairman of Hearing Board

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Two summaries are attached: **September 2020 Hearing Board Cases** and **Rules From Which Variances and Orders for Abatement Were Requested in 2020**. An index of South Coast AQMD Rules is also attached.

There were no appeals filed during the period of September 1 to September 30, 2020.

# Report of September 2020 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
Chevron Products Company     Case No. 831-392     (D. Hsu)	203(b) 464(b)(1)(A) 464(b)(2) 464(b)(3) 1176(e)(1) 1176(e)(2) 2004(f)(1) 3002(c)(1)	Petitioner needs to perform necessary maintenance to clean and repair oil/water Separator No. 4.	Not Opposed/Granted	SV granted commencing 9/7/20 and continuing through 10/31/20, or until final compliance is achieved as specified in Condition No. 15, whichever occurs first.	VOC: Between 2.6 and 5.2 lbs/total for variance period
2. County of San Bernardino - Fleet Management Case No. 6070-5 (D. Hsu)	203(b)	Emergency generator is expected to exceed its permitted annual 200-hour operating limit to sustain power at the fire station due to power loss caused by El Dorado wildfire.	Not Opposed/Granted	Ex Parte EV granted commencing 9/15/20 and continuing for 30 days or until the IV hearing currently scheduled for 9/30/20, whichever comes first.	CO: TBD by 10/15/20 PM: TBD by 10/15/20 NOx: TBD by 10/15/20
3. County of San Bernardino - Fleet Management Case No. 6070-5 (S. Pruitt)	203(b)	Emergency generator exceeded its permitted annual 200-hour operating limit to sustain power at the fire station due to power loss caused by El Dorado wildfire.	Not Opposed/Granted	IV granted commencing 9/30/20 and continuing for 90 days or until the RV hearing scheduled for 11/4/20, whichever comes first.	CO: 0.19 lb/hr NOx: 0.77 lb/hr PM10: 0.03 lb/hr RHC: 0.02 lb/hr SOx: TBD by 11/4/20
4. Orange County Waste & Recycling, Olinda Alpha Case No. 5710-3 (D. Hsu)	1150(b)(2)	Law enforcement requested the excavation of a section of the landfill on an emergency basis as part of an ongoing investigation.	Not Opposed/Granted	Ex Parte EV granted commencing 9/18/20 and continuing for 30 days.	None
5. Phillips 66 Company Case No. 4900-108 (No Appearance; Consent Calendar)	1180(e)	Due to construction delays resulting from lockdown of crucial staff during COVID-19, additional time required to meet fenceline monitoring deadline.	Not Opposed/Granted	MFCD/EXT granted commencing 9/15/20 and continuing through 10/15/20.	None

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
6. South Coast AQMD vs. Ralphs Grocery Company Case No. 6166-1 (K. Roberts)	2004(f)(1)	Due to unforeseen delays, Respondent expects to obtain the required City building permits by the end of October.	Stipulated/Issued	Mod. O/A issued commencing 9/10/20; the Hearing Board shall retain jurisdiction over this matter until 4/30/21.	N/A
7. Torrance Refining Company Case No. 6060-11 (K. Manwaring)	203(b) 2004(f)(1) 2011(c)(2)(A) 2011(c)(3)(A) 2011(e)(1) 2011(k), Table 2011-1 2011, Appendix A, Chapter 2, Table 2-A, 2011, Attachment C 2012(c)(2)(A) 2012(c)(3)(A) 2012(g)(1) 2012(m), Table 2012-1 2012, Appendix A, Chapter 2, Table 2-A 2012, Attachment C 3002(c)(1)	Petitioner requesting to disconnect and replace monitoring equipment to meet new specifications of RECLAIM Regulation XX.	Not Opposed/Granted	SV and AOC granted commencing 9/22/20 and continuing through 11/6/20, or until final compliance, whichever comes first.	None
8. Ultramar Inc., dba Valero Wilmington Refinery Case No. 3845-101 (B. Tomasovic)	203(b) 401(b)(1) 407(a) 2004(f)(1) 3002(c) H&S §41701	Variance required to restart the FCCU after an unforeseen pump seal failure.	Not Opposed/Granted	Ex Parte EV and AOC granted 9/11/20, commencing upon notification pursuant to Condition No.1 and continuing through 9/21/20, or when start-up of the equipment is completed, whichever occurs earlier.	CO: TBD by 10/30/20 SOx: TBD by 10/30/20 Opacity: TBD by 10/30/20

Acronyms

ACC: Alternative Operating Conditions
CO: Carbon Monoxide
EV: Emergency Variance
FCD: Final Compliance Date
FCCU: Fluid Catalytic Cracking Unit
H&S: Health and Safety Code
IV: Interim Variance

Mod. O/A: Modification Order for Abatement

N/A: Not Applicable

NOx: Oxides of Nitrogen PM: Particulate Matter

PM10: Particulate Matter ≤ 10 microns

RV: Regular Variance SV: Short Variance SOx: Oxides of Sulfur TBD: To Be Determined

VOC: Volatile Organic Compounds

	Rules from which Variances and Orders for Abatement were Requested in 2020												
Rules	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Actions
202		1											1
203(a)				1	1								2
203(b)	6	7	3	4	2		2		5				29
218(f)(3)			1										1
218.1(b)(4)(C)		2			1		1						4
40(b)(1)		1							1				2
402								1					1
407(a)		1						1	1				3
441				1									1
461				1									1
461(e)(2)(A)(i)							1						1
463(c)	1	1											2
463(c)(2)			1										1
463(e)(4)			1										1
464(b)(1)(A)									1				1
464(b)(2)									1				1
464(b)(3)									1				1
1121(c)(3)(A)				1									1
1147 (c)(2)					1								1
1148.1(d)(8)	1												1
1150(b)(2)									1				1
1173(d)(1)(B)	1												1
1176(e)(1)									1				1
1176(e)(2)									1				1
1176(e)(2)(A)		1											1
1178(d)(3)			1										1
1178(g)			1										1
1180(e)			2	1		1			1				5
1196							1						1
1196(d)(1)							1						1
1196(f)(8)(a)							1						1

	ı	1	1	1	1	I		I	1	1	I	I	
1196(f)(10)							1						1
1430						1							1
2004(f)(1)	5	6	2	2	1		1		4				21
2011(c)(2)(A)		1					1		1				3
2011(c)(2)(B)		1					1						2
2011(c)(3)(A)							1		1				2
2011(e)(1)		1					1		1				3
2011(k) Table 2011-1									1				1
Chapter 2, Table 2- A									1				1
2011, Attachment C									1				1
2012(c)(2)(A)		1	1		1		1		1				5
2012(c)(2)(B)		1	1		1		1						4
2012(c)(3)(A)									1				1
2012(d)(2)	1				1								2
2012(g)(1)		1	1				1		1				4
2012(m), Table 2012-1									1				1
2012, Apendix A	1												1
2012, Appendix A, Chapter C h.		2											2
Chapter 2, Table 2-									1				1
2012, Attachment C									1				1
3002(c)	1	1							1				3
3002(c)(1)	4	5	3	2	1		1		2				18
H&S 41700								1					1
H&S 41701		1							1				1

			Rules fro	m which	Variance	s and Ord	ers for Ab	atement	were Rec	uested in	2020			
	2020	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
	2020	Jan	1 60	IVIGI	ДРІ	iviay	Juli	Jui	Aug	ОСР	001	INOV	Dec	Total Actions
109(c)(1)														0
202			1											1
202(a)														0
202(c)														0
203(a)					1									1
203(b)		6	7	3	4									20
218.1(b)(4)(C)			2											2
218(f)(3)			4	1										1
401(b)(1)			1											1
401(b)(1)(B) 405(a)														0
405(a) 407														0
407(a)			1											1
415(d)(1)(B)(ii)														0
415(d)(1)(C)(ii)														0
415(e)(1)														0
415(e)(5)														0
415(e)(6)														0
441					1									1
461					1									1
461(c)(1)(A)														0
461(c)(2)(A)														0
461(c)(3)(P)														0
461(e)(5)														0
463(c)		1	1											2
463(c)(2)				1										11
463(c)(3)														0
463(e)(4)				1										1
463(f)(1)(C) 1110.2(d)(1)(F)														0
1110.2(d)(1)(F) 1110.2(d)(1)(L)														0
1110.2(d)(1)(L)														0
1110.2(i)(1)(B)														0
1110.2(i)(1)(J)														0
1111														0
1111(c)(4)														0
1121(c)(3)(A)					1									1
1146(c)(5)														0
1147														0
1147(c)(1)														0

			Rules fro	m which	Variance	s and Ord	ers for Ab	atement	were Rec	uested in	2020			
	2020	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
1148.1(d)(8)		1												1
1150.1(d)(1)(C)(i)														0
1150.1(d)(8)														0
1150.1(d)(10)														0
1150.1(d)(11)														0
1150.1(d)(12)														0
1150.1(d)(14)														0
1150.1(d)(16)														0
1150.1(d)(20)														0
1150.1(e)(1)														0
1150.1(e)(2)														0
1150.1(e)(2)(B)														0
1150.1(e)(2)(C)														0
1150.1(e)(3)														0
1150.1(e)(3(B)														0
1150.1(e)(3)(C)														0
1150.1(e)(4)														0
1150.1(e)(4)(A)														0
1150.1(e)(4)(B)														0
1150.1(e)(7)														0
1150.1(e)(7)(C)														0
1150.1(f)(1)(A)														0
1150.1(f)(1)(A)(iii)(I)														0
1150.1(f)(1)(B)														0
1150.1(f)(1)(C)														0
1150.1(f)(1)(E)														0
1150.1(f)(1)(G)														0
1150.1(f)(1)(L)														0
1150.1(f)(2)(A)														0
1158(d)(2)		4												0
1173(d)(1)(B)		1	4											1
1176(e)(2)(A)			1	4										<u> </u>
1178(d)(3) 1178(g)				<u>1</u> 1										1
				<u> </u>										0
1178(h)(2) 1178(h)(4)														
				2	4									0
1180(e) 1196				2	1									<u>3</u> 0
														0
1303 1303(a)														0
1303(a) 1303(b)														
1303(b) 1303(b)(2)														0
1303(D)(Z)														U

			Rules fro	m which	Variance	s and Ord	ers for Ab	atement	were Rec	uested in	2020			
2	020	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
1402(g)(2)(C)						•								0
1420.2(g)(3)(B)														0
1430														0
1430(d)(8)														0
1430(e)(2)														0
1469(h)(4)(C)(i)														0
1470(c)(2)(C)(iv)(I)														0
2004(f)(1)		5	6	2	2									15
2011(c)(2)(A)			1											1
2011(c)(2)(B)			11											1
2011(e)(1)			1											1
2012, Apendix A		1												1
2012, Appendix A, Chapter	r C h.		2											2
2012(d)(2)		1												1
2012(c)(2)(A)			1	1										2
2012(c)(2)(B)			11	11										2
2012(g)(1)			1	1										2
2202(a)														0
2202(b)														0
2202(e)														0
2202(I)														0
3002(c)		1	1											2
3002(c)(1)		4	5	3	2									14
H&S 41701			11											1
H&S 41960.2														0

# SOUTH COAST AQMD RULES AND REGULATIONS INDEX FOR 2020 HEARING BOARD CASES AS OF SEPTEMBER 30, 2020

#### **REGULATION II – PERMITS**

Rule 202	Temporary Permit to Operate
Rule 203	Permit to Operate
Rule 218	Continuous Emissions Monitoring
Rule 218.1	Continuous Emission Monitoring Performance Specifications

#### **REGULATION IV – PROHIBITIONS**

Rule 401	Visible Emissions
Rule 402	Nuisance
Rule 407	Liquid and Gaseous Air Contaminants
Rule 441	Research Operations
Rule 461	Gasoline Transfer and Dispensing
Rule 463	Organic Liquid Storage
Rule 464	Wastewater Separators

#### **REGULATION XI - SOURCE SPECIFIC STANDARDS**

Rule 1121	Control of Nitrogen Oxides (NOx) from Residential Type, Natural-Gas-Fired Water Heaters
Rule 1147	NOx Reductions from Miscellaneous Sources
Rule 1148.1	Oil and Gas Production Wells
Rule 1150	Excavation of Landfill Sites
Rule 1173	Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and
	Chemical Plants
Rule 1176	VOC Emissions from Wastewater Systems
Rule 1178	Reductions VOC Emissions from Storage Tanks at Petroleum Facilities
Rule 1180	Refinery Fenceline and Community Air Monitoring
Rule 1196	Clean On-Road Heavy-Duty Public Fleet Vehicles

#### **REGULATION XIV - TOXICS AND OTHER NON-CRITERIA POLLUTANTS**

Rule 1430 Control of Emissions from Metal Grinding Operations at Metal Forging Facilities

# SOUTH COAST AQMD RULES AND REGULATIONS INDEX FOR 2020 HEARING BOARD CASES AS OF SEPTEMBER 30, 2020

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

Rule 2004	Requirements
Rule 2011	Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Sulfur (SOx) Emissions
Rule 2012	Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions

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

Rule 3002 Requirements

#### **CALIFORNIA HEALTH AND SAFETY CODE**

§41700 Prohibited Discharges §41701 Restricted Discharges



BOARD MEETING DATE: November 6, 2020 AGENDA NO. 11

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This reports the monthly penalties from September 1, 2020

through September 30, 2020, and legal actions filed by the General Counsel's Office from September 1, 2020 through September 30, 2020. An Index of South Coast AQMD

Rules is attached with the penalty report.

COMMITTEE Stationary Source, October 16, 2020, Reviewed

RECOMMENDED ACTION:

Receive and file.

Bayron T. Gilchrist General Counsel

BTG:ew

There are no Civil Filings for September 2020

#### **Attachments**

September 2020 Penalty Report Index of South Coast AQMD Rules and Regulations

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

# Settlement Penalty Report (09/01/2020 - 09/30/2020)

#### **Total Penalties**

Civil Settlement: \$6,500.00

Hearing Board Settlement : \$30,000.00

MSPAP Settlement: \$23,205.00

**Total Cash Settlements:** \$59,705.00

Fiscal Year through 09/30/2020 Cash Total: \$3,322,312.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
Civil						
177985	A ONE AUTO COLLISION	1171	09/16/2020	RL	P69120	\$500.00
187195	CCS	1403, 40 CFR 60, QQQ	09/11/2020	WW	P66289	\$4,500.00
800371	RAYTHEON SYSTEMS COMPANY - FULLERTON OPS	2004	09/16/2020	VT	P66103, P66110	\$1,500.00
Total Civi	Settlements: \$6,500.00					
Hearing E	Board					
104234	MISSION FOODS	202, 203(b), 1153.1, 1303	09/17/2020	KCM	5400-4	\$25,000.00
10966	WEBER METALS INC	1430	09/15/2020	DH	6136-1	\$5,000.00
Total Hea	ring Board Settlements : \$30,000.00					

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
MSPAP						
174641	ARCO #42014, TREASURE FRANCHISE CO LLC	461, H&S 41960.2	09/11/2020	GC	P64947, P69023	\$2,720.00
129174	B & T CLEANERS, JIN SU KIM DBA	1421	09/11/2020	GC	P66561	\$400.00
170732	CALIFORNIA BANK AND TRUST	203(a)	09/30/2020	GC	P65395	\$2,400.00
181204	CITY OF SAN GABRIEL, PUBLIC WORKS FACILI	461	09/11/2020	TCF	P69309	\$1,100.00
96032	CIVIC CENTER CLEANERS	203(b)	09/30/2020	GC	P63784	\$300.00
66665	GAYLORD APARTMENTS LTD	1146.2	09/30/2020	GC	P66827	\$960.00
24624	LOS ANGELES ROYAL VISTA GOLF COURSES,INC	461	09/30/2020	TCF	P68363	\$1,600.00
170730	LYON'S SERVICE	203(b), 461	09/11/2020	TCF	P67250	\$1,800.00
71510	ORANGE, COUNTY OF - JOHN WAYNE AIRPORT	461(c)(3)(Q)	09/11/2020	TCF	P68765	\$300.00
85487	PASADENA AUTO WASH	461	09/11/2020	TCF	P67236	\$450.00
184136	PN OIL INC DBA PEGASUS PETROLEUM	461	09/30/2020	TCF	P68139	\$300.00
180241	QUAN SERVICE CENTER, INC	461, H&S 41960.2	09/11/2020	TCF	P69046	\$1,000.00
72255	SEVEN HILLS RESORTS COR., SEVEN HILLS GOL	461	09/30/2020	TCF	P69107	\$1,000.00
179294	SIMPSON SANDBLASTING & SPECIAL COATINGS,	13 CCR 2460	09/30/2020	TCF	P67568	\$1,000.00
165091	SLAUSON SHELL _ MAROUN BOUTROS	461, H&S 41960.2	09/30/2020	TCF	P69006	\$500.00
84273	TEVA PARENTERAL MEDICINES, INC	3002(c)(1)	09/30/2020	TCF	P68579	\$4,000.00
15713	THE CALIFORNIA CLUB	1146.1	09/30/2020	GC	P66831	\$1,275.00
127286	VONS FUEL CENTER #1625	461, H&S 41960	09/30/2020	TCF	P68442	\$500.00
78249	WATERFRONT BEACH HOTEL LLC.	201, 203(a)	09/30/2020	TCF	P68560	\$1,600.00
Total MSP	AP Settlements : \$23,205.00					

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

#### **REGULATION II - PERMITS**

Rule 201 Permit to Construct

Rule 202 Temporary Permit to Operate

Rule 203 Permit to Operate

#### **REGULATION IV - PROHIBITIONS**

Rule 461 Gasoline Transfer and Dispensing

#### **REGULATION XI - SOURCE SPECIFIC STANDARDS**

Rule 1146.1 Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators,

and Process Heaters

Rule 1146.2 Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers

Rule 1153.1 Emissions of Oxides of Nitrogen from Commercial Food Ovens

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 1421 Control of Perchloroethylene Emissions from Dry Cleaning Operations

Rule 1430 Control of Emissions from Metal Grinding Operations at Metal Forging Facilities

### **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 CODE OF REGULATIONS**

13 CCR 2460 Portable Equipment Testing Requirements

#### **CALIFORNIA HEALTH AND SAFETY CODE**

41960 Certification of Gasoline Vapor Recovery System

41960.2 Gasoline Vapor Recovery

#### **CODE OF FEDERAL REGULATIONS**

40 CFR 60, QQQ - Standards of Performance for VOC Emissions from Petroleum Refinery Wastewater



BOARD MEETING DATE: November 6, 2020 AGENDA NO. 12

REPORT: Lead Agency Projects and Environmental Documents Received

SYNOPSIS: This report provides a listing of CEQA documents received by the

South Coast AQMD between September 1, 2020 and September 30, 2020, and those projects for which the South Coast AQMD is

acting as lead agency pursuant to CEQA.

COMMITTEE: Mobile Source, October 16, 2020, Reviewed

**RECOMMENDED ACTION:** 

Receive and file.

Wayne Nastri Executive Officer

PF:SN:JW:LS:MC

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 September 1, 2020 and September 30, 2020 is included in Attachment A. A list of active projects for which South Coast AQMD staff is continuing to evaluate or prepare comments for the August reporting period is included as Attachment B. A total of 70 CEQA documents were received during this reporting period and 17 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: <a href="http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies">http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies</a>. 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 of September 1, 2020 and September 30, 2020, the South Coast AQMD received 70 CEQA documents. Of the 85 documents listed in Attachments A and B:

- 17 comment letters were sent:
- 31 documents were reviewed, but no comments were made;
- 30 documents are currently under review;
- 0 documents did not require comments (e.g., public notices);
- 0 documents were not reviewed; and
- 7 documents were screened without additional review.

(The above statistics are from September 1, 2020 to September 30, 2020 and may not include the most recent "Comment Status" updates in Attachments A and B.)

Copies of all comment letters sent to lead agencies can be found on the South Coast AQMD's CEQA webpage at the following internet address: http://www.aqmd.gov/home/regulations/ceqa/commenting-agency.

South Coast AQMD Lead Agency Projects (Attachment C) – Pursuant to CEQA, the South Coast AQMD periodically acts as lead agency for stationary source permit projects. Under CEQA, the lead agency is responsible for determining the type of CEQA document to be prepared if the proposal for action is considered to be a "project" as defined by CEQA. For example, an Environmental Impact Report (EIR) is prepared when the South Coast AQMD, as lead agency, finds substantial evidence that the project may have significant adverse effects on the environment. Similarly, a Negative Declaration (ND) or Mitigated Negative Declaration (MND) may be prepared if the South Coast AQMD determines that the project will not generate significant adverse environmental impacts, or the impacts can be mitigated to less than significance. The ND and MND are written statements describing the reasons why projects will not have a significant adverse effect on the environment and, therefore, do not require the preparation of an EIR.

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 two active projects during September.

#### **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

SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
Goods Movement  LAC200903-03 Innovative New Dock Chassis Depot Project	The project consists of expansion of existing operations with increases in handling capacity from 400 chassis to 2,120 chassis on 15.3 acres. The project is located at 960 New Dock Street on the northwest corner of New Dock Street and Pier S Avenue within the Port of Los Angeles.	Negative Declaration	City of Los Angeles Harbor Department	Document reviewed - No comments sent for this document received
	Comment Period: 9/3/2020 - 10/2/2020 Public Hearing: N/A			
Goods Movement  LAC200917-01  Link Union Station Project	The project consists of expansion of operational capacity and improvements to the Burlington Northern Santa Fe Railway Malabar freight railyard. The project is located on the northeast corner of South Santa Fe Avenue and East 49th Street in the City of Vernon within Los Angeles County.	Notice of Intent to Prepare an Environmental Impact Statement	United States Department of Transportation, Federal Railroad Administration	Document reviewed - No comments sent for this document received
	Comment Period: 9/18/2020 - 10/19/2020 Public Hearing: N/A			
Warehouse & Distribution Centers  ORC200901-13  Amazon Facility Project	The project consists of demolition of 70,000 square feet of existing structures and reuse of an existing 145,000-square-foot warehouse on 22.3 acres. The project is located on the southwest corner of Katella Avenue and Holder Street.  Reference ORC200611-30	Draft Environmental Impact Report	City of Cypress	Document reviewed - No comments sent for this document received
	Comment Period: 8/28/2020 - 10/13/2020 Public Hearing: N/A			
Warehouse & Distribution Centers  RVC200916-03  Oleander Business Park Project	The project consists of construction of two warehouses totaling 710,736 square feet on 93.85 acres. The project is located on the southeast corner of Nandina Avenue and Day Street in the community of Mead Valley.  Reference RVC190621-01	Draft Environmental Impact Report	County of Riverside	Under review, may submit written comments
	Comment Period: 9/15/2020 - 10/30/2020 Public Hearing: N/A			

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

Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

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

SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
Warehouse & Distribution Centers  RVC200923-02  First Industrial Warehouse at Wilson  Avenue Project	The project consists of construction of a 303,228-square-foot warehouse on 15.6 acres. The project is located near the southeast corner of Wilson Avenue and East Rider Street.	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Perris	Under review, may submit written comments
Warehouse & Distribution Centers	Comment Period: 9/23/2020 - 10/22/2020 Public Hearing: 11/18/2020 Staff provided comments on the Draft Environmental Impact Report for the project, which can	Response to	City of Ontario	Document
SBC200901-11 Ontario Ranch Business Park Specific Plan	be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/March/SBC200218-05.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/March/SBC200218-05.pdf</a> . The project consists of construction of eight warehouses totaling 1,905,027 square feet on 85.6 acres. The project is located on the northeast corner of Merrill Avenue and Euclid Avenue.  Reference SBC200218-05 and SBC190528-06	Comments		reviewed - No comments sent for this document received
Warehouse & Distribution Centers	Comment Period: N/A Public Hearing: 9/15/2020  The project consists of construction of two warehouses totaling 650,960 square feet on 35 acres.	Notice of	City of Rancho	South Coast
SBC200910-02 Speedway Commerce Center	The project is located on the northeast corner of Etiwanda Avenue and Napa Street.	Preparation	Cucamonga	AQMD staff commented on 10/1/2020
	http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/October/SBC200910-02.pdf  Comment Period: 9/3/2020 - 10/3/2020 Public Hearing: 9/17/2020			
Warehouse & Distribution Centers  SBC200922-05  Slover-Juniper Industrial Building Project	The project consists of demolition of 9,583 square feet of existing structures and construction of a 41,000-square-foot warehouse on 2.06 acres. The project is located on the northeast corner of Slover Avenue and Juniper Avenue.	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Fontana	Document reviewed - No comments sent for this document received
	Comment Period: 9/17/2020 - 10/17/2020 Public Hearing: 10/6/2020			

<sup># -</sup> 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.

SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
Industrial and Commercial  LAC200901-05  Sunset Gower Studios Enhancement Plan	Staff provided comments on the Draft Environmental Impact Report for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/July/LAC200521-02.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/July/LAC200521-02.pdf</a> . The project consists of demolition of 160,611 square feet of existing structures and construction of three office buildings totaling 693,432 square feet with subterranean parking on 15.9 acres. The project is located on the southeast corner of Sunset Boulevard and Gower Street in the community of Hollywood.  Reference LAC200521-02 and LAC180227-04	Final Environmental Impact Report	City of Los Angeles	Document reviewed - No comments sent for this document received
	Comment Period: N/A Public Hearing: 9/16/2020			
Industrial and Commercial  LAC200901-08  ENV-2019-4984: 2417-2455 N. Thomas Street	The project consists of amendments to zoning and land use designations from Low Residential to Neighborhood Commercial on 93,340 square feet. The project is located near the northeast corner of North Gates Street and North Broadway Street in the community of Northeast Los Angeles.	Negative Declaration	City of Los Angeles	Document reviewed - No comments sent for this document received
	Comment Period: 8/27/2020 - 9/28/2020 Public Hearing: N/A			
Industrial and Commercial  LAC200901-12 2020 Walnut Industrial Park	The project consists of construction of a 151,075-square-foot industrial building on 6.13 acres. The project is located on the southeast corner of Gundry Avenue and East Hill Street. Reference LAC200303-12	Recirculated Mitigated Negative Declaration	City of Signal Hill	Document reviewed - No comments sent for this document received
	Comment Period: 8/28/2020 - 9/26/2020	N. d. C	C'. CC	Description
Industrial and Commercial  LAC200903-02  Air Products Hydrogen Pipeline Project	The project consists of construction of a 0.5-mile hydrogen gas pipeline 8.625 inches in diameter and conversion of an existing 11.5-mile petroleum pipeline to a hydrogen gas pipeline with a flow rate of seven million standard cubic feet per day. The project is located near the northeast corner of East Sepulveda Boulevard and South Alameda Street.  Reference LAC200714-02	Notice of Availability of a Draft Environmental Impact Report	City of Carson	Document reviewed - No comments sent for this document received
	Comment Period: 9/3/2020 - 10/19/2020 Public Hearing: N/A			

<sup># -</sup> 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.

SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
Industrial and Commercial  ODP200901-09  Mitsubishi Cement Corporation South Quarry Project	The project consists of construction of a mining quarry with a planning horizon of 2140 on a 128-acre portion of 153.6 acres. The project is located near the community of Lucerne Valley. Reference ODP170105-01 and ODP120302-02	Final Environmental Impact Statement	County of San Bernardino	Document reviewed - No comments sent for this document received
	Comment Period: N/A Public Hearing: N/A			
Industrial and Commercial  ODP200915-01  Pacific Ocean AquaFarms Project	The project consists of construction of an offshore marine finfish aquaculture facility ranging in depth from 100 feet to 495 feet. The project is located four nautical miles offshore of San Diego County and includes evaluation of a project alternative that is located at the San Pedro Bay ports.	Notice of Intent to Prepare an Environmental Impact Statement	National Oceanic and Atmospheric Administration, National Marine Fisheries Service	Document reviewed - No comments sent for this document received
	Comment Period: 9/9/2020 - 10/26/2020 Public Hearing: 10/14/2020			
Industrial and Commercial  ORC200916-04  Hellman Ranch Gas Plant	The project consists of construction of a gasoline plant with 12 gas production and fueling equipment on a 0.37-acre portion of 57 acres. The project is located near the northeast corner of Pacific Coast Highway and First Street. <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/October/ORC200916-04.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/October/ORC200916-04.pdf</a>	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Seal Beach	South Coast AQMD staff commented on 10/9/2020
Industrial and Commercial  RVC200901-01  MA20154	Comment Period: 9/10/2020 - 10/12/2020 Public Hearing: 9/23/2020  This project consists of construction of a 15,000-square-foot truck repair building on 3.8 acres. The project is located on the northeast corner of Rubidoux Boulevard and 28th Street. Reference RVC190416-01	Site Plan	City of Jurupa Valley	Document reviewed - No comments sent for this document received
	Comment Period: 8/26/2020 - 9/11/2020 Public Hearing: N/A			

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

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SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
Industrial and Commercial	The project consists of request for an interim land use permit to continue storage of automobiles	Site Plan	City of Jurupa	Document
RVC200901-10 MA19032	on 24.05 acres. The project is located at 6464 33rd Street on the northwest corner of 33rd Street and Florine Avenue.		Valley	reviewed - No comments sent for this document received
	Comment Period: 8/28/2020 - 9/11/2020 Public Hearing: N/A			
Industrial and Commercial	The project consists of construction of 4,995,000 square feet of industrial uses, 251,000 square	Notice of	City of Beaumont	South Coast AOMD staff
RVC200908-03 Beaumont Pointe Specific Plan	feet of commercial uses, a hotel with 125 rooms, and 333.1 acres of open space on 622.5 acres. The project is located on the northwest corner of State Route 60 and Fourth Street.	Preparation		commented on 10/1/2020
	www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/October/RVC200908-03.pdf			
	Comment Period: 9/7/2020 - 10/6/2020 Public Hearing: 9/17/2020			
Industrial and Commercial	The project consists of construction of an 800,000-square-foot industrial building, 61,336 square	Notice of	March Joint Powers	Document reviewed -
RVC200908-04 South Campus Specific Plan and Village West Drive Extension Project	feet of commercial uses, and roadway improvements on 45.9 acres. The project is located on the southwest corner of Van Buren Boulevard and Village West Drive.  Reference RVC200521-08	Availability of a Draft Subsequent Environmental Impact Report	Authority	No comments sent for this document received
	Comment Period: 9/3/2020 - 10/20/2020 Public Hearing: N/A			
Industrial and Commercial	The project consists of construction of a 40,000-square-foot hotel with 90 rooms, an 8,930-square-	Site Plan	City of Jurupa	South Coast AOMD staff
RVC200910-01 Freeway Commerce Center	foot convenience store, 12,962 square feet of restaurant uses, a 10,260-square-foot truck maintenance facility, 4.5 acres of recreational vehicle storage, and a fueling station with 11 gasoline pumps, nine diesel pumps, and one hydrogen pump on 27.2 acres. The project is located on the northwest corner of Granite Hill Drive and Pyrite Street.  www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/RVC200910-01.pdf		Valley	commented on 9/15/2020
	Comment Period: 9/9/2020 - 9/23/2020 Public Hearing: N/A			

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

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SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
Industrial and Commercial	The project consists of construction of five buildings totaling 231,669 square feet on 32.1 acres.	Mitigated	City of Hemet	Document
RVC200916-06 S2A Modular Home Factory Project	e project is located near the southwest corner of West Esplanade Avenue and North State St	Negative Declaration		reviewed - No comments sent for this document received
	Comment Period: 9/11/2020 - 10/13/2020 Public Hearing: 10/20/2020			
Industrial and Commercial  RVC200922-03  Bejarano Cannabis Cultivation Project	The project consists of construction of two buildings totaling 225,705 square feet on 10.01 acres. The project is located at 48100 Harrison Street near the southeast corner of Avenue 48 and Harrison Street in a designated AB 617 community.	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Coachella	South Coast AQMD staff commented on 10/15/2020
Waste and Water-related	http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/October/RVC200922-03.pdf  Comment Period: 9/19/2020 - 10/19/2020 Public Hearing: N/A  The project consists of construction of a water tank with a storage capacity of one million gallons	Notice of Intent	Las Virgenes	Document
LAC200908-01 Twin Lakes Water Storage Tank and Pump Station Upgrades Project	and three water pump stations on 1.15 acres. The project is located near the northeast corner of Iverson Road and State Route 118 in the community of Chatsworth within Los Angeles County.	to Adopt a Mitigated Negative Declaration	Municipal Water District	reviewed - No comments sent for this document received
	Comment Period: 9/10/2020 - 10/10/2020		D	9 4 6 4
Waste and Water-related  LAC200916-11 The Dow Chemical Company	The project consists of development of cleanup activities to remediate contaminated soil and groundwater with tetrachloroethylene, ethylbenzene, and styrene and a land use covenant to prohibit future sensitive land uses on 52 acres. The project is located at 305 Crenshaw Boulevard near the southwest corner of Del Ama Boulevard and Crenshaw Boulevard in the City of Torrance.	Corrective Measure Study	Department of Toxic Substances Control	South Coast AQMD staff commented on 10/1/2020
	http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/October/LAC200916-11.pdf  Comment Period: 9/14/2020 - 10/14/2020 Public Hearing: N/A			

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

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SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
Waste and Water-related  ODP200922-11  Southern California Edison – San Onofre Nuclear Generating Station	The project consists of establishment of baseline air monitoring samples on respirable particulates, selected metals, hexavalent chromium, silica, polychlorinated biphenyls, polynuclear aromatic hydrocarbons, and asbestos. The project is located at 5000 Old Pacific Highway near the southeast corner of Old Pacific Highway and Beach Club Road in the Marine Corps Base Camp Pendleton within San Diego County.  Reference ODP191203-04	Community Notice	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received
	Comment Period: N/A  Public Hearing: N/A			
Waste and Water-related  ORC200901-06  Sunset Gap Monitoring Wells Project	The project consists of construction of five groundwater monitoring wells. The project is located near the southeast corner of Pacific Coast Highway and Seal Beach Boulevard in cities of Huntington Beach and Seal Beach.  Reference ORC171205-03	Notice of Intent to Adopt a Mitigated Negative Declaration	Orange County Water District	Document reviewed - No comments sent for this document received
	Comment Period: 8/26/2020 - 9/25/2020 Public Hearing: 10/21/2020			
Waste and Water-related  ORC200903-04  Facilities Master Plan	The project consists of development of programs and strategies to guide maintenance, replacement, rehabilitation, and modification of wastewater treatment plants and pipelines with a planning horizon of 2040. The project encompasses 480 square miles of service area and includes cities of Anaheim, Brea, Buena Park, Cypress, Fountain Valley, Fullerton, Garden Grove, Huntington Beach, Irvine, La Habra, La Palma, Los Alamitos, Newport Beach, Orange, Placentia, Santa Ana, Seal Beach, Stanton, Tustin, and Villa Park in Orange County.  Reference ORC190801-02 <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/October/ORC200903-04.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/October/ORC200903-04.pdf</a> Comment Period: 9/2/2020 - 10/16/2020  Public Hearing: N/A	Notice of Availability of a Draft Program Environmental Impact Report	Orange County Sanitation District	South Coast AQMD staff commented on 10/15/2020
Waste and Water-related	The project consists of rehabilitation of an existing groundwater well with a capacity of 2,500	Notice of Intent	City of Santa Ana	Document
ORC200922-07 Well 29 Improvements Project	gallons per minute on 0.32 acres. The project is located on the southeast corner of West First Street and South Flower Street.	to Adopt a Mitigated Negative Declaration		reviewed - No comments sent for this document received
	Comment Period: 9/18/2020 - 10/7/2020 Public Hearing: 12/8/2020			

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SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
Waste and Water-related  RVC200902-03  Southern California Edison San Jacinto	Staff provided comments on the Draft Removal Action Workplan for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/August/RVC200723-02.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/August/RVC200723-02.pdf</a> . The project consists of development of cleanup actions to remove soil contaminated with polychlorinated biphenyls, arsenic, and lead on 0.14 acres. The project is located on the southwest corner of South San Jacinto Avenue and East Third Street in the City of San Jacinto.  Reference RVC200723-02	Response to Comments	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received
	Comment Period: N/A Public Hearing: N/A			
RVC200916-02 Coachella Valley Water District Sanitation Master Plan Update 2020	The project consists of development of regulations, policies, strategies, and programs to meet current and future needs for wastewater treatment services with a planning horizon of 2040. The project encompasses 885 square miles of service area and includes cities of Desert Hot Springs, Cathedral City, Rancho Mirage, Palm Desert, Indian Wells, Indio, and La Quinta and unincorporated areas of Riverside and Imperial counties.  Reference RVC190917-06	Notice of Availability of a Draft Program Environmental Impact Report	Coachella Valley Water District	Under review, may submit written comments
W	Comment Period: 9/11/2020 - 10/25/2020 Public Hearing: N/A	T 177	D	77.1
RVC200917-07 Former Pesticide Waste Pits	The project consists of development of land use covenant to prohibit future sensitive land uses on 3.25 acres. The project is located at 1060 Martin Luther King Boulevard on the southwest corner of Martin Luther King Boulevard and Gage Canal in the City of Riverside.	Land Use Covenant	Department of Toxic Substances Control	Under review, may submit written comments
	Comment Period: N/A Public Hearing: N/A			
Waste and Water-related  RVC200922-10  Odor Mitigation Project	Staff provided comments on the Mitigated Negative Declaration for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/RVC200813-04.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/RVC200813-04.pdf</a> . The project consists of covering, capturing, and routing of odors from wastewater treatment plant, consolidation and relocation of existing scrubber stacks 40 feet in height, and installation of odor ducting. The project is located at 14634 River Road near the southwest corner of River Road and Hall Road in the City of Eastvale. Reference RVC200813-04	Response to Comments	Western Riverside County Regional Wastewater Authority	Document reviewed - No comments sent for this document received
	Comment Period: N/A Public Hearing: N/A			

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SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
Waste and Water-related SBC200922-01 American Metal Recycling	Staff provided comments on the Draft Preliminary Endangerment Assessment Report for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/July/SBC200708-10.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/July/SBC200708-10.pdf</a> . The project consists of development of cleanup actions to remediate soil contaminated with polychlorinated biphenyls and a land use covenant to prohibit future sensitive land uses on 10 acres. The project is located at 11150 Redwood Avenue near the northeast corner of Cherry Avenue and Jurupa Avenue in the City of Fontana. Reference SBC200708-10	Response to Comments	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received
	Comment Period: N/A Public Hearing: N/A			
Waste and Water-related  SBC200922-04  Advanced Environmental, Inc. DBA  World Oil Environmental Services	The project consists of renewal of a hazardous waste facility permit to continue treatment, storage, and disposal of hazardous wastes on 4.3 acres. The project is located at 13579 Whittram Avenue on the southwest corner of Mulberry Avenue and Whittram Avenue in the City of Fontana. Reference SBC171018-02	Draft Standardized Hazardous Waste Facility Permit Renewal	Department of Toxic Substances Control	Under review, may submit written comments
	Comment Period: 9/25/2020 - 11/10/2020 Public Hearing: N/A			
Waste and Water-related SBC200922-08 Rialto Baseline Storm Drain Project	The project consists of construction of 11,000 linear feet of stormwater pipelines ranging from 30 inches to 84 inches in diameter. The project is located along Baseline Avenue between Cactus Basin and Tamarind Avenue.	Mitigated Negative Declaration	City of Rialto	Document reviewed - No comments sent for this document received
	Comment Period: 9/18/2020 - 10/19/2020 Public Hearing: N/A			
Transportation  LAC200901-18  I-210/San Gabriel River Bridge Hinge and Railings Replacement Project	The project consists of structural improvements to a two-mile bridge to meet crash and safety standards. The project is located along Interstate 210 between Post Mile (PM) 36.0 and PM 38.0 in the City of Irwindale.  Reference LAC200409-13	Mitigated Negative Declaration	California Department of Transportation	Document reviewed - No comments sent for this document received
	Comment Period: 8/31/2020 - 10/1/2020 Public Hearing: N/A			

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

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SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
Transportation  LAC200916-09 Inglewood Transit Connector Project	The project consists of construction of an automated people mover system with dual guideways and support facilities. The project is located on the northwest corner of West Century Boulevard and South Prairie Avenue.  Reference LAC180717-13 <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/October/LAC200916-09.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/October/LAC200916-09.pdf</a> Comment Period: 9/10/2020 - 10/12/2020  Public Hearing: N/A	Revised Notice of Preparation	City of Inglewood	South Coast AQMD staff commented on 10/8/2020
Transportation  RVC200923-01  Palomar Street Widening Project	Comment Period: 9/10/2020 - 10/12/2020 Public Hearing: N/A  The project consists of widening of a 1.62-mile segment of Palomar Street to include bicycle lanes. The project is located between Meadow Ridge Lane and Jefferson Avenue.	Mitigated Negative Declaration	City of Wildomar	Document reviewed - No comments sent for this document received
	Comment Period: 9/24/2020 - 10/23/2020 Public Hearing: N/A			
Institutional (schools, government, etc.)  LAC200917-03  South Gate Education Center Facilities  Master Plan Update	The project consists of development of design guidelines, standards, and programs to guide futur development of school facilities on 18.5 acres. The project is located at 2525 Firestone Boulevar on the northwest corner of Firestone Boulevard and Santa Fe Avenue.  Reference LAC150630-14 <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/October/LAC200917-03.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/October/LAC200917-03.pdf</a> Comment Period: 9/17/2020 - 10/15/2020  Public Hearing: N/A		Los Angeles Community College District	South Coast AQMD staff commented on 10/14/2020
Institutional (schools, government, etc.)  RVC200908-06  Construction Projects at March Air Reserve Base	The project consists of construction of five facilities totaling 117,406 square feet on a 10.8-acre portion of 2,162 acres. The project is located near the southeast corner of Cactus Avenue and Interstate 215 in Riverside County.	Final Environmental Assessment	United States Department of the Air Force	Document reviewed - No comments sent for this document received
	Comment Period: N/A Public Hearing: N/A			

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

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SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
Institutional (schools, government, etc.)	The project consists of construction of a 13,649-square-foot daycare center on 1.6 acres. The	Site Plan	City of Menifee	South Coast AQMD staff
RVC200910-05 Montessori School	project is located at 26735 Newport Road near the southeast corner of Newport Road and Evans Road.			commented on 9/15/2020
	www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/RVC200910-05.pdf			
	Comment Period: 9/10/2020 - 10/1/2020 Public Hearing: 9/29/2020			
Institutional (schools, government, etc.)  RVC200922-06  Corporate Yard Park Project	The project consists of construction of a 7.6-acre community park and amenities on 10 acres. The project is located on the southeast corner of Cholla Drive and Flora Avenue.	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Desert Hot Springs	Document reviewed - No comments sent for this document received
	Comment Period: 9/18/2020 - 10/19/2020 Public Hearing: N/A			
Retail ORC200901-16 Northern Gateway Retail Center	The project consists of construction of a 1,872-square-foot retail building and relocation of a non-operational gasoline service station. The project is located at 887 North Glassell Street on the southeast corner of North Glassell Street and East Collins Avenue.	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Orange	Document reviewed - No comments sent for this document received
	Comment Period: 8/28/2020 - 9/26/2020 Public Hearing: 9/2/2020			
Retail RVC200901-14 Pennsylvania Mart	The project consists of construction of a 1,570-square-foot restaurant, a 3,830-square-foot convenience store, a 3,000-square-foot car wash facility, and a gasoline service station with nine pumps on 1.2 acres. The project is located on the northwest corner of Interstate 10 and Pennsylvania Avenue.  Reference RVC200303-07 and RVC190710-01	Site Plan	City of Beaumont	Document reviewed - No comments sent for this document received
	Comment Period: 9/1/2020 - 9/10/2020 Public Hearing: 9/10/2020			

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SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
Retail  RVC200901-15  Lake and Mountain Commercial Center Project	The project consists of construction of a 3,400-square-foot convenience store, a 3,150-square-foot car wash facility, 4,850 square feet of retail uses, 2,852 square feet of restaurants, a gasoline service station with 12 pumps, and a 4,089-square-foot fueling canopy on 5.63 acres. The project is located on the northwest corner of Mountain Street and Lake Street.  www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/RVC200901-15.pdf  Comment Period: 8/28/2020 - 9/28/2020  Public Hearing: 9/17/2020	Notice of Preparation	City of Lake Elsinore	South Coast AQMD staff commented on 9/15/2020
General Land Use (residential, etc.)  LAC200901-04  Cypress Villas	The project consists of demolition of 81,333 square feet of existing buildings, and construction of 61 residential units and 13,000 square feet of retail uses on 7.92 acres. The project is located on the northeast corner of North Azusa Avenue and West Cypress Street.  Reference LAC200220-01	Draft Environmental Impact Report	City of Covina	Document reviewed - No comments sent for this document received
General Land Use (residential, etc.)  LAC200901-19 7940 Lankershim Boulevard	Comment Period: 8/27/2020 - 10/12/2020  Public Hearing: N/A  The project consists of demolition of an existing building, and construction of a 678,328-square- foot building with 432 residential units and subterranean parking on 4.69 acres. The project is located on the southeast corner of Strathern Street and North Lankershim Boulevard in the community of Sun Valley-La Tuna Canyon.  Comment Period: 8/27/2020 - 9/28/2020  Public Hearing: N/A	Notice of Availability of Sustainable Communities Environmental Assessment	City of Los Angeles	Document reviewed - No comments sent for this document received
General Land Use (residential, etc.)  LAC200903-01  Hollywood Center Project	Staff provided comments on the Draft Environmental Impact Report for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/LAC200416-01.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/LAC200416-01.pdf</a> . The project consists of construction of four buildings totaling 1,287,150 square feet with 1,005 residential units and subterranean parking on 4.46 acres. The project is located on the southeast corner of Yucca Street and Ivar Avenue in the community of Hollywood.  Reference LAC200416-01, LAC180904-07, LAC180828-12, and LAC180828-09  Comment Period: N/A  Public Hearing: 10/15/2020	Final Environmental Impact Report	City of Los Angeles	Document reviewed - No comments sent for this document received

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

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SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
General Land Use (residential, etc.)  LAC200908-02  One Beverly Hills Overlay Plan Project	The project consists of construction of two buildings totaling 1,051,396 square feet with 340 residential units and a 42-room hotel on 17.4 acres. The project is located on the southwest corner of Wilshire Boulevard and Santa Monica Boulevard.  Reference LAC170613-02, LAC161101-11, LAC160816-05, LAC160420-04, LAC160419-01, and LAC151201-09  www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/October/LAC200908-02.pdf  Comment Period: 9/4/2020 - 10/5/2020 Public Hearing: 9/21/2020	Notice of Preparation	City of Beverly Hills	South Coast AQMD staff commented on 10/1/2020
General Land Use (residential, etc.)  LAC200917-02  11111 Jefferson Boulevard Mixed-Use Project	The project consists of construction of 230 residential units totaling 244,609 square feet on 3.43 acres. The project is located on the northeast corner of Sepulveda Boulevard and Jefferson Boulevard.  http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/October/LAC200917-02.pdf  Comment Period: 9/17/2020 - 10/19/2020 Public Hearing: 10/6/2020	Notice of Preparation	City of Culver City	South Coast AQMD staff commented on 10/14/2020
General Land Use (residential, etc.)  LAC200917-05  Evergreen Residential Project	The project consists of construction of 84 residential units on 4.23 acres. The project is located near the southwest corner of West 135th Street and South Vermont Avenue.  Comment Period: 9/17/2020 - 10/6/2020  Public Hearing: 10/20/2020	Mitigated Negative Declaration	City of Gardena	Document reviewed - No comments sent for this document received
General Land Use (residential, etc.)  LAC200922-02  KB Home Orchard Street and Cypress Avenue Project	The project consists of demolition of 159,100 square feet of existing structures and construction of 103 residential units totaling 159,096 square feet on 5.24 acres. The project is located near the southeast corner of Cypress Avenue and Orchard Street.  Reference LAC200214-02	Revised Mitigated Negative Declaration	City of El Monte	Document reviewed - No comments sent for this document received
	Comment Period: 9/18/2020 - 10/7/2020 Public Hearing: N/A			

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

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SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
General Land Use (residential, etc.)  LAC200922-09 141st and Normandie Townhomes Project	The project consists of demolition of 87,120 square feet of existing structures and construction of 50 residential units on 2.02 acres. The project is located on the northeast corner of South Normandie Avenue and West 141st Street.	Mitigated Negative Declaration	City of Gardena	Document reviewed - No comments sent for this document received
	Comment Period: 9/17/2020 - 10/6/2020 Public Hearing: 10/20/2020			
General Land Use (residential, etc.)  LAC200923-03  West Village at Calabasas Project	The project consists of construction of 15 buildings with 180 residential units, a 5,867-square-foot retail building, and 66.1 acres of open space on 77.22 acres. The project is located at 4790 Las Virgenes Road on the southeast corner of Agoura Road and Las Virgenes Road. Reference LAC190102-15 and LAC170901-13	Notice of Availability of a Recirculated Draft Environmental Impact Report	City of Calabasas	Under review, may submit written comments
	Comment Period: 9/22/2020 - 11/13/2020 Public Hearing: N/A			
General Land Use (residential, etc.)  ORC200910-03  Creekside Specific Plan	The project consists of demolition of a 123,000-square-foot building and construction of 188 residential units on 16.9 acres. The project is located on the southwest corner of Malaspina Road and Rancho Viejo Road.  Reference ORC200423-02	Draft Environmental Impact Report	City of San Juan Capistrano	Document reviewed - No comments sent for this document received
	Comment Period: 9/10/2020 - 10/26/2020 Public Hearing: N/A			
General Land Use (residential, etc.)  ORC200916-07  Orchard View Gardens Senior  Apartment Homes Project	The project consists of construction of a 25,308-square-foot building with 66 residential units on 3.2 acres. The project is located 8300 Valley View Road near the northeast corner of Valley View Street and Crescent Avenue.	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Buena Park	Document reviewed - No comments sent for this document received
	Comment Period: 9/11/2020 - 10/13/2020 Public Hearing: N/A			

<sup># -</sup> 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.

SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
General Land Use (residential, etc.)  RVC200916-05  Norco Valley Square Project	The project consists of construction of 320 residential units and a hotel with 120 rooms on 18.42 acres. The project is located on the southwest corner of Third Street and Hamner Avenue. Reference RVC200312-03	Notice of Availability of a Draft Environmental Impact Report	City of Norco	Document reviewed - No comments sent for this document received
	Comment Period: 9/11/2020 - 10/26/2020 Public Hearing: N/A			
General Land Use (residential, etc.)	The project consists of construction of 152 residential units, a 41,609-square-foot retail center,	Notice of	City of Wildomar	South Coast
RVC200917-04 Wildomar Trail Town Center Mixed- Use Project	and a 72,000-square-foot office on 25.8 acres. The project is located on the southeast corner of Baxter Road and Central Avenue.  http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/October/RVC200917-04.pdf	Preparation		AQMD staff commented on 10/14/2020
	Comment Period: 9/17/2020 - 10/16/2020 Public Hearing: 10/5/2020			
Plans and Regulations	The project consists of statewide requirements for commercial harbor craft to accelerate	Notice of	California Air	Document reviewed -
ALL200917-08 Amendments to the Airborne Toxic Control Measure for Commercial Harbor Craft	deployment of zero-emission and advanced technology. The project encompasses regulated California waters within 24 nautical miles of coastline and includes ports, harbors, marinas, and waters served by harbor craft.	Preparation	Resources Board	No comments sent for this document received
	Comment Period: 9/17/2020 - 10/19/2020 Public Hearing: 9/30/2020			
Plans and Regulations	The project consists of development of programs and strategies to guide ecosystems and habitats management on 607 acres and conversion of an existing 96-acre golf course to a public park. The	Notice of Preparation	Orange County Department of	South Coast AQMD staff
ORC200901-07 Mile Square Regional Park Master Plan	project is located on the northwest corner of Euclid Street and Warner Avenue in the City of Fountain Valley.	- 1000000000000000000000000000000000000	Public Works	commented on 9/15/2020
	www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/ORC200901-07.pdf			
	Comment Period: 8/24/2020 - 9/22/2020 Public Hearing: 9/10/2020			

<sup># -</sup> 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.

SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
Plans and Regulations  RVC200908-05  Beaumont General Plan Update	The project consists of updates to the City's General Plan to develop design guidelines, policies, and programs to guide future development with a planning horizon of 2040. The project encompasses 26,566 acres and is bounded by City of Calimesa to the north, City of Banning to the east, City of San Jacinto to the south, and unincorporated areas of Riverside County to the west.  Reference RVC180309-05	Notice of Availability of a Draft Program Environmental Impact Report	City of Beaumont	Under review, may submit written comments
	Comment Period: 9/8/2020 - 10/22/2020 Public Hearing: 10/27/2020			
Plans and Regulations  RVC200916-01  Sun Lakes Village North Specific Plan  Amendment No. 6	The project consists of updates to existing land use designations, design guidelines, and zoning requirements for future construction of office, commercial, retail, and medical uses on a 47-acre portion of 963 acres. The project is located near the southeast corner of Interstate 10 and Highland Springs Avenue.  Reference RVC200226-02	Notice of Availability of a Draft Environmental Impact Report	City of Banning	Under review, may submit written comments
	Comment Period: 9/11/2020 - 10/26/2020 Public Hearing: N/A			
Plans and Regulations  SBC200910-04  San Bernardino Countywide Plan	Staff provided comments on the Draft Program Environmental Impact Report for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2019/august/SBC190619-05.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2019/august/SBC190619-05.pdf</a> . The project consists of updates to the County's General Plan to develop design guidelines, policies, and programs to guide future development with a planning horizon of 2040. The project encompasses 20,105 square miles and is bounded by Inyo County to the north, states of Nevada and Arizona to the east, Riverside County to the south, and counties of Los Angeles, Orange, and Kern to the west. Reference SBC190619-05 and SBC171017-03	Final Program Environmental Impact Report	County of San Bernardino	Document reviewed - No comments sent for this document received
	Comment Period: N/A Public Hearing: 9/17/2020			

<sup># -</sup> 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 B\* ONGOING ACTIVE PROJECTS FOR WHICH SOUTH COAST AQMD HAS OR IS CONTINUING TO CONDUCT A CEQA REVIEW

SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
Plans and Regulations  LAC200806-05  Downtown Community Plan Update	The project consists of development of land use policies, development standards, design guidelines, and zoning codes with a planning horizon of 2040 on 2,161 acres. The project is generally located on the northeast corner of Interstate 10 and Alameda Street.  Reference LAC170208-01	Notice of Availability of a Draft Environmental Impact Report	City of Los Angeles	Under review, may submit written comments
	Comment Period: 8/6/2020 - 12/4/2020 Public Hearing: N/A			
Warehouse & Distribution Centers  RVC200825-02  MA20118	The project consists of construction of a 20,000-square-foot warehouse and 9,070 square feet of support facilities on 3.3 acres. The project is located on the southwest corner of Bellegrave Avenue and Mission Boulevard. <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/RVC200825-02.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/RVC200825-02.pdf</a>	Site Plan	City of Jurupa Valley	South Coast AQMD staff commented on 9/3/2020
	Comment Period: 8/21/2020 - 9/4/2020 Public Hearing: N/A	a. 5.	GI 1.G	
Industrial and Commercial  RVC200825-08  Green River Ranch Business Park	The project consists of construction of five industrial buildings totaling 746,330 square feet on 159.2 acres. The project is located on the southeast corner of Green River Ranch Road and Fresno Road.  www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/RVC200825-08.pdf  Comment Period: 8/20/2020 - 9/3/2020  Public Hearing: 9/3/2020	Site Plan	City of Corona	South Coast AQMD staff commented on 9/3/2020
Waste and Water-related	The project consists of construction of a 12-megawatt power generation facility, a one-mile	Notice of	City of Glendale	South Coast
LAC200708-27 Biogas Renewable Generation Project	natural gas pipeline, a one-mile water pipeline, and two 70,000-gallon water tanks on a 2.2-acre portion of 95 acres. The project is located at 3001 Scholl Canyon Road on the northwest corner of North Figueroa Street and Scholl Canyon Road.  Reference LAC190320-02, LAC180309-01, LAC170927-01, and LAC170912-01 <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/LAC200708-27.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/LAC200708-27.pdf</a> Comment Period: 7/2/2020 - 9/30/2020  Public Hearing: N/A	Availability of a Draft Environmental Impact Report		AQMD staff commented on 9/30/2020
Waste and Water-related	The project consists of construction of 7,285 linear feet of groundwater pipelines 30 inches in	Notice of Intent	Department of	South Coast
LAC200813-01 Whittier Narrows Operable Unit Treatment	diameter, a water storage tank, and a water pump station on 2.5 acres. The project is located at 331 North Durfee Avenue near the northeast corner of Rosemead Boulevard and Durfee Avenue in the City of South El Monte.  Reference LAC130725-04 <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/LAC200813-01.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/LAC200813-01.pdf</a>	to Adopt a Mitigated Negative Declaration	Toxic Substances Control	AQMD staff commented on 9/8/2020
	Comment Period: 8/11/2020 - 9/9/2020 Public Hearing: N/A			

<sup>\*</sup>Sorted by Comment Status, followed by Land Use, then County, then date received.

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

# ATTACHMENT B ONGOING ACTIVE PROJECTS FOR WHICH SOUTH COAST AQMD HAS OR IS CONTINUING TO CONDUCT A CEQA REVIEW

SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
Waste and Water-related  LAC200813-02 1910-1918 South Los Angeles Street	The project consists of development of cleanup activities to excavate, remove, and dispose contaminated soil with volatile organic compounds, lead, tetrachloroethylene, and trichloroethylene on 1.4 acres. The project is located on the southeast corner of Los Angeles Street and Washington Boulevard in the community of Southeast Los Angeles within the City of Los Angeles.  Reference LAC181120-05  http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/LAC200813-02.pdf  Comment Period: 8/10/2020 - 9/9/2020  Public Hearing: N/A	Draft Removal Action Workplan	Department of Toxic Substances Control	South Coast AQMD staff commented on 9/8/2020
Waste and Water-related  RVC200813-04  Odor Mitigation Project	The project consists of covering, capturing, and routing of odors from wastewater treatment plant, consolidation and relocation of existing scrubber stacks 40 feet in height, and installation of odor ducting. The project is located at 14634 River Road near the southwest corner of River Road and Hall Road in the City of Eastvale.  http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/RVC200813-04.pdf	Notice of Intent to Adopt a Mitigated Negative Declaration	Western Riverside County Regional Wastewater Authority	South Coast AQMD staff commented on 9/8/2020
Utilities  ORC200811-03  Bay Bridge Pump Station and Force Main Rehabilitation Project	Comment Period: 8/10/2020 - 9/8/2020 Public Hearing: N/A  The project consists of demolition of an existing pump station, and construction of a 14,500-square-foot pump station and 1,500 linear feet of force mains 32 inches in diameter. The project is located on the northwest corner of North Bayside Drive and East Coast Highway in the City of Newport Beach.  Reference ORC190703-02, ORC170621-05, ORC170224-04, and ORC161110-08  http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/ORC200811-03.pdf  Comment Period: 8/7/2020 - 9/21/2020 Public Hearing: 9/3/2020	Notice of Availability of a Recirculated Draft Environmental Impact Report	Orange County Sanitation District	South Coast AQMD staff commented on 9/17/2020
Transportation  LAC200825-06  California High-Speed Rail Project: Los Angeles to Anaheim Section	The project consists of construction of a 30-mile rail track for freight and passenger services, an intermodal rail facility to accommodate an average of 10 freight trains a day, and a freight train staging track facility. The rail track component of the project is located between Los Angeles Union Station in the City of Los Angeles and Anaheim Regional Transportation Intermodal Center in the City of Anaheim. The intermodal rail facility component of the project is located in the cities of Colton and Grand Terrace. The staging track component of the project is located along the existing Burlington Northern and Santa Fe main line tracks in the City of Barstow and unincorporated areas of San Bernardino County.  Reference LAC080229-07  www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/LAC200825-06.pdf  Comment Period: 8/25/2020 - 9/24/2020  Public Hearing: 9/10/2020	Revised Notice of Preparation	California High- Speed Rail Authority	South Coast AQMD staff commented on 9/24/2020 South Coast AQMD Staff provided public testimony on 9/9/2020, 9/10/2020, and 9/12/2020

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

# ATTACHMENT B ONGOING ACTIVE PROJECTS FOR WHICH SOUTH COAST AQMD HAS OR IS CONTINUING TO CONDUCT A CEQA REVIEW

SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
Institutional (schools, government, etc.)  LAC200820-01  Malibu Middle and High School  Campus Specific Plan and Local Coastal  Plan Amendment Project	The project consists of demolition of 147,556 square feet of existing buildings and construction of 431,717 square feet of school facilities on 9.9 acres. The project is located near the southeast corner of Via Cabrillo and Morning View Drive in the City of Malibu.	Notice of Preparation	Santa Monica- Malibu Unified School District	South Coast AQMD staff commented on 9/8/2020
	http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/LAC200820-01.pdf			
	Comment Period: 8/20/2020 - 9/21/2020 Public Hearing: 9/9/2020			
General Land Use (residential, etc.)  LAC200820-05  Gardena Transit-Oriented Development Specific Plan Project	The project consists of demolition of a 24,990-square-foot building and construction of 265 residential units on 1.33 acres. The project is located near the southeast corner of El Segundo Boulevard and Crenshaw Boulevard.	Notice of Preparation	City of Gardena	South Coast AQMD staff commented on 9/8/2020
	http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/LAC200820-05.pdf  Comment Period: 8/20/2020 - 9/18/2020 Public Hearing: 9/2/2020			7/0/2020
General Land Use (residential, etc.)	The project consists of demolition of an existing building and subdivision of 56,460 square feet	Site Plan	City of Walnut	South Coast
LAC200825-05 Vesting Tentative Tract Map No. 82985	for future development of 18 residential units. The project is located at 20225 Valley Boulevard near the northwest corner of Valley Boulevard and Lemon Creek Drive.  http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/LAC200825-05.pdf  Comment Period: 8/18/2020 - 9/20/2020 Public Hearing: N/A			AQMD staff commented on 9/8/2020
Plans and Regulations	The project consists of development of wildfire control strategies and vegetation management	Initial Project	United States	South Coast
LAC200812-01 Forestwide Fuelbreak Maintenance Strategy	activities on 8,700 acres. The project is located at 56 locations in the Angeles National Forest within Los Angeles County.  http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/LAC200812-01.pdf	Consultation	Department of Agriculture Forest Service	AQMD staff commented on 9/8/2020
	Comment Period: 8/12/2020 - 9/15/2020 Public Hearing: N/A			
Plans and Regulations	The project consists of development of design guidelines and standards to guide future residential,	Notice of	City of Burbank	South Coast
LAC200813-07 Golden State Specific Plan	commercial, retail, industrial, and airport projects with a planning horizon of 2035 on 643 acres. The project is located on the southwest corner of Interstate 5 and Cohasset Street.	Preparation		AQMD staff commented on
	www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/LAC200813-07.pdf  Comment Period: 8/12/2020 - 9/25/2020 Public Hearing: 8/26/2020			9/15/2020

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

# ATTACHMENT C ACTIVE SOUTH COAST AQMD LEAD AGENCY PROJECTS THROUGH SEPTEMBER 30, 2020

PROJECT DESCRIPTION	PROPONENT	TYPE OF DOCUMENT	STATUS	CONSULTANT
Quemetco is proposing to modify existing South Coast AQMD permits to allow the facility to recycle more batteries and to eliminate the existing daily idle time of the furnaces. The proposed project will increase the rotary feed drying furnace feed rate limit from 600 to 750 tons per day and increase the amount of total coke material allowed to be processed. In addition, the project will allow the use of petroleum coke in lieu of or in addition to calcined coke, and remove one existing emergency diesel-fueled internal combustion engine (ICE) and install two new emergency natural gas-fueled ICEs.	Quemetco	Environmental Impact Report (EIR)	A Notice of Preparation/Initial Study (NOP/IS) was released for a 56-day public review and comment period from August 31, 2018 to October 25, 2018, and 154 comment letters were received. Two CEQA scoping meetings were held on September 13, 2018 and October 11, 2018 in the community. South Coast AQMD staff is reviewing the preliminary Draft EIR and has provided comments to the consultant.	Trinity Consultants
Sunshine Canyon Landfill is proposing to modify its South Coast AQMD permits for its active landfill gas collection and control system to accommodate the increased collection of landfill gas. The proposed project will: 1) install two new low emissions flares with two additional 300-hp electric blowers; and 2) increase the landfill gas flow limit of the existing flares.	Sunshine Canyon Landfill	Subsequent Environmental Impact Report (SEIR)	The consultant provided a preliminary air quality analysis and health risk assessment (HRA) which is undergoing review by South Coast AQMD staff.	SCS Engineers



BOARD MEETING DATE: November 6, 2020 AGENDA NO. 13

PROPOSAL: Report of RFPs Scheduled for Release in November

SYNOPSIS: This report summarizes the RFPs for budgeted services over

\$100,000 scheduled to be released for advertisement for the month

of November.

COMMITTEE: Administrative, October 9, 2020, Reviewed

#### RECOMMENDED ACTION:

Approve the release of RFPs for the month of November.

Wayne Nastri Executive Officer

SJ:tm

#### **Background**

At its January 10, 2020 meeting, the Board approved a revised Procurement Policy and Procedure. Under the revised policy, RFPs for budgeted items over \$100,000, which follow the Procurement Policy and Procedure, no longer require individual Board approval. However, a monthly report of all RFPs over \$100,000 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, the budgeted funds available, and the name of the Deputy Executive Officer/Asst. Deputy Executive Officer responsible for that item. Further detail including closing dates, contact information, and detailed proposal criteria will be available online at <a href="http://www.aqmd.gov/grants-bids">http://www.aqmd.gov/grants-bids</a> following Board approval on November 6, 2020.

#### Outreach

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising the RFPs 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 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 Scheduled for Release in November 2020

### November 6, 2020 Board Meeting Report on RFP Scheduled for Release on November 6, 2020

(For detailed information visit SCAQMD's website at <a href="http://www.aqmd.gov/nav/grants-bids">http://www.aqmd.gov/nav/grants-bids</a> following Board approval on November 6, 2020)

### **SPECIAL TECHNICAL EXPERTISE**

RFP #P2021-05 Issue RFP for Software Systems Development, MOSKOWITZ/3329 Maintenance and Support Services

This action is to issue an RFP to solicit bids for vendors to provide a full range of high-quality software systems development, maintenance and support; enterprise resource planning; customer relationship management; and content management system services. Funds for these services are included in the FY 2020-21 Budget.

RFP #P2021-06 Issue RFP to Audit AB 2766 Fee Revenue Recipients for Fiscal Years 2017-18 and 2018-19.

JAIN/ 2804

AB 2766 requires any agency that received fee revenues subvened to the South Coast AQMD from the Department of Motor Vehicles to be audited once every two years. This action is to issue an RFP for an independent Certified Public Accountant to conduct the audits for Fiscal Years 2017-18 and 2018-19. Funds for this expense are included in the Fiscal Year 2020-21 Budget.



BOARD MEETING DATE: November 6, 2020 AGENDA NO. 14

REPORT: Rule and Control Measure Forecast

SYNOPSIS: This report highlights South Coast AQMD rulemaking activities

and public hearings scheduled for 2020.

COMMITTEE: No Committee Review

**RECOMMENDED ACTION:** 

Receive and file.

Wayne Nastri Executive Officer

PMF:SN:SR:AK:ZS

#### 2020 MASTER CALENDAR

The 2020 Master Calendar provides a list of proposed or proposed amended rules for each month, with a brief description, and a notation in the third column indicating if the rulemaking is for the 2016 AQMP, Toxics, AB 617 BARCT, or Other. Rulemaking efforts that are noted for implementation of the 2016 AQMP, Toxics, and AB617 BARCT are either statutorily required and/or are needed to address a public health concern. Projected emission reductions will be determined during rulemaking.

Staff is moving forward with rulemaking, recognizing stakeholders' resource limitations due to COVID-19. To maintain social distancing while integrating public participation in the rulemaking process, staff is connecting with stakeholders using tele- and videoconferencing. Also, staff has increased the review time for working group materials to allow stakeholders additional time to prepare for meetings. Lastly, working group meetings have been restructured to be shorter in duration to better accommodate the tele- and video-conferencing format.

The following symbols next to the rule number indicate if the rulemaking will be a potentially significant hearing, will reduce criteria pollutants, or is part of the RECLAIM transition. Symbols have been added to indicate the following:

- \* This rulemaking is a potentially significant hearing.
- <sup>+</sup> This rulemaking will reduce criteria air contaminants and assist toward attainment of ambient air quality standards.
- # This rulemaking is part of the transition of RECLAIM to a command-and-control regulatory structure.

The following table summarizes rules that were moved from 2020 To-Be-Determined that are scheduled for the first quarter of 2021. The December Rule and Control Measure Forecast Report will include rules scheduled for 2021. Staff will continue to work with all stakeholders as these projects move forward.

1407.1*	Control of Toxic Air Contaminant Emissions from Chromium Alloy
	Melting Operations
Proposed Rule 1	407.1 is moved from 2020 To-Be-Determined to January 2021.
1150.3*+	NOx Emission Reductions from Combustion Equipment at Landfills
Proposed Rule 1	150.3 is moved from 2020 To-Be-Determined to February 2021.
218*#	Continuous Emission Monitoring
218.1	Continuous Emission Monitoring Performance Specifications
218.2	Enhanced Requirements for Continuous Emission Monitoring
	System
218.3	Enhanced Requirements for Continuous Emission Monitoring
	System Performance Specifications
Proposed Amend	led Rules 218 and 218.1 and Proposed Rules 218.2 and 218.3 are moved
from 2020 To-Be	e-Determined to March 2021.
1109*+#	<b>Emissions of Oxides of Nitrogen from Boilers and Process Heaters in</b>
	Petroleum Refineries
1109.1	Reduction of Emissions of Oxides of Nitrogen from Refinery
	Equipment
Proposed Rule 1	109 and Proposed Amended Rule 1109.1 are moved from 2020 To-Be-
Determined to M	Iarch 2021.
2305*+	Warehouse Indirect Source Rule – Warehouse Actions and
	Investments to Reduce Emissions (WAIRE) Program
Proposed Rule 2:	305 is moved from 2020 To-Be-Determined to March 2021.

<sup>\*</sup> Potentially significant hearing

<sup>&</sup>lt;sup>+</sup> Reduce criteria air contaminants and assist toward attainment of ambient air quality standards

<sup>#</sup> Part of the transition of RECLAIM to a command-and-control regulatory structure

## 2020 MASTER CALENDAR

Month	T:411 D:4:	Type of
December	Title and Description	Rulemaking
1146#	Emissions of Oxides of Nitrogen from Industrial, Institutional, and	Other
	Commercial Boilers, Steam Generators, and Process Heaters	
	Proposed amendments to Rule 1146 are needed to remove the ammonia	
	slip limit in the rule which is currently addressed under Regulation XIII	
	New Source Review.	
	Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
Reg. XIII*#	New Source Review	AQMP
Reg. XX*#	RECLAIM	
Reg. XXX	Title V Permits	
	Proposed rule amendments are needed to reduce the Major Polluting	
	Facility thresholds for VOC and NOx from 25 tons per year to 10 tons	
	per year and the Major Modification threshold for VOC and NOx from	
	25 tons per year to 1 pound per day due to the re-designation of the	
	Coachella Valley from Severe to Extreme nonattainment of the 1997	
	federal 8-hour ozone standard.	
	Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	

<sup>\*</sup> Potentially significant hearing

<sup>&</sup>lt;sup>+</sup> Reduce criteria air contaminants and assist toward attainment of ambient air quality standards <sup>#</sup> Part of the transition of RECLAIM to a command-and-control regulatory structure

## First Quarter of 2021 MASTER CALENDAR

Month	Title and Description	Type of
January	The and Description	Rulemaking
1407.1*	Control of Toxic Air Contaminant Emissions from Chromium Alloy	Toxics/
	Melting Operations	AB 617
	Proposed Rule 1407.1 will establish requirements to reduce point source	CERP
	and fugitive toxic air contaminant emissions from chromium alloy metal	
	melting operations.	
February	Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
1150.3*+	NOx Emission Reductions from Combustion Equipment at Landfills	AQMP/
1130.3	Proposed Rule 1150.3 will establish NOx emission limits for combustion	AB 617
	equipment burning biofuels to reflect Best Available Retrofit Control	BARCT
	Technology and include monitoring, reporting, and recordkeeping	Britter
	requirements at landfills.	
	Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
March		
218*#	Continuous Emission Monitoring	AQMP
218.1	<b>Continuous Emission Monitoring Performance Specifications</b>	
218.2	<b>Enhanced Requirements for Continuous Emission Monitoring</b>	
	System	
218.3	<b>Enhanced Requirements for Continuous Emission Monitoring</b>	
	System Performance Specifications	
	Proposed Amended Rules 218 and 218.1 will include existing provisions	
	for continuous emissions monitoring systems for non-RECLAIM	
	facilities with minor revisions. The revised provisions for Continuous	
	Emissions Monitoring Systems (CEMS) will be included in Proposed	
	Rules 218.2 and 218.3 for non-RECLAIM and former RECLAIM	
	facilities.  Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
	Inchaet Mande 707.070.2700, CDQ:1. Smain frong 707.070.0170, Docto. Ian indefinium 707.070.0277	

<sup>\*</sup> Potentially significant hearing

<sup>&</sup>lt;sup>+</sup> Reduce criteria air contaminants and assist toward attainment of ambient air quality standards <sup>#</sup> Part of the transition of RECLAIM to a command-and-control regulatory structure

# First Quarter of 2021 MASTER CALENDAR (Continued)

Month	Title and Description	Type of		
March	Title and Description	Rulemaking		
1109*+#	Emissions of Oxides of Nitrogen from Boilers and Process Heaters	AQMP/		
	in Petroleum Refineries	AB 617		
1109.1*+#	Reduction of Emissions of Oxides of Nitrogen from Refinery	BARCT/		
	Equipment	AB 617		
	Proposed Rule 1109.1 will establish NOx emission limits to reflect Best	CERP		
	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.			
2205*+	Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	A 63 470 /		
2305*+	Warehouse Indirect Source Rule – Warehouse Actions and	AQMP/		
	Investments to Reduce Emissions (WAIRE) Program	AB 617		
	Proposed Rule 2305 will both reduce emissions and facilitate local and	CERP		
	regional emission reductions associated with warehouses and the mobile			
	sources attracted to warehouses.			
	Ian MacMillan 909.396.3244; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244			

<sup>\*</sup> Potentially significant hearing + Reduce criteria air contaminants and assist toward attainment of ambient air quality standards

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## 2020 To-Be-Determined

2020	Title and Description	Type of Rulemaking
209	Transfer and Voiding of Permits	Other
	Staff may propose amendments to clarify requirements for change of	
	ownership and permits and the assessment of associated fees.	
210	Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	Othor
219	Equipment Not Requiring a Written Permit Pursuant to	Other
222	Regulation II	
222	Filing Requirements for Specific Emission Sources not Requiring a Written Permit Pursuant to Regulation II	
461		
401	Gasoline Transfer and Dispensing Proposed Amended Rule 219 will modify permitting requirements for	
	mobile fueling operations. Proposed Amended Rule 222 will require	
	registration for mobile fueling operations meeting certain criteria.	
	Proposed Amended 461 will revise requirements for mobile refueling	
	operations.	
	Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
223	<b>Emission Reduction Permits for Large Confined Animal Facilities</b>	AQMP
	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.	
407#	TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	A.D. 617
407#	Liquid and Gaseous Air Contaminants	AB 617
	Proposed Amended Rule 407 will update SOx emission limits to reflect	BARCT
	Best Available Retrofit Control Technology, if needed, remove	
	exemptions for RECLAIM facilities, and update monitoring, reporting,	
	and recordkeeping requirements.  TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
425	Odors from Cannabis Processing	Other
	Proposed Rule 425 will establish requirements for control of odors from	
	cannabis processing.	
	Tracy Goss 909.396.3106; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
431.1#	Sulfur Content of Gaseous Fuels	AB 617
	Proposed Amended Rule 431.1 will assess exemptions, including	BARCT/
	RECLAIM, and update other provisions, if needed.	AB 617
	Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	CERP

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<sup>&</sup>lt;sup>+</sup> Reduce criteria air contaminants and assist toward attainment of ambient air quality standards <sup>#</sup> Part of the transition of RECLAIM to a command-and-control regulatory structure

2020	Title and Description	Type of Rulemaking
431.2#	Sulfur Content of Liquid Fuels	AB 617
	Proposed Amended Rule 431.2 will assess exemptions, including	BARCT/
	RECLAIM, and update other provisions, if needed.	AB 617
	Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	CERP
431.3#	Sulfur Content of Fossil Fuels	AB 617
	Proposed Amended Rule 431.3 will assess exemptions, including	BARCT/
	RECLAIM, and update other provisions, if needed.	AB 617
	Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	CERP
442.1	Usage of Solvent	Other
1107	Coating of Metal Parts and Products	
1124	Aerospace Assembly and Component Manufacturing Operations	
1136	Wood Products Coatings	
1145	Plastic, Rubber, Leather, and Glass Coatings	
1171	Solvent Cleaning Operations	
	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.	
1.62	Tracy Goss 909.396.3106; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	0.1
462	Organic Liquid Loading	Other
	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.  TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
463	Organic Liquid Storage	Other
	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.	
	TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	

<sup>\*</sup> Potentially significant hearing

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2020	Title and Description	Type of Rulemaking
468#	Sulfur Recovery Units	AB 617
	Proposed Amended Rule 468 will update SOx emission limits to reflect	BARCT
	Best Available Retrofit Control Technology, if needed, remove	
	exemptions for RECLAIM facilities, and update monitoring, reporting,	
	and recordkeeping requirements.  TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
469#	Sulfuric Acid Units	AB 617
	Proposed Amended Rule 469 will update SOx emission limits to reflect	BARCT
	Best Available Retrofit Control Technology, if needed, remove	
	exemptions for RECLAIM facilities, and update monitoring, reporting,	
	and recordkeeping requirements.	
1101#	TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	AD 617
1101#	Secondary Lead Smelters/Sulfur Oxides	AB 617
	Proposed Amended Rule 1101 will update SOx emission limits to reflect	BARCT
	Best Available Retrofit Control Technology, if needed, remove	
	exemptions for RECLAIM facilities, and update monitoring, reporting,	
	and recordkeeping requirements.  TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
1105#	Fluid Catalytic Cracking Units SOx	AB 617
	Proposed Amended Rule 1105 will update SOx emission limits to reflect	BARCT/
	Best Available Retrofit Control Technology, if needed, remove	AB 617
	exemptions for RECLAIM facilities, and update monitoring, reporting,	CERP
	and recordkeeping requirements.	
1110011	TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	4.03.55/
1110.2*+#	Emissions from Gaseous - and Liquid-Fueled Engines	AQMP/
	Proposed amendments may be needed for Rule 1110.2 to incorporate	AB 617
	possible comments by U.S. EPA for approval in the SIP and/or to	BARCT
	address use of emergency standby engines for Public Safety Power	
	Shutoff programs.  Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
1113	Architectural Coatings	Other
	Amendments may be needed to clarify applicability of the rule with	
	respect to distribution.	
	Dave DeBoer 909.396.2329; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	

<sup>\*</sup> Potentially significant hearing

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2020	Title and Description	Type of Rulemaking
1118*	Control of Emissions from Refinery Flares	AQMP/
	Proposed Amended Rule 1118 will revise provisions to further reduce	AB 617
	flaring. The AB 617 Community Emission Reduction Plan has an	CERP
	emission reduction target to reduce flaring by 50 percent if feasible.  Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
1119#	Petroleum Coke Calcining Operations – Oxides of Sulfur	AB 617
	Proposed Amended Rule 1119 will update SOx emission limits to reflect	BARCT/
	Best Available Retrofit Control Technology, if needed, remove	AB 617
	exemptions for RECLAIM facilities, and update monitoring, reporting,	CERP
	and recordkeeping requirements.	
1121*	TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244  Control of Nitrogen Oxides from Residential Type, Natural-Gas-	AQMP
1121	Fired Water Heaters	AQMI
	Proposed amendments may be needed further reduce NOx emissions	
	from water heaters.	
	Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
1133.3	<b>Emission Reductions from Greenwaste Composting Operations</b>	AQMP
	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.	
1124	TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	AOMD/
1134	Emissions of Oxides of Nitrogen from Stationary Gas Turbines	AQMP/
	Proposed Amended Rule 1134 will revise monitoring, reporting, and	AB 617
	recordkeeping provisions to reflect amendments to Proposed Amended	BARCT
	Rules 218 and 218.1 and possibly other amendments to address comments from U.S. EPA and to streamline implementation.	
	Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
1135	Emissions of Oxides of Nitrogen from Electricity Generating	AQMP/
	Facilities	AB 617
	Proposed Amended Rule 1135 will revise monitoring, reporting, and	BARCT
	recordkeeping provisions to reflect amendments to Proposed Amended	
	Rules 218 and 218.1 and possibly other amendments to address	
	comments from U.S. EPA.	
	Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	

<sup>\*</sup> Potentially significant hearing

<sup>&</sup>lt;sup>+</sup> Reduce criteria air contaminants and assist toward attainment of ambient air quality standards <sup>#</sup> Part of the transition of RECLAIM to a command-and-control regulatory structure

2020	Title and Description	Type of Rulemaking
1138	Control of Emissions from Restaurant Operations	AQMP
	Proposed Amended Rule 1138 will further reduce emissions from char	
	boilers.	
1142	Tracy Goss 909.396.3106; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244  Marine Tank Vessel Operations	Other
1142	Proposed Amended Rule 1142 will address VOC and hydrogen sulfide	Other
	emissions from marine tank vessel operations and provide clarifications.  TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
1146.1#	Emissions of Oxides of Nitrogen from Small Industrial,	Other
	Institutional, and Commercial Boilers, Steam Generators, and	
	Process Heaters	
	Proposed amendments to Rule 1146.1 may be needed to clarify	
	provisions for industry-specific categories and to incorporate comments	
	from U.S. EPA.	
1146.2#	Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244  Emissions of Oxides of Nitrogen from Large Water Heaters and	AQMP/
1140.2	Small Boilers and Process Heaters	AB 617
	Proposed Amended Rule 1146.2 will be revised to lower the NOx	BARCT
	emission limit to reflect Best Available Retrofit Control Technology.  Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	Dinte i
1147*+#	NOx Reductions from Miscellaneous Sources	AQMP/
	Proposed Amended Rule 1147 will revise NOx emission limits to reflect	AB 617
	Best Available Retrofit Control Technology for miscellaneous	BARCT
	combustion sources and that will apply to RECLAIM and non-	
	RECLAIM facilities.	
1100#	Implementation Schedule for NOx Facilities	
	Proposed Amended Rule 1100 will establish the implementation	
	schedule for Rule 1147 equipment at NOx RECLAIM and former NOx	
	RECLAIM facilities.	
	Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	j

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2020	Title and Description	Type of Rulemaking
	NOx Reductions for Equipment at Aggregate Facilities	AQMP/
	Proposed Rule 1147.1 will establish NOx emission limits to reflect Best	AB 617
	Available Retrofit Control Technology for NOx equipment at aggregate	BARCT
	facilities and will apply to RECLAIM and non-RECLAIM facilities.	
	NOx Reductions from Miscellaneous Sources	
1147*+#	Proposed Amended Rule 1147 will remove equipment that will be	
	regulated under Proposed Rule 1147.1.	
1147 0*+#	Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176 and Socio: Ian MacMillan 909.396.3244	A ON AD
	NOx Reductions from Metal Melting and Heating Furnaces	AQMP/
	Proposed Rule 1147.2 will establish NOx emission limits to reflect Best	AB 617
	Available Retrofit Control Technology for metal melting and heating	BARCT
	furnaces and will apply to RECLAIM and non-RECLAIM facilities.	
1147*+#	NOx Reductions from Miscellaneous Sources	
	Proposed Amended Rule 1147 will remove equipment that will be	
	regulated under Proposed Rule 1147.2.	
1140.1%	Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	0.1
	Oil and Gas Production Wells	Other/
	Proposed Amended Rule 1148.1 will evaluate exemptions under Rule	AB 617
	463 to harmonize implementation for low producers. Other proposed	CERP
	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.  TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
1148.2	Notification and Reporting Requirements for Oil and Gas Wells and	Other/
	Chemical Suppliers	AB 617
	Proposed amendments to Rule 1148.2 may be needed to improve	CERP
	notifications of well working activities to the community.  TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	

<sup>\*</sup> Potentially significant hearing

<sup>&</sup>lt;sup>+</sup> Reduce criteria air contaminants and assist toward attainment of ambient air quality standards <sup>#</sup> Part of the transition of RECLAIM to a command-and-control regulatory structure

2020	Title and Description	Type of Rulemaking
1166	Volatile Organic Compound Emissions from Decontamination of	Other
	Soil	
	Proposed Amended Rule 1166 will update requirements, specifically	
	concerning notifications and usage of mitigation plans (site specific	
	Versus various locations).  Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
1173	Control of Volatile Organic Compound Leaks and Releases from	Other/
1175	Components at Petroleum Facilities and Chemical Plants	AB 617
	Proposed revisions to Rule 1173 are being considered based on recent	CERP
	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.	
1176	TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	O41 11/
1176	VOC Emissions from Wastewater Systems	Other/
	Proposed Amended Rule 1176 will clarify the applicability of the rule to include bulk terminals under definition of "Industrial Facilities," and	AB 617 CERP
	streamline and clarify provisions.	CERP
	TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
1180	Refinery Fenceline and Community Air Monitoring	Other
	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.	
1403*	Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	Toxics
1403	Asbestos Emissions from Demolition/Renovation Activities	TOXICS
	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.	
	TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	

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<sup>&</sup>lt;sup>+</sup> Reduce criteria air contaminants and assist toward attainment of ambient air quality standards <sup>#</sup> Part of the transition of RECLAIM to a command-and-control regulatory structure

2020	Title and Description	Type of Rulemaking
1415	Reduction of Refrigerant Emissions from Stationary Air	Other
1415.1	Conditioning Systems, and Reduction of Refrigerant Emissions from	
	Stationary Refrigeration Systems	
	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.	
1420	David De Boer 909.396.2329; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244  Emissions Standard for Lead	Toxics
1420	Proposed Amended Rule 1420 will update requirements to address	TOXICS
	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.	
	Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
1420.2	Emission Standards for Lead from Metal Melting Facilities	Toxics
	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.  Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
1426*	Reduction of Toxic Air Contaminants from Metal Finishing	Toxics/
	Operations	AB 617
	Proposed amendments to Rule 1426 will establish requirements to	CERP
	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.	
1435*	Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	Towing/
1433	Control of Emissions from Metal Heat Treating Processes  Proposed Pule 1425 will establish requirements to reduce point source	Toxics/
	Proposed Rule 1435 will establish requirements to reduce point source	AB 617 CERP
	and fugitive toxic air contaminants including hexavalent chromium	CERF
	emissions from heat treating processes. Proposed Rule 1435 will also include monitoring, reporting, and recordkeeping requirements.	
	Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	

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2020	Title and Description	Type of
	7	Rulemaking
1445	Control of Toxic Emissions from Laser Arc Cutting	Toxics
	Proposed Rule 1445 will establish requirements to reduce toxic metal	
	particulate emissions from laser arc cutting.  TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
1450*	Control of Methylene Chloride Emissions	Toxics
	Proposed Rule 1450 will reduce methylene chloride emissions from	
	furniture stripping and establish monitoring, reporting, and	
	recordkeeping11 requirements.	
1.4.50.4	Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; and Socio: Ian MacMillan 909.396.3244	T
1469*	Hexavalent Chromium Emissions from Chromium Electroplating	Toxics
	and Chromic Acid Anodizing Operations	
	Proposed amendments to Rule 1469 may be needed to address use of	
	chemical fume suppressants or other implementation issues. <i>Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i>	
1469.1*	Spraying Operations Using Coatings Containing Chromium	Toxics/
1.05.11	Proposed Amended Rule 1469.1 will establish additional requirements	AB 617
	to address hexavalent chromium emissions from spraying operations	CERP
	using chromium primers or coatings.	
1.1=0	Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
1470	Requirements for Stationary Diesel-Fueled Internal Combustion	Toxics
	and Other Compression Ignition Engines	
	Proposed Amended Rule 1470 will establish additional provisions to	
	reduce the exposure to diesel particulate from new and existing small	
	$(\le 50 \text{ brake horsepower})$ diesel engines located near sensitive receptors.	
	Proposed amendments may be needed to address use of engines during	
	Public Safety Power Shutoffs.  Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
1472	Requirements for Facilities with Multiple Stationary Emergency	Toxics
	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.	
1400	Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	/ / A.D.
1480	Toxics Monitoring	Toxics/ AB
	Proposed amendments to Rule 1480 may be needed to remove fee	617 CERP
	provisions if they are incorporated in Regulation III.  Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176 and Socio: Ian MacMillan 909.396.3244	
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2020	Title and Description	Type of
	This und Description	Rulemaking
2202*	On-Road Motor Vehicle Mitigation Options	Other
	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.	
Ъ Ш	Carol Gomez 909.396.3264; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	0.1
Reg. III	Fees	Other
	Staff recently proposed six minor amendments (including two that	
	would raise fees) to Regulation III and Rule 1480. However, given the	
	recent circumstances stemming from the COVID-19 pandemic, staff is	
	no longer proposing the amendments to Regulation III or Rule 1480 this	
	year. In addition, staff is proposing to credit back this year's automatic	
	2.8% CPI increase as a budget action so that facilities will not	
	experience any new fee increases for this upcoming fiscal year (FY	
	2020-2021).	
	Ian MacMillan 909.396.3244; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244	
Reg. XXIII*+	Facility-Based Mobile Sources	AQMP/
	Proposed rules within Regulation XXIII would reduce emissions from	Toxics/
	indirect sources (e.g., mobile sources that visit facilities). The rule or set	AB 617
	of rules that would be brought for Board consideration would reduce	CERP
	emissions from railyards.	
	Ian MacMillan 909.396.3244; CEQA: Jillian Wong 909.396.3176 Socio: Ian MacMillan 909.396.3244	

<sup>\*</sup> Potentially significant hearing

<sup>+</sup> Reduce criteria air contaminants and assist toward attainment of ambient air quality standards

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2020	Title and Description	Type of Rulemaking
Reg. II, IV,	Various rule amendments may be needed to meet the requirements of	Other/
XIV, XI, XIX,	state and federal laws, implement OEHHA's 2015 revised risk	AQMP/
XXIII, XXIV,	assessment guidance, changes from OEHHA to new or revised toxic air	Toxics/
XXX and	contaminants or their risk values, address variance issues/technology-	AB 617
XXXV	forcing limits, to abate a substantial endangerment to public health or	BARCT/
	additional reductions to meet SIP short-term measure commitments. The	AB 617
	associated rule development or amendments include, but are not limited	CERP
	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.	

<sup>\*</sup> Potentially significant hearing

<sup>&</sup>lt;sup>+</sup> Reduce criteria air contaminants and assist toward attainment of ambient air quality standards

<sup>#</sup> Part of the transition of RECLAIM to a command-and-control regulatory structure



BOARD MEETING DATE: November 6, 2020 AGENDA NO. 15

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 item is to provide the monthly status report on

major automation contracts and planned projects.

COMMITTEE: Administrative, October 6, 2020, Reviewed

**RECOMMENDED ACTION:** 

Receive and file.

Wayne Nastri Executive Officer

RMM:MAH:XC:dc

#### **Background**

Information Management (IM) provides a wide range of information systems and services in support of all South Coast AQMD operations. IM's primary goal is to provide automated tools and systems to implement Board-approved rules and regulations, and to improve internal efficiencies. The annual Budget and Board-approved amendments to the Budget specify projects planned during the fiscal year to develop, acquire, enhance, or maintain mission-critical information systems.

In light of COVID-19 and the related budget impact, we are evaluating all of our projects and delaying non-critical projects as long as possible.

#### **Summary of Report**

The attached report identifies the major projects/contracts or purchases that are ongoing or expected to be initiated within the next six months. Information provided for each project includes a brief project description and the schedule associated with known major milestones (issue RFP/RFQ, execute contract, etc.).

#### **Attachment**

Information Management Status Report on Major Ongoing and Upcoming Projects During the Next Six Months

## **ATTACHMENT**

# November 6, 2020 Board Meeting Status Report on Major Ongoing and Upcoming Projects for Information Management

Project	<b>Brief Description</b>	Estimated Project Cost	Completed Actions	Upcoming Milestones
Office 365 Implementation	Acquire and implement Office 365 for South Coast AQMD staff	\$350,000	<ul> <li>Pre-assessment evaluation and planning completed</li> <li>Board approved funding on October 5, 2018</li> <li>Developed implementation and migration plan</li> <li>Acquired Office 365 licenses</li> <li>Implemented Office 365 email (Exchange) and migrated all users</li> <li>Trained staff in Office 365 Pro Plus desktop software</li> <li>Implemented Office 365 Pro Plus, Office Web, and OneDrive for Business</li> </ul>	• Implement Office 365 internal website (SharePoint) and migrate existing content
Permitting System Automation Phase 1	New Web application to automate the filing of permit applications with immediate processing and issuance of permits for specific application types: Dry Cleaners, Gas Stations, and Automotive Spray Booths	\$694,705	<ul> <li>Automated 400A form filing, application processing, and online permit generation for Dry Cleaner, Automotive Spray Booth, and Gas Station Modules deployed to production</li> <li>Enhanced processing of school locations with associated parcels</li> <li>Deployed upgraded GIS Map integration and enhanced sensitive receptor identification and distance measurement work</li> <li>Deployed new version of On Line Application Filing (OLAF) that includes Rule 212(c)(1)</li> <li>Implementation Guidance</li> </ul>	• 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 of permit applications, Rule 222 equipment and registration for IC engines; implement electronic permit folder and workflow for internal South Coast AQMD users	\$525,000	<ul> <li>Board approved initial Phase 2 funding December 2017</li> <li>Board approved remaining Phase 2 funding October 5, 2018</li> <li>Completed report outlining recommendations for automation of Permitting Workflow</li> <li>Developed application submittals and form filing for first nine of 32 400-E forms</li> <li>Completed application submittals and form filing for 23 types of equipment under Rule 222 ready for User Testing</li> <li>Deployed to production top three most frequently used Rule 222 forms: Negative Air Machines, Small Boilers, and Charbroilers</li> </ul>	<ul> <li>Complete User         Testing for first         nine 400-E forms</li> <li>Complete User         Acceptance         Testing and         Deployment to         production of         Emergency IC         Engines Form         (EICE-RE)</li> <li>Complete User         Acceptance         Testing and         Deployment of         remaining 22 Rule         222 forms to         production</li> <li>Complete         requirements         gathering for         Phase II of the         project (an         additional 10 400-         E-XX forms)</li> </ul>
Legal Division New System Development	Develop new web- based case management system for Legal Division to replace existing system	\$500,000	<ul> <li>Task order issued, evaluated and awarded</li> <li>Project charter finalized</li> <li>Business Process Model completed</li> <li>User Acceptance Testing completed</li> <li>User Training completed</li> <li>Parallel testing completed</li> <li>Deployed to production</li> </ul>	Phase II     Requirements

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
Replace Your Ride (RYR)	New Web application to allow residents to apply for incentives to purchase newer, less polluting vehicles	\$301,820	<ul> <li>Phase 2 and 3 Fund Allocation,         Administration,         Management Reporting modules, VIN Number,         Case Manager, Auto e-mail and document library updates deployed and in production</li> <li>Implemented following modifications: Electric Vehicle Service         Equipment, email templates, call center hours, additional incentive amounts, VIN Number scramble modifications and replacement option choices to allow staff to process application more efficient</li> <li>Implemented RYR and PeopleSoft Financial integration module</li> </ul>	User Acceptance for web edits
South Coast AQMD Mobile Application Enhancements	Enhancement of Mobile application from SRA based map to grid map. This grid map will allow users to see AQI at a finer resolution.	\$100,000	<ul> <li>Vision and scope completed</li> <li>Project charter released</li> <li>Task order issued, evaluated and awarded</li> <li>Project kick off completed</li> <li>User Interface design completed</li> <li>Code Development completed</li> </ul>	<ul> <li>Migrate Gridded         Air Quality         Calculation to         enterprise         architecture</li> <li>User Acceptance         Testing</li> </ul>

Project	Brief Description	Estimated Project Cost	<b>Completed Actions</b>	Upcoming Milestones
Flare Event Notification – Rule 1118	Develop new web- based application to comply with Rule 1118 to improve current flare notifications to the public and staff	\$100,000	<ul> <li>Project charter released</li> <li>Task order issued, evaluated and awarded</li> <li>Major incident notification deployed</li> <li>Refinery user training completed</li> <li>Deployed to production on December 12, 2019 including major incident reporting on public portal</li> <li>Phase II development on administrative and reporting pages completed</li> <li>Completed Phase II User Acceptance Testing</li> <li>Demonstrated Phase II to EO/EC</li> </ul>	• Training for Refinery staff on Sept 22-23, 2020
PeopleSoft Electronic Requisition	South Coast AQMD is implementing an electronic requisition for PeopleSoft Financials. This will allow submittal of requisitions online, tracking multiple levels of approval, electronic archival, pre-encumbrance of budget, and streamlined workflow	\$75,800	<ul> <li>Project charter released</li> <li>Task order issued, evaluated and awarded</li> <li>Requirement gathering and system design completed</li> <li>System setup and code development and user testing for Information Management completed</li> <li>System setup and code development and User Acceptance Testing completed for Administrative and Human Resources completed</li> <li>System setup for Technology Advancement Office completed</li> </ul>	<ul> <li>Deployment to IM and AHR         Divisions</li> <li>TAO training         Integrated User         Testing for other         divisions</li> </ul>

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
AQ-SPEC Cloud Platform	Develop a cloud- based platform to manage and visualize data collected by low-cost sensors	\$385,500	<ul> <li>Project charter released</li> <li>Task order issued, evaluated and awarded</li> <li>Business requirements gathering completed</li> <li>System architecture, data storage, and design data ingestion completed</li> <li>Data transformations, calculations and averaging completed</li> <li>Dashboards, microsites and data migration completed</li> <li>Release 2 User Acceptance Testing completed</li> <li>Deployment to production completed</li> </ul>	Support public outreach for AQ- SPEC Platform
VW Environmental Mitigation Action Plan Project	CARB has assigned South Coast AQMD to develop web applications for two projects: Zero- Emission Class 8 Freight and Port Drayage Truck Project and Combustion Freight and Marine Project. The agency is also responsible for maintaining a database that will be queried for reporting perspectives for CARB	\$355,000	<ul> <li>Draft Charter Document issued</li> <li>Project Initiation completed</li> <li>Task order issued</li> <li>Deployed Phase I to production</li> <li>Phase II to production – Messaging, Evaluation, and Administration</li> <li>Development of evaluation module and calculation module completed</li> <li>Phase III - ZE Class 8 Application Deployed to production</li> </ul>	Development of Phase III – Ranking Contracting, and Inspection

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
CLASS Database Software Licensing	Purchase Actian Ingres database software licensing, support and maintenance for the CLASS system for one-year period (November 30, 2020 through November 30, 2021)	\$277,200	• Board approval October 2, 2020	• Execute contract November 30, 2020
Cybersecurity Assessment	Perform a cybersecurity risk assessment, maturity assessment, and penetration testing	\$100,000 (not included in FY 2020- 21 Budget)		<ul> <li>Release RFP December 4, 2020</li> <li>Award Contract February 5, 2021</li> <li>Complete Cybersecurity assessment May 31, 2021</li> </ul>
Source Test Tracking System	South Coast AQMD will implement an Online Source Test Tracking System to keep track of timelines, as well as quantify the number of test protocols and reports received. The Source Test Tracking System will provide an external online portal to submit source testing protocols and reports, ability to track the review process, and provide integration to all other business units for all source test protocols and report submitted. It will also provide an external dashboard to review the status of a submittal	\$250,000	<ul> <li>Project Charter approved</li> <li>Project Initiation completed</li> <li>Task Order issued</li> <li>Project Kick-off completed</li> <li>User requirements gathering for Source Testing and Engineering &amp; Permitting Divisions completed</li> <li>User requirements gathering for Compliance &amp; Enforcement and Planning Divisions completed</li> <li>Development of Full Business Process Model of the To-Be system completed</li> <li>Development of screens mock-ups for the system completed.</li> </ul>	<ul> <li>Approve proposal for system development</li> <li>Review proposed automation with EQUATE group</li> <li>Review proposed automation with Stationary Source Committee</li> <li>Begin development of Source Test Tracking System</li> </ul>

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
Renewal of HP Server Maintenance & Support	Purchase of maintenance and support services for servers and storage devices	\$140,000		<ul> <li>Board Letter for HP server maintenance and support on April 2, 2021</li> <li>Execute contract April 30, 2021</li> </ul>
Renewal of OnBase Software Support	Authorize the sole source purchase of OnBase software subscription and support for one year	\$140,000		<ul> <li>Request Board approval May 7, 2021</li> <li>Execute contract July 15, 2021</li> </ul>

Projects that have been completed within the last 12 months are shown below.					
Completed Projects					
Project	Date Completed				
Volkswagen Environmental Mitigation Administration Zero Emission Class 8	August 18, 2020				
Ingres Actian X database migration	August 17, 2020				
Rule 1403 Enhancement	July 1, 2020				
Legal Office System	June 17, 2020				
Document Conversion Services	June 30, 2020				
Oracle PeopleSoft Software Support	June 5, 2020				
Renewal of OnBase Software Support	May 1, 2020				
Public Facing Permit Application Status Dashboard	May 1, 2020				
Mobile Application Enhancement – Hourly Forecast	April 29, 2020				
Renewal of HP Server Maintenance & Support	April 30, 2020				
Rule 1180 Fence Line Monitoring Web Site Enhancements	April 3, 2020				
Volkswagen Environmental Mitigation Administration and Communication Module	March 3, 2020				
Data Cable Infrastructure Installation	February 31, 2020				
Prequalify Vendor List for PCs, Network Hardware, etc.	February 7, 2020				
Mobile Application Enhancements Including Spanish Language	January 23, 2020				
Annual Emissions Reporting System	December 31, 2019				
Rule 1180 Fence Line Monitoring Website	December 31, 2019				
Online filing of Rule 222 – Negative Air Machines, Small Boilers, and Charbroilers Modules	December 13, 2019				
Flare Notification System	December 12, 2019				
Volkswagen Environmental Mitigation Application Filing Portal	December 7, 2019				
CLASS Database Software Licensing and Support	November 30, 2019				
Office 365 Suite Implementation of File Storage (OneDrive for Business)	November 22, 2019				



BOARD MEETING DATE: November 6, 2020 AGENDA NO. 17

REPORT: Administrative Committee

SYNOPSIS: The Administrative Committee held a meeting remotely, Friday,

October 9, 2020. 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 (videoconference) Council Member Michael Cacciotti (videoconference) Council Member Judith Mitchell (videoconference)

Absent: None

#### Call to Order

Chair Burke called the meeting to order at 10:00 a.m.

#### **DISCUSSION ITEMS:**

- 1. **Board Members' Concerns:** None to report.
- 2. **Chairman's Report of Approved Travel:** None to report.
- 3. **Report of Approved Out-of-Country Travel:** None to report.

- 4. **Review November 6, 2020 Governing Board Agenda:** There were no comments.
- 5. **Approval of Compensation for Board Member Assistant(s)/Consultant(s):** There were no proposals to consider.
- 6. **Update on South Coast AQMD Inclusion, Diversity and Equity Efforts:** Wayne Nastri, Executive Officer, reported that the Inclusion, Diversity and Equity Advisory (IDEA) panel continues to meet and has been working on defining its framework and operational parameters. They are also reviewing the hundreds of comments that were received from the original survey of employees. The Board recently approved the Diversity, Equity and Inclusion Officer position and we are currently working on the job description. Dr. Burke asked about the composition of the IDEA panel. Mr. Nastri responded it is comprised of staff as represented across the entire organization, with up to two staff members from each division, with approximately 19 panel members. The panel is looking into forming subcommittees as well. Ultimately, the IDEA panel will make recommendations to Executive Council. Bayron Gilchrist added that Mr. Nastri, Jill Whynot, John Olvera and two members from the IDEA panel will be participating in an in-depth training provided by the Government Alliance on Race and Equity (GARE). Dr. Burke further asked who selects the two members from each department. Mr. Nastri responded that Executive Council reviewed the list of volunteers and he made the selections. Dr. Burke commented that Mr. Nastri was moving in a great and expeditious manner.
- 7. **Budget and Economic Outlook Update:** Jill Whynot, Chief Operating Officer, reported that revenue increased slightly from the previous month as we had received an additional \$3 million; however, it is basically made up of two streams of revenue that normally would have been received in October. Dr. Burke asked where the money come from. Ms. Whynot responded there were two checks worth \$1.5 million each; one from DMV fees and the other was for the state portable equipment registration program (PERP) equipment. which are those engines that are registered throughout the state, rather than individual districts. Dr. Burke asked if it was state money. Ms. Whynot responded yes. While there has been some improvement lately in permits received, the year-to-date for permit applications received is down about 21 percent.
- 8. **Status Report on Major Ongoing and Upcoming Projects for Information Management:** Ron Moskowitz, Chief Information Officer/Information
  Management reported that we are developing a system to automate all of our
  contract processes to be 100 percent electronic with digital signatures. This will
  eliminate paperwork and improve staff efficiency and is estimated to go live in
  about three weeks. As of today, we have a total of \$38,020 mobile app users. The

app is continuing to be enhanced and a new AQI grid map will be released by the end of the year. All other projects are on schedule. Vice Chair Ben Benoit commended Mr. Moskowitz for a job well-done. Dr. Burke commented that he was watching Channel 5 news and a member of Coalition for Clean Air discussed available apps that the public could use to check air quality in their specific area, but he didn't mention the South Coast AQMD's app. Mr. Nastri responded that he would check into it.

9. **Report of RFPs Scheduled for Release in November:** Sujata Jain, Chief Financial Officer/Finance reported that this item is to release two RFPs; one is for software systems development and maintenance, and the second one is for AB 2766 audit services for a two-year period.

#### **ACTION ITEMS:**

10. Appropriate Funds, Execute and/or Amend Contracts, and Issue Solicitations and Purchase Orders for AB 617 Implementation: Ms. Jain reported that this item is to ask for appropriation authority of up to \$1.7 million for the AB 617 implementation funds that were received in June, and to authorize the Executive Officer to execute and/or amend contracts, and issue solicitations and purchase orders for AB 617 implementation. Dr. Burke asked if we were behind in receiving AB 617 funds so far this year. Ms. Jain responded we have the funds and are not behind. Mr. Nastri clarified that these funds are for implementation and added that we received a small increase compared to last year.

Moved by Mitchell; seconded by Benoit, unanimously approved.

Ayes: Burke, Benoit, Cacciotti, Mitchell

Noes: None Absent: None

11. **Establish Board Meeting Schedule for Calendar Year 2021:** Mr. Nastri reported that this item is to request approval of the 2021 Board meeting schedule. The January Board meeting is scheduled for January 8, 2021 due to the first Friday in January is on January 1<sup>st</sup>. We will continue to be dark in July rather than in August as in previous years.

Moved by Mitchell; seconded by Cacciotti, unanimously approved.

Ayes: Burke, Benoit, Cacciotti, Mitchell

Noes: None Absent: None

#### **WRITTEN REPORT:**

12. Local Government & Small Business Assistance Advisory Group Minutes for the August 14, 2020 Meeting: The report was acknowledged and received.

#### **OTHER MATTERS:**

- 13. **Other Business:** There was no other business.
- 14. **Public Comment**: There were no public comments.
- 15. **Next Meeting Date:** The next regular Administrative Committee meeting is scheduled for November 13, 2020 at 10:00 a.m.

#### Adjournment

The meeting adjourned at 10:21 a.m.

#### **Attachment**

Local Government & Small Business Assistance Advisory Group Minutes for the August 14, 2020 meeting



# LOCAL GOVERNMENT & SMALL BUSINESS ASSISTANCE ADVISORY GROUP FRIDAY, AUGUST 14, 2020 MEETING MINUTES

#### **MEMBERS PRESENT:**

Council Member Ben Benoit, LGSBA Chairman (Board Member)

Supervisor V. Manuel Perez (Board Member)

Supervisor Janice Rutherford (Board Member)

Felipe Aguirre

Mayor Pro Tempore Rachelle Arizmendi, City of Sierra Madre

Paul Avila, P.B.A. & Associates

Geoffrey Blake, Metal Finishers of Southern California

Todd Campbell, Clean Energy

LaVaughn Daniel, DancoEN

John DeWitt, JE DeWitt, Inc.

Bill LaMarr, California Small Business Alliance

Rita Loof, RadTech International

Eddie Marquez, Roofing Contractors Association

David Rothbart, Los Angeles County Sanitation District

#### **MEMBERS ABSENT:**

#### **OTHERS PRESENT:**

Mark Ambrowitz
Dan McGirney, SoCal Gas
Andy Silva, San Bernardino County
Mark Taylor, Board Member Consultant (*Rutherford*)
Ben Wong
Jose Luis Zavola

#### **SOUTH COAST AQMD STAFF:**

Derrick Alatorre, Deputy Executive Officer
Philip Fine, Deputy Executive Officer
Terrence Mann, Deputy Executive Officer
Fabian Wesson, Assistant Deputy Executive Officer
Teresa Barrera, Senior Deputy District Counsel
Lisa Tanaka O'Malley, Senior Public Affairs Manager
Victor Yip, Senior Enforcement Manager
Scott Epstein, Program Supervisor

Anthony Tang, Information Technology Supervisor
Ricardo Rivera, Senior Staff Specialist
Van Doan, Air Quality Specialist
Elaine-Joy Hills, Air Quality Specialist
Alicia Rodriguez, Senior Public Information Specialist
Jeanette Short, Senior Public Information Specialist
Paul Wright, Senior Information Technology Specialist
Danietra Brown, Career Development Intern

#### Agenda Item #1 - Call to Order/Opening Remarks

Ms. Lisa Tanaka O'Malley called the meeting to order at 11:30 a.m. and provided guidelines and general instructions for participation in the remote meeting for the Local Government & Small Business Assistance Advisory Group (LGSBA) meeting via Zoom webinar and teleconference.

<u>Agenda Item #2 – Approval of June Meeting Minutes/Review of Follow-Up/Action Items</u>
Supervisor Janice Rutherford called for approval of the June 12, 2020 meeting minutes. The minutes were approved unanimously.

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

Supervisor Rutherford stated that there were no follow-up or action items, which was confirmed by Ms. Tanaka O'Malley.

# <u>Agenda Item #4 – Emissions Reductions and Air Quality Impacts from COVID-19 Pandemic Response</u>

Dr. Scott Epstein provided information on data using various indicators to estimate the changes in emissions and the impacts on regional air quality.

Supervisor Rutherford referenced slide #4 and asked how naturally-occurring air quality challenges influence air quality. Dr. Epstein replied that naturally-occurring volatile organic compounds (VOC), such as emissions from vegetation, react in the atmosphere in the same way as VOC's emitted by humans and affect ozone and particulate matter (PM<sub>2.5</sub>) concentrations. Although those VOC's cannot be reduced, attainment goals could be met by reducing human emissions. Supervisor Rutherford stated that due to the South Coast Air Basin's (SCAB) geography, poor air quality is present even without emission sources presented on the slide. Dr. Epstein replied that several factors contribute to air pollution, including warm temperature, sunlight, geography, and high emissions. There are 17 million people living in the SCAB contributing to the high level of emissions, particularly from fossil fuel combustion for transportation of people and goods. Furthermore, the SCAB is surrounded by mountains and prevailing wind from the coast pushes emissions inland and traps them there.

Ms. Rita Loof referenced slide #7 and asked for clarification on the last purple line on the timeline. Dr. Epstein replied that it represented very unhealthy air quality.

Supervisor Rutherford referenced slide #13 and inquired about the average nitrogen oxide ( $NO_x$ ) and ozone levels used in graphs versus the maximum  $PM_{2.5}$  levels. Dr. Epstein indicated that  $NO_x$  levels shown in the graph are used as a surrogate for emissions because its concentrations are not high enough to pose a health problem; therefore, not driving the air quality index. The graph for  $NO_x$  shows how the

levels have trended. On the other hand, PM<sub>2.5</sub> and ozone are more relevant since they drive the air quality index, so the maximum levels were used.

Mr. David Rothbart commented that based on the models, the NO<sub>x</sub> levels decreased while the ozone levels didn't and asked if the increase in VOC levels complicated the chemistry, resulting in the increased ozone levels. Dr. Epstein replied that the results were consistent with the expectations; however, more VOC data is needed. Mr. Rothbart stated that attainment is difficult to achieve, and this was a great way to validate the models. Dr. Epstein indicated that these experiments are valuable for validating models like these and the regional modeling group is working with California Air Resources Board (CARB) on a coronavirus disease (COVID) emissions inventory and models. Mr. Rothbart suggested to consider the VOC emissions from hand sanitizer. Dr. Epstein replied that hand sanitizer may not be a dominant emission source, but could be an example of how certain categories have increased significantly.

Ms. Loof summarized that media showed air quality was good due to the stay-at-home order. It appeared to be valid in the first few weeks; however, air quality issues are still present. Dr. Epstein stated that the media was not wrong in stating that there was good air quality at the beginning. There were some articles showing empty freeways and very clean air, and it was easy to draw that connection. Realistically, the connection is more complicated and was likely due to meteorology. In the early days, there were increased rainfall and frequent wind events that improved the air quality and when those events subsided, the poor air quality returned.

Mr. John DeWitt asked if there are any cost and emissions reductions analyses. Dr. Philip Fine replied that when a rule or plan is in development, the cost-effectiveness and benefits are carefully assessed to determine the costs incurred by industry. It is also included in the rule making process for CARB and Environmental Protection Agency (EPA). After the rules have passed, many have tried to obtain compliance cost data from industry, but were unsuccessful. However, the overall cost and benefits are analyzed for various regulatory measures and are included in the Air Quality Management Plan (AOMP).

Action item: Provide links for past cost-effectiveness analyses.

#### Agenda Item #5 – Environmental Justice Updates

Ms. Fabian Wesson and Ms. Alicia Rodriguez presented on Environmental Justice outreach efforts, including updates on the Environmental Justice Community Partnership.

Ms. Loof asked why the Inter-Agency Task Force staff directory is confidential. Ms. Wesson replied that the staff directory may include private cellular phone numbers, intended for internal use only.

**Action item**: Provide a link to register for the 6<sup>th</sup> Annual Environmental Justice Conference.

Supervisor V. Manuel Perez stated that in working with the Assembly Bill (AB) 617 environmental justice groups in the Coachella Valley and with staff, struggles regarding governance and the process were found. Supervisor Perez stated that it is important to provide updates and allow for others to make recommendations. They are interested in having a governance structure, which follows the Brown Act. He further stated that he might not agree with it, but believed that it is important to provide the facts, listen and understand why they would like to move in that direction. They could decide for themselves

and present it to the Governing Board (GB). Ms. Wesson replied that there have been three charter working group meetings regarding the Brown Act. At the last meeting, the charter working group voted to not include the Brown Act and will present its recommendation to the Community Steering Committee (CSC) at the next meeting on August 26, 2020. There has been an open and transparent process, which allowed for the groups to provide input and recommendations.

Ms. Rodriguez stated that there is an Environmental Justice Community Partnership Advisory Council that advises staff on Environmental Justice Conference, Clean Air Program for Elementary Students (C.A.P.E.S), and other community programs. The members of the advisory council are from all four counties and new members are invited to participate.

Ms. Loof expressed support for Supervisor Perez's comments and indicated that the LGSBA advisory group previously faced a similar issue and needed clarification on the process to provide recommendations as a group. Ms. Loof asked if the charter working groups are considered an advisory committee and if they would fall under the Brown Act. Ms. Wesson replied that a committee must be appointed by the GB to fall under the Brown Act. Ms. Teresa Barrera stated that the Brown Act does not apply at this time.

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

No comments.

#### **Agenda Item #7 - Other Business**

None.

#### **Agenda Item #8- Public Comment**

None.

#### Agenda Item #9 – Next Meeting Date

The next regular Local Government & Small Business Assistance Advisory Group meeting is scheduled for Friday, September 11, 2020 at 11:30 a.m.

#### Adjournment

The meeting adjourned at 12:44 p.m.



BOARD MEETING DATE: November 6, 2020 AGENDA NO. 18

REPORT: Legislative Committee

SYNOPSIS: The Legislative Committee held a meeting remotely on Friday,

October 9, 2020. The following is a summary of the meeting.

Agenda Item	Recommendation/Action
H.R. 7822 (Blunt Rochester) Public Health Air Quality Act	Support with Amendments

#### RECOMMENDED ACTION:

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

Judith Mitchell, Chair Legislative Committee

DJA:LTO:PPC: sd:ar

#### **Committee Members**

Present: Council Member Judith Mitchell/Chair

Senator Vanessa Delgado (Ret.) Supervisor V. Manuel Perez Supervisor Janice Rutherford

Absent: Dr. William A. Burke

Council Member Joe Buscaino/Vice Chair

#### Call to Order

Chair Mitchell called the meeting to order at 9:03 a.m.

#### **DISCUSSION ITEMS:**

#### 1. Update on Federal Legislative Issues

South Coast AQMD's federal legislative consultants (Cassidy & Associates, Kadesh & Associates, and Carmen Group) each provided a written report on various key Washington, D.C. issues.

Jed Dearborn of Cassidy & Associates informed the committee that the Energy bills are moving in the House and Senate and they contain several provisions that could benefit South Coast AOMD. In the House, the chamber passed the "Clean Economy Jobs and Innovation Act" on September 24 largely on a party-line vote. The bill is a \$135 billion energy research and development package that advances a number of emerging technologies, and features several clean air provisions. Of particular interest to South Coast is the reauthorization of the Diesel Emissions Reduction Act (DERA) at \$500 million per year through 2025. This reauthorization would represent a five fold increase from the last authorization. Another provision of interest establishes a \$1 billion dollar a year Climate Smart Ports program at the U.S. EPA to provide grants for ports, port users, and air quality management agencies to invest in zero emissions technology for cargo handling equipment, drayage trucks, and harbor craft. The program supports the development of shore power and clean energy microgrids at ports. Lastly, the bill expands an existing transportation electrification program to include \$2 billion per year in grants to states and local governments for projects facilitating electrification of the transportation sector, projects involving ground support equipment at ports, and projects deploying plug-in electric vehicle charging infrastructure. The Senate is moving a companion bill titled the American Energy Innovation Act. This bill is substantially similar to the House bill but it does not include any clean air provisions. Once the Senate passes their bill they will proceed to negotiations with the House on a compromise package to clear the floor in both chambers before the end of the year.

Mark Kadesh of Kadesh & Associates reported on the COVID relief bill, which has been in negotiations between Treasury Secretary Steve Mnuchin and House Speaker Nancy Pelosi. The two sides are over \$1 trillion apart and there many issues with the bill. Senate Majority Leader Mitch McConnell issued a press release stating that it was unlikely a COVID bill would pass before the elections. However, this would leave open the possibility to pass a bill during the lame duck session. South Staff and the consultants have been working closely with Congressman John Garamendi's office on the special districts issue.

Gary Hoistma of Carmen Group focused on the status of annual Appropriations bills including funding for DERA, Targeted Airshed Grants, and EPA. In September, Congress passed a Continuing Resolution (CR) to extend federal funding at existing levels through December 11. Congress has until December 11 to decide what will happen next with Appropriations. The hope would be to go to conference on the

Appropriations bills to work out differences between the House and the Senate and form an Omnibus bill to pass annual funding levels. Understanding that there is a possibility in election year to push the Appropriations bills back to February or March to give the new Administration and Congress an opportunity to change spending priorities. Secondly, the CR had a provision to extend Surface Transportation bill until September 30, 2021. The extension opens up the issues of highway, transit, surface transportation, infrastructure, and climate for consideration in the next Congress. We will be watching and working closely on these issues as they are likely vehicles to attach South Coast AQMD priorities. The Surface Transportation and Infrastructure bill will likely be front and center next year and there will be incentives to pass a bill before the September 30, 2021 expiration.

There was no public comment.

#### 2. Update on State Legislative Issues

South Coast AQMD's state legislative consultants (California Advisors, LLC, Joe A. Gonsalves & Son, and Resolute) each provided written reports on various key issues in Sacramento.

Mr. Ross Buckley of California Advisors, LLC reported that SB 895 (Archuleta), which was supported by South Coast AQMD, passed the state Legislature with overwhelming support and was signed into law by Governor Gavin Newsom. The bill allows the California Energy Commission (CEC) to spend money from a specific account on the development of zero emission fuels and infrastructure.

This year the state is facing a \$54.3 billion budget deficit. One of the tools to balance the state budget was the presumption that California would receive \$14 billion in federal flexible aid. If that funding is not received by California by October 15, substantial automatic state budget cuts totaling billions of dollars will be triggered. The primary areas to be impacted would be education-related deferrals, reductions in state workers compensation, and funding cuts for California's higher education systems.

Council Member Mitchell asked that Mr. Buckley to explain the areas likely to be impacted by possible state budget trigger cuts. Mr. Buckley responded that the first area is approximately \$5 billion in education-related deferrals, which are a mechanism that allows the state's K-14 education system to either borrow money or use reserves for its funding needs; the second area is state workers compensation reductions, which the Governor negotiated with state employee unions on possible furloughs and the delaying pay raises and cost of living increases; and the third area is payments of approximately \$400 million that the UC and CSU systems were each supposed to receive.

Mr. Paul Gonsalves of Joe A. Gonsalves & Son updated the Committee on an executive order by the Governor for electronic filing of CEQA public notices. In April, the Governor issued an executive order that allowed electronic filing notifications for 60 days for projects undergoing the CEQA process. After this executive order expired, South Coast AQMD worked with the Governor's Office to have this executive order re-issued. On September 23the Governor issued another executive order to allow for electronic filing of CEQA public notices, which will remain in effect until the Governor modifies it or terminates it. The Governor's Office expressed appreciation to South Coast AQMD for their assistance.

Mr. Gonsalves reported on a second Governor's executive order that requires all new passenger vehicles sold in California as of 2035 to be zero emission. CARB will develop regulations which will achieve more than a 35 percent reduction in greenhouse gas emissions and an 80 percent reduction in NOx emissions from cars statewide. Additionally, CARB will develop regulations to mandate that medium and heavy duty vehicles are zero emission by 2045, with drayage trucks required to be zero emission by 2035. The executive order requires state agencies to work with the private sector to accelerate the development of the infrastructure needed to support zero emission vehicles.

Mr. David Quintana of Resolute reminded the Committee that the Legislature will be returning to Sacramento on December 7 to begin conducting business and that numerous bills are generally introduced in December.

# 3. End-of-Year Summary Report on State Legislature's and Governor's Actions during 2020 Legislative Session

Mr. Philip Crabbe III, Public Affairs Manager with Legislative, Public Affairs & Media, provided an end-of-legislative-year summary report on the actions of the state Legislature and Governor, including those relating to the state Budget and South Coast AQMD bills of interest.

Legislators introduced over 2,200 bills in 2020, but less than a quarter of those bills remained active near the end of the COVID-19 shortened session. Due to the shortened session, and COVID-19, both houses limited the number of bills that would be heard. The legislative session adjourned on August 31, 2020 and the Governor had until September 30, 2020 to act on bills.

The COVID-19 pandemic had a substantial impact on the state Legislature's schedule, and caused the state Assembly & Senate to adjourn the week of March 16, 2020. The state Assembly did not reconvene until May 4, 2020 and the Senate did not reconvene until May 11, 2020. Both the state Assembly and Senate extended

their summer recesses because both state legislators and staff suffered from cases of COVID-19.

The Voting District Authorization bill sponsored by South Coast AQMD, SB 732 (Allen) was introduced in 2019 and became a 2-year bill that failed to get out of state Senate by the end of January 2020. AB 2241 (Calderon) was introduced in 2020 as a spot bill. Assemblyman Calderon expressed interest to move forward with the bill, but due to the abrupt recess of the Legislature in the middle of March, negotiations ceased.

With regard to the State Budget, South Coast AQMD, working with CAPCOA and other air districts, was able to secure \$50 million statewide from the Air Pollution Control Fund for air district implementation of the AB 617 Program. However, there was no Greenhouse Gas Reduction Fund budget trailer bill because of the low cap and trade auction results. The May 2020 auction yielded \$25 million in revenue and the August 2020 auction yielded \$474 million. For context, the three auctions prior to May 2020 generated \$600-\$700 million each. Thus, no AB 617 incentive funding was provided from the state. Future auctions could bring higher levels of funding.

Additionally, the Legislature proposed a \$100 billion economic stimulus package, which included some reliance on the federal government. It was meant to protect Californians and spur job creation. This proposed package raised money through a new tax voucher program and securitization of current revenue streams. It also included a dedicated fund for incentives for cleaner vehicle fleets and for electric vehicle charging infrastructure. However, the Governor and Legislature could not agree on. priorities and a lack of new revenue was a key obstacle.

South Coast AQMD took positions on numerous state bills, and worked with CAPCOA and other air districts to oppose the four backup generator (BUG) bills that were attacking air district authority:

- 1) <u>AB 2182 (Rubio)</u> Exempted operation of BUGs for critical facilities during Public Safety Power Shutoff (PSPS) events from local, regional, or state regulation. This bill died in committee without a hearing.
- 2) <u>SB 1099 (Dodd)</u> Required air districts to adopt/revise rules to allow critical facilities to use BUGs during power loss, and to test and maintain them, without that counting toward existing time limits. It also prohibited district fees for issuance/renewal of critical facility BUG permits. This bill passed the Senate, but died in committee.
- 3) <u>SB 802 (Glazer)</u> Required air districts to adopt/revise rules to allow BUG usage by health facilities during PSPSs and allow BUG testing and maintenance to not count toward time limitations. This bill died in committee without a hearing, but its contents were amended into SB 1099 (Dodd).

4) <u>SB 1185 (Moorlach)</u> – Prohibited CARB/air districts from having rules that limited/prohibited the use of natural gas BUGs during PSPSs. It also required BUG usage to not count toward air district time limitations on usage, routine testing and maintenance. This bill passed the Senate, but died in committee

Additionally, South Coast AQMD supported AB 2882 (Chu), which was sponsored by the Bay Area AQMD. This bill required charter and private schools to follow the same requirements as public schools for evaluating a school site for potential hazardous substances, emissions, or waste. It also required the evaluation of a potential charter school site to follow the same CEQA process used for a public school. South Coast AQMD suggested an amendment to ensure that private and charter schools on leased property were also covered by the bill. This bill passed the Assembly, but died in Committee.

South Coast AQMD supported SB 895 (Archuleta), which required the California Energy Commission (CEC) to assist in & support the development of zero emission fuels, fueling infrastructure, and fuel transportation technologies. It allowed CEC to allocate funds from the Diesel Emission Reduction Fund (DERF) to zero emission fuel projects, rather than clean diesel projects. This bill was signed into law by the Governor. The amount in the DERF was \$4.6 million, but the state Budget process "borrowed" \$4 million from the DERF, which is unlikely to be repaid – leaving \$600,000 for the bill's purposes.

South Coast AQMD supported SB 662 (Archuleta) which revised the definition of "transportation electrification" to include the use of renewable hydrogen as a transportation fuel in fuel cell electric vehicles. The bill set a progressive standard for decarbonization of hydrogen transportation fuel that mirrors the requirements for the decarbonization for electricity set by SB 100 (De Leon, 2018). The bill allowed gas Investor Owned Utilities to invest in distribution infrastructure for hydrogen transportation fuel to accelerate the electrification of the transportation sector in California. This bill passed the Senate, but died in Committee.

South Coast AQMD reached out to the Governor twice this year to seek action by Executive Order. First, the South Coast AQMD requested a change of Brown Act requirements to no longer require a physical location for a public meeting and to allow virtual government meetings to take place exclusively through electronic participation. The Governor issued this executive order in March 2020. Second, South Coast AQMD requested that public notices under CEQA, typically filed and posted at county clerk offices, be allowed to be electronically filed with the State Clearinghouse instead. Many county offices remain fully or partially closed to the public, so agencies are unable to meet CEQA filing and posting requirements. The Governor issued this executive order in September 2020.

#### **ACTION ITEM:**

#### 4. Recommend Position on Federal Bill:

H.R. 7822 (Blunt Rochester) Public Health Air Quality Act

Ms. Lisa Tanaka O'Malley, Senior Public Affairs Manager, Legislative, Public Affairs & Media, presented H.R. 7822, the "Public Health Air Quality Act of 2020" to the Committee. H.R. 7822 was introduced by Congresswoman Lisa Blunt Rochester with her fellow Representatives Barragan, McEachin, Jayapal, and Rush. The Senate has an identical companion bill introduced by Senator Tammy Duckworth and her colleagues Senators Durbin, Booker, Warren, Merkley, and Markey.

Congresswoman Blunt Rochester introduced H.R. 7822 late in this session to seek input from stakeholders such as South Coast AQMD to create a stronger bill that can be reintroduced in the 117<sup>th</sup> Congress. The bill has five main provisions:

- The first provision would require EPA to immediately implement fenceline air monitoring for 25 high priority facilities identified by EPA and 25 additional major source facilities that are the highest emitting including petroleum facilities.
- The second provision would promulgate rules for fenceline air monitoring for certain stationary sources.
- Next, the bill would expand and repair the national ambient air quality monitoring network. The bill would result in deploying lowcost air sensors in communities.
- Lastly, the bill would establish 10 Centers of Excellence on Environmental Health Disparities.

The intent of the bill is positive, however, there are several provisions which could be problematic from the State and local air quality regulatory perspective. For example, timelines, authorized funding levels and overly specific language could be problematic. Staff are recommending a position of SUPPORT WITH AMENDMENTS, South Coast AQMD can work with Congresswoman Blunt Rochester's staff and Committee staff to develop a sound bill for South Coast AQMD and other air agencies across the nation.

Supervisor Rutherford asked what type of amendments staff would seek and if it was possible for one of the Centers of Excellence on Environmental Health Disparities to be located in our region.

Ms. Tanaka reported that staff would seek amendments to address issues such as timelines, being overly prescriptive, and protecting the authority of local air quality agencies who carry out the majority of air quality work. For example, from South Coast AQMD's experience in implementing fenceline air monitoring at refineries, we know that the timelines in H.R. 7822 may not be realistic and that in some

instances the methodology for assessing air toxics are overly prescriptive which may hinder local agencies using the best methodologies to assess local air quality issues. Further, staff would seek clarifications to ensure the bill does not impair local air quality agencies abilities to do their work.

Supervisor Rutherford noted that CARB recently took actions which overstep the responsibilities of local air agencies and imposing State rules and it appears that the federal government is doing the same thing.

Chair Mitchell commented that other states have far less structure for their air quality regulatory programs. With this federal bill, we are seeing the desire by other states and communities to do more in terms of air quality regulation and toxics. South Coast AQMD has developed a great deal of resources and experience which would be beneficial to share with other states. This is a new direction for the federal government to address air toxics. In particular, through the AB 617 program, South Coast AQMD has gained experience working at the community level on local air quality issues and toxics. South Coast AQMD can share this experience to help Congress and the Legislators working on the bill.

Ms. Tanaka added that Congresswoman Blunt Rochester's staff are seeking input from South Coast AQMD on the bill and we will stress the important role of local air quality agencies. Additionally, the bill provides for funding which could benefit South Coast AQMD.

Mr. Wayne Nastri commentated that he is a member of the National Association of Clean Air Agencies (NACAA) and as co-chair of the NACAA Criteria Pollutants Committee. At the national level there is close examination of what California and South Coast AQMD is doing with regards to AB 617. The nation is trying to figure out how to address community level air quality issues. Some of what we are seeing on fenceline monitoring is based on MATES studies and our Rule 1180 with monitoring at refineries. South Coast AQMD is out front on this type of work, including our special investigations in communities. If Congress or others are moving in this direction of community scale air quality issues, we want to be sure they get the benefit of what we have done and make sure that the program is effective. Whether or not this bill goes, there are many questions, especially in regards to funding.

There was no public comment.

Staff recommended an "SUPPORT WITH AMENDMENTS" position on this bill.

Moved by Perez; seconded by Delgado

Ayes: Delgado, Mitchell, Perez

Noes: Rutherford Abstain: None

Absent: Burke, Buscaino

#### **OTHER MATTERS:**

#### 5. Other Business

There was no other business.

#### 6. Public Comment Period

There was no public comment.

#### 7. Next Meeting Date

The next regular Legislative Committee meeting is scheduled for Friday, November 13, 2020 at 9:00 a.m.

#### Adjournment

The meeting adjourned at 9:43 a.m.

#### **Attachments**

- 1. Attendance Record
- 2. Update on Federal Legislative Issues Written Reports
- 3. Update on State Legislative Issues Written Reports
- 4. Recommend Position on Federal Bill

# **ATTACHMENT 1**

### SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT LEGISLATIVE COMMITTEE MEETING (VIA ZOOM) ATTENDANCE RECORD – October 9, 2020

Senator Vanessa Delgado (Ret.)  Council Member, Judith Mitchell  Supervisor V. Manuel Perez  Supervisor Janice Rutherford	South Coast AQMD Board Member South Coast AQMD Board Member
Fred Minassian	· · · · · · · · · · · · · · · · · · ·
Ross Buckley Jed Dearborn Paul Gonsalves Gary Hoitsma David Quintana Mark Kadesh	Cassidy & Associates Joe A. Gonsalves & Son Carmen Group, Inc Resolute
Mark Abramowitz Stephanie Bream Betsy Brien	
Curtis Coleman	Southern California Air Quality
Frances Keeler	
Brissa Sotela-Vargas Peter Whittingham	Whittingham Public Affairs Advisors
·	<u> </u>
Derrick Alatorre	-
Jason Aspell	-
Barbara Baird	•
Naveen Berry	
Maria Corralejo	*
Philip Crabbe	
Stacy Day	-
• •	
Amır Dejbakhsh	•
Amir DejbakhshPhilip Fine	South Coast AQMD Staff
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Philip Fine	South Coast AQMD Staff South Coast AQMD Staff South Coast AQMD Staff
Philip FineLane Garcia	South Coast AQMD Staff South Coast AQMD Staff South Coast AQMD Staff South Coast AQMD Staff

Josephine Lee	South Coast AQMD Staff
Jason Low	South Coast AQMD Staff
Matt Miyasato	South Coast AQMD Staff
Ron Moskowitz	South Coast AQMD Staff
Wayne Nastri	South Coast AQMD Staff
Stephano Padilla	South Coast AQMD Staff
Stacey Pruitt	South Coast AQMD Staff
Sarah Rees	South Coast AQMD Staff
Alicia Rodriguez	South Coast AQMD Staff
Lisa Tanaka O'Malley	
Mary Reichert	South Coast AQMD Staff
Aisha Reyes	South Coast AQMD Staff
Jill Whynot	South Coast AQMD Staff
William Wong	South Coast AQMD Staff
Paul Wright	
Victor Yip	

## **ATTACHMENT 2**



To: South Coast Air Quality Management District

From: Cassidy & Associates
Date: September 23, 2020
Re: September Report

# **HOUSE/SENATE**

The House and Senate are both in session this week. Bills to be considered by the House include:

H.R. 4447 – Clean Economy Jobs and Innovation Act H.R. 6210 – Uyghur Forced Labor Prevention Act H.R. 6270 – Uyghur Forced Labor Disclosure Act

Continuing Resolution for FY21 Appropriations (CR)

H.R. 4447 has a number of provisions of interest to SCAQMD, including methane leak detection and mitigation, diesel emissions reductions, and environmental justice. We expect this bill to pass by the end of the week on a party-line vote due to opposition from the Trump Administration. The Senate is aiming to pass their version of an energy bill by the end of the month as well. After the Senate passes their bill, the House and Senate will have a brief window of opportunity, post-election to enact a compromise package.

Senate floor time this week will be spent confirming several judicial nominations. Much of the Senate's attention from now through the election, however, will be focused on the Supreme Court vacancy after the passing of Justice Ruth Bader Ginsburg. Senator Majority Leader McConnell has made it clear that he will work to fill the vacancy as soon as possible, with President Trump confirming that he will announce his nominee this week. The two early frontrunners are:

**Barbara Lagoa:** Judge on the United States Court of Appeals for the Eleventh Circuit. Before her appointment in 2019, Judge Lagoa was a Justice on the Supreme Court of Florida. She also served as District Judge on the Florida Third District Court of Appeals and as an Assistant United

States Attorney for the Southern District of Florida. Judge Lagoa earned her B.A., cum laude, from Florida International University and her J.D. from Columbia Law School.

**Amy Coney Barrett:** Amy Coney Barrett was confirmed as a judge on the U.S. Court of Appeals for the Seventh Circuit in October 2017. She is a Notre Dame Law School alumna and has taught as a member of the Law School's faculty since 2002.

With respect to appropriations, the House passed all of their appropriations bills before the August recess, but the Senate has yet to act on any appropriations measures. The House bill for EPA appropriations includes \$90 million for Diesel Emissions Reduction Act (DERA) grants, an additional \$450 million in emergency DERA grants for COVID relief, and \$57.3 million in targeted airshed grants to be focused on the ten most heavily polluted areas in the country. The House passed a CR through December 11, and we expect the Senate to pass it soon and the President to sign it into law. Depending on the electoral outcome in November, a large omnibus spending package for the remainder of FY 2021 will pass in December or early next year.

EPA Administrator Wheeler delivered remarks to the American Enterprise Institute today, where he discussed environmental achievements during the Trump Administration. He specifically highlighted actions that the EPA has taken to reduce greenhouse gases, address air quality, superfund sites, and water quality. His full prepared remarks can be found here.

On September 6<sup>th</sup>, Secretary Brouillette authorized federal intervention during the California grid reliability emergency by signing a 202(c) emergency order. The order and request letter can be found <u>here</u>.

Cassidy and Associates support in September:

- Identified provisions of interest in energy bills moving in both chambers.
  - Prepared to advance SCAQMD priorities via Committee staff and CA delegation.
  - Strategized with SCAQMD on best approach to ensure priorities are included in compromise legislation.
- Strategized with SCAQMD on identifying federal funds through DERA, TAG, or other sources to assist the district with COVID related expenses.
  - Engaged in ongoing discussions with House and Senate Committee staff to include increased funding for these programs in COVID relief and appropriations legislation.
- Built support for legislation from Sens. Cornyn and Sinema to ensure "special districts" are eligible for federal funding.
  - We remain in constant contact with Hill staff to ensure that this bill is on the table in COVID relief negotiations.

#### **IMPORTANT LEGISLATIVE DATES**

#### Sept. 30

- SCOTUS Vacancy Hearings
- Continuation of negotiations for new COVID-19 package
- Fiscal 2020 funding expires, as well as other major programs:
  - National Defense Authorization Act (\$735.8 billion)
  - Surface Transportation Authorization (FAST Act \$64.1 billion)
  - National Flood Insurance Program (\$30.4 billion)
  - National Institutes of Health Authorization (\$36.5 billion)
  - Every Student Succeeds Act (\$26.1 billion extends automatically for one year if Congress doesn't act)
  - Workforce Innovation and Opportunity Act (\$10 billion)
  - Childcare and Development Block Grants (\$2.7 billion)
  - Federal Communications Commission Authorization (\$339.6 million)
  - America's Water Infrastructure Act sewer overflow and other grants (\$240 million)
  - o Runaway and Homeless Youth Programs (\$127.4 million)
  - VA Authorities, including health care, homelessness (\$69 million)
  - o Immigration programs, including E-Verify and EB-5 investor visa

#### Nov. 30 - Dec. 31

- Temporary Assistance for Needy Families
- Community Health Centers
- Medicare Programs

#### PANDEMIC RESPONSE PROGRAMS AND AUTHORITIES

FDA Issues Emergency Use Authorization for Convalescent Plasma as Potential Promising COVID–19 Treatment, Another Achievement in Administration's Fight Against Pandemic

FDA issued an emergency use authorization (EUA) for investigational convalescent plasma for the treatment of COVID-19 in hospitalized patients as part of the agency's ongoing efforts to fight COVID-19. Based on scientific evidence available, the FDA concluded, as outlined in its decision memorandum, this product may be effective in treating COVID-19 and that the known and potential benefits of the product outweigh the known and potential risks of the product.

This action follows the FDA's extensive review of the science and data generated over the past several months stemming from efforts to facilitate emergency access to convalescent plasma for patients as clinical trials to definitively demonstrate safety and efficacy remain ongoing.

The EUA authorizes the distribution of COVID-19 convalescent plasma in the U.S. and its administration by health care providers, as appropriate, to treat suspected or laboratory-confirmed COVID-19 in hospitalized patients with COVID-19.

#### **Research Update**

Prevalence of Underlying Medical Conditions Among Selected Essential Critical Infrastructure Workers: CDC released an MMWR on the Prevalence of Underlying Medical Conditions Among Selected Essential Critical Infrastructure Workers in 31 states during 2017 and 2018. High prevalences of underlying medical conditions increase risks for severe COVID-19 illness among home health aides, other health care support workers, and nursing home, trucking, and transit industry workers. For all essential workers, and particularly those at high risk because of underlying medical conditions, prioritization of exposure controls and health care access is needed to reduce the potential for SARS-CoV-2 exposure and prevent and treat underlying conditions.

#### **End Date/Program**

Dec. 31, 2020

Treasury Department business, state, & local government loan authority
Various temporary tax breaks
Emergency sick and family leave programs
Pandemic unemployment assistance
Medicare sequestration suspension
Changes to banking and accounting rules (could expire sooner if epidemic ends)

#### March 27, 2025

Special inspector General for Pandemic Recovery

#### Sept. 30, 2025

Pandemic Response Accountability Committee, Congressional Oversight Commission

# **AGENCY RESOURCES**

USA.gov is cataloging all U.S. government activities related to coronavirus. From actions on health and safety to travel, immigration, and transportation to education, find pertinent actions here. Each Federal Agency has also established a dedicated coronavirus website, where you can

find important information and guidance. They include: Health and Human Services (HHS), Centers of Medicare and Medicaid (CMS), Food and Drug Administration (FDA), Department of Education (DoED), Department of Agriculture (USDA), Small Business Administration (SBA), Department of Labor (DOL), Department of Homeland Security (DHS), Department of State (DOS), Department of Veterans Affairs (VA), Environmental Protection Agency (EPA), Department of the Interior (DOI), Department of Energy (DOE), Department of Commerce (DOC), Department of Justice (DOJ), Department of Housing and Urban Development (HUD), Department of the Treasury (USDT), Office of the Director of National Intelligence (ODNI), and U.S. Election Assistance Commission (EAC).

### Helpful Agency Contact Information:

U.S. Department of Health and Human Services – Darcie Johnston (Office – 202-853-0582 / Cell – 202-690-1058 / Email – <a href="mailto:darcie.johnston@hhs.gov">darcie.johnston@hhs.gov</a>)

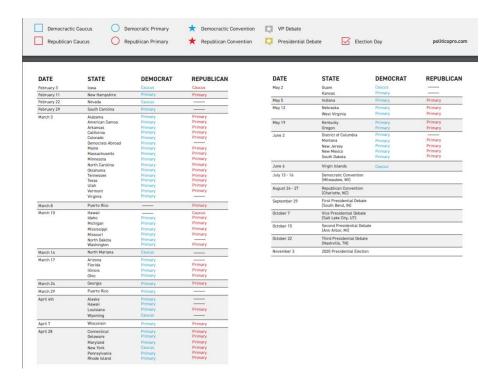
U.S. Department of Homeland Security – Cherie Short (Office – 202-441-3103 / Cell – 202-893-2941 / Email – Cherie.short@hq.dhs.gov)

U.S. Department of State – Bill Killion (Office – 202-647-7595 / Cell – 202-294-2605 / Email – killionw@state.gov)

U.S. Department of Transportation – Sean Poole (Office – 202-597-5109 / Cell – 202-366-3132 / Email – <a href="mailto:sean.poole@dot.gov">sean.poole@dot.gov</a>)

# **IMPORTANT DATES: ELECTIONS**





# South Coast AQMD Report for the October 2020 Legislative Meeting covering August/September 2020

#### Kadesh & Associates

August: With expiration of Federal support for Unemployment Insurance (UI) of \$600/month expiring at the end of July, expectations were for that issue to be the driver of a COVID/stimulus compromise between the House's HEROES Act at \$3.5t and the Senate's \$2t HEALS Act package of bills. [See prior report for details.] However, compromise was not reached and the Administration used executive action to deploy a smaller \$300/month fix to UI benefits. The House issued a revised schedule for the fall and both House and Senate were largely adjourned in August, with the House returning once to vote on a funding and policy package for the US Postal Service. As of mid-August, House and Senate Appropriations Committee staffs turned their attention from further work on individual FY21 Appropriations bill to working on a Continuing Resolution (CR) to fund the government into the next fiscal year which starts on October 1. Senate Republicans floated a \$1.1t so called "skinny" COVID/stimulus bill in the hopes of drawing the House into a compromise.

# S. 178, which is largely similar to executive actions being attempted by the Administration included:

Liability Reform – Provides necessary liability protections for non-profits, hospitals, churches, schools, and businesses from opportunistic litigation. Individuals and businesses who operate in good faith and follow the guidance of their state or local public health officials will have safe harbor during this unprecedented pandemic. Education Funding – Includes \$105B to help get students back to school and provide for the continued learning of all students in elementary, secondary, and higher education: \$70B for elementary and secondary schools. Of that, 1/3 goes out immediately to these schools, both private and public. 2/3 goes to schools re-opening in person; \$29B for higher education; \$5B for the Governors Emergency Education Relief Fund; and \$1B for the Bureau of Indian Education and outlying areas.

Testing Funding – Provides \$16B for testing, contact tracing, mitigation and surveillance of COVID-19 in states.

Vaccine Preparation - Provides \$29B for vaccine, therapeutics, and diagnostic development, as well as vaccine distribution.

PPP Second Draw - Provides a second draw of PPP loans capped at \$2 million for businesses with 300 or fewer employees and revenue losses of 35% or more. The provision uses \$100B in unobligated funds and approximately \$160B in new funds. Unemployment Insurance - In line with the President's recent executive order, the bill provides a federal plus-up of \$300 for pandemic unemployment insurance until December 27, 2020.

USPS Funding - Provides assistance to the postal service by converting the \$10B loan to USPS in the CARES Act to a grant.

Continuing Resolution - Includes a CR for government funding until December 18, 2020.

September: The revised House schedule for September included:

- Week of September 14 Strength in Diversity Act, Equity and Inclusion in Education Act, Pregnancy Workers' Fairness Act, and a resolution condemning all forms of anti-Asian bias and bigotry related to the COVID-19 pandemic.
- Week of September 21 MORE Act (marijuana decriminalization legislation that
  would also expunge records of nonviolent federal cannabis convictions),
  legislation from the Energy and Commerce Committee and Science, Space, and
  Technology Committee that would invest in energy innovation and clean energy
  development. The House may also take up intelligence agencies reauthorization
  legislation.
- Other items during the month Appropriations legislation (CR), flood insurance extension (the current extension expires in September), surface transportation reauthorization (FAST Act expires at the end of September).

Of most interest to South Coast AQMD, September saw the House acting on H.R. 4447 – Clean Economy Jobs and Innovation Act which included a number of provisions and amendments of great interest and benefit to South Coast AQMD. On September 24 the House passed H.R. 4447 mostly along partisan lines with a 220-185 vote, where seven Republicans joined Democrats in supporting the measure. Similarly, most of the amendments added to the bill were from the Democratic side of the aisle. Green groups like Earthjustice and the League of Conservation Voters got behind H.R. 4447, despite concerns over some fossil-fuel friendly language as well as investments in nuclear energy.

Murkowski Optimistic on Senate Energy Bill: Senators <u>Lisa Murkowski</u> (R-Alaska) and <u>Joe Manchin</u> (D-W.Va.) are working to move their energy innovation package to the floor in the waning days before the November 3 election. Senator Murkowski has indicated that the Senate could resume consideration of the American Energy Innovation Act (<u>S. 2657</u>) the last week of September. The measure will likely require unanimous consent from all Senators to advance on the floor. Senator Joe Manchin (D-W.Va.), the Energy and Natural Resources panel's ranking member and a co-sponsor of the legislation, echoed Murkowski's comments, saying the pair are working through issues with Republicans, including an impasse on building codes. Manchin yesterday predicted the odds of getting the legislation enacted this year at 75%.

House Oversight Panel Highlights Climate Bills: The House Oversight and Reform panel packaged a half-dozen bills to boost federal climate planning and increase resilience to rising sea levels and other climate impacts. The bills have little chance of advancing this congressional session, but offer a roadmap for legislation many Democrats hope to pursue if they win control of the Senate in the November election. Oversight and Reform's fourth climate change hearing, held by its Subcommittee on Environment, brings to a close a series of such hearings launched after Democrats took control of the House two years ago.

Avoiding a shutdown, funding the federal government by CR: H.R. 8337, the CR which included funding the federal government through December 11 passed the House on 9-22-20 by a vote of 359-57. The Senate will hold a final vote as early as 9-29-20 on the House-passed legislation. The Senate voted 93-2 to advance the bill on 9-24-20. The measure reflects an agreement between Democrats and Republicans over farm and food aid programs and a one-year extension of the Surface Transportation Act and would avert a government shutdown that would begin Oct. 1.

COVID/Stimulus – next and final package: No further action has occurred on a COVID/stimulus package (as of 9-25-20), though Senate Republicans trimmed the skinny bill down to \$500b. This revised version of the previous Senate GOP "skinny" bill includes:

- \$300 federal supplement to state-determined unemployment benefits (extended <u>until December 27, 2020</u>)
- Liability Protection
- Continues to provide \$105B for education funding—\$70 billion for K-12 and \$29 billion for postsecondary education, maintaining formula based on the number of FTE students.
- Modifications of authorities for small business loans under Paycheck Protection Program including the simplified loan forgiveness provisions and second draw provisions included in the HEALS package with subsequent modification re gross receipts proposed by Sen. Rubio
- Appropriations for Health and Human Services
  - \$29B to prepare for and respond to COVID, including development of countermeasures and vaccines, therapeutics and diagnostics, purchase of vaccines,
  - \$16B for testing, contact tracing, surveillance, containment and mitigation to monitor COVID

Among provisions that are not in the new version that were in the previous Republican HEALS package:

- Workforce funding
- Direct payments
- Funding for state and local governments
- Funding for Health Care Provider Relief Fund
- New, temporary COVID SBA Sec 7 low interest loan program
- Funding for NIH

The Senate returned to Washington in mid-September and attempted to pass this very pared-down COVID relief bill. This effort failed and, as of now, the only pending COVID relief legislation is the HEROES Act passed by the House in May. The House considered H.R. 4447 – Clean Economy Jobs and Innovation Act.

Pending Business: The House has passed a CR keeping the federal government open through December 11. The Senate is expected to pass that CR before the end of the fiscal year on September 30. There is still hope that a smaller package of COVID/stimulus aid will pass the Congress. The House has passed all but two of its annual appropriations bill; bills for Homeland Security and funding for the Legislative Branch remain unresolved. The Senate has not passed any of the FY21 appropriations bills and it appears unlikely there will be any meaningful movement on these bills prior to the election. Instead, Senate Appropriations will likely post its bills online sometime in October and use those draft bills to begin informal conference talks with the House. This approach has been done before for individual bills, but – if it happens – this would be the first time all 12 bills move this way.

#### Kadesh & Associates Activity Summary-

- -COVID/stimulus legislation funding for special districts, including a special appeal to South Coast AQMD's Congressional offices to be included in what may the last such effort before the election, possibly to be voted on the last week of September.
- -H.R. 2 the "Moving Forward Act," -- The underlying bill included House Transportation & Infrastructure's (T&I's) surface transportation reauthorization ("INVEST in America Act") and a version of Representative DeSaulnier's Clean Corridors Act.
- -H.R. 4447 Clean Economy Jobs and Innovation Act amendments
- -FY21 Appropriations DERA, TAG and Sec. 103/105
- -Continuing Resolution
- -Rep. Eshoo's Smoke Planning and Research bill
- -Rep. DeSaulnier's Clean Corridors bill (included in H.R. 2)
- -Look Ahead discussion and draft memo for South Coast AQMD staff

#### Contacts:

Contacts included staff and House Members throughout the CA delegation, especially Leadership and Appropriators who were targeted.

###



**To:** South Coast AQMD Legislative Committee

From: Carmen Group

Date: September 24, 2020

**Re:** Federal Update -- Executive Branch

August-September Highlights: During the months of August and September, Congress and the Administration danced around several important legislative matters always mindful of these looming deadline dates: The Sept. 30<sup>th</sup> end of the fiscal year; the Nov. 3<sup>rd</sup> elections; the Jan. 3<sup>rd</sup> end of the 116<sup>th</sup> Congress; and the January 20<sup>th</sup> presidential inauguration. Of these, as is usually the case every two and four years, the elections loom the largest, as incentives to wait for a new president and a new Congress always weigh in heavily. Looking ahead to October and beyond, as if partisan temperatures weren't already high enough, a Supreme Court confirmation fight is sure take up a lot of oxygen on Capitol Hill and throughout Washington in the pre-election weeks ahead. Here is a quick rundown:

Annual Appropriations: By midsummer if not before, it became manifestly apparent that the divided Congress, working with a potentially lame duck administration, would be unable to complete the annual appropriations process under regular order in time for the end of the fiscal year and before the members could see clearly the post-election landscape. So, as September came to a close, agreement was reached to pass and approve a stopgap continuing resolution (CR), keeping federal programs funded at current levels through December 11.

<u>Transportation Reauthorization</u>: Concurrently as part of the CR, agreement was also reached in late September – as expected -- to punt the long-term reauthorization of the FAST Act surface transportation law for one full year to Sept. 30, 2021. This required a separate nearly \$14 billion general fund transfer to keep the Highway Trust Fund solvent for that period of time. This sets up next year as major decision time (no matter which party wins the White House) for legislation on transportation -- and infrastructure -- and climate – and all they entail for SCAQMD priorities in clean energy, advanced vehicle technologies, emissions reductions, and so much more.

<u>COVID Relief:</u> For most of August and September, the early summer high hopes for a fourth major COVID Relief bill slowly dissipated amid strong partisan divides over the size and make-up of such a bill. Democrats held firm in their insistence that the bill must include large new amounts of funding for state and local governments which Republicans largely opposed. Numerous attempts were made to bridge the gap without success, and it began to appear that no deal would be possible till after the election. But as Congress' adjournment loomed in late

September, the House's "Problem Solvers" Caucus – a bipartisan group made up of 25 Democrats and 25 Republicans -- put out their blueprint for a compromise bill that sparked renewed interest in a possible deal, even though the details of their proposal did not have leadership support on either side. Shortly thereafter, as several vulnerable Democratic members in tight races voiced their constituents' concern over continued inaction and President Trump urged Republicans to "go higher," in the amount of money they would accept in a deal, Speaker Pelosi abruptly signaled that new more positive talks were afoot with the Administration to reach a pre-election compromise.

Energy Legislation: At the end of September, the House passed the Expanding Access to Sustainable Energy Act (HR 4447) on a largely party-line vote of 220-185, with only 7 Republicans voting yes and 18 Democrats voting no. While the bill includes many provisions supported by SCAQMD, it faces a veto threat from the Administration and no chance of being brought up in the Senate. A more bipartisan energy bill – sponsored by Sens. Murkowski (R-AK) and Manchin (D-WV) – was deemed near ready as of late September for Senate floor consideration and many energy advocates would hope it could be passed before or after the election and reconciled with the House bill by the end of year. Despite good intensions on all sides, this seems doubtful for a variety of reasons. A safer bet is that energy legislation will be high on the agenda for the newly elected president and Congress beginning next year.

<u>Special Districts Legislation</u>: During August and September, we continued to monitor and engage in advocacy efforts for special districts legislation (HR 7073 and S 4308), bills designed to ensure that special state and local governmental entities like SCAQMD would be eligible to directly receive funding from future federal Coronavirus relief funds targeted to states and local governments. The late September news that talks on a pre-election COVID deal were back on track spurred renewed hope that a special districts provision could be included in a final COVID relief bill.

#### **Federal Agency Roundup**

<u>USDOT BUILD Grants</u>: In September, the U.S. Department of Transportation announced the investment of \$1 billion through the FY 2020 round of BUILD grants (formerly known as TIGER grants). Grants were awarded to 70 projects in 44 states under a competitive process supporting roads, bridges, transit, rail, ports, and intermodal transportation. Environmental sustainability was one of seven criteria used in making the award decisions where the maximum project award was \$25 million. Two grants were made in California: \$20 million for the Stockton Diamond Grade Separation in Stockton, and \$16 million for the SR99 and Commercial Avenue Interchange Project in Tulare.

**FAA Airport Grants:** In September, the Federal Aviation Administration announced \$1.2 billion in airport safety and infrastructure grants under the Airport Improvement Program (AIP) to 405 airports in all 50 states and six U.S. territories. Among the 28 grants in California were projects at the Los Angeles International, Long Beach (Daugherty Field), Whiteman, John Wayne (Orange County), Bob Hope (Burbank) and Riverside Municipal airports.

**FTA Bus Grants:** In August, the Federal Transit Administration announced the award of \$464 million for newer and cleaner buses and bus infrastructure, including 96 projects in 49 states under the Bus and Bus Facilities Program. Among these projects were five in California addressing bus needs in Butte County, Kern County, Solano County, Monterey County, and the City of Davis.

**EPA in Settlement with Daimler Over Emissions Cheating:** In September, the EPA, the U.S. Justice Department and CARB announced a proposed settlement with German automaker Daimler AG and its American subsidiary Mercedes-Benz, resolving alleged violations of the Clean Air Act and California law. Daimler will pay \$875 million in civil penalties after defeat devices were found in Daimler's vehicles in the wake of the similar Volkswagen scandal. This amounts to the second largest civil penalty in the history of the Clean Air Act.

**EPA Action on Guidance Documents:** In September, the EPA announced its final rule to establish consistent requirements and procedures for the issuance of guidance documents. The rule 1) establishes the first formal petition process for the public to request that EPA change, add or withdraw a guidance document; 2) ensures that these agency documents are developed with appropriate review and are accessible to the public; and 3) allows public participation in the development of guidance documents.

**EPA Collaborates with Boys Scouts on Environmental Education:** In August, the EPA signed an agreement with the Boy Scouts to create a special award program challenging scouts to earn multiple environment-related merit badges in the areas of earth sciences, outdoor activities and public health. To earn the EPA award, scouts must also participate in an environment/public health community service project for six hours.

Wheeler Defends EPA Record: Just in time for election season, EPA Administrator Andrew Wheeler delivered two major speeches (Sept. 3<sup>rd</sup> at the Nixon Library in Yorba Linda, CA, and Sept. 21st at the American Enterprise Institute in Washington, DC) defending the Trump Administration's record on environmental issues. Among his themes were celebrating the signing of the Clean Air Act and the creation of the EPA in President Nixon's first term (50 years ago) and declaring that, in the last three years under the current Administration, "air pollution in the country fell by 7 percent" and that "EPA data points to 2020 air quality as being the best on record."

<u>Outreach</u>: Relevant contacts included the deputy assistant secretary for policy at the Department of Transportation and Republican staff at the Senate Environment & Public Works Committee on transportation reauthorization; Republican staff at the House Energy and Commerce Committee on energy legislation; and the offices of targeted Republican House members in Texas, Missouri and Indiana and the field coordinator of the California Special Districts Association on special districts legislation.

###

# **ATTACHMENT 3**



South Coast AQMD Report California Advisors, LLC October 9, 2020 Legislative Committee Hearing

#### **General Update**

Midnight on August 31<sup>st</sup> marked the constitutional deadline for the 2019-20 legislative session. This year's session was filled with unprecedented challenges given the ongoing global pandemic. While the Legislature was constantly forced to adapt, they were able to work on several important issues before they adjourned. However, the end of session did include some interhouse fighting and legislative gamesmanship.

This was highlighted when one Republican Senator tested positive for COVID-19 and potentially exposed the rest of his caucus. Per local health guidelines, all but one Republican Senator was required to self-quarantine for the last few days of the session. The Senate allowed these members to participate and vote remotely from their Sacramento residences. However, this new system presented an endless amount of technical challenges and significantly impacted the pace of business. Due to the prolonged breaks in the Senate, several bills in both houses did not meet the constitutional deadline to pass. Even the last bill they brought up before midnight they had to rush to begin the roll call vote just seconds before the clock struck 12:00 A.M.

The month of September has seen the focus shift to whether the Governor will sign or veto the bills on his desk. However, the Governor was slower to act on bills this year. He had to address issues related to the ongoing global pandemic, historic wildfires, and rolling blackouts all within the last few weeks. The Governor even admitted at a press conference that he still had hundreds of bills on his desk with just a week before the September 30<sup>th</sup> deadline.

Lastly, there have been ongoing rumblings around the Governor calling for a special session to deal with the outstanding issues such as COVID-19, wildfires, or any number of issues that the state is facing. To date, there have not been any concrete updates on this front, but the Governor has said that he is "open to it" if necessary. One issue that could force the Legislature to come back before the new session starts would include the pending budget trigger cuts. When the state was crafting the budget in June, it relied on billions of dollars coming to the state before October from the federal government. It appears that those trigger cuts will automatically be enacted and could last several months before any assistance reaches California.

#### **Executive Order:**

On September 23<sup>rd</sup>, Newsom announced that he signed an executive order to require that by 2035 all new cars and passenger trucks sold in California must be zero-emission vehicles. As part of the order he included that medium- and heavy-duty vehicles shall be 100 percent zero emissions by 2045 where feasible. The executive order instructed several state agencies including CARB,

PUC, and California Transportation Agency to work on implementing this mandate. In addition, Newsom mentioned that he would work with the Legislature to end the issuance of new hydraulic fracturing permits by 2024.

### **Elected Officials Contacted on Behalf of South Coast AQMD:**

California Advisors met with the following legislators or their offices on behalf of the South Coast AQMD:

Governor Newsom (SB 895)

#### Senate:

Bob Archuleta (SB 895, EFMP), Ben Allen (EFMP), Patricia Bates (EFMP), Steve Bradford (EFMP), Ling Ling Chang (EFMP), Maria Elena Durazo (EFMP), Lena Gonzalez (EFMP), Bob Hertzberg (EFMP), Connie Leyva (EFMP), Melissa Melendez (EFMP), Holly Mitchell (EFMP), John Moorlach (EFMP), Mike Morrell (EFMP), Anthony Portantino (EFMP), Richard Roth (EFMP), Susan Rubio (EFMP), Henry Stern (EFMP), Tom Umberg (EFMP)



**TO:** South Coast Air Quality Management District

**FROM**: Anthony, Jason & Paul Gonsalves

**SUBJECT**: Legislative Update – September 2020

**DATE**: Thursday, September 24, 2020

The Governor is slowly working his way through the few hundred bills that made their way to his desk at the end of session. Thus far, he signed bills intended to provide relief for those who are working during COVID-19, specifically bills related to workers 'compensation, employee notifications related to infection, and an expansion of family leave.

Meanwhile, legislators have returned to their districts and are preparing for the November 3 election. While California began casting most of its ballots by mail years ago, there is a lot of uncertainty about how campaigning in the era of COVID-19 will play out. As always though, the California ballot is brimming with propositions in this Presidential election year.

The following will provide you with a legislative update of interest to the District:

#### **NOVEMBER 2020 BALLOT INITIATIVES**

#### **Proposition 15: Split Roll Tax**

Proposition 13 (1978) limited property taxes for residential, commercial, and industrial properties by basing taxes on the purchase price of the property rather than current market value. Proposition 15 would "split" the property tax roll allowing commercial and industrial properties worth more than \$3 million to be assessed at current market value. This change would go into effect in 2022 but is delayed until 2025 for those properties where more than 50% of the tenants are small businesses.

Prop. 15 is expected to raise between \$6.5 billion and \$11.5 billion in new tax revenue with 60% allocated to local governments and 40% to K-12 schools and community

colleges. Democrats and public employee unions have long bemoaned the provisions of Prop. 13 which had serious impacts on local government funding. Having raised some \$20 million in support of the measure, public employee unions hope that Prop. 15, which continues to protect residents but increases the tax burden of businesses, will be palatable to voters who have historically been very wary of any change to Prop. 13.

Last Friday, Governor Newsom endorsed Prop. 15 while rejecting other proposals to tax high income earners in California. This could be a much needed boost to the proponents of Prop. 15 which is currently polling at 51% support and 40% opposition among likely voters.

At the same time, opponents led by the Small Business Roundtable are hoping sympathy for small businesses forced to close due to the pandemic will tip the scales in their favor. With \$5 million in their campaign account and tens of millions more ready for independent expenditure, Prop. 15 will likely be one of the most hard fought measures on the November ballot.

### **Proposition 22: Classifying Gig Economy Workers**

In 2018, the California Supreme Court made its landmark "Dyamex" decision (Dynamex), changing the rules governing when a worker is an independent contractor, and when they are an employee. The upshot of the decision is that the standards established by Dynamex make it far harder to classify a worker as an independent contractor. The distinction is very important as employees are entitled to the minimum wage, overtime pay, unemployment insurance, and workers 'compensation.

In 2019 the Legislature passed AB 5, which effectively carved some industries and some business relationships out of Dynamex. While subsequent legislation has expanded the exemptions in AB 5, many industries continue to seek an exemption.

For app-based companies like Uber, Lyft, Postmates, and Doordash, this issue is life and death. These companies have historically classified their drivers/deliverers as independent contractors. Shortly after AB 5 passed, they qualified Prop. 22 for the ballot. Prop. 22 would treat drivers for these companies as independent contractors. While the measure would guarantee better compensation and healthcare, it falls short of what would be required if drivers were classified as employees.

Prop. 22 will be another big money fight on the ballot. The companies listed above have dumped a whopping \$180 million into the campaign. Meanwhile, the opponents, particularly the Teamsters Union, have raised just shy of \$5 million. While organized labor could invest more heavily in the fight via independent expenditure before the election, they will be forced to prioritize between Prop. 22 and Prop. 15.

#### **Proposition 24: The California Privacy Rights Act (CPRA).**

This initiative comes just two years after the California Consumer Privacy Act of 2018 (CCPA), was pulled off the ballot in exchange for a legislative compromise. The CCPA, as negotiated and passed by the Legislature two years ago provides rights to consumers to know the types of data being collected about them, the right to request that this data be deleted and the right to request that this data not be sold.

Among its provisions, Prop. 24 builds upon the CCPA and establishes an enforcement agency known as the California Privacy Protection Agency to implement the law and impose fines on businesses for violations. The initiative also contains a provision that prohibits the Legislature from adopting any future laws that reduce the privacy of Californians. This provision is concerning to the business community as it essentially blocks any future attempts to amend California privacy statue.

The coalition opposing Prop. 24 is particularly interesting because it contains both privacy/consumer advocacy groups and entities from the advertising and internet industry. Privacy and consumer protection groups oppose the initiative because they do not believe it goes far enough in protecting consumer privacy, while the advertising and internet industry have concerns that the initiative's broad changes come at a time when businesses are still learning to comply with the CCPA of 2018.

## **Proposition 16: Affirmative action.**

Prop. 16 would reverse California's voter-approved 1996 ban on affirmative action (Prop. 209). Prop. 209 prohibits public universities, schools and government agencies from using race or sex in their admissions criteria, hiring and contract decisions. While introduced earlier in the year, Prop. 16 was placed on the November ballot by legislators in the months following the murder of George Floyd. While proponents of the measure are well funded, recent polls have indicated that only 31% of likely voters supported Prop. 16 compared to 47% who oppose.

## **Proposition 20: Criminal Justice**

In 2009, federal judges ordered California to reduce overcrowding in its prison system. In 2011, newly re-elected Governor Jerry Brown, facing both the court order and a massive state budget deficit, championed AB 109 which transferred the "supervision" of some felons to Counties and made it easier for some to qualify for parole. In an effort to further reduce prison populations, Governor Brown backed Proposition 47 in 2014. Prop. 47 made certain theft-related crimes misdemeanors instead of felonies. Most notably, theft involving property worth \$950 or less is considered a misdemeanor under Prop. 47.

The provisions of Prop. 47 were not well received by some retailers and by some in law enforcement. Assemblymember Jim Cooper, a career police officer and candidate for Sacramento County Sheriff, has championed Prop. 20 which would change the provisions of Prop. 47 to make it easier to once again prosecute certain acts of retail theft as a felony. The measure also makes changes to Prop. 56 (2016) which loosened certain parole restrictions for non-violent offenders.

#### Prop. 14: Stem cell research.

Prop. 14 would re-fund the California Institute for Regenerative Medicine, the state's stem cell agency, by allowing it to issue \$5.5 billion in bonds for research, training and facilities construction.

**Proposition 17: Parolee voting.** 

Prop. 17 would restore the voting rights of all people on parole if they've completed their state or federal prison terms.

#### Proposition 18: Voting age.

Democrats in the Legislature have made a number of changes to elections, including allowing online voter registration and increased reliance on mail-in balloting coupled with the ability to allow campaign workers to return your ballot. While there are legitimate arguments for these changes, they have thus far helped increase voter turnout among Democrats. Prop. 18 was also passed by Democrats in the Legislature and would allow 17-year-olds to vote in primary elections if they would turn 18 before the general election.

#### **Proposition 19: Property tax transfers.**

Prop. 19 would allow people age 55 and older, and victims of wildfires and other disasters, to keep lower property tax rates when they move to new homes.

#### **Proposition 21: Rent control**

Backed by the Aids Healthcare Foundation, Prop. 21 would allow local governments to impose rent control on certain properties. Prop. 21 is strikingly similar to a 2018 measure rejected soundly by voters. Governor Newsom, who negotiated a statewide rent control law with legislators, property owners, realtors, and tenant groups last year, is opposing Prop. 21.

#### **Proposition 23: Kidney Dialysis**

Among other things, Prop. 23 would require a physician to be on site at a dialysis clinic when patients are being treated. Prop. 23 is another round in a running labor dispute between the two companies operating most dialysis clinics in California, and the union who has been attempting to organize their workforce since 2016. That union, SEIU-UHW, has lobbed several bills and a failed 2018 ballot measure at the companies while their dispute is ongoing.

#### **Proposition 25: Money Bail**

In 2018, the Legislature passed and the Governor signed SB 10 (Hertzberg), which would end the use of money bail in California in favor of pre-trial assessments of a defendant's likelihood to be a flight risk. The bill was hard fought and controversial in the Legislature with the bail industry defending its right to exist vigorously. Prop. 25 extends that fight to the November 2020 ballot.

#### **AB 617: CARB**

The California Air Resources Board has approved the first three Community Emissions Reduction Programs within the South Coast Air Quality Management District under Assembly Bill 617.

Residents living in three communities heavily impacted from high levels of air pollution sources including ports and inland warehouse traffic will breathe cleaner air thanks to the local plans approved yesterday. The plans were developed under the requirements

of AB 617, requiring community-driven action to identify, monitor and reduce air pollutants of specific concern to each community. The plans approved are for:

- Wilmington, Carson, West Long Beach Community
- East Los Angeles, Boyle Heights, West Commerce Community
- San Bernardino, Muscoy Community

## Wilmington, Carson, West Long Beach

Some of the key strengths for the Wilmington, Carson, West Long Beach CERP are the rules for flaring and equipment used at refineries, fenceline monitoring at refineries and incentives for port related equipment. Other recommended actions to strengthen implementation are for the Air District, CARB, and steering committee to work together to prioritize strategies and utilize enforcement feedback.

## East Los Angeles, Boyle Heights, West Commerce

The East Los Angeles, Boyle Heights, West Commerce Community CERP will focus on a railyard Indirect Source Rule, new technologies to help target incentives and enhanced enforcement for trucks.

## San Bernardino, Muscoy

A key strength of the San Bernardino, Muscoy Community CERP is the focus on a warehouse Indirect Source Rule, air monitoring at concrete batch and asphalt plants and air filtration at schools. It will also conduct quarterly idling sweeps for neighborhood truck traffic.

The community emissions reduction programs were developed through a partnership between the South Coast Air Quality Management District and community steering committees for each of the three communities, which include community residents, local businesses, air district representatives and other stakeholders to develop the specific emission reduction strategies included in each of the programs.

To address the requirements of AB 617 (C. Garcia, 2017) CARB developed the Office of Community Air Protection (OCAP). Its role in supporting the development of community emission reduction programs is to establish program guidelines, called the Community Air Protection Blueprint, and to coordinate the overall process to ensure the requirements of AB 617 are met.

Approval of these three South Coast Air Basin plans bring the total Board-approved number of community emission reduction programs under AB 617 to seven. Generally, reduction strategies in community emission reduction programs target emissions of pollutants of concern, and emission sources of concern that are identified in collaboration with community residents. The types of sources have included:

- Heavy-duty trucks and passenger cars
- Residential energy use
- Urban sources
- Industrial and agricultural sources including pesticides
- Oil and gas operations

Many of the strategies included in the three approved programs will take focused coordination between multiple public agencies. These include ports, agencies involved in making land use decisions for large facilities, and agencies that can influence vehicle traffic or routing as well as truck idling activity, among others. Those include CARB, SCAQMD, and other state and local agencies.

#### **2020 LEGISLATIVE CALENDAR**

Sept. 30 - Last day for Governor to sign or veto bills passed by the Legislature before Sept. 1 and in the Governor's possession on or after Sept. 1

Oct. 1 - Bills enacted on or before this date take effect January 1, 2021.

Nov. 3 - General Election.

Dec. 7 - 2021-22 Regular Session convenes for Organizational Session at 12 noon.

Jan. 1, 2021 - Statutes take effect

# RESOLUTE

To: South Coast Air Quality Management District

From: David Quintana, Esq.

Date: Sep. 25, 2020 Subject: Legislative Update

#### Important Dates

Sept. 30 - Last day for the Governor to sign or veto bills passed by the Legislature.

Oct. 1 - Bills enacted on or before this date take effect January 1, 2021.

Nov. 3 – General Election.

Nov. 30 – Adjournment sine die at midnight

Dec. 7 – 2021-22 Regular Session convenes for Organizational Session at 12 noon.

❖ Cap-and-Trade Generates \$474 Million in August. The California Air Resources Board (CARB) reported that the results of the quarterly cap-and-trade auction held on August 18 generated \$474 million in revenue, a significant leap from the \$25 million raised in the May auction that prompted many policymakers and advocacy groups to discuss revising the cap-and-trade program.

California fuel consumption remains below 2019 levels due to COVID-19-related travel restrictions, despite an uptick in May. Rebounding gas consumption could increase participation in the third and fourth quarter cap-and-trade auctions and secondary market sales. California's summer heatwave also increased power consumption from carbon-emitting sources by 6.6%, despite lower industrial demand.

Assemblymember Eduardo Garcia (D-Coachella Valley), a non-voting member of the CARB board, commented at a New York Climate Week event that "We may have to revisit the cap-and-trade system" and has indicated that California must take more action to get on track to meet its 2030 climate goals.

❖ Governor Issues Executive Order Banning Gas Vehicles by 2035. Governor Newsom issued Executive Order N-79-20, establishing a state goal that 100 percent of in-state sales of new passenger cars and trucks be zero-emission by 2035, that 100 percent of medium-and heavy-duty vehicles in the state be zero-emission by 2045 for all operations where feasible and by 2035 for drayage trucks, and that the state transition to 100 percent zero-emission off-road vehicles and equipment by 2035, where feasible.

The Executive Order directs CARB to issue new regulations to implement the order, in addition to working with GO-Biz, the PUC, the Energy Commission, DOF, the State Transportation Agency, local agencies, and the private sector to develop a Zero Emissions Vehicle Market Development Strategy by January 31, 2021.

CARB is also tasked to use existing authorities to accelerate the deployment of affordable fueling and charging options for zero-emission vehicles. This deployment is to be done "in ways that serve all communities and in particular low-income and disadvantaged communities." CARB must also develop and propose strategies to continue the State's current efforts to reduce the carbon intensity of fuels beyond 2030 with consideration of the full life cycle of carbon.

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Moderate Democrat Pushes Back Assemblymember Jim Cooper (D-Elk Grove) followed the Governor's announcement with a series of comments on twitter pointing out that electric vehicles remain unaffordable for his constituents and many Californians. He has also criticized the Administration and state agencies for failing to prevent the black outs that occurred over the summer, noting that he did not believe that the state's grid could handle the strain of more electric vehicles. Cooper's commentary follows comments he made in an August letter to several prominent environmental advocacy groups, where he accused them of promoting policies that "systematically drive racial economic inequities and fuel environmental racism."

❖ Chair of Assembly Transportation Committee Urges CEC for more Hydrogen Stations. On August 21, Assemblymember Jim Frazier (D-Fairfield), chair of the Assembly Transportation Committee, sent a letter to California Energy Commissioner Patty Monahan regarding the 2020-2023 Investment Plan Update of the California Energy Commission's Clean Transportation Plan. Frazier encouraged the Energy Commission to fully allocate the \$20M for hydrogen refueling infrastructure in order to meet the goal of having 200 stations by 2025. He also advocated for the Commission to more fully incorporate hydrogen electric vehicles into the development of California's clean transportation future.

Frazier's letter was also signed by fellow members of the Assembly Transportation Committee, Tom Daly (D-Anaheim), Kansen Chu (D-Milpitas), Patrick O'Donnell (D-Long Beach), Tyler Diep (R-Westminster) and Vince Fong (R-Bakersfield), as well as Senator Richard Roth (D-Riverside), who serves on the Senate Transportation Committee.

#### Election Watch

Moderate Democrats elect Blanca Rubio (D-Baldwin Park) as their new leader. Rubio will take over the position from Assemblymember Joaquin Arambula (D-Fresno), who was in the position for a year following Assemblymember Jim Frazier (D-Fairfield).

State Assembly Races – 80 Seats (61 Democrats, 17 Republican, 1 Independent, 1 Vacancy). 76 of the 80 seats are contested. Many of the incumbents are facing weak challenges, with a few notable races.

- Incumbent races to watch:
  - o AD 42 Mayes (Ind) v. Kutyuk (R)
  - o AD 59 Jones-Sawyer (D) vs Martinez (D)
  - o AD 68 Choi (R) v. Fox (D)
- Open Seats:
  - o AD 13 Villapudua (D) v. Miller (D)
  - o AD 25 Lee (D) v. Brunton (R)
  - o AD 33 Smith (R) v. Herrick (R)
  - o AD 37 Bennett (D) v. Cole (R)
  - o AD 38 Valladares (R) v. Volotzky (R)
  - o AD 57 Calderon (D) v. Martinez (R)
  - o AD 67 Carlos (D) v. Seyarto (R)
  - o AD 72 Dierdre Nguyen (D) v. Janet Nguyen (R)
  - o AD 73 Rhinehart (D) v. Davies (R)
  - o AD 78 Davis (D) v. Ward (D)

State Senate Races – 40 Seats (29 Democrats, 11 Republican). 20 of the 40 seats are contested. Several powerful senators are termed out (Beall, Hill, Jackson), which will bring new faces and a possible change in the dynamics of the body. Though the Democrats will defend the supermajority.

- Incumbent races to watch:
  - o SD 29 Chang (R) v. Newman (D)
  - o SD 37 Moorlach (R) vs Min (D)

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- Open Seats:
  - o SD 3 Eggman (D) v. Ridenour (R)
  - o SD 13 Becker (D) v. Glew (R)
  - o SD 15 Cortese (D) v. Ravel (D)
  - o SD 17 Laird (D) v. Nohrden (R)
  - o SD 19 Limon (Ď) v. Michaels (Ř)
  - o SD 23 Medina (D) v. Ochoa Bogh (R)
- ❖ Asm. Eduardo Garcia: RESOLUTE worked with South Coast AQMD staff and Chairman Eduardo Garcia to facilitate conversations regarding AB 617 stakeholder meetings.
- Sen. Henry Stern: RESOLUTE engaged in conversations with Chairman Henry Stern's staff regarding SB 633 and ideas regarding the introduction of zero emissions legislation in 2021.

SCAQMD—Leg. Update Page 3 of 3

# **ATTACHMENT 4**

South Coast Air Quality Management District Legislative Analysis Summary – H.R. 7822 (Blunt Rochester)

Version: As introduced, July 29, 2020

Analyst: LTO

#### H.R. 7822 Blunt Rochester (DE)

Public Health Air Quality Act of 2020

**Summary:** This bill would require the U.S. Environmental Protection Agency (U.S. EPA) expand fenceline and ambient air monitoring and access to air quality information for communities affected by air pollution. The bill would require fenceline monitoring of facilities with specific emissions linked to local health threats; ensure the U.S. EPA promulgates rules that require fenceline air monitoring for certain stationary sources; expand and repair the national ambient air quality monitoring network; and, deploy air sensors in communities affect by air pollution. Additionally, the bill would establish 10 Centers of Excellence on Environmental Health Disparities.

**Background:** The federal Clean Air Act (CAA) establishes the comprehensive framework for the regulation of stationary and mobile sources to protect public health. The CAA requires the U.S.EPA to set National Ambient Air Quality Standards, a national ambient air monitoring network and promulgate regulations to reduce air pollution and protect public health.

South Coast AQMD is the local regulatory agency responsible for implementing and meeting the requirements of the federal CAA.

Status: 7/29/2020 – Introduced in House and referred to the Committee on Energy and Commerce.

**Specific Provisions:** The Public Health Air Quality Act focuses on air pollutants and toxics by instituting a fenceline air monitoring program, expanding the national air monitoring network, implementing low cost sensors and creating 10 National Institutes of Health Centers of Excellence to research environmental health disparities.

H.R. 7822 would require the United States Environmental Protection Agency (US EPA) to implement a one-year fenceline air monitoring program for 25 high priority facilities listed in Appendix A of the U.S. EPA's Office of the Inspector General Report #20-N-0128 (March 31, 2020) (List is shown below as Appendix A); and, at least an additional 25 major sources or synthetic area sources which meet specified criteria in the bill. The criteria include, but are not limited to, specific chemicals including ethylene oxide, chloroprene, benzene, 1,3-butadiene, and formaldehyde; proximity to census tracts with elevated health risks; industrial classification of paper manufacturing, petroleum and coal products manufacturing, and chemical manufacturing; and, other criteria. Additionally, the fenceline air monitoring shall utilize specific US EPA methodologies to measure pollutants including volatile organic compounds, implement optical remote sensing technologies to provide real-time measurements along an open-path; or, other monitoring technology with the ability to provide real-time spatial and temporal data to understand the type and amount of emissions. This section of the bill would be authorized \$73 million for Fiscal Year (FY) 2021.

The bill also requires the US EPA to promulgate rules to implement the best available method of fenceline air monitoring for specific source categories including: paper manufacturing, petroleum and coal products manufacturing, and chemical manufacturing; or, required to implement a risk

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management plan pursuant to the Clean Air Act or had an accidental release required be reported in the last three-years. Other sources that would be covered under the new rules are major sources or area sources of specific chemicals; specific type of activities related to chemicals, petrochemicals, plastics or marine vessel loading operations; and, other major sources of fugitive emissions. The bill would authorize \$17.5 million for FY 2021 for the Community Air Toxics Monitoring program.

H.R. 7822 would add 80 new NCore multipollutant air monitoring stations to be placed in specified locations. At least 40 of the new NCore stations would need to be sited in census tracts that meet one or more criteria including: rates of respiratory, pulmonary disease, heart disease and cancer are elevated; the percentage of people are living below poverty is higher than the national average; two or more major sources are located within the census tract; and/or, there is a higher than average population in the census tract of vulnerable or sensitive individuals who may be at greater risk than the general population to adverse health effects due to criteria air pollutants. Further, H.R. 7822 would deploy 1,000 air quality sensors that cost \$2,000 or less in census tracts or counties with COVID-19 mortality rates that are 10-percent higher than the national average. The bill would authorize \$61 million for expanding the national air monitoring system and \$2.5 million for low-cost sensors in FY 2021.

Lastly, H.R. 7822 would establish 10 National Institutes of Health Centers of Excellence in coordination with the US EPA Administrator to conduct research on environmentally driven health disparities. Each Center of Excellence would receive \$1.5 million per year from FY 2021 through FY 2026 for a total of \$15 million per year.

Impacts on South Coast AQMD's Mission, Operations or Initiatives: While the intent of the bill is positive in concept, there are several provisions which are problematic from the State and local air quality regulatory perspective. The bill language is overly specific on monitoring method, facility types, air toxics, and other criteria which could detract from reaching the intent of the bill to protect public health from air pollution and toxics and to improve both the national air monitoring system and community air monitoring. For example, under the one-year fenceline air monitoring program prescribed by H.R. 7822, the methodologies, timeline and the proposed funding level does not match with South Coast AQMD's experience in designing, developing, and deploying fenceline monitoring at a major facility such as a refinery. Further, the required EPA rulemaking is overly prescriptive and may not facilitate the promulgation of rules that would sync with State and local regulations or specific community needs. The bill's provisions to expand and maintain the national air monitoring network and deploy low-cost sensors would be a positive step for State and local agencies. It also calls attention to the need for the federal government to allocate sufficient resources to assist States and local agencies to monitor air toxics as well as criteria pollutants.

Currently, Representative Lisa Blunt Rochester is seeking input from the US EPA, State and local agencies, environmental and health organizations and other stakeholders to prepare the bill for reintroduction in the 117<sup>th</sup> Congress. An identical companion bill in the Senate authored by Senator Tammy Duckworth would be amended and reintroduced as well. Staff from the Office of US Representative Blunt Rochester have invited South Coast AQMD to provide comments and amendments for H.R. 7822 to ensure the bill meets their goals of addressing air toxics, improving

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air monitoring, and ultimately protecting public health, especially in vulnerable communities. Additionally, South Coast AQMD Congressional Delegation Member Representative Nanette Barragán is a co-sponsor of the bill.

**Recommended Position:** SUPPORT WITH AMENDMENTS

Version: As introduced, July 29, 2020

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# Appendix A

# EPA or State Actions to Directly Inform Residents Living Near 25 High-Priority Ethylene Oxide-Emitting Facilities of Health Risks

EPA region	Facility	Location	Type of facility	Date of first EPA or state action to directly inform residents living near facility
2	Edwards Lifesciences Corp.	Anasco, PR	Commercial sterilizer	Planned for spring 2020.
3	B Braun Medical Inc.	Allentown, PA	Commercial sterilizer	Communications plan identifies potential outreach activities for first half of calendar year 2020.
3	Union Carbide Corp. – Institute	Institute, WV	Chemical plant	Communications plan identifies potential outreach activities for first half of calendar year 2020.
3	Croda	New Castle, DE	Chemical plant	Communications plan identifies potential outreach activities for first half of calendar year 2020.
3	Union Carbide Corp. – South Charleston Facility	South Charleston, WV	Chemical plant	Communications plan identifies potential outreach activities for first half of calendar year 2020.
4	Solvay USA (Lanxess)	Charleston, SC	Chemical plant	December 2, 2019
4	C R Bard (Becton, Dickinson, and Co.)	Covington, GA	Commercial sterilizer	August 20, 2019
4	Griffith Micro Science Inc. (Sterigenics)	Smyrna, GA	Commercial sterilizer	August 19, 2019
5	Sterigenics US	Willowbrook, IL	Commercial sterilizer	August 29, 2018
5	Medline Industries, Northpoint Services Division	Waukegan, IL	Commercial sterilizer	May 23, 2019
5	Medtronic Sterile Systems Operation (Viant Medical)	Grand Rapids, MI	Commercial sterilizer	March 6, 2019
5	Air Products Performance Manufacturing (Evonik)	Milton, WI	Chemical plant	None
6	BCP Ingredients	St. Gabriel, LA	Chemical plant	None
6	Union Carbide Corp., St Charles Operations	Taft, LA	Chemical plant	None
6	Huntsman, Port Neches Operations	Port Neches, TX	Chemical plant	None
6	Eastman Chemical Texas Operations	Longview, TX	Chemical plant	None
6	Taminco US (Eastman Corp.)	St. Gabriel, LA	Chemical plant	None
6	Sasol Chemicals (USA) – Lake Charles Chemical Complex	Westlake, LA	Chemical plant	None

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EPA region	Facility	Location	Type of facility	Date of first EPA or state action to directly inform residents living near facility
6	Air Products Performance Manufacturing Inc. – Reserve Plant (Evonik Materials Corp.)	Reserve, LA	Chemical plant	None
6	Midwest Sterilization Corp.	Laredo, TX	Commercial sterilizer	None
6	Shell Technology Center Houston	Houston, TX	Chemical plant	None
6	Sterigenics Santa Teresa Facility	Santa Teresa, NM	Commercial sterilizer	None
7	Midwest Sterilization Corp.	Jackson, MO	Commercial sterilizer	December 2, 2019
7	BCP Ingredients – Verona Plant	Verona, MO	Chemical plant	October 11, 2019
8	Terumo BCT Sterilization Services	Lakewood, CO	Commercial sterilizer	December 11, 2018

Source: The OIG developed the table using data from EPA-generated lists of facilities contributing to elevated estimated cancer risks at the census tract level in the 2014 NATA and the census block level and information from regions.

Note: The EPA prioritized 25 facilities: 22 that contribute to elevated estimated cancer risk equal to or greater than 100 in one million at the census tract level and three that contribute to elevated estimated cancer risks equal to or greater than 1,000 in one million at the census block level. The three facilities prioritized at the census block level are Union Carbide—South Charleston Facility in Region 3, Air Products Performance Manufacturing (Evonik) in Wisconsin in Region 5, and BCP Ingredients Verona Plant in Region 7.

 $Source: \ \underline{https://www.epa.gov/sites/production/files/2020-03/documents/\_epaoig\_20200331-20-n-0128\_0.pdf}$ 



#### 116TH CONGRESS 2D SESSION

# H. R. 7822

To protect clean air and public health by expanding fenceline and ambient air monitoring and access to air quality information for communities affected by air pollution; to require immediate toxic air monitoring at the fenceline of facilities with pollution linked to local health threats; to ensure the Environmental Protection Agency promulgates rules that require fenceline air monitoring in communities with air polluting industrial source categories; to expand and strengthen the national ambient air quality monitoring network; to deploy air sensors in communities affected by air pollution, and for other purposes.

#### IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2020

Ms. Blunt Rochester (for herself, Mr. McEachin, Ms. Jayapal, Ms. Barragán, and Mr. Rush) introduced the following bill; which was referred to the Committee on Energy and Commerce

# A BILL

To protect clean air and public health by expanding fenceline and ambient air monitoring and access to air quality information for communities affected by air pollution; to require immediate toxic air monitoring at the fenceline of facilities with pollution linked to local health threats; to ensure the Environmental Protection Agency promulgates rules that require fenceline air monitoring in communities with air polluting industrial source categories; to expand and strengthen the national ambient air quality monitoring network; to deploy air sensors in communities affected by air pollution, and for other purposes.

1	Be it enacted by the Senate and House of Representa-
2	tives of the United States of America in Congress assembled,
3	SECTION 1. SHORT TITLE.
4	This Act may be cited as the "Public Health Air
5	Quality Act of 2020".
6	SEC. 2. HEALTH EMERGENCY AIR TOXICS MONITORING.
7	(a) Monitoring.—Not later than 120 days after the
8	date of enactment of this Act, the Administrator shall
9	carry out a program to administer or conduct, pursuant
10	to authority provided under the Clean Air Act (42 U.S.C.
11	7401 et seq.), including section 114 of such Act (42
12	U.S.C. 7414), the best available form of fenceline moni-
13	toring of stationary sources of hazardous air pollutants
14	that are on the list developed under subsection (c).
15	(b) Publication of Results.—The Administrator
16	shall publish and maintain the results of all fenceline mon-
17	itoring conducted under the program under subsection (a)
18	on the website of the Environmental Protection Agency
19	for a period of at least 5 years.
20	(e) List of Sources.—
21	(1) Development.—The Administrator shall
22	develop a list of stationary sources of hazardous air
23	pollutants that includes—
24	(A) the 25 high-priority facilities listed in
25	Appendix A of the Environmental Protection

1	Agency's Office of Inspector General Report
2	#20-N-0128 (March 31, 2020); and
3	(B) at least another 25 major sources or
4	synthetic area sources.
5	(2) Requirements.—The Administrator may
6	include a stationary source on the list developed
7	under paragraph (1) only if the source—
8	(A) emits at least one of the pollutants de-
9	scribed in paragraph (3);
10	(B) is—
11	(i) located in, or within 3 miles of, a
12	census tract with—
13	(I) a cancer risk of at least 100-
14	in-1 million; or
15	(II) a chronic non-cancer hazard
16	index that is above 1 based on the
17	most recent National Air Toxics As-
18	sessment; or
19	(ii) in a source category with—
20	(I) a cancer risk that is at least
21	50-in-1 million;
22	(II) a total organ-specific hazard
23	index for chronic non-cancer risk that
24	is greater than 1; or

1	(III) an acute risk hazard
2	quotient that is greater than 1; and
3	(C) is—
4	(i) classified in one or more of North
5	American Industry Classification System
6	eodes 322, 324, 325; or
7	(ii) required to prepare and implement
8	a risk management plan pursuant to sec-
9	tion 112(r) of the Clean Air Act (42
10	U.S.C. 7412(r)) and had an accidental re-
11	lease required to be reported during the
12	previous 3 years pursuant to section 68.42
13	or 68.195 of title 40 Code of Federal Reg-
14	ulations (as in effect on the date of enact-
15	ment of this Act).
16	(3) POLLUTANTS.—The pollutants described in
17	this paragraph are ethylene oxide, chloroprene, ben-
18	zene, 1,3-butadiene, and formaldehyde.
19	(d) METHODS AND TECHNOLOGIES.—
20	(1) In general.—Except as provided in para-
21	graph (2), in carrying out the program under sub-
22	section (a), the Administrator shall—
23	(A) for each stationary source on the list
24	developed under subsection (c)(1), employ, as
25	necessary to monitor the pollutants described in

1	subsection (c)(3) emitted by such stationary
2	source, at least—
3	(i) Method 325A and Method 325B;
4	and
5	(ii) Method TO-15; and
6	(B) for each of the 10 stationary sources
7	on such list that either emit the greatest volume
8	of pollutants described in subsection (c)(3), or
9	cause the greatest health risk as determined by
10	the Administrator based on a residual risk as-
11	sessment performed pursuant to section
12	112(f)(2) of the Clean Air Act (42 U.S.C.
13	7412(f)(2)) or based on the most recent Na-
14	tional Air Toxics Assessment due to such emis-
15	sions individually, as a group, or cumulatively
16	with all hazardous air pollutants emitted by
17	such sources, and for any other stationary
18	source on such list for which application of the
19	methods described in subparagraph $(\Lambda)$ alone
20	will not be sufficient to monitor and report any
21	such pollutants that are emitted by such sta-
22	tionary source, employ—
23	(i) optical remote sensing technology
24	to provide real-time measurements of air

1	pollutant concentrations along an open-
2	path; or
3	(ii) other monitoring technology with
4	the ability to provide real-time spatial and
5	temporal data to understand the type and
6	amount of emissions.
7	(2) UPDATES.—
8	(Λ) METHOD 325A AND METHOD 325B.—If
9	the Administrator determines it necessary to
10	update Method $325\Lambda$ and Method $325B$ to im-
11	plement this section, the Administrator shall
12	update such Method 325A and Method 325B
13	not later than 90 days after the date of enact-
14	ment of this Act.
15	(B) NEW TEST METHOD.—If the Adminis-
16	trator determines it necessary to approve a new
17	test method to implement this section, the Ad-
18	ministrator shall finalize such a method not
19	later than 1 year after the date of enactment of
20	this Act.
21	(e) Report.—Not later than 18 months after the
22	date of enactment of this Act, the $\Lambda$ dministrator shall re-
23	port on the results of the program carried out under sub-
24	section (a), including—

1	(1) the results of fenceline monitoring imple-
2	mented under the program under subsection (a);
3	(2) any enforcement, regulatory, or permitting
4	actions taken based on such fenceline monitoring;
5	and
6	(3) whether the Administrator proposes to con-
7	tinue fenceline monitoring at any or all of the sta-
8	tionary sources on the list developed under sub-
9	section (e)(1), or to implement fenceline monitoring
10	of any additional stationary sources as determined
11	under subsection (f).
12	(f) DETERMINATION REGARDING ADDITIONAL
13	Sources.—Not later than 3 months before the program
14	under subsection (a) terminates, the Administrator shall
15	make a determination, and publish such determination in
16	the Federal Register, on whether to add fenceline moni-
17	toring for any stationary sources to—
18	(1) ensure compliance of such stationary
19	sources with existing emission standards under sec-
20	tion 112 of the Clean Air Act (42 U.S.C. 7412);
21	(2) prevent accidental releases; or
22	(3) protect the health of the communities most
23	exposed to the emissions of hazardous air pollutants
24	from such stationary sources to the greatest extent
25	possible.

1	(g) DETERMINATION REGARDING EMISSION FAC-
2	TORS.—Not later than 3 months before the program
3	under subsection (a) terminates, the Administrator shall
4	complete an evaluation and promulgate a determination
5	whether any existing emission factors must be updated to
6	better reflect or account for the results of fenceline moni-
7	toring data collected pursuant to Method 325 $\!\Lambda$ or 325B
8	or the program under subsection (a).
9	(h) AUTHORIZATION OF APPROPRIATIONS.—There is
10	authorized to be appropriated to earry out this section
11	\$73,000,000 for fiscal year 2021.
12	SEC. 3. COMMUNITY AIR TOXICS MONITORING.
13	(a) REGULATIONS.—Not later than one year after the
14	date of enactment of this $\Lambda$ et, the Administrator shall pro-
15	mulgate regulations pursuant to section 112(d) of the
16	Clean Air Act (42 U.S.C. 7412(d)) for each source cat-
17	egory described in subsection (b), that—
18	(1) require all sources in such source category
19	to implement the best available form of continuous
20	emissions monitoring and fenceline monitoring to as-
21	sure compliance with the emission standards for haz-
22	ardous air pollutants;
23	(2) for facilities in such source category that
24	are required to submit risk management plans under
25	section 112(r) of the Clean Air Act, to prevent acci-

1	dental releases and provide for effective emergency
2	response;
3	(3) establish a corrective action level at the
4	fenceline for at least the top 3 hazardous air pollut-
5	ants that drive the eancer, chronic non-cancer, or
6	acute risk for the source category; and
7	(4) require a root cause analysis and con-
8	sequences if such corrective action level is exceeded.
9	(b) Source Categories.—The source categories de-
0	scribed in this subsection shall include each category or
l 1	subcategory of major sources or area sources containing—
12	(1) at least one of the stationary sources of
13	hazardous air pollutants that are on the list devel-
14	oped under section 2(e);
15	(2) major sources or area sources identified in
16	the most recent National Emissions Inventory of the
17	Environmental Protection Agency as emitting ethyl-
18	ene oxide, chloroprene, 1-3 butadiene, benzene, or
19	formaldehyde;
20	(3) chemical, petrochemical, or plastics manu-
21	facturing sources or marine vessel loading oper-
22	ations; and
23	(4) any other major sources of fugitive haz-
24	ardous air pollutant emissions for which the Envi-
25	ronmental Protection Agency is subject to a court-

1	ordered or statutory deadline, engaged in a reconsid-
2	eration proceeding, or subject to a court remand to,
3	not later than 2 years after the date of enactment
4	of this Act, review and determine whether to revise
5	the emissions standards that apply to such sources.
6	(c) DETERMINATION OF BEST AVAILABLE FORM OF
7	MONITORING.—The Administrator, in consultation with
8	the Office of Air Quality Planning and Standards, the Of-
9	fice of Enforcement and Compliance Assurance, and the
10	Office of Environmental Justice, shall, for purposes of the
11	regulations promulgated pursuant to subsection (a), deter-
12	mine the best available form of continuous emissions mon-
13	itoring and fenceline monitoring and shall ensure the
14	methods required are at least as stringent as Method
15	325A and Method 325B.
16	(d) METHODS AND TECHNOLOGIES.—For all sta-
17	tionary sources in the source categories under subsection
18	(b), the Administrator shall, in the regulations promul-
19	gated pursuant to subsection (a)—
20	(1) require application, implementation, or em-
21	ployment of—
22	(A) Method TO-15 or optical remote sens-
23	ing technology to provide real-time measure-
24	ments of air pollutant concentrations along an
25	open-path; or

1	(B) other monitoring technology with the
2	ability to provide real-time spatial and temporal
3	data to understand the type and amount of
4	emissions; or
5	(2) provide an explanation of why application of
6	Method TO-15 or the technologies described in
7	paragraph (1) is not necessary—
8	$(\Lambda)$ to assure compliance with the emission
9	standards established under the regulations
10	promulgated pursuant to subsections (d) and
11	(f) of section 112 of the Clean $\Lambda$ ir $\Lambda$ et (42
12	U.S.C. 7412), as applicable; or
13	(B) to protect the public health.
14	(e) Precautionary Approach.—In promulgating
15	the corrective action level for each of the hazardous air
16	pollutants described in subsection (a)(3), the Adminis-
17	trator shall take a precautionary approach to ensure that,
18	if the monitored concentration at the fenceline hits a level
19	that has potential to cause any person to experience im-
20	paired quality of life, become ill, or die from eancer or
21	any other chronic or acute health impairment related to
22	short- or long-term air pollution exposure (including any
23	fetal exposure that begins in utero), that the facility must
24	reduce its emissions to prevent such harm.

1	(f) Authorization of Appropriations.—There is
2	authorized to be appropriated to carry out this section
3	\$17,500,000 for fiscal year 2021.
4	SEC. 4. CRITERIA POLLUTANT/NAAQS MONITORING NET-
5	WORK.
6	(a) Deployment of NCore Multipollutant
7	MONITORING STATIONS.—The Administrator shall re-
8	quire the deployment of an additional 80 NCore multi-
9	pollutant monitoring stations.
10	(b) DEADLINE.—Not later than 12 months after the
11	date of enactment of this Act, the Administrator shall en-
12	sure all NCore multipollutant monitoring stations required
13	to be deployed under subsection (a) are installed and inte-
14	grated into the air quality monitoring system established
15	pursuant to section 319 of the Clean Air Act (42 U.S.C.
16	7619).
17	(e) MONITORING RESULTS.—Monitoring results from
18	NCore multipollutant stations deployed pursuant to sub-
19	section (a) shall be used for purposes of comparison to
20	national ambient air quality standards, and for such other
21	purposes as the Administrator determines will promote the
22	protection of public health from air pollution.
23	(d) Locations.—
24	(1) Vulnerable populations.—

1	(Λ) Census tracts.—The Administrator
2	shall ensure that at least 40 of the NCore
3	multipollutant monitoring stations required
4	under subsection (a) are sited in census tracts
5	that each meet one or more of the following eri-
6	teria:
7	(i) The rates of childhood asthma,
8	adult asthma, chronic obstructive pul-
9	monary disease, heart disease, or cancer
10	are higher than the national average for
11	such condition in the census tract.
12	(ii) The percentage of people living
13	below the poverty level, that are above age
14	18 without a high school diploma, or that
15	are unemployed, is higher than the na-
16	tional average in the census tract.
17	(iii) Two or more major sources (as
18	defined in section 501(2) of the Clean Air
19	Act (42 U.S.C. 7661(2))) are located with-
20	in the census tract and adjacent census
21	tracts combined.
22	(iv) COVID-19 death rates are at
23	least 10 percent higher than the national
24	average in the census tract

1	(v) There is a higher than average
2	population in the census tract of vulnerable
3	or sensitive individuals who may be at
4	greater risk than the general population of
5	adverse health effects from exposure to one
6	or more air pollutants for which national
7	ambient air quality standards have been
8	established pursuant to the Clean Air Act
9	(42 U.S.C. 7401 et seq.), including in-
10	fants, children, pregnant women, workers,
11	the elderly, or individuals living in an envi-
12	ronmental justice community.
13	(B) LIMITATION.—Not more than 1 of the
14	NCore multipollutant monitoring stations de-
15	scribed in subparagraph (A) may be sited with-
16	in the same metropolitan statistical area, mu-
17	nicipality, or county.
18	(2) SITING DETERMINATIONS.—In determining
19	and approving sites for NCore multipollutant moni-
20	toring stations required under subsection (a), the
21	Administrator shall—
22	(A) invite proposals from or on behalf of
23	residents of a community for the siting of such
24	stations in such community;

1	(B) prioritize siting of such stations in
2	census tracts or counties with per capita death
3	rates from COVID-19 that are at least 10 per-
4	cent higher than the national average, as of the
5	date of enactment of this Act or the date of the
6	proposal; and
7	(C) prior to making siting determinations,
8	provide public notice of proposed siting loca-
9	tions and provide an opportunity for public
10	comment for at least 30 days thereafter—
11	(i) in the Federal Register, by email
12	to persons who have requested notice of
13	proposed siting determinations; by news re-
14	lease; and
15	(ii) by posting on the public website of
16	the Environmental Protection Agency.
17	(e) REPORT.—Not later than 4 months after the date
18	of enactment of this $\Lambda$ ct, the Administrator shall—
19	(1) in coordination with the States, complete an
20	assessment, which includes public input, on the sta-
21	tus of all ambient air quality monitors that are part
22	of Federal, State, or local networks and used for de-
23	termining compliance with national ambient air
24	quality standards to determine whether each such
25	monitor is operational; and

1	(2) report to Congress, and publish on the pub-
2	lic website of the Environmental Protection Agency,
3	a list of all non-operational monitors and an accom-
4	panying schedule and plan to restore all such mon-
5	itors into full operation within one year.
6	(f) Funding.—
7	(1) AUTHORIZATION OF APPROPRIATIONS.—
8	There is authorized to be appropriated to carry out
9	this section \$61,000,000 for fiscal year 2021.
10	(2) Uses.—The Administrator—
11	(A) may use amounts made available to
12	carry this section to—
13	(i) directly to deploy NCore multi-
14	pollutant monitoring stations required
15	under subsection (a); or
16	(ii) make grants under section 105 of
17	the Clean Air Act to State and local gov-
18	ernments for deployment and operation of
19	such NCore multipollutant monitoring sta-
20	tions; and
21	(B) shall use at least 5 percent, but not
22	more than 10 percent, of amounts made avail-
23	able to carry out this section to perform main-
24	tenance and repairs necessary to restore to op-
25	eration to currently non-operational monitors

1	located in nonattainment areas for ozone or
2	PM2.5.
3	SEC. 5. SENSOR MONITORING.
4	(a) Deployment of Air Quality Sensors.—Not
5	later than 6 months after the date of enactment of this
6	Act, the Administrator shall deploy at least $1,000$ air qual-
7	ity sensors, that each cost $$2,000$ or less, in census tracts
8	or counties with per capita death rates from COVID-19
9	that are at least 10 percent higher than the national aver-
10	age as of the date of enactment of this $\Lambda$ et.
11	(b) Pollutants.—Each sensor deployed pursuant
12	to subsection (a) shall measure ozone, PM2.5, or sulfur
13	dioxide. The Administrator shall determine which pollut-
14	ant or pollutants to monitor based on the pollution sources
15	affecting the area in which the sensor is to be deployed.
16	(e) Priority.—The Administrator shall give priority
17	for deployment of sensors pursuant to subsection (a) to
18	census tracts or counties that—
19	(1) lack SLAMS for the pollutant or pollutants
20	that sensors would be deployed to measure;
21	(2) have, or are substantially impacted by, sig-
22	nificant emissions of ozone, PM2.5, or sulfur diox-
23	ide; and

- 1 (3) are not part of an area designated as non-2 attainment under the Clean Air Act for the air pol-
- 3 lutant or pollutants to be monitored.
- 4 (d) Contracts.—The Administrator shall contract
- 5 with qualified nonprofit organizations and State and local
- 6 air pollution control agencies to execute deployment of the
- 7 monitors in a manner that will ensure representative
- 8 measurement of ambient air quality, and provide the pub-
- 9 lie with real-time online access to the data collected.
- 10 (e) Determination and Installation.—Not later
- 11 than 6 months after one year of monitoring with sensors
- 12 deployed pursuant to subsection (a) has been completed,
- 13 the Administrator shall determine whether data from the
- 14 sensor or sensors deployed in a census track or county
- 15 show air pollution levels during such year reached 98 per-
- 16 cent of the national ambient air quality standard for any
- 17 of the air pollutants described in subsection (b), and not
- 18 later than 6 months after such determination, the Admin-
- 19 istrator shall ensure that Federal Reference Method mon-
- 20 itors or Federal Equivalent Method monitors are installed
- 21 and in operation within the census tract or county for each
- 22 pollutant that reached or exceeded the 98 percent level.
- 23 (f) Authorization of Appropriations.—There is
- 24 authorized to be appropriated to carry out this section
- 25 \$2,500,000.

1	SEC. 6. ENVIRONMENTAL HEALTH DISPARITIES RESEARCH
2	GRANT PROGRAMS.
3	(a) CENTERS OF EXCELLENCE ON ENVIRONMENTAL
4	HEALTH DISPARITIES RESEARCH GRANTS.—The Direc-
5	tor of the National Institutes of Health, in coordination
6	with the National Center for Environmental Research at
7	the Environmental Protection Agency, shall carry out a
8	Centers of Excellence on Environmental Health Dispari-
9	ties Research grant program. Such program shall estab-
10	lish and support no fewer than 10 research centers with
11	5 year awards to—
12	(1) conduct basic and applied research on envi-
13	ronmentally driven health disparities;
14	(2) establish, develop, or expand collaborations
15	with other researchers and organizations involved in
16	environmental health disparities and affected com-
17	munities;
18	(3) disseminate scientific knowledge to other re-
19	searchers and members of affected communities;
20	(4) recruit and mentor investigators to conduct
21	environmental health disparities research, including
22	investigators from health disparities populations;
23	and
24	(5) other activities, as determined by the Direc-
25	tor.

(b) AUTHORIZATION OF APPROPRIATIONS.—There 1 are authorized to be appropriated to carry out this program \$15,000,000 for each of fiscal years 2021 through 3 2026. 4 SEC. 7. DEFINITIONS. 6 In this Act: (1) Administrator.—The term "Adminis-7 trator" means the Administrator of the Environ-8 9 mental Protection Agency. (2) ACCIDENTAL RELEASE.—The term "acci-10 dental release" has the meaning given such term in 11 section 112(r) of the Clean Air Act (42 U.S.C. 12 13 7412(r)). (3) Area source; existing source; haz-14 ARDOUS AIR POLLUTANT; MAJOR SOURCE; NEW 15 SOURCE; STATIONARY SOURCE.—Except as otherwise 16 provided, the terms "area source", "existing 17 source", "hazardous air pollutant", "major source", 18 "new source", and "stationary source" have the 19 meaning given such terms in section 112(a) of the 20 Clean Air Act (42 U.S.C. 7412(a)). 21 COVID-19.—The term "COVID-19" 22 (4)means the novel coronavirus disease 2019 that is the 23 subject of the declaration of a public health emer-24

gency by the Secretary of Health and Human Serv-

25

ices pursuant to section 319 of the Public Health
 Service Act (42 U.S.C. 247d) on January 27, 2020.

- (5) Method 325A.—The term "Method 325Λ" means the Air Emission Measurement Center promulgated test method titled "Volatile Organic Compounds from Fugitive and Area Sources: Sampler Deployment and VOC Sample Collection".
  - (6) METHOD 325B.—The term "Method 325B" means the Air Emission Measurement Center promulgated test method titled "Volatile Organic Compounds from Fugitive and Area Sources: Sampler Preparation and Analysis."
  - (7) METHOD TO-15.—The term "Method TO-15" means the test method titled "Determination of Volatile Organic Compounds (VOCs) In Air Collected In Specially-Prepared Canisters And Analyzed By Gas Chromatography/Mass Spectrometry (GC/MS)" published in Compendium of Methods for the Determination of Toxic Organic Compounds in Ambient Air, Second Edition.
- (8) NCORE AND SLAMS.—The terms "NCore" and "SLAMS" have the meaning given such terms in section 58.1 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act).

1	(9) Synthetic area source.—The term
2	"synthetic area source" has the meaning given "syn-
3	thetic minor HAP source" in section 49.152 of title
4	40, Code of Federal Regulations (or successor regu-
5	lations).



BOARD MEETING DATE: November 6, 2020 AGENDA NO. 19

REPORT: Mobile Source Committee

SYNOPSIS: The Mobile Source Committee held a meeting remotely on Friday,

October 16, 2020. The following is a summary of the meeting.

**RECOMMENDED ACTION:** 

Receive and file.

Dr. William A. Burke, Chair Mobile Source Committee

PF:ak

#### **Committee Members**

Present: Dr. William Burke/Chair

Supervisor Lisa Bartlett Mayor Larry McCallon

Council Member Judith Mitchell Supervisor V. Manuel Perez

Council Member Carlos Rodriguez

Absent: None

#### Call to Order

Chair Burke called the meeting to order at 9:05 a.m.

#### **INFORMATIONAL ITEM:**

### Annual Report on AB 2766 Funds from Motor Vehicle Registration Fees for FY 2018-19

Lane Garcia, Program Supervisor/ Planning, Rule Development and Area Sources, presented a summary of the AB 2766 local government annual reporting and program implementation activities that occurred during FY 2018-19.

Council Member Rodriguez asked about unspent funds at the end of the fiscal year. Mr. Garcia explained that unspent funds accumulate and are often used for larger projects. Dr. Burke asked if we have the authority to establish a sunset to move funds that are not used back into the total funds. Mr. Garcia indicated that a change in legislation would be needed to sunset and redistribute unused funds. Council Member Mitchell provided an example of her city's interest in purchasing an electric vehicle and charging equipment that require accumulation of funds. Council Member Rodriguez noted his city is waiting to reach a threshold of funds for charging stations.

Council Member Rodriguez asked how staff approaches education for cities. Mr. Garcia discussed the availability of the AB 2766 Resource Guide, fact sheets, annual training and continuous communication with jurisdictions.

Several Committee Members noted the differences in project cost-effectiveness and expressed concern about the potential for local governments to either misuse funds or use them inefficiently. The Committee Members discussed options for additional outreach to local governments on how to use the funds appropriately, as well as possible changes to legislation. Council Member Rodriguez invited Mr. Garcia to speak at the Orange County Council of Governments meeting. Executive Officer Wayne Nastri suggest that potential changes to the legislation to address the noted issues could be brought to CAPCOA for discussion.

Mayor McCallon asked if the jurisdictions are aware how they can leverage these funds with MSRC programs. Mr. Garcia stated that a MSRC representative always speaks at the annual training classes to raise awareness of MSRC opportunities.

#### **WRITTEN REPORTS:**

- 1. Rule 2202 Activity Report: Rule 2202 Summary Status Report This item was received and filed.
- 2. Monthly Report on Environmental Justice Initiatives: CEQA Document Commenting Update

This item was received and filed.

#### **OTHER MATTERS:**

#### 3. Other Business

There was no other business.

#### **Public Comment Period**

There were no public comments.

### 4. Next Meeting Date

The next regular Mobile Source Committee meeting is scheduled for Friday, November 20, 2020.

### Adjournment

The meeting adjourned at 9:42 a.m.

#### **Attachments**

- 1. Attendance Record
- 2. Rule 2202 Activity Report Written Report
- 3. Monthly Report on Environmental Justice Initiatives: CEQA Document Commenting Update Written Report

### **ATTACHMENT 1**

#### SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT MOBILE SOURCE COMMITTEE MEETING Attendance – October 16, 2020

D. W'II' D	Carrillo Carrillo AOMD Daniel Manchan
Dr. William Burke	
Supervisor Lisa Bartlett	
Mayor Larry McCallon	
Council Member Judith Mitchell	
Supervisor V. Manuel Perez	
Council Member Carlos Rodriguez	South Coast AQMD Board Member
James Dinwiddie	
Matt Holder	
Fred Minassian	Board Consultant (Mitchell)
Kana Miyamoto	Board Consultant (Burke)
Mark Abramowitz	
Stephanie Bream	California Council for Environmental and
	Economic Balance
Carlo De La Cruz	Sierra Club
Carol Kawa	
Frances Keeler	
	Economic Balance
Bill La Marr	
David Rothbart	
Patty Senecal	
Peter Whittingham	
reter wintingnam	Willungham Fublic Affairs Advisors
Evelyn Aguilar	South Coast AOMD Staff
Debra Ashby	
Jason Aspell	
Barbara Baird	
Naveen Berry	
Lawrence Brown	
Amir Dejbakhsh	
Philip Fine	
Carol Garcia	
Lane Garcia	
Bay Gilchrist	
De Groeneveld	
Sheri Hanizavareh	
Mark Henninger	South Coast AQMD Staff
Sujata Jain	South Coast AQMD Staff
John Kampa	South Coast AQMD Staff
Angela Kim	
Matt Miyasato	
Ron Moskowitz	
Wayne Nastri	
Elliott Popel	
Sarah Rees	
Nicole Ruelas.	
Anthony Tang	-
Jill Whynot	
Paul Wright	
Victor Yip	SOULII COASE ACIVID STATT



# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182 (909) 396-2000 • www.aqmd.gov

### **Rule 2202 Summary Status Report**

Activity for January 1, 2020 to September 30, 2020

Employee Commute Reduction Program (ECRP)		
# of Submittals:	158	

<b>Emission Reduction Strategies (ERS)</b>		
# of Submittals:	333	

Air Quality Investment Program (AQIP) Exclusively			
County	# of Facilities	\$	Amount
Los Angeles	43	\$	208,304
Orange	7	\$	106,965
Riverside	2	\$	27,851
San Bernardino	3	\$	17,197
TOTAL:	55	\$	360,317

ECRP w/AQIP Combinatio	n		
County	# of Facilities	\$ Amount	
Los Angeles	2	\$	7,103
Orange	0	\$	0
Riverside	0	\$	0
San Bernardino	2	\$	7,103
TOTAL:	4	\$	14,206

Total Active Sites as of September 30, 2020

ECRP (AVR Surveys)		TOTAL				
ECRP <sup>1</sup>	AQIP <sup>2</sup>	ERS <sup>3</sup>	Submittals w/Surveys	AQIP	ERS	TOTAL
512	13	150	675	101	556	1,332
38.44%	0.98%	11.26%	50.68%	7.58%	41.74%	100%4

Total Peak Window Employees as of September 30, 2020

ECRP (AVR Surveys)		TOTAL				
ECRP <sup>1</sup>	AQIP <sup>2</sup>	ERS <sup>3</sup>	Submittals w/Surveys	AQIP	ERS	TOTAL
371,837	5,007	64,945	441,789	15,032	239,397	696,218
53.41%	0.72%	9.33%	63.46%	2.16%	34.39%	100%4

Notes:

- 1. ECRP Compliance Option.
- 2. ECRP Offset (combines ECRP w/AQIP). AQIP funds are used to supplement the ECRP AVR survey shortfall.
- 3. ERS with Employee Survey to get Trip Reduction credits. Emission/Trip Reduction Strategies are used to supplement the ECRP AVR survey shortfall.
- 4. Totals may vary slightly due to rounding.

#### DRAFT

BOARD MEETING DATE: November 6, 2020 AGENDA NO.

REPORT: Lead Agency Projects and Environmental Documents Received

SYNOPSIS: This report provides a listing of CEQA documents received by the

South Coast AQMD between September 1, 2020 and September 30, 2020, and those projects for which the South Coast AQMD is acting

as lead agency pursuant to CEQA.

COMMITTEE: Mobile Source, October 16, 2020, Reviewed

RECOMMENDED ACTION:

Receive and file.

Wayne Nastri Executive Officer

PF:SN:JW:LS:MC

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 September 1, 2020 and September 30, 2020 is included in Attachment A. A list of active projects for which South Coast AQMD staff is continuing to evaluate or prepare comments for the August reporting period is included as Attachment B. A total of 70 CEQA documents were received during this reporting period and 17 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: <a href="http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies">http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies</a>. 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 of September 1, 2020 and September 30, 2020, the South Coast AQMD received 70 CEQA documents. Of the 85 documents listed in Attachments A and B:

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

(The above statistics are from September 1, 2020 and September 30, 2020 and may not include the most recent "Comment Status" updates in Attachments A and B.)

Copies of all comment letters sent to lead agencies can be found on the South Coast AQMD's CEQA webpage at the following internet address: http://www.aqmd.gov/home/regulations/ceqa/commenting-agency.

South Coast AQMD Lead Agency Projects (Attachment C) – Pursuant to CEQA, the South Coast AQMD periodically acts as lead agency for stationary source permit projects. Under CEQA, the lead agency is responsible for determining the type of CEQA document to be prepared if the proposal for action is considered to be a "project" as defined by CEQA. For example, an Environmental Impact Report (EIR) is prepared when the South Coast AQMD, as lead agency, finds substantial evidence that the project may have significant adverse effects on the environment. Similarly, a Negative Declaration (ND) or Mitigated Negative Declaration (MND) may be prepared if the South Coast AQMD determines that the project will not generate significant adverse environmental impacts, or the impacts can be mitigated to less than significance. The ND and MND are written statements describing the reasons why projects will not have a significant adverse effect on the environment and, therefore, do not require the preparation of an EIR.

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 two active projects during September.

#### **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



SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
Goods Movement  LAC200903-03  Innovative New Dock Chassis Depot Project	The project consists of expansion of existing operations with increases in handling capacity from 400 chassis to 2,120 chassis on 15.3 acres. The project is located at 960 New Dock Street on the northwest corner of New Dock Street and Pier S Avenue within the Port of Los Angeles.	Negative Declaration	City of Los Angeles Harbor Department	Document reviewed - No comments sent for this document received
	Comment Period: 9/3/2020 - 10/2/2020 Public Hearing: N/A			
Industrial and Commercial  ODP200915-01  Pacific Ocean AquaFarms Project	The project consists of construction of an offshore marine finfish aquaculture facility ranging in depth from 100 feet to 495 feet. The project is located four nautical miles offshore of San Diego County and includes evaluation of a project alternative that is located at the San Pedro Bay ports.	Notice of Intent to Prepare an Environmental Impact Statement	National Oceanic and Atmospheric Administration, National Marine Fisheries Service	Document reviewed - No comments sent for this document received
Warehouse & Distribution Centers	Comment Period: 9/9/2020 - 10/26/2020 Public Hearing: 10/14/2020 The project consists of demolition of 70,000 square feet of existing structures and reuse of an	Draft	City of Cypress	** Under
ORC200901-13 Amazon Facility Project	existing 145,000-square-foot warehouse on 22.3 acres. The project is located on the southwest corner of Katella Avenue and Holder Street.  Reference ORC200611-30	Environmental Impact Report	City of Cypiess	review, may submit written comments
	Comment Period: 8/28/2020 - 10/13/2020 Public Hearing: N/A			
Warehouse & Distribution Centers RVC200916-03 Oleander Business Park Project	The project consists of construction of two warehouses totaling 710,736 square feet on 93.85 acres. The project is located on the southeast corner of Nandina Avenue and Day Street in the community of Mead Valley.  Reference RVC190621-01	Draft Environmental Impact Report	County of Riverside	** Under review, may submit written comments
	Comment Period: 9/15/2020 - 10/30/2020 Public Hearing: N/A			

<sup>\*</sup>Sorted by Land Use Type (in order of land uses most commonly associated with air quality impacts), followed by County, then date received.
#- Project has potential environmental justice concerns due to the nature and/or location of the project.
\*\* Disposition may change prior to Governing Board Meeting
Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

	September 1, 2020 to September 30, 2020			T
SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
Warehouse & Distribution Centers RVC200923-02 First Industrial Warehouse at Wilson Avenue Project	The project consists of construction of a 303,228-square-foot warehouse on 15.6 acres. The project is located near the southeast corner of Wilson Avenue and East Rider Street.	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Perris	** Under review, may submit written comments
Warehouse & Distribution Centers  SBC200901-11  Ontario Ranch Business Park Specific Plan	Comment Period: 9/23/2020 - 10/22/2020 Public Hearing: 11/18/2020  Staff provided comments on the Draft Environmental Impact Report for the project, which can be accessed at: http://www.agmd_gov/docs/default-source/cega/comment-letters/2020/March/SBC200218-05.pdf. The project consists of construction of eight warehouses totaling 1,905,027 square feet on 85.6 acres. The project is located on the northeast corner of Merrill Avenue and Euclid Avenue.  Reference SBC200218-05 and SBC190528-06	Response to Comments	City of Ontario	Document reviewed - No comments sent for this document received
Warehouse & Distribution Centers SBC200910-02 Speedway Commerce Center	Comment Period: N/A Public Hearing: 9/15/2020 The project consists of construction of two warehouses totaling 650,960 square feet on 35 acres. The project is located on the northeast corner of Etiwanda Avenue and Napa Street.  Comment Period: 9/3/2020 - 10/3/2020 Public Hearing: 9/17/2020	Notice of Preparation	City of Rancho Cucamonga	** Under review, may submit written comments
Warehouse & Distribution Centers SBC200922-05 Slover-Juniper Industrial Building Project	The project consists of demolition of 9,583 square feet of existing structures and construction of a 41,000-square-foot warehouse on 2.06 acres. The project is located on the northeast corner of Slover Avenue and Juniper Avenue.	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Fontana	Document reviewed - No comments sent for this document received
	Comment Period: 9/17/2020 - 10/17/2020 Public Hearing: 10/6/2020			

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

\*\* Disposition may change prior to Governing Board Meeting

Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

The project consists of construction of a 151,075-square-foot industrial build	TYPE OF	LEAD AGENCY	COMMENT
LAC200901-05   Sunset Gower Studios Enhancement Plan   Sunset Gower Street in the community of Hollywood.   Reference LAC200521-02 and LAC180227-04	DOC.	LEAD ROLLIC I	STATUS
LAC200901-12 2020 Walnut Industrial Park  The project is located on the southeast corner of Gundry Avenue and East Hi Reference LAC200303-12  Comment Period: 8/28/2020 - 9/26/2020 Public I Industrial and Commercial LAC200903-02 Air Products Hydrogen Pipeline Project  The project consists of construction of a 0.5-mile hydrogen gas pipeline 8.62 and conversion of an existing 11.5-mile petroleum pipeline to a hydrogen gas rate of seven million standard cubic feet per day. The project is located near to feast Sepulveda Boulevard and South Alameda Street. Reference LAC200714-02  Comment Period: 9/3/2020 - 10/19/2020 Public I Industrial and Commercial The project consists of construction of a mining quarry with a planning horiz acre portion of 153.6 acres. The project is located near the community of Luc Reference ODP170105-01 and ODP120302-02	Environmental Impact Report 32 square feet with	City of Los Angeles	Document reviewed - No comments sent for this document received
Industrial and Commercial   The project consists of construction of a 0.5-mile hydrogen gas pipeline 8.62.		City of Signal Hill	Document reviewed - No comments sent for this document received
Industrial and Commercial   The project consists of construction of a mining quarry with a planning horizate portion of 153.6 acres. The project is located near the community of Luc Reference ODP170105-01 and ODP120302-02	as pipeline with a flow Availability of	City of Carson	** Under review, may submit written comments
Comment Period: N/A Public I	izon of 2140 on a 128- Final	County of San Bernardino	Document reviewed - No comments sent for this document received

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

\*\* Disposition may change prior to Governing Board Meeting

Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

	September 1, 2020 to September 30, 2020			
SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
PROJECT TITLE				
Industrial and Commercial ORC200916-04 Hellman Ranch Gas Plant	The project consists of construction of a gasoline plant with 12 gas production and fueling equipment on a 0.37-acre portion of 57 acres. The project is located near the northeast corner of Pacific Coast Highway and First Street.	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Seal Beach	** Under review, may submit written comments
Industrial and Commercial	Comment Period: 9/10/2020 - 10/12/2020 Public Hearing: 9/23/2020 This project consists of construction of a 15,000-square-foot truck repair building on 3.8 acres.	Site Plan	City of Jurupa	Document
RVC200901-01 MA20154	The project consists of constitution of a 15,000-square-root truck repair of the root of the Tephan of the Root of the Root of the Root of Rubidoux Boulevard and 28th Street.  Reference RVC190416-01	Site Fian	Valley	reviewed - No comments sent for this document received
	Comment Period: 8/26/2020 - 9/11/2020 Public Hearing: N/A			
Industrial and Commercial RVC200901-10 MA19032	The project consists of request for an interim land use permit to continue storage of automobiles on 24.05 acres. The project is located at 6464 33rd Street on the northwest corner of 33rd Street and Florine Avenue.	Site Plan	City of Jurupa Valley	Document reviewed - No comments sent for this document received
	Comment Period: 8/28/2020 - 9/11/2020 Public Hearing: N/A			
Industrial and Commercial RVC200908-03 Beaumont Pointe Specific Plan	The project consists of construction of 4,995,000 square feet of industrial uses, 251,000 square feet of commercial uses, a hotel with 125 rooms, and 333.1 acres of open space on 622.5 acres. The project is located on the northwest corner of State Route 60 and Fourth Street.	Notice of Preparation	City of Beaumont	** Under review, may submit written comments
	Comment Period: 9/7/2020 - 10/6/2020 Public Hearing: 9/17/2020			

SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
Industrial and Commercial RVC200908-04 South Campus Specific Plan and Village West Drive Extension Project	The project consists of construction of an 800,000-square-foot industrial building, 61,336 square feet of commercial uses, and roadway improvements on 45.9 acres. The project is located on the southwest corner of Van Buren Boulevard and Village West Drive.  Reference RVC200521-08	Notice of Availability of a Draft Subsequent Environmental Impact Report	March Joint Powers Authority	** Under review, may submit written comments
Industrial and Commercial	Comment Period: 9/3/2020 - 10/20/2020 Public Hearing: N/A	Gi. Di	G: 07	South Coast
RVC200910-01 Freeway Commerce Center	The project consists of construction of a 40,000-square-foot hotel with 90 rooms, an 8,930-square-foot convenience store, 12,962 square feet of restaurant uses, a 10,260-square-foot truck maintenance facility, 4.5 acres of recreational vehicle storage, and a fueling station with 11 gasoline pumps, nine diesel pumps, and one hydrogen pump on 27.2 acres. The project is located on the northwest corner of Granite Hill Drive and Pyrite Street.  www.agmd_gov/docs/default-source/cega/comment-letters/2020/September/RVC200910-01.pdf  Comment Period: 9/9/2020 - 9/23/2020  Public Hearing: N/A	Site Plan	City of Jurupa Valley	AQMD staff commented on 9/15/2020
Industrial and Commercial RVC200916-06 S2A Modular Home Factory Project	The project consists of construction of five buildings totaling 231,669 square feet on 32.1 acres.  The project is located near the southwest corner of West Esplanade Avenue and North State Street.  Comment Period: 9/11/2020 - 10/13/2020  Public Hearing: 10/20/2020	Mitigated Negative Declaration	City of Hemet	** Under review, may submit written comments
Industrial and Commercial  RVC200922-03  Bejarano Cannabis Cultivation Project	The project consists of construction of two buildings totaling 225,705 square feet on 10.01 acres. The project is located at 48100 Harrison Street near the southeast corner of Avenue 48 and Harrison Street.	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Coachella	** Under review, may submit written comments
	Comment Period: 9/19/2020 - 10/19/2020 Public Hearing: N/A			

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

\*\* Disposition may change prior to Governing Board Meeting
Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

A-5

SOUTH COAST AOMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE	1 ROJECT DESCRIPTION	DOC.	LEAD AGENC I	STATUS
Waste and Water-related LAC200908-01 Twin Lakes Water Storage Tank and Pump Station Upgrades Project	The project consists of construction of a water tank with a storage capacity of one million gallons and three water pump stations on 1.15 acres. The project is located near the northeast corner of Iverson Road and State Route 118 in the community of Chatsworth within Los Angeles County.	Notice of Intent to Adopt a Mitigated Negative Declaration	Las Virgenes Municipal Water District	Document reviewed - No comments sent for this document received
Waste and Water-related LAC20916-11 The Dow Chemical Company	Comment Period: 9/10/2020 - 10/10/2020 Public Hearing: N/A The project consists of development of cleanup activities to remediate contaminated soil and groundwater with tetrachloroethylene, ethylbenzene, and styrene and a land use covenant to prohibit future sensitive land uses on 52 acres. The project is located at 305 Crenshaw Boulevard near the southwest corner of Del Ama Boulevard and Crenshaw Boulevard in the City of Torrance.	Corrective Measure Study	Department of Toxic Substances Control	** Under review, may submit written comments
Waste and Water-related  ODP200922-11 Southern California Edison – San Onofre Nuclear Generating Station	Comment Period: 9/14/2020 - 10/14/2020 Public Hearing: N/A  The project consists of establishment of baseline air monitoring samples on respirable particulates, selected metals, hexavalent chromium, silica, polychlorinated biphenyls, polynuclear aromatic hydrocarbons, and asbestos. The project is located at 5000 Old Pacific Highway near the southeast corner of Old Pacific Highway and Beach Club Road in the Marine Corps Base Camp Pendleton within San Diego County.  Reference ODP191203-04  Comment Period: N/A  Public Hearing: N/A	Community Notice	Department of Toxic Substances Control	** Under review, may submit written comments
Waste and Water-related  ORC200901-06  Sunset Gap Monitoring Wells Project	The project consists of construction of five groundwater monitoring wells. The project is located near the southeast corner of Pacific Coast Highway and Seal Beach Boulevard in cities of Huntington Beach and Seal Beach.  Reference ORC171205-03  Comment Period: 8/26/2020 - 9/25/2020  Public Hearing: 10/21/2020	Notice of Intent to Adopt a Mitigated Negative Declaration	Orange County Water District	Document reviewed - No comments sent for this document received

SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
Waste and Water-related ORC200903-04 Facilities Master Plan	The project consists of development of programs and strategies to guide maintenance, replacement, rehabilitation, and modification of wastewater treatment plants and pipelines with a planning horizon of 2040. The project encompasses 480 square miles of service area and includes cities of Anaheim, Brea, Buena Park, Cypress, Fountain Valley, Fullerton, Garden Grove, Huntington Beach, Irvine, La Habra, La Palma, Los Alamitos, Newport Beach, Orange, Placentia, Santa Ana, Seal Beach, Stanton, Tustin, and Villa Park in Orange County. Reference ORC190801-02	Notice of Availability of a Draft Program Environmental Impact Report	Orange County Sanitation District	** Under review, may submit written comments
Waste and Water-related ORC200922-07 Well 29 Improvements Project	Comment Period: 9/2/2020 - 10/16/2020 Public Hearing: N/A  The project consists of rehabilitation of an existing groundwater well with a capacity of 2,500 gallons per minute on 0.32 acres. The project is located on the southeast corner of West First Street and South Flower Street.	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Santa Ana	Document reviewed - No comments sent for this document received
	Comment Period: 9/18/2020 - 10/7/2020 Public Hearing: 12/8/2020		D	
Waste and Water-related RVC200902-03 Southern California Edison San Jacinto	Staff provided comments on the Draft Removal Action Workplan for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/August/RVC200723-02_pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/August/RVC200723-02_pdf</a> . The project consists of development of cleanup actions to remove soil contaminated with polychlorinated biphenyls, arsenic, and lead on 0.14 acres. The project is located on the southwest corner of South San Jacinto Avenue and East Third Street in the City of San Jacinto.  Reference RVC200723-02	Response to Comments	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received
	Comment Period: N/A Public Hearing: N/A			
Waste and Water-related RVC200916-02 Coachella Valley Water District Sanitation Master Plan Update 2020	The project consists of development of regulations, policies, strategies, and programs to meet current and future needs for wastewater treatment services with a planning horizon of 2040. The project encompasses 885 square miles of service area and includes cities of Desert Hot Springs, Cathedral City, Rancho Mirage, Palm Desert, Indian Wells, Indio, and La Quinta and unincorporated areas of Riverside and Imperial counties.  Reference RVC190917-06	Notice of Availability of a Draft Program Environmental Impact Report	Coachella Valley Water District	** Under review, may submit written comments
	Comment Period: 9/11/2020 - 10/25/2020 Public Hearing: N/A			

SOUTH COAST AOMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE	TROJECI DESCRII HON	DOC.	LEAD AGENC I	STATUS
Waste and Water-related RVC200917-07 Former Pesticide Waste Pits	The project consists of development of land use covenant to prohibit future sensitive land uses on 3.25 acres. The project is located at 1060 Martin Luther King Boulevard on the southwest corner of Martin Luther King Boulevard and Gage Canal in the City of Riverside.	Land Use Covenant	Department of Toxic Substances Control	** Under review, may submit written comments
	Comment Period: N/A Public Hearing: N/A	_		_
Waste and Water-related RVC200922-10 Odor Mitigation Project	Staff provided comments on the Mitigated Negative Declaration for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-teters/2020/September/RVC200813-04-pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-teters/2020/September/RVC200813-04-pdf</a> . The project consists of covering, capturing, and routing of odors from wastewater treatment plant, consolidation and relocation of existing scrubber stacks 40 feet in height, and installation of odor ducting. The project is located at 14634 River Road near the southwest corner of River Road and Hall Road in the City of Eastvale. Reference RVC200813-04	Response to Comments	Western Riverside County Regional Wastewater Authority	Document reviewed - No comments sent for this document received
	Comment Period: N/A Public Hearing: N/A			
Waste and Water-related  SBC200922-01  American Metal Recycling	Staff provided comments on the Draft Preliminary Endangerment Assessment Report for the project, which can be accessed at: <a href="http://www.agnd.gov/docs/default-source/ceqa/comment-letters/2020/ully/SBC200708-10.pdf">http://www.agnd.gov/docs/default-source/ceqa/comment-letters/2020/ully/SBC200708-10.pdf</a> . The project consists of development of cleanup actions to remediate soil contaminated with polychlorinated biphenyls and a land use covenant to prohibit future sensitive land uses on 10 acres. The project is located at 11150 Redwood Avenue near the northeast corner of Cherry Avenue and Jurupa Avenue in the City of Fontana.  Reference SBC200708-10  Comment Period: N/A  Public Hearing: N/A	Response to Comments	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received
Waste and Water-related	The project consists of renewal of a hazardous waste facility permit to continue treatment, storage,	Draft	Department of	** Under
SBC200922-04 Advanced Environmental, Inc. DBA World Oil Environmental Services	and disposal of hazardous wastes on 4.3 acres. The project is located at 13579 Whittram Avenue on the southwest corner of Mulberry Avenue and Whittram Avenue in the City of Fontana. Reference SBC171018-02	Standardized Hazardous Waste Facility Permit Renewal	Toxic Substances Control	review, may submit written comments
	Comment Period: 9/25/2020 - 11/10/2020 Public Hearing: N/A			

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

\*\* Disposition may change prior to Governing Board Meeting
Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

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SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
Waste and Water-related SBC200922-08 Rialto Baseline Storm Drain Project	The project consists of construction of 11,000 linear feet of stormwater pipelines ranging from 30 inches to 84 inches in diameter. The project is located along Baseline Avenue between Cactus Basin and Tamarind Avenue.	Mitigated Negative Declaration	City of Rialto	Document reviewed - No comments sent for this document received
	Comment Period: 9/18/2020 - 10/19/2020 Public Hearing: N/A			
Transportation  LAC200901-18  I-210/San Gabriel River Bridge Hinge and Railings Replacement Project	The project consists of structural improvements to a two-mile bridge to meet crash and safety standards. The project is located along Interstate 210 between Post Mile (PM) 36.0 and PM 38.0 in the City of Irwindale.  Reference LAC200409-13	Mitigated Negative Declaration	California Department of Transportation	Document reviewed - No comments sent for this
	Comment Period: 8/31/2020 - 10/1/2020 Public Hearing: N/A			document received
Transportation	The project consists of construction of an automated people mover system with dual guideways		City of Inglewood	** Under review, may
LAC200916-09 Inglewood Transit Connector Project	and support facilities. The project is located on the northwest corner of West Century Boulevard and South Prairie Avenue.  Reference LAC180717-13	Preparation		submit written comments
	Comment Period: 9/10/2020 - 10/12/2020 Public Hearing: N/A			
Goods Movement	The project consists of expansion of operational capacity and improvements to the Burlington	Notice of Intent	United States	** Under review, may
LAC200917-01 Link Union Station Project	Northern Santa Fe Railway Malabar freight railyard. The project is located on the northeast corner of South Santa Fe Avenue and East 49th Street in the City of Vernon within Los Angeles County.	to Prepare an Environmental Impact Statement	Department of Transportation, Federal Railroad Administration	submit written comments
	Comment Period: 9/18/2020 - 10/19/2020 Public Hearing: N/A			

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

\*\* Disposition may change prior to Governing Board Meeting
Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

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SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
PROJECT TITLE		DOC.		
Transportation RVC200923-01 Palomar Street Widening Project	The project consists of widening of a 1.62-mile segment of Palomar Street to include bicycle lanes. The project is located between Meadow Ridge Lane and Jefferson Avenue.	Mitigated Negative Declaration	City of Wildomar	Document reviewed - No comments sent for this document received
	Comment Period: 9/24/2020 - 10/23/2020 Public Hearing: N/A			
Institutional (schools, government, etc.)  LAC200917-03  South Gate Education Center Facilities  Master Plan Update	The project consists of development of design guidelines, standards, and programs to guide future development of school facilities on 18.5 acres. The project is located at 2525 Firestone Boulevard on the northwest corner of Firestone Boulevard and Santa Fe Avenue. Reference LAC150630-14	Notice of Preparation	Los Angeles Community College District	** Under review, may submit written comments
	Comment Period: 9/17/2020 - 10/15/2020 Public Hearing: N/A			
Institutional (schools, government, etc.) RVC200908-06 Construction Projects at March Air Reserve Base	The project consists of construction of five facilities totaling 117,406 square feet on a 10.8-acre portion of 2,162 acres. The project is located near the southeast corner of Cactus Avenue and Interstate 215 in Riverside County.	Final Environmental Assessment	United States Department of the Air Force	Document reviewed - No comments sent for this document received
	Comment Period: N/A Public Hearing: N/A			
Institutional (schools, government, etc.) RVC200910-05 Montessori School	The project consists of construction of a 13,649-square-foot daycare center on 1.6 acres. The project is located at 26735 Newport Road near the southeast corner of Newport Road and Evans Road.	Site Plan	City of Menifee	South Coast AQMD staff commented on 9/15/2020
	www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/RVC200910-05.pdf			
	Comment Period: 9/10/2020 - 10/1/2020 Public Hearing: 9/29/2020			

SOUTH COAST AOMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE	PROJECT DESCRIPTION	DOC.	LEAD AGENCY	STATUS
Retail ORC200901-16 Northern Gateway Retail Center	The project consists of construction of a 1,872-square-foot retail building and relocation of a non- operational gasoline service station. The project is located at 887 North Glassell Street on the southeast corner of North Glassell Street and East Collins Avenue.	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Orange	Document reviewed - No comments sent for this document received
	Comment Period: 8/28/2020 - 9/26/2020 Public Hearing: 9/2/2020			
Retail RVC200901-14 Pennsylvania Mart	The project consists of construction of a 1,570-square-foot restaurant, a 3,830-square-foot convenience store, a 3,000-square-foot car wash facility, and a gasoline service station with nine pumps on 1.2 acres. The project is located on the northwest corner of Interstate 10 and Pennsylvania Avenue.  Reference RVC200303-07 and RVC190710-01	Site Plan	City of Beaumont	Document reviewed - No comments sent for this document received
	Comment Period: 9/1/2020 - 9/10/2020 Public Hearing: 9/10/2020			
Retail RVC200901-15 Lake and Mountain Commercial Center Project	The project consists of construction of a 3,400-square-foot convenience store, a 3,150-square-foot car wash facility, 4,850 square feet of retail uses, 2,852 square feet of restaurants, a gasoline service station with 12 pumps, and a 4,089-square-foot fueling canopy on 5.63 acres. The project is located on the northwest corner of Mountain Street and Lake Street.  www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/RVC200901-15.pdf  Comment Period: 8/28/2020 - 9/28/2020  Public Hearine: 9/17/2020	Notice of Preparation	City of Lake Elsinore	South Coast AQMD staff commented on 9/15/2020
General Land Use (residential, etc.)	The project consists of demolition of 81,333 square feet of existing buildings, and construction of	Draft	City of Covina	Document
LAC200901-04 Cypress Villas	61 residential units and 13,000 square feet of retail uses on 7.92 acres. The project is located on the northeast corner of North Azusa Avenue and West Cypress Street.  Reference LAC200220-01	Environmental Impact Report		reviewed - No comments sent for this document received
	Comment Period: 8/27/2020 - 10/12/2020 Public Hearing: N/A			

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

\*\* Disposition may change prior to Governing Board Meeting

Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

	September 1, 2020 to September 30, 2020			
SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
General Land Use (residential, etc.)  LAC200901-19  7940 Lankershim Boulevard	The project consists of demolition of an existing building, and construction of a 678,328-square- foot building with 432 residential units and subterranean parking on 4.69 acres. The project is located on the southeast corner of Strathern Street and North Lankershim Boulevard in the community of Sun Valley-La Tuna Canyon.	Notice of Availability of Sustainable Communities Environmental Assessment	City of Los Angeles	Document reviewed - No comments sent for this document received
	Comment Period: 8/27/2020 - 9/28/2020 Public Hearing: N/A			
General Land Use (residential, etc.)  LAC200903-01  Hollywood Center Project	Staff provided comments on the Draft Environmental Impact Report for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/LAC200416-01.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/May/LAC200416-01.pdf</a> . The project consists of construction of four buildings totaling 1,287,150 square feet with 1,005 residential units and subterranean parking on 4.46 acres. The project is located on the southeast corner of Yucca Street and Ivar Avenue in the community of Hollywood.  Reference LAC200416-01, LAC180904-07, LAC180828-12, and LAC180828-09	Final Environmental Impact Report	City of Los Angeles	Document reviewed - No comments sent for this document received
	Comment Period: N/A Public Hearing: 10/15/2020			
General Land Use (residential, etc.) LAC200908-02 One Beverly Hills Overlay Plan Project	The project consists of construction of two buildings totaling 1,051,396 square feet with 340 residential units and a 42-room hotel on 17.4 acres. The project is located on the southwest corner of Wilshire Boulevard and Santa Monica Boulevard.  Reference LAC170613-02, LAC161101-11, LAC160816-05, LAC160420-04, LAC160419-01, and LAC151201-09	Notice of Preparation	City of Beverly Hills	** Under review, may submit written comments
	Comment Period: 9/4/2020 - 10/5/2020 Public Hearing: 9/21/2020			
General Land Use (residential, etc.)  LAC200917-02  11111 Jefferson Boulevard Mixed-Use Project	The project consists of construction of 230 residential units totaling 244,609 square feet on 3.43 acres. The project is located on the northeast corner of Sepulveda Boulevard and Jefferson Boulevard.	Notice of Preparation	City of Culver City	** Under review, may submit written comments
	Comment Period: 9/17/2020 - 10/19/2020 Public Hearing: 10/6/2020			

	September 1, 2020 to September 30, 2020			
SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
General Land Use (residential, etc.) LAC200917-05 Evergreen Residential Project	The project consists of construction of 84 residential units on 4.23 acres. The project is located near the southwest corner of West 135th Street and South Vermont Avenue.  Comment Period: 9/17/2020 - 10/6/2020  Public Hearing: 10/20/2020	Mitigated Negative Declaration	City of Gardena	Document reviewed - No comments sent for this document received
General Land Use (residential, etc.)  LAC200922-02  KB Home Orchard Street and Cypress Avenue Project	Comment Period: 9/17/2020 - 10/6/2020 Public Hearing: 10/20/2020 The project consists of demolition of 159,100 square feet of existing structures and construction of 103 residential units totaling 159,096 square feet on 5.24 acres. The project is located near the southeast corner of Cypress Avenue and Orchard Street.  Reference LAC200214-02	Revised Mitigated Negative Declaration	City of El Monte	Document reviewed - No comments sent for this document received
	Comment Period: 9/18/2020 - 10/7/2020 Public Hearing: N/A			
General Land Use (residential, etc.) LAC200922-09 141st and Normandie Townhomes Project	The project consists of demolition of 87,120 square feet of existing structures and construction of 50 residential units on 2.02 acres. The project is located on the northeast corner of South Normandie Avenue and West 141st Street.	Mitigated Negative Declaration	City of Gardena	Document reviewed - No comments sent for this document received
	Comment Period: 9/17/2020 - 10/6/2020 Public Hearing: 10/20/2020			
General Land Use (residential, etc.)  LAC200923-03  West Village at Calabasas Project	The project consists of construction of 15 buildings with 180 residential units, a 5,867-square- foot retail building, and 66.1 acres of open space on 77.22 acres. The project is located at 4790 Las Virgenes Road on the southeast corner of Agoura Road and Las Virgenes Road. Reference LAC190102-15 and LAC170901-13	Notice of Availability of a Recirculated Draft Environmental Impact Report	City of Calabasas	** Under review, may submit written comments
	Comment Period: 9/22/2020 - 11/13/2020 Public Hearing: N/A			

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

\*\* Disposition may change prior to Governing Board Meeting

Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
General Land Use (residential, etc.) ORC200910-03 Creekside Specific Plan	The project consists of demolition of a 123,000-square-foot building and construction of 188 residential units on 16.9 acres. The project is located on the southwest corner of Malaspina Road and Rancho Viejo Road.  Reference ORC200423-02	Draft Environmental Impact Report	City of San Juan Capistrano	** Under review, may submit written comments
	Comment Period: 9/10/2020 - 10/26/2020 Public Hearing: N/A			
General Land Use (residential, etc.)  ORC200916-07  Orchard View Gardens Senior  Apartment Homes Project	The project consists of construction of a 25,308-square-foot building with 66 residential units on 3.2 acres. The project is located 8300 Valley View Road near the northeast corner of Valley View Street and Crescent Avenue.	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Buena Park	Document reviewed - No comments sent for this document received
	Comment Period: 9/11/2020 - 10/13/2020 Public Hearing: N/A			
General Land Use (residential, etc.)  RVC200916-05  Norco Valley Square Project	The project consists of construction of 320 residential units and a hotel with 120 rooms on 18.42 acres. The project is located on the southwest corner of Third Street and Hamner Avenue. Reference RVC200312-03	Notice of Availability of a Draft Environmental Impact Report	City of Norco	** Under review, may submit written comments
	Comment Period: 9/11/2020 - 10/26/2020 Public Hearing: N/A			
General Land Use (residential, etc.) RVC200917-04 Wildomar Trail Town Center Mixed- Use Project	The project consists of construction of 152 residential units, a 41,609-square-foot retail center, and a 72,000-square-foot office on 25.8 acres. The project is located on the southeast corner of Baxter Road and Central Avenue.	Notice of Preparation	City of Wildomar	** Under review, may submit written comments
	Comment Period: 9/17/2020 - 10/16/2020 Public Hearing: 10/5/2020			

	September 1, 2020 to September 30, 2020			
SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
Plans and Regulations ALL200917-08 Amendments to the Airborne Toxic Control Measure for Commercial Harbor Craft	The project consists of statewide requirements for commercial harbor craft to accelerate deployment of zero-emission and advanced technology. The project encompasses regulated California waters within 24 nautical miles of coastline and includes ports, harbors, marinas, and waters served by harbor craft.	Notice of Preparation	California Air Resources Board	** Under review, may submit written comments
	Comment Period: 9/17/2020 - 10/19/2020 Public Hearing: 9/30/2020			
Industrial and Commercial LAC200901-08 ENV-2019-4984: 2417-2455 N. Thomas Street	The project consists of amendments to zoning and land use designations from Low Residential to Neighborhood Commercial on 93,340 square feet. The project is located near the northeast comer of North Gates Street and North Broadway Street in the community of Northeast Los Angeles.	Negative Declaration	City of Los Angeles	Document reviewed - No comments sent for this document received
	Comment Period: 8/27/2020 - 9/28/2020 Public Hearing: N/A			
Plans and Regulations ORC200901-07 Mile Square Regional Park Master Plan	The project consists of development of programs and strategies to guide ecosystems and habitats management on 607 acres and conversion of an existing 96-acre golf course to a public park. The project is located on the northwest corner of Euclid Street and Warner Avenue in the City of Fountain Valley.  www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/ORC200901-07.pdf  Comment Period: 8/24/2020 - 9/22/2020  Public Hearing: 9/10/2020	Notice of Preparation	Orange County Department of Public Works	South Coast AQMD staff commented on 9/15/2020
Plans and Regulations	Comment Period: 8/24/2020 - 9/22/2020 Public Hearing: 9/10/2020  The project consists of updates to the City's General Plan to develop design guidelines, policies,	Notice of	City of Beaumont	** Under
RVC200908-05 Beaumont General Plan Update	and programs to guide future development with a planning horizon of 2040. The project encompasses 26,566 acres and is bounded by City of Calimesa to the north, City of Banning to the east, City of San Jacinto to the south, and unincorporated areas of Riverside County to the west.  Reference RVC180309-05	Availability of a Draft Program Environmental Impact Report	, or Seamon	review, may submit written comments
	Comment Period: 9/8/2020 - 10/22/2020 Public Hearing: 10/27/2020			

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

\*\* Disposition may change prior to Governing Board Meeting

Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

September 1, 2020 to September 30, 2020							
SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS			
Plans and Regulations RVC200916-01 Sun Lakes Village North Specific Plan Amendment No. 6	The project consists of updates to existing land use designations, design guidelines, and zoning requirements for future construction of office, commercial, retail, and medical uses on a 47-acre portion of 963 acres. The project is located near the southeast corner of Interstate 10 and Highland Springs Avenue.  Reference RVC200226-02	Notice of Availability of a Draft Environmental Impact Report	City of Banning	** Under review, may submit written comments			
Institutional (schools, government, etc.) RVC200922-06 Corporate Yard Park Project	Comment Period: 9/11/2020 - 10/26/2020 Public Hearing: N/A The project consists of construction of a 7.6-acre community park and amenities on 10 acres. The project is located on the southeast corner of Cholla Drive and Flora Avenue.	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Desert Hot Springs	Document reviewed - No comments sent for this document received			
Plans and Regulations SBC200910-04 San Bernardino Countywide Plan	Comment Period: 9/18/2020 - 10/19/2020 Public Hearing: N/A  Staff provided comments on the Draft Program Environmental Impact Report for the project, which can be accessed at: http://www.agmd.gov/docs/default-source/ceqa/comment- letters/2019/august/SBC190619-05.pdf. The project consists of updates to the County's General  Plant o develop design guidelines, policies, and programs to guide future development with a  planning horizon of 2040. The project encompasses 20,105 square miles and is bounded by Inyo  County to the north, states of Nevada and Arizona to the east, Riverside County to the south, and  counties of Los Angeles, Orange, and Kern to the west.  Reference SBC190619-05 and SBC171017-03  Comment Period: N/A Public Hearing: 9/17/2020	Final Program Environmental Impact Report	County of San Bernardino	Document reviewed - No comments sent for this document received			

# ${\bf ATTACHMENT~B^*}\\ {\bf ONGOING~ACTIVE~PROJECTS~FOR~WHICH~SOUTH~COAST~AQMD~HAS}\\ {\bf OR~IS~CONTINUING~TO~CONDUCT~A~CEQA~REVIEW}$

SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
Airports  LAC200821-01  Bob Hope Airport Replacement  Terminal Project	The project consists of demolition of existing passenger terminal, and construction of a 14-gate passenger terminal, extensions of two taxiways, and roadway improvements. The project is located on the southwest corner of Winona Avenue and North Hollywood Way in the southeast quadrant within the Bob Hope Hollywood Burbank Airport.  Reference LAC190205-01, LAC160628-07, and LAC160504-03  Comment Period: 8/21/2020 - 10/5/2020  Public Hearing: 9/23/2020	Notice of Availability of a Draft Environmental Impact Statement	United States Federal Aviation Administration	**Under review, may submit written comments
Plans and Regulations  LAC200806-05  Downtown Community Plan Update	The project consists of development of land use policies, development standards, design guidelines, and zoning codes with a planning horizon of 2040 on 2,161 acres. The project is generally located on the northeast corner of Interstate 10 and Alameda Street.  Reference LAC170208-01	Notice of Availability of a Draft Environmental Impact Report	City of Los Angeles	**Under review, may submit written comments
	Comment Period: 8/6/2020 - 10/20/2020 Public Hearing: N/A			
Warehouse & Distribution Centers  RVC200825-02  MA20118	The project consists of construction of a 20,000-square-foot warehouse and 9,070 square feet of support facilities on 3.3 acres. The project is located on the southwest comer of Bellegrave Avenue and Mission Boulevard.	Site Plan	City of Jurupa Valley	South Coast AQMD staff commented on 9/3/2020
	http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/RVC200825-02.pdf  Comment Period: 8/21/2020 - 9/4/2020  Public Hearing: N/A			
Industrial and Commercial RVC200825-08 Green River Ranch Business Park	The project consists of construction of five industrial buildings totaling 746,330 square feet on 159.2 acres. The project is located on the southeast corner of Green River Ranch Road and Fresno Road.  www.aqmd_gov/docs/default-source/ceqa/comment-letters/2020/September/RVC200825-08.pdf.  Comment Period: 8/20/2020 - 9/3/2020 Public Hearing: 9/3/2020	Site Plan	City of Corona	South Coast AQMD staff commented on 9/3/2020
Waste and Water-related  LAC200708-27  Biogas Renewable Generation Project	The project consists of construction of a 12-megawatt power generation facility, a one-mile natural gas pipeline, a one-mile water pipeline, and two 70,000-gallon water tanks on a 2.2-acre portion of 95 acres. The project is located at 3001 Scholl Canyon Road on the northwest corner of North Figueroa Street and Scholl Canyon Road.  Reference LAC190320-02, LAC180309-01, LAC170927-01, and LAC170912-01  www.aqmd.gov/dosc/default-source/ceqa/comment-letters/2020/September/LAC200708-27.pdf  Comment Period: 7/2/2020 - 9/30/2020  Public Hearing: N/A	Notice of Availability of a Draft Environmental Impact Report	City of Glendale	South Coast AQMD staff commented on 9/30/2020

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

B-1

# ATTACHMENT B ONGOING ACTIVE PROJECTS FOR WHICH SOUTH COAST AQMD HAS OR IS CONTINUING TO CONDUCT A CEQA REVIEW

SOUTH COAST AOMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE		DOC.		STATUS
Waste and Water-related  LAC200813-01  Whittier Narrows Operable Unit  Treatment	The project consists of construction of 7,285 linear feet of groundwater pipelines 30 inches in diameter, a water storage tank, and a water pump station on 2.5 acres. The project is located at 331 North Durfee Avenue near the northeast corner of Rosemead Boulevard and Durfee Avenue in the City of South El Monte.  Reference LAC 130725-04	Notice of Intent to Adopt a Mitigated Negative Declaration	Department of Toxic Substances Control	South Coast AQMD staff commented on 9/8/2020
Waste and Water-related	http://www.aqmd.gov/docs/default-source/coqa/comment-letters/2020/September/LAC200813-01.pdf Comment Period: 8/11/2020 - 9/9/2020 Public Hearing: N/A	D 0 D 1	D C	South Coast
Waste and Water-related LAC200813-02 1910-1918 South Los Angeles Street	The project consists of development of cleanup activities to excavate, remove, and dispose contaminated soil with volatile organic compounds, lead, tetrachloroethylene, and trichloroethylene on 1.4 acres. The project is located on the southeast corner of Los Angeles Street and Washington Boulevard in the community of Southeast Los Angeles within the City of Los Angeles.  Reference LAC181120-05 <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/LAC200813-02.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/LAC200813-02.pdf</a>	Draft Removal Action Workplan	Department of Toxic Substances Control	AQMD staff commented on 9/8/2020
	Comment Period: 8/10/2020 - 9/9/2020 Public Hearing: N/A			
Waste and Water-related RVC200813-04 Odor Mitigation Project	The project consists of covering, capturing, and routing of odors from wastewater treatment plant, consolidation and relocation of existing scrubber stacks 40 feet in height, and installation of odor ducting. The project is located at 14634 River Road near the southwest corner of River Road and Hall Road in the City of Eastvale.	Notice of Intent to Adopt a Mitigated Negative Declaration	Western Riverside County Regional Wastewater Authority	South Coast AQMD staff commented on 9/8/2020
	http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/RVC200813-04.pdf			
	Comment Period: 8/10/2020 - 9/8/2020 Public Hearing: N/A			
Utilities  ORC200811-03  Bay Bridge Pump Station and Force  Main Rehabilitation Project	The project consists of demolition of an existing pump station, and construction of a 14,500-square-foot pump station and 1,500 linear feet of force mains 32 inches in diameter. The project is located on the northwest corner of North Bayside Drive and East Coast Highway in the City of Newport Beach.  Reference ORC190703-02, ORC170621-05, ORC170224-04, and ORC161110-08	Notice of Availability of a Recirculated Draft Environmental Impact Report	Orange County Sanitation District	South Coast AQMD staff commented on 9/17/2020
	http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/ORC200811-03.pdf  Comment Period: 8/7/2020 - 9/21/2020 Public Hearing: 9/3/2020			

<sup># -</sup> Project has potential environmental justice concerns due to the nature and/or location of the project.
\*\* Disposition may change prior to Governing Board Meeting

<sup># -</sup> Project has potential environmental justice concerns due to the nature and/or location of the project.
\*\* Disposition may change prior to Governing Board Meeting

# ATTACHMENT B ONGOING ACTIVE PROJECTS FOR WHICH SOUTH COAST AQMD HAS OR IS CONTINUING TO CONDUCT A CEQA REVIEW

SOUTH COAST AOMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF	LEAD AGENCY	COMMENT
PROJECT TITLE	TROUBE A BESCHI HOW	DOC.	LL. ID TIGEROT	STATUS
Transportation  LAC200825-06  California High-Speed Rail Project: Los Angeles to Anaheim Section	The project consists of construction of a 30-mile rail track for freight and passenger services, an intermodal rail facility to accommodate an average of 10 freight trains a day, and a freight train staging track facility. The rail track component of the project is located between Los Angeles Union Station in the City of Los Angeles and Anaheim Regional Transportation Intermodal Center in the City of Anaheim. The intermodal rail facility component of the project is located in the cities of Colton and Grand Terrace. The staging track component of the project is located along the existing Burlington Northern and Santa Fe main line tracks in the City of Barstow and unincorporated areas of San Bernardino County.  Reference LAC08029-07  www.agmd.gov/docs/default-source/ceqa/comment-letters/2020/September/LAC200825-06.pdf  Comment Period: 8/25/2020 - 9/24/2020  Public Hearing: 9/10/2020	Revised Notice of Preparation	California High- Speed Rail Authority	South Coast AQMD staff commented on 9/24/2020 South Coast AQMD staff provided public testimony on 9/9/2020, 9/10/2020, and
Institutional (schools, government, etc.) LAC200820-01 Malibu Middle and High School Campus Specific Plan and Local Coastal Plan Amendment Project	The project consists of demolition of 147,556 square feet of existing buildings and construction of 431,717 square feet of school facilities on 9.9 acres. The project is located near the southeast corner of Via Cabrillo and Morning View Drive in the City of Malibu.	Notice of Preparation	Santa Monica- Malibu Unified School District	South Coast AQMD staff commented on 9/8/2020
	http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/LAC200820-01.pdf  Comment Period: 8/20/2020 - 9/21/2020 Public Hearing: 9/9/2020			
General Land Use (residential, etc.)  LAC200820-05  Gardena Transit-Oriented Development Specific Plan Project	The project consists of demolition of a 24,990-square-foot building and construction of 265 residential units on 1.33 acres. The project is located near the southeast corner of El Segundo Boulevard and Crenshaw Boulevard.	Notice of Preparation	City of Gardena	South Coast AQMD staff commented on 9/8/2020
	http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/LAC200820-05.pdf  Comment Period: 8/20/2020 - 9/18/2020 Public Hearing: 9/2/2020			
General Land Use (residential, etc.)  LAC200825-05  Vesting Tentative Tract Map No. 82985	The project consists of demolition of an existing building and subdivision of 56,460 square feet for future development of 18 residential units. The project is located at 20225 Valley Boulevard near the northwest corner of Valley Boulevard and Lemon Creek Drive.	Site Plan	City of Walnut	South Coast AQMD staff commented on 9/8/2020
	http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/LAC200825-05.pdf  Comment Period: 8/18/2020 - 9/20/2020 Public Hearing: N/A			

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# ATTACHMENT B ONGOING ACTIVE PROJECTS FOR WHICH SOUTH COAST AQMD HAS OR IS CONTINUING TO CONDUCT A CEQA REVIEW

ON IS CONTINUENTED TO CONTINUE THE CENTRE TELL						
SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION		TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS	
	The project consists of development of wildfire control strategies and vegetation management tetivities on 8,700 acres. The project is located at 56 locations in the Angeles National Forest within Los Angeles County.		Initial Project Consultation	United States Department of Agriculture Forest Service	South Coast AQMD staff commented on 9/8/2020	
	http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/Se Comment Period: 8/12/2020 - 9/15/2020	ptember/LAC200812-01.pdf Public Hearing: N/A				
Plans and Regulations  LAC200813-07  Golden State Specific Plan	The project consists of development of design guidelines and standards to guide future residential, commercial, retail, industrial, and airport projects with a planning horizon of 2035 on 643 acres. The project is located on the southwest corner of Interstate 5 and Cohasset Street.		Notice of Preparation	City of Burbank	South Coast AQMD staff commented on 9/15/2020	
	www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/Septemb Comment Period: 8/12/2020 - 9/25/2020	er/LAC200813-07.pdf Public Hearing: 8/26/2020				

<sup># -</sup> Project has potential environmental justice concerns due to the nature and/or location of the project.
\*\* Disposition may change prior to Governing Board Meeting

<sup># -</sup> Project has potential environmental justice concerns due to the nature and/or location of the project.
\*\* Disposition may change prior to Governing Board Meeting

# ATTACHMENT C ACTIVE SOUTH COAST AQMD LEAD AGENCY PROJECTS THROUGH SEPTEMBER 30, 2020

PROJECT DESCRIPTION	PROPONENT	TYPE OF DOCUMENT	STATUS	CONSULTANT
Quemetco is proposing to modify existing South Coast AQMD permits to allow the facility to recycle more batteries and to eliminate the existing daily idle time of the furnaces. The proposed project will increase the rotary feed drying furnace feed rate limit from 600 to 750 tons per day and increase the amount of total coke material allowed to be processed. In addition, the project will allow the use of petroleum coke in lieu of or in addition to calcined coke, and remove one existing emergency diesel-fueled internal combustion engine (ICE) and install two new emergency natural gas-fueled ICEs.	Quemetco	Environmental Impact Report (EIR)	A Notice of Preparation/Initial Study (NOP/IS) was released for a 56-day public review and comment period from August 31, 2018 to October 25, 2018, and 154 comment letters were received. Two CEQA scoping meetings were held on September 13, 2018 and October 11, 2018 in the community. South Coast AQMD staff is reviewing the preliminary Draft EIR and has provided comments to the consultant.	Trinity Consultants
Sunshine Canyon Landfill is proposing to modify its South Coast AQMD permits for its active landfill gas collection and control system to accommodate the increased collection of landfill gas. The proposed project will: 1) install two new low emissions flares with two additional 300-hp electric blowers; and 2) increase the landfill gas flow limit of the existing flares.	Sunshine Canyon Landfill	Subsequent Environmental Impact Report (SEIR)	The consultant provided a preliminary air quality analysis and health risk assessment (HRA) which is undergoing review by South Coast AQMD staff.	SCS Engineers



BOARD MEETING DATE: November 6, 2020 AGENDA NO. 20

REPORT: Stationary Source Committee

SYNOPSIS: The Stationary Source Committee held a meeting remotely on

Friday, October 16, 2020. The following is a summary of the

meeting.

**RECOMMENDED ACTION:** 

Receive and file.

Ben Benoit, Chair Stationary Source Committee

AD:cr

#### **Committee Members**

Present: Council Member Ben Benoit (Chair)

Senator Vanessa Delgado (Ret.) Board Member Gideon Kracov Council Member Judith Mitchell Supervisor Janice Rutherford

#### Call to Order

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

#### **INFORMATIONAL ITEMS:**

1. Determine That Proposed Amendments to Rule 445 – Wood-Burning Devices, Are Exempt from CEQA and Amend Rule 445

Tracy Goss, Planning and Rules Manager, gave the staff presentation regarding Rule 445 proposed amendments to add ozone-based contingency measures as required by U.S. EPA and a recent 9<sup>th</sup> Circuit Court Decision.

Board Member Kracov asked if Proposed Amended Rule (PAR) 445 was a major component of the AQMP contingency plan for ozone. Dr. Philip Fine, Deputy Executive Officer/Planning, Rule Development and Area Sources, responded that the amendment to PAR 445 is not a major component of South Coast AQMD's ozone reduction strategy. However, it satisfies U.S. EPA requirements in that it would be automatically triggered and should become immediately effective, reducing ozone emissions, and can be readily implemented within one year following the triggering of a contingency measure. It does not require permitting of units, does not require units to be retrofitted or replaced, and does not require reformulation or development of new products that can take more than one year, so Rule 445 is well suited for contingency provisions.

Dr. Fine explained that the term "contingency measure" in the Clean Air Act (CAA) is used in two different ways. The first is the traditional CAA section 182(e)(5) "Black Box" or future technologies. Under section 182(e)(5), a plan must be submitted three years prior to the attainment date. Such a plan was submitted to U.S. EPA in December 2019. Federal and state law requires and, South Coast AQMD is committed to implement, any feasible emissions reductions strategy. The second type of contingency measure is based on the 9<sup>th</sup> Circuit Court's recent decision in Bahr vs. EPA which has forced U.S. EPA to require South Coast AQMD to have additional contingency measures in rules. These contingency measures must be automatically triggered, without any further Board action after adoption, and become effective immediately upon a final determination by U.S. EPA of either a failure to attain the National Ambient Air Quality Standard (NAAQS) or meet an applicable reporting milestone. While South Coast AQMD does not agree with the court decision, in order to comply with the court ruling, and U.S. EPA requirements, a rule must be amended that meets the requirements of the ruling and provides for ozone reductions beyond those currently in the SIP. In addition, contingency measures must be fully implemented within one year of being triggered.

Board Member Kracov asked about emissions reductions. Dr. Fine said that staff estimates that there will be ozone reductions from the amendment upon triggering the contingencies. However, it is difficult to quantify, and includes a number of variables, however recent high atypical ozone days in so called "shoulder months" (April, March, September and October) show that any reductions would benefit ozone levels to some extent, but not significantly given the total VOC emissions inventory.

Board Member Kracov inquired about the attainment scenario with the poor air quality in 2020. Dr. Fine responded that three factors have contributed to the poor ozone and PM2.5 air quality in 2019: COVID-19 with initially cleaner days; wildfires beginning in June are on-going; and increasingly warmer climate with

changing metrological patterns resulting in more and hotter days. The deadline for the 8-hour ozone standard is 2023 with three-year averaging for attainment in the years 2021-2023. Consequently, 2020 air quality data will not be included in assessing attainment; however, it will impact modeling for the 2022 AQMP.

Board Member Kracov asked when the "Black Box" contingency measures will be triggered. While this is not related to the rule amendment, Dr. Fine stated that U.S. EPA has until the middle of 2021 to act on the plan submitted. However, with the current economic situation it is unlikely that the projected incentive funding anticipated will become available. In addition, Ports MOU emissions reductions are being delayed. It is unlikely, without rapid federal action to curb emissions from sources that South Coast AQMD has little or no jurisdiction over, such as ships, trains, etc., that anticipated emissions reductions will occur. There is a need for partnership at all levels of government and beyond, but we do not have what we need yet to achieve the plan objectives.

Board Member Kracov inquired as to what petition was served to U.S. EPA. Dr. Fine explained the deadline for attaining the 1-hour ozone standard is 2022, which means that 2020 will be part of the 3-year average for determining compliance with the standard. While 2020 data has not been certified, including potentially removing exceptional events, U.S. EPA has been petitioned to allow use of only the 2020 data to demonstrate a failure to comply with the standard, if it is shown that it will not be possible to achieve compliance with the standard even with future cleaner years. Staff believes it is highly unlikely that even with less exceedances in 2021 and 2022, that the data will indicate compliance with the 1-hour ozone standard.

Harvey Eder, Public Solar Power Coalition, expressed concern over recent and ongoing wildfires and the impacts on climate change rooted in geopolitics. He noted the recent high record temperatures and climate related incidents. Mr. Eder advocated for the "Solar New Deal" and stated current efforts are inadequate and should be included in development of air quality plans.

# 2. Summary of Proposed Amended Rule 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters

Michael Krause, Planning Manager, presented proposed amendments to Rule 1146 to remove the ammonia concentration limit of 5 ppm for new and modified pollution controls to prevent conflicts with implementing Regulation XIII - New Source Review.

Board Member Kracov asked about the importance of regulating ammonia and whether staff considered electric boiler technologies. Mr. Krause explained that

ammonia is a precursor to PM so it is important to be regulated and will continue to be evaluated and regulated under Regulation XIII during permitting. Mr. Krause stated that as part of the Best Available Retrofit Control Technology analysis for the 2018 amendment to establish the NOx emission limit in Rule 1146, a technology assessment was conducted.

3. Update on Proposed Rule Amendments for Coachella Valley Reclassification to Extreme Nonattainment for the 1997 8-Hour Ozone Standard

Jillian Wong, Planning and Rules Manager, provided a summary of Proposed Amended Regulation XIII – New Source Review, Regulation XX – RECLAIM, and Regulation XXX – Title V Permits, which are necessary because of the reclassification of the Coachella Valley from Severe to Extreme nonattainment of the 1997 8-hour ozone federal ambient air quality standard.

Supervisor Rutherford inquired about the identity of the two facilities that may potentially be impacted by the proposed amendments. Dr. Wong clarified that the two facilities are Eisenhower Medical Center and Armtec Defense Technologies.

#### **WRITTEN REPORTS:**

4. Monthly Update of Staff's Work with U.S. EPA on New Source Review Issues for the Transition of RECLAIM Facilities to a Command and Control Regulatory Program

The report was acknowledged by the Committee.

5. Twelve-month and Three-month Rolling Average Price of Compliance Years 2019 and 2020 NOx and SOx RTCs (July – September)

The report was acknowledged by the Committee.

6. Notice of Violation Penalty Summary

The report was acknowledged by the Committee.

### **OTHER MATTERS:**

### 7. Other Business

Council Member Benoit mentioned an article that discussed cement crushing being done at an old warehouse site in San Bernardino county. He stated that the article mentioned concerns that nearby residents raised about dust. He said that this type of cement recycling is occurring in neighborhoods within his city and around the South Coast AQMD. He recommended a minimum amount of reporting tracking water used to keep the dust down and a basic notification sign with facility operator contact information. Executive Officer Wayne Nastri replied that staff will be engaging in the rulemaking process for cement recycling and crushing in 2021. He

assured Council Member Benoit that the rulemaking process will include the elements that he suggested and at that time staff will consider other aspects that can be included. Council Member Benoit recommended that these entities be required to notify homeowners within a certain radius and that Caltrans be included in the rulemaking process.

#### 8. Public Comment Period

Mr. Eder expressed concerns about wildfires and record high temperatures and encouraged solar conversion. He also promoted the "Solar New Deal" and stated that current efforts are not being made to evaluate and implement this plan.

#### 9. Next Meeting Date

The next regular Stationary Source Committee meeting is scheduled for Friday, November 20, 2020.

#### Adjournment

The meeting was adjourned at 11:14 a.m.

#### **Attachments**

- 1. Attendance Record
- 2. Monthly Update of Staff's Work with U.S. EPA on New Source Review Issues for the Transition of RECLAIM Facilities to a Command and Control Regulatory Program
- 3. Twelve-month and Three-month Rolling Average Price of Compliance Years 2019 and 2020 NOx and SOx RTCs (July September)
- 4. Notice of Violation Penalty Summary

### **ATTACHMENT 1**

# SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT STATIONARY SOURCE COMMITTEE

Attendance -October 16, 2020

Council Member Ben Benoit	South Coast AQMD Governing Board
Senator Vanessa Delgado (Ret.)	South Coast AQMD Governing Board
Board Member Gideon Kracov	South Coast AQMD Governing Board
Council Member Judith Mitchell	South Coast AQMD Governing Board
Supervisor Janice Rutherford	South Coast AQMD Governing Board
_	·
Tom Gross	Board Consultant (Benoit)
Fred Minassian	Board Consultant (Mitchell)
Mark Taylor	Board Consultant (Rutherford)
Ross Zelen	Board Consultant (Kracov)
	` ,
Harvey Eder	Public Solar Power Coalition
Bill LaMarr	
Guo Quan Lim	
Noel Muyco	Southern California Gas Co
David Rothbart	
Peter Whittingham	
C	
Jason Aspell	South Coast AQMD staff
Barbara Baird	_
Naveen Berry	South Coast AQMD staff
Amir Dejbakhsh	_
Philip Fine	
Bayron Gilchrist	_
Tracy Goss	_
Sheri Hanizavareh	_
Mark Henninger	_
Michael Krause	
Jason Low	_
Terrence Mann	_
Matt Miyasato	_
Michael Morris	
Ron Moskowitz	_
Susan Nakamura	
Wayne Nastri	_
Zorik Pirveysian	_
Sarah Rees	
Kathryn Roberts	_

# **ATTACHMENT 1**

# SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT STATIONARY SOURCE COMMITTEE

# Attendance –October 16, 2020

Anthony Tang	South Coast AQMD staff
Jill Whynot	South Coast AQMD staff
Jillian Wong	South Coast AQMD staff
William Wong	South Coast AQMD staff
Paul Wright	South Coast AQMD staff
Victor Yip	South Coast AQMD staff

# October 2020 Update on Work with U.S. EPA on New Source Review Issues for the RECLAIM Transition

At the October 5, 2018 Board meeting, the Board directed staff to provide the Stationary Source Committee with a monthly update of staff's work with U.S. EPA regarding resolving NSR issues for the transition of facilities from RECLAIM to a command and control regulatory structure. The table below summarizes key activities since the last report.

Item		Discussion
Teleconference with U.S. EPA – July 7,	•	Discussed capacity utilization rates to quantify
2020		offsets
Video Conference with U.S. EPA – August	•	Reviewed material for the August RECLAIM and
6, 2020		Regulation XIII working group meetings
RECLAIM and Regulation XIII (New Source	•	Discussed NSR Applicability Test for Major
Review) Working Group Meeting –		Source Modifications
August 13, 2020		
Video Conference with CARB – August 27,	•	Discussed Regulation XIII issues that may be
2020		affected by SB 288
Video Conference with U.S. EPA –	•	Reviewed material for the September RECLAIM
September 3, 2020		and Regulation XIII working group meetings
RECLAIM and Regulation XIII (New Source	•	Discussed rule amendments associated with
Review) Working Group Meeting –		Coachella Valley Ozone Non-Attainment
September 10, 2020		Reclassification
Video Conference with CARB –	•	Discussed applicability of BACT for co-
September 29, 2020		pollutants
Video Conference with EPA – October 1,	•	Reviewed material for the September RECLAIM
2020		and Regulation XIII working group meetings
RECLAIM and Regulation XIII (New Source	•	Discussed concepts for ERC generation and
Review) Working Group Meeting –		quantification for the Large Source Bank
October 8, 2020		

# Twelve-Month and Three-Month Rolling Average Price of Compliance Years 2019 and 2020 NOx and SOx RTCs

October 2020 Report to Stationary Source Committee

**Table I**Twelve-Month Rolling Average Price Data for Compliance Year 2019 NOx RTCs (Report to Governing Board if rolling average price greater than \$22,500/ton)

Twelve-Month Rolling Average Price Data for Compliance Year 2019 NOx RTC							
Reporting Month	12-Month Period	Total Volume Traded with Price During Past 12-month (tons)	Total Price of Volume Number Traded During Past 12-month (\$)		Rolling Average Price <sup>1</sup> (\$/ton)		
Jan-19	Jan-18 to Dec-18	18.2	\$103,000	5	\$5,646		
Feb-19	Feb-18 to Jan-19	19.0	\$108,200	6	\$5,682		
Mar-19	Mar-18 to Feb-19	19.0	\$108,200	6	\$5,682		
Apr-19	Apr-18 to Mar-19	29.6	\$181,921	8	\$6,153		
May-19	May-18 to Apr-19	30.2	\$186,852	9	\$6,182		
Jun-19	Jun-18 to May-19	31.2	\$195,323	10	\$6,256		
Jul-19	Jul-18 to Jun-19	44.3	\$278,708	14	\$6,288		
Aug-19	Aug-18 to Jul-19	54.2	\$336,213	18	\$6,200		
Sep-19	Sep-18 to Aug-19	57.0	\$352,313	22	\$6,184		
Oct-19	Oct-18 to Sep-19	121.2	\$648,018	29	\$5,348		
Nov-19	Nov-18 to Oct-19	223.6	\$1,156,517	55	\$5,171		
Dec-19	Dec-18 to Nov-19	241.4	\$1,243,747	59	\$5,153		
Jan-20	Jan-19 to Dec-19	254.1	\$1,374,563	61	\$5,410		
Feb-20	Feb-19 to Jan-20	627.3	\$3,051,736	101	\$4,865		
Mar-20	Mar-19 to Feb-20	763.8	\$3,657,124	117	\$4,788		
Apr-20	Apr-19 to Mar-20	806.6	\$3,891,993	121	\$4,825		
May-20	May-19 to Apr-20	857.5	\$4,163,172	138	\$4,855		
Jun-20	Jun-19 to May-20	856.5	\$4,154,702	137	\$4,851		
Jul-20	Jul-19 to Jun-20	864.3	\$4,168,286	136	\$4,823		
Aug-20	Aug-19 to Jul-20	948.5	\$4,389,079	148	\$4,627		

Twelve-Month Rolling Average Price Data for Compliance Year 2019 NOx RTC							
Reporting Month	12-Month Period	Total Volume Traded with Price During Past 12-month (tons)	Total Price of Volume Traded During Past 12-month (\$)	Number of Trades with Price	Rolling Average Price <sup>1</sup> (\$/ton)		
Sep-20	Sep-19 to Aug-20	1,001.4	\$4,494,144	165	\$4,488		
Oct-20	Oct-19 to Sep-20	937.2	\$4,198,439	158	\$4,480		

<sup>1.</sup> District Rule 2015(b)(6) - Backstop Provisions provides additional "evaluation and review of the compliance and enforcement aspects of the RECLAIM program" if the average RTC price exceeds \$15,000 per ton

**Table II**Twelve-Month Rolling Average Price Data for Compliance Year 2020 NOx RTCs (Report to Governing Board if rolling average price greater than \$22,500/ton)

Twelve-Month Rolling Average Price Data for Compliance Year 2020 NOx RTC							
Reporting Month	12-Month Period			Number of Trades with Price	Rolling Average Price <sup>1</sup> (\$/ton)		
Jan-20	Jan-19 to Dec-19	71.0	\$865,215	11	\$12,190		
Feb-20	Feb-19 to Jan-20	111.2	\$1,197,542	14	\$10,770		
Mar-20	Mar-19 to Feb-20	200.4	\$1,646,922	19	\$8,220		
Apr-20	Apr-19 to Mar-20	202.4	\$1,657,101	21	\$8,186		
May-20	May-19 to Apr-20	221.7	\$1,755,883	26	\$7,921		
Jun-20	Jun-19 to May-20	227.6	\$1,815,483	27	\$7,975		
Jul-20	Jul-19 to Jun-20	313.6	\$3,016,787	33	\$9,620		
Aug-20	Aug-19 to Jul-20	326.4	\$3,192,582	36	\$9,781		
Sep-20	Sep-19 to Aug-20	343.4	\$3,350,824	48	\$9,758		
Oct-20	Oct-19 to Sep-20	344.4	\$3,359,824	49	\$9,755		

<sup>1.</sup> District Rule 2015(b)(6) - Backstop Provisions provides additional "evaluation and review of the compliance and enforcement aspects of the RECLAIM program" if the average RTC price exceeds \$15,000 per ton.

**Table III**Three-Month Rolling Average Price Data for Compliance Year 2019 NOx RTCs (Report to Governing Board if rolling average price greater than \$35,000/ton)

Three-Month Rolling Average Price Data for Compliance Year 2019 NOx RTC							
Reporting Month	3-Month Period	Total Volume Traded with Price During Past 3- month (tons)	Total Price of Volume Traded During Past 3-month (\$)	Number of Trades with Price	Rolling Average Price (\$/ton)		
Jan-19	Oct-18 to Dec-18	18.2	\$102,300	4	\$5,621		
Feb-19	Nov-18 to Jan-19	19.0	\$107,500	5	\$5,658		
Mar-19	Dec-18 to Feb-19	14.0	\$80,000	4	\$5,714		
Apr-19	Jan-19 to Mar-19	11.3	\$78,922	3	\$6,969		
May-19	Feb-19 to Apr-19	11.2	\$78,653	3	\$7,034		
Jun-19	Mar-19 to May-19	12.2	\$87,123	4	\$7,154		
Jul-19	Apr-19 to Jun-19	14.8	\$96,787	6	\$6,560		
Aug-19	May-19 to Jul-19	24.0	\$150,060	10	\$6,241		
Sep-19	Jun-19 to Aug-19	25.8	\$157,690 13		\$6,113		
Oct-19	Jul-19 to Sep-19	76.9	\$370,010 16		\$4,812		
Nov-19	Aug-19 to Oct-19	169.4	\$820,304	37	\$4,842		
Dec-19	Sep-19 to Nov-19	189.4	\$918,934	38	\$4,852		
Jan-20	Oct-19 to Dec-19	151.1	\$828,845	36	\$5,485		
Feb-20	Nov-19 to Jan-20	422.7	\$2,002,719	51	\$4,738		
Mar-20	Dec-19 to Feb-20	536.5	\$2,493,378	62	\$4,648		
Apr-20	Jan-20 to Mar-20	563.9	\$2,596,352	63	\$4,605		
May-20	Feb-20 to Apr-20	241.4	\$1,190,089	40	\$4,930		
Jun-20	Mar-20 to May-20	104.9	\$584,701	24	\$5,574		
Jul-20	Apr-20 to Jun-20	72.4	\$373,079	21	\$5,152		
Aug-20	May-20 to Jul-20	115.0	\$375,968	20	\$3,269		
Sep-20	Jun-20 to Aug-20	165.9	\$481,257	39	\$2,901		
Oct-20	Jul-20 to Sep-20	149.8	\$400,163	38	\$2,672		

**Table IV**Three-Month Rolling Average Price Data for Compliance Year 2020 NOx RTCs (Report to Governing Board if rolling average price greater than \$35,000/ton)

Three-Month Rolling Average Price Data for Compliance Year 2020 NOx RTC							
Reporting Month	3-Month Period	Total Volume Traded with Price During Past 3- month (tons)	Total Price of Volume Traded During Past 3-month (\$)	Number of Trades with Price	Rolling Average Price (\$/ton)		
Jan-20	Oct-19 to Dec-19	71.0	\$865,215	11	\$12,190		
Feb-20	Nov-19 to Jan-20	105.6	\$1,150,163	13	\$10,890		

Three-Month Rolling Average Price Data for Compliance Year 2020 NOx RTC							
Reporting Month	3-Month Period	Total Volume Traded with Price During Past 3- month (tons)	Total Price of Volume Traded During Past 3-month (\$)	Number of Trades with Price	Rolling Average Price (\$/ton)		
Mar-20	Dec-19 to Feb-20	167.6	\$1,414,218	12	\$8,438		
Apr-20	Jan-20 to Mar-20	131.4	\$791,886	10	\$6,024		
May-20	Feb-20 to Apr-20	110.5	\$558,341	12	\$5,054		
Jun-20	Mar-20 to May-20	27.3	\$168,561	8	\$6,179		
Jul-20	Apr-20 to Jun-20	111.2	\$1,359,687	12	\$12,232		
Aug-20	May-20 to Jul-20	104.7	\$1,436,699	10	\$13,720		
Sep-20	Jun-20 to Aug-20	115.8	\$1,535,341	21	\$13,261		
Oct-20	Jul-20 to Sep-20	30.8	\$343,036	16	\$11,128		

**Table V**Twelve-Month Rolling Average Price Data for Compliance Year 2019 SOx RTCs (Report to Governing Board if rolling average price greater than \$50,000/ton)

Twelve-Month Rolling Average Price Data for Compliance Year 2019 SOx RTC1							
Reporting Month	12-Month Period	Total Volume Traded with Price During Past 12- month (tons)	ded with Price Volume Number ring Past 12- Traded During of Trades		raded with Price Volume Number During Past 12- Traded During of Trades	Rolling Average Price <sup>2</sup> (\$/ton)	
Jan-19	Jan-18 to Dec-18	None	-	-	-		
Feb-19	Feb-18 to Jan-19	None	-	-	-		
Mar-19	Mar-18 to Feb-19	25.0	\$50,000	1	\$2,000		
Apr-19	Apr-18 to Mar-19	25.0	\$50,000	1	\$2,000		
May-19	May-18 to Apr-19	25.0	\$50,000	1	\$2,000		
Jun-19	Jun-18 to May-19	26.4	\$53,376	2	\$2,021		
Jul-19	Jul-18 to Jun-19	26.4	\$53,376	2	\$2,021		
Aug-19	Aug-18 to Jul-19	78.9	\$263,384	5	\$3,338		
Sep-19	Sep-18 to Aug-19	88.9	\$315,130	7	\$3,544		
Oct-19	Oct-18 to Sep-19	88.9	\$315,130	7	\$3,544		
Nov-19	Nov-18 to Oct-19	125.7	\$1,003,808	9	\$7,985		
Dec-19	Dec-18 to Nov-19	125.7	\$1,003,808	9	\$7,985		
Jan-20	Jan-19 to Dec-19	125.7	\$1,003,808	9	\$7,985		
Feb-20	Feb-19 to Jan-20	160.7	\$1,191,808	11	\$7,416		
Mar-20	Mar-19 to Feb-20	150.2	\$1,170,958	12	\$7,795		
Apr-20	Apr-19 to Mar-20	150.2	\$1,170,958	12	\$7,795		
May-20	May-19 to Apr-20	150.2	\$1,170,958	12	\$7,795		
Jun-20	Jun-19 to May-20	148.8	\$1,167,582	11	\$7,846		
Jul-20	Jul-19 to Jun-20	148.8	\$1,167,582	11	\$7,846		

Twelve-Month Rolling Average Price Data for Compliance Year 2019 SOx RTC¹							
Reporting Month	12-Month Period	Total Volume Traded with Price During Past 12- month (tons)	Total Price of Volume Traded During Past 12-month (\$)	Number of Trades with Price	Rolling Average Price <sup>2</sup> (\$/ton)		
Aug-20	Aug-19 to Jul-20	96.3	\$957,574	8	\$9,943		
Sep-20	Sep-19 to Aug-20	86.3	\$905,828	6	\$10,495		
Oct-20	Oct-19 to Sep-20	86.3	\$905,828	6	\$10,495		

<sup>1.</sup> Pursuant to District Rule 2002(f)(1)(Q), the requirement to report 12-month rolling average SOx RTC price ended February 1, 2020. This table is provided as a courtesy.

Table VI

Twelve-Month Rolling Average Price Data for Compliance Year 2020 SOx RTCs (Report to Governing Board if rolling average price greater than \$50,000/ton)

Twe	Twelve-Month Rolling Average Price Data for Compliance Year 2020 SOx RTC¹							
Reporting Month	12-Month Period	Total Volume Traded with Price During Past 12- month (tons)	Total Price of Volume Traded During Past 12-month (\$)	Number of Trades with Price	Rolling Average Price <sup>2</sup> (\$/ton)			
Jan-20	Jan-19 to Dec-19	None	-	-	-			
Feb-20	Feb-19 to Jan-20	None	-	-	-			
Mar-20	Mar-19 to Feb-20	None	-	-	-			
Apr-20	Apr-19 to Mar-20	None	-	-	-			
May-20	May-19 to Apr-20	None	-	-	-			
Jun-20	Jun-19 to May-20	None	-	-	-			
Jul-20	Jul-19 to Jun-20	None	-	-	-			
Aug-20	Aug-19 to Jul-20	None	-	-	-			
Sep-20	Sep-19 to Aug-20	None	-	-	-			
Oct-20	Oct-19 to Sep-20	None	-	-	-			

<sup>1.</sup> Pursuant to District Rule 2002(f)(1)(Q), the requirement to report 12-month rolling average SOx RTC price ended February 1, 2020. This table is provided as a courtesy.

<sup>2.</sup> District Rule 2015(b)(6) - Backstop Provisions provides additional "evaluation and review of the compliance and enforcement aspects of the RECLAIM program" if the average RTC price exceeds \$15,000 per ton.

<sup>2.</sup> District Rule 2015(b)(6) - Backstop Provisions provides additional "evaluation and review of the compliance and enforcement aspects of the RECLAIM program" if the average RTC price exceeds \$15,000 per ton.

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

### Settlement Penalty Report (09/01/2020 - 09/30/2020)

#### **Total Penalties**

Civil Settlement: \$6,500.00

Hearing Board Settlement : \$30,000.00

MSPAP Settlement: \$23,205.00

Total Cash Settlements: \$59,705.00

Fiscal Year through 09/30/2020 Cash Total: \$3,322,312.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	<b>Total Settlement</b>
Civil						
177985	A ONE AUTO COLLISION	1171	09/16/2020	RL	P69120	\$500.00
187195	CCS	1403, 40 CFR 60, QQQ	09/11/2020	WW	P66289	\$4,500.00
800371	RAYTHEON SYSTEMS COMPANY - FULLERTON OPS	2004	09/16/2020	VT	P66103, P66110	\$1,500.00
Total Civi	l Settlements : \$6,500.00					
Hearing B	Board					
104234	MISSION FOODS	202, 203(b), 1153.1, 1303	09/17/2020	KCM	5400-4	\$25,000.00
10966	WEBER METALS INC	1430	09/15/2020	DH	6136-1	\$5,000.00
Total Hea	ring Board Settlements : \$30,000.00					_

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
MSPAP						
174641	ARCO #42014, TREASURE FRANCHISE CO LLC	461, H&S 41960.2	09/11/2020	GC	P64947, P69023	\$2,720.00
129174	B & T CLEANERS, JIN SU KIM DBA	1421	09/11/2020	GC	P66561	\$400.00
170732	CALIFORNIA BANK AND TRUST	203(a)	09/30/2020	GC	P65395	\$2,400.00
181204	CITY OF SAN GABRIEL, PUBLIC WORKS FACILI	461	09/11/2020	TCF	P69309	\$1,100.00
96032	CIVIC CENTER CLEANERS	203(b)	09/30/2020	GC	P63784	\$300.00
66665	GAYLORD APARTMENTS LTD	1146.2	09/30/2020	GC	P66827	\$960.00
24624	LOS ANGELES ROYAL VISTA GOLF COURSES,INC	461	09/30/2020	TCF	P68363	\$1,600.00
170730	LYON'S SERVICE	203(b), 461	09/11/2020	TCF	P67250	\$1,800.00
71510	ORANGE, COUNTY OF - JOHN WAYNE AIRPORT	461(c)(3)(Q)	09/11/2020	TCF	P68765	\$300.00
85487	PASADENA AUTO WASH	461	09/11/2020	TCF	P67236	\$450.00
184136	PN OIL INC DBA PEGASUS PETROLEUM	461	09/30/2020	TCF	P68139	\$300.00
180241	QUAN SERVICE CENTER, INC	461, H&S 41960.2	09/11/2020	TCF	P69046	\$1,000.00
72255	SEVEN HILLS RESORTS COR.,SEVEN HILLS GOL	461	09/30/2020	TCF	P69107	\$1,000.00
179294	SIMPSON SANDBLASTING & SPECIAL COATINGS,	13 CCR 2460	09/30/2020	TCF	P67568	\$1,000.00
165091	SLAUSON SHELL _ MAROUN BOUTROS	461, H&S 41960.2	09/30/2020	TCF	P69006	\$500.00
84273	TEVA PARENTERAL MEDICINES, INC	3002(c)(1)	09/30/2020	TCF	P68579	\$4,000.00
15713	THE CALIFORNIA CLUB	1146.1	09/30/2020	GC	P66831	\$1,275.00
127286	VONS FUEL CENTER #1625	461, H&S 41960	09/30/2020	TCF	P68442	\$500.00
78249	WATERFRONT BEACH HOTEL LLC.	201, 203(a)	09/30/2020	TCF	P68560	\$1,600.00
Total MSP	PAP Settlements : \$23,205.00					

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

#### **REGULATION II - PERMITS**

Rule 201 Permit to Construct

Rule 202 Temporary Permit to Operate

Rule 203 Permit to Operate

#### **REGULATION IV - PROHIBITIONS**

Rule 461 Gasoline Transfer and Dispensing

#### **REGULATION XI - SOURCE SPECIFIC STANDARDS**

Rule 1146.1 Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators,

and Process Heaters

Rule 1146.2 Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers

Rule 1153.1 Emissions of Oxides of Nitrogen from Commercial Food Ovens

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 1421 Control of Perchloroethylene Emissions from Dry Cleaning Operations

Rule 1430 Control of Emissions from Metal Grinding Operations at Metal Forging Facilities

### **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 CODE OF REGULATIONS

13 CCR 2460 Portable Equipment Testing Requirements

#### CALIFORNIA HEALTH AND SAFETY CODE

41960 Certification of Gasoline Vapor Recovery System

41960.2 Gasoline Vapor Recovery

#### **CODE OF FEDERAL REGULATIONS**

40 CFR 60, QQQ - Standards of Performance for VOC Emissions from Petroleum Refinery Wastewater



BOARD MEETING DATE: November 6, 2020 AGENDA NO. 21

REPORT: Technology Committee

SYNOPSIS: The Technology Committee held a meeting remotely on Friday,

October 16, 2020. The following is a summary of the meeting.

**RECOMMENDED ACTION:** 

Receive and file.

Joe Buscaino, Chair Technology Committee

MMM:av

#### **Committee Members**

Present: Council Member Joe Buscaino/Chair

Supervisor Lisa Bartlett

Board Member Gideon Kracov

Mayor Larry McCallon

Council Member Judith Mitchell Council Member Carlos Rodriguez

Absent: None

#### Call to Order

Chair Buscaino called the meeting to order at 12:06 p.m.

Chair Buscaino asked the Committee to take Item #4 out of order.

#### **INFORMATIONAL ITEM:**

# 4. Report on Electric Vehicle Battery Reuse and Recycling

Rapid growth in the market for zero emission battery electric vehicles is a significant part of the overall strategy to improve air quality in the South Coast Air Basin. Although reuse of batteries is a desirable option in the near-term, the longer-term challenge of a growing number of batteries present a potential environmental waste

issue. The Lithium-ion Car Battery Recycling Advisory Group led by Cal EPA was created to advise the Legislature on policies pertaining to the recovery and recycling of lithium-ion vehicle batteries. CalEPA Deputy Secretary Caroline Godkin, the lead for the Lithium-ion Car Battery Recycling Advisory Group, presented the current range of approaches to electric-vehicle lithium-ion battery reuse and recycling and highlighted future pathways to address the potential environmental impacts of used batteries.

Council Member Mitchell inquired about the impact of China's dominance in lithium reserves on car battery recycling. Ms. Godkin explained that the OEMs and others are developing battery technologies that reduce the amount of precious metals and other materials, such as cobalt. An example is proposed lithium mining operations around the Salton Sea area.

Supervisor Bartlett inquired about the size of recycling operations and the percentage of used batteries these facilities are recycling. Ms. Godkin responded that the size of recyclers' operations is relatively small. Supervisor Bartlett also asked which recycling method is used more commonly. Ms. Godkin responded that although currently the Pyro process is more common, the Hydro process has more efficient recovery rates.

Council Member Rodriguez asked if there are existing or anticipated policies to mature battery recycling. Ms. Godkin noted that the advisory group is currently evaluating policies in the European Union, China and Japan to make recommendations as part of their report. Council Member Rodriguez further inquired about recycling facility costs and how many more facilities are needed in near and long term. Ms. Godkin responded that UC Davis is working on those topics, and the economics and feasible pathway of recycling will be analyzed in their research.

Mayor McCallon asked about policies for funding and potential recommendations to the legislature. Ms. Godkin responded that the advisory group is broadly looking at various models for funding mechanisms, such as a disposal fee for battery producers, and the European Union strategy of a minimum recycled content for batteries.

Board Member Kracov noted that significant amounts of used batteries will result from the accelerated adoption of electric heavy-duty vehicles in our Basin and inquired about the role for South Coast AQMD. Ms. Godkin responded that the advisory group can provide recommendations and South Coast AQMD's input on these recommendations would be valuable.

Ranji George, a member of the public, commented on the importance of lithium-ion battery recycling and expressed concerns about rare materials within the batteries.

He further noted to look at chain of custody forms and urged staff to look at hydrogen fuel cell technology because it has less environmental impacts.

#### **ACTION ITEMS:**

 Recognize Revenue, Issue Program Announcement, Execute Contracts, and Redistribute Funds for Heavy-Duty Truck Projects Meeting the Proposition 1B – Goods Movement Program Requirements

South Coast AQMD is currently administering and implementing the final funding cycle for the Proposition 1B – Goods Movement Program. Due to cancellation of some projects, new Proposition 1B funding granted by CARB, and availability of Community Air Protection Program incentives, a new solicitation is needed to receive applications for additional heavy-duty truck projects and infrastructure meeting the criteria of the Proposition 1B – Goods Movement Program. These actions are to: 1) recognize revenue from CARB up to \$6,406,088 into the Proposition 1B – Goods Movement Fund (81); 2) reimburse the General Fund up to \$305,052 for administrative costs; 3) issue a Program Announcement for heavy-duty truck and infrastructure projects; 4) execute contracts (or modify existing contracts) for eligible truck projects; and 5) redistribute funds, as needed, for the timely liquidation of incentive programs funds.

Council Member Buscaino inquired about who determines the percentage for administrative costs. Staff explained that these funds are determined by CARB and specified in the grant agreement.

Council Member Mitchell noted that she does not have a financial interest or conflict of interest but is required to identify for the record that she is a Board Member of CARB which is involved in this item. She further noted that there are thousands of older, high polluting trucks operating at the Ports and asked staff to make every effort to prioritize funding for these trucks in the program. She also urged staff to expend all grant funds to avoid having to return any funds back to CARB.

Ranji George, a member of the public, asked the Committee to consider setting aside a small percentage of funds for fuel cell vehicles.

Moved by McCallon; seconded by Mitchell; unanimously approved Ayes: Bartlett, Buscaino, Kracov, McCallon, Mitchell, Rodriguez

Noes: None Absent: None

#### 2. Reimburse CEC and Return Interest

In February 2020, CEC issued a final audit report of CEC-funded projects, concluding that the majority of claimed agreement expenditures are in compliance with grant agreement requirements. However, the report questioned certain reimbursed subcontractor costs and requested that interest earned be returned to CEC. These actions are to: 1) reimburse CEC for unsupported costs with funds provided by two contractors in an amount not to exceed \$214,719 from the Clean Fuels Fund (31); 2) reimburse CEC for unsupported costs in an amount not to exceed \$70,631 from the Clean Fuels Fund (31); and 3) return to CEC interest earned on CEC funds in an amount not to exceed \$202,723 and future residual interest earned from the Hydrogen Fueling Infrastructure Network Fund (63).

No comments were made on this item.

Moved by Mitchell; seconded by Bartlett; unanimously approved.

Ayes: Bartlett, Buscaino, Kracov, McCallon, Mitchell, Rodriguez

Noes: None Absent: None

#### 3. Amend Contract to Install Solar Panels for Volvo LIGHTS Project

In November 2018, the Board approved execution of contracts for the Volvo Low Impact Green Heavy Transport Solutions (LIGHTS) project. In order to complete installation of solar panels at freight handling facilities participating in the Volvo LIGHTS project, CARB approved reallocating up to \$600,000 of administrative funding to project costs. This action is to amend a contract with Volvo Group North America, LLC in an amount not to exceed \$600,000 from the GHG Reduction Projects Special Revenue Fund (67) for the installation of solar panels.

Council Member Mitchell noted that she does not have a financial interest or conflict of interest but is required to identify for the record that she is a Board Member of CARB which is involved in this item.

Moved by Bartlett; seconded by McCallon; unanimously approved.

Ayes: Bartlett, Buscaino, Kracov, McCallon, Mitchell, Rodriguez

Noes: None Absent: None

#### **INFORMATIONAL ITEM:**

#### 5. Clean Fuels Program Draft 2021 Plan Update

Every fall, staff has brought the Clean Fuels Program Draft Plan Update to the Technology Committee to solicit input on the proposed distribution of potential

project funds for the upcoming year before requesting final approval for the Plan Update each year in early spring. Staff proposes continued support for a wide portfolio of technologies, with particular emphasis on heavy-duty truck technologies with zero and near-zero emissions for goods movement applications to create a pathway towards achieving 2023 attainment as well as a continued focus on preparing for hydrogen vehicle deployments and EV charging infrastructure.

Council Member Mitchell commented that CARB has been coming out with more regulations requiring zero emission vehicles, and that the Clean Fuels Program Draft Plan is focusing on the right areas to meet these challenges.

Supervisor Bartlett commented that the Clean Fuels Program Draft Plan has a good balance of projects being represented and is moving in the right direction by focusing on a variety of technologies.

Ranji George, a member of the public, complimented staff on their service to the public at the Technology Advancement meeting.

#### **OTHER MATTERS:**

#### 6. Other Business

There was no other business.

#### 7. Public Comment Period

There was no public comment.

#### 8. Next Meeting Date

The next regular Technology Committee meeting is scheduled for Friday, November 20, 2020 at noon.

#### Adjournment

The meeting adjourned at 1:07 p.m.

#### Attachment

Attendance Record

# **ATTACHMENT**

# SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT TECHNOLOGY COMMITTEE MEETING

# Attendance Record – June 19, 2020

Supervisor Lisa Bartlett  Council Member Joe Buscaino  Board Member Gideon Kracov  Mayor Larry McCallon  Council Member Judith Mitchell  Council Member Carlos Rodriguez	South Coast AQMD Board Member South Coast AQMD Board Member South Coast AQMD Board Member South Coast AQMD Board Member
James Dinwiddie	Board Consultant (Bartlett)
Jacob Haik	Board Consultant (Buscaino)
Matt Holder	Board Consultant (Rodriguez)
Fred Minassian	` ,
Mark Taylor	Board Consultant (Rutherford)
Ross Zelen	Board Consultant (Kracov)
Ranji George	Public Member
Caroline Godkin	
J. Nad	
Naveen Berry	South Coast AOMD Staff
De Groeneveld	
Seungbum Ha	•
Sheri Hanizavareh	~
Mark Henninger	~
Joseph Impullitti	-
Sujata Jain	
Patricia Kwon	•
Tom Lee	-
Jason Low	~
Matt Miyasato	~
Ron Moskowitz	-
Wayne Nastri	-
Walter Shen	
Anthony Tang	
Veera Tyagi	
Alejandra Vega	
Vicki White	
Jill Whynot	_
Paul Wright	_
Victor Yip	-
v 16.01 11p	Douil Coast AQMD Stall



BOARD MEETING DATE: November 6, 2020 AGENDA NO. 22

REPORT: Mobile Source Air Pollution Reduction Review Committee

SYNOPSIS: The Mobile Source Air Pollution Reduction Review Committee

held a meeting remotely on Thursday, October 15, 2020. The

following is a summary of the meeting.

RECOMMENDED ACTION:

Receive and file.

Ben Benoit South Coast AQMD Representative to MSRC

MMM:NB:CR:psc

#### FYs 2016-18 Local Government Partnership Program

As part of the FYs 2016-18 Local Government Partnership Program, the MSRC approved an award of \$121,500 to the City of Santa Monica for the installation of a total of 39 electric vehicle charging stations. To better serve the needs of their residents and staff, the city requested to use multi-port charging stations. In some cases, substituting the installation of 40 public access charging ports for 32 public access charging stations, and substituting the installation of 10 limited access charging ports for the installation of 7 limited access stations. These modifications would result in a greater number of charging ports overall, exceeding expectations for both public and limited access, for the same MSRC investment. The MSRC considered and approved the City's requested contract modifications.

## FYs 2014-16 Transportation Control Measure Partnership Program

As part of the FYs 2014-16 Transportation Control Measure Partnership Program, Metro was awarded \$2,500,000 towards the expansion of the Willowbrook/Rosa Parks Transit Station. Metro requests a four-month term extension due to greater than anticipated coordination and design requirements with Union Pacific Railroad and the County of Los Angeles, which have delayed project progress. Given concerns that

Metro's request might not have accounted for necessary reporting, the MSRC Technical Advisory Committee (MSRC-TAC) recommended a twelve-month term extension. The MSRC considered and approved the twelve-month term extension.

FYs 2018-21 Inland Ports Zero and Near-Zero Emission Trucking and Cargo Handling At the September 2020 meeting, the MSRC authorized the development of draft RFPs for on- and off-road goods movement projects associated with the "Inland Ports" warehouse and distribution facilities located in Riverside and San Bernardino Counties. The MSRC has now considered and approved separate RFPs targeting on- and off-road vehicles involved in goods movement. Both RFPs allow for funding of associated refueling infrastructure and/or electric vehicle supply equipment (EVSE) as applicable.

# <u>Partnership with South Coast AQMD and Regional Partners on Large-Scale Zero</u> Emission Demonstration

The MSRC heard a report that CARB and the California Energy Commission are expected to release a joint solicitation for a Drayage Truck Pilot Project. The joint solicitation will offer a total of \$40 million in funding for large-scale demonstrations of zero emission drayage trucks with a single fleet and location. The Regional Zero Emission Truck Collaborative, a consortium of government agencies that includes the San Pedro Bay Ports, LA Metro, Caltrans and SCAG are joining together in support of a proposal that will deploy at least 50 trucks at two locations. The solicitation is expected to be released late October or early November; once this happens and the details of the solicitation are known, the Collaborative will be able to refine its budget for the project and return to the MSRC with a targeted partnership request.

# Options to Support Making the Current Suspension of Certain Requirements of the Brown Act Permanent

In light of the declaration of a State of Emergency in California as a result of the threat of COVID-19, Governor Newsom issued Executive Orders N-25-20 and N-29-20. Among other provisions, these Executive Orders waived requirements requiring the physical presence of members and authorized meetings to be held via teleconferencing or otherwise electronically. Some MSRC members expressed support for a hybrid model which would provide at least one physical meeting location as well as electronic participation options. It was determined that the MSRC will be unlikely to influence the outcome on its own and will therefore lend support to any other existing efforts.

### **Contracts Administrator's Report**

The MSRC's AB 2766 Contracts Administrator provides a written status report on all open contracts from FY 2007-08 to the present. The Contracts Administrator's Report for August 27 through September 23, 2020 is attached (Attachment 1).

#### Attachment

August 27 through September 23, 2020 Contracts Administrator's Report



#### MSRC Agenda Item No. 1

DATE: October 15, 2020

FROM: Cynthia Ravenstein

**SUBJECT:** AB 2766 Contracts Administrator's Report

**SYNOPSIS:** This report covers key issues addressed by MSRC staff, status of

open contracts, and administrative scope changes from August 27

to September 23, 2020.

**RECOMMENDATION:** Receive and file report

WORK PROGRAM IMPACT: None

#### **Contract Execution Status**

#### **2016-18 Work Program**

On July 8, 2016, the SCAQMD Governing Board approved an award under the Event Center Transportation Program. This contract is executed.

On October 7, 2016, the SCAQMD Governing Board approved three awards under the Event Center Transportation Program and one award for a Regional Active Transportation Partnership Program. These contracts are executed.

On January 6, 2017, the SCAQMD Governing Board approved an award for development, hosting and maintenance of a new MSRC website. This contract is executed.

On April 7, 2017, the SCAQMD Governing Board approved an award under the Event Center Transportation Program. This contract is executed.

On June 2, 2017, the SCAQMD Governing Board approved an award under the Event Center Transportation Program. This contract is executed.

On July 7, 2017, the SCAQMD Governing Board approved an award under the Event Center Transportation Program. This contract is executed.

On September 1, 2017, the SCAQMD Governing Board approved one award under the Event Center Transportation Program and one award under the Natural Gas Infrastructure Program. These contracts are executed.

On October 6, 2017, the SCAQMD Governing Board approved two awards under the Event Center Transportation Program and one award under the Natural Gas Infrastructure Program. These contracts are executed.

On December 1, 2017, the SCAQMD Governing Board approved sole source awards for a Hydrogen Infrastructure Partnership Program, for a Southern California Future Communities Partnership Program, and for electric vehicle charging infrastructure planning analysis. These contracts are executed. The MSRC has replaced the award to the California Energy Commission with a Program Opportunity Notice for the Hydrogen Infrastructure Partnership Program.

On February 2, 2018, the SCAQMD Governing Board approved one award under the Event Center Transportation Program, two awards under the Natural Gas Infrastructure Program, four awards under the Local Government Partnership Program, and two awards under the County Transportation Commission Partnership Program. These contracts are executed.

On March 2, 2018, the SCAQMD Governing Board approved one award under the Major Event Center Transportation Program, two awards under the Natural Gas Infrastructure Program, and one award under the Local Government Partnership Program. These contracts are executed.

On April 6, 2018, the SCAQMD Governing Board approved one award under the Natural Gas Infrastructure Program and eight awards under the Local Government Partnership Program. These contracts are executed.

On May 4, 2018, the SCAQMD Governing Board approved twenty-seven awards under the Local Government Partnership Program and one award under the County Transportation Commission Partnership Program. These contracts are executed.

On June 1, 2018, the SCAQMD Governing Board approved six awards under the Local Government Partnership Program, one award under the Natural Gas Infrastructure Program, and one award under the County Transportation Commission Partnership Program. These contracts are executed.

On July 6, 2018, the SCAQMD Governing Board approved nine awards under the Local Government Partnership Program. These contracts are executed.

On September 7, 2018, the SCAQMD Governing Board approved nineteen awards under the Local Government Partnership Program, three awards under the County Transportation Commission Partnership Program, one award under the Major Event Center Transportation Program, and twenty awards under the Natural Gas Infrastructure Program. These contracts are with the prospective contractor for signature, with the South Coast AQMD Board Chair for signature, or executed.

On October 5, 2018, the SCAQMD Governing Board approved forty-eight awards under the Local Government Partnership Program and one award under the Hydrogen Infrastructure Program. These contracts are with the prospective contractor for signature or executed.

On November 2, 2018, the SCAQMD Governing Board approved two awards under the Local Government Partnership Program. These contracts are executed.

#### 2018-21 Work Program

On April 5, 2019, the SCAQMD Governing Board approved an award under the Major Event Center Transportation Program. This contract is executed.

On September 6, 2019, the SCAQMD Governing Board approved an award under the Major Event Center Transportation Program. This contract is executed.

On December 6, 2019, the SCAQMD Governing Board approved an award under the Major Event Center Transportation Program. This contract is undergoing internal review.

#### **Work Program Status**

Contract Status Reports for work program years with open and/or pending contracts are attached.

#### FY 2010-11 Work Program Contracts

One contract from this work program year is open; and 9 are in "Open/Complete" status. One contract closed during this period: City of Rancho Cucamonga, Contract #ML11023 – Expand Existing CNG Station and Purchase 2 Heavy-Duty CNG Vehicles.

FY 2010-11 Invoices Paid

No invoices were paid during this period.

#### FY 2011-12 Work Program Contracts

6 contracts from this work program year are open, and 13 are in "Open/Complete" status.

FY 2011-12 Invoices Paid

No invoices were paid during this period.

#### FYs 2012-14 Work Program Contracts

16 contracts from this work program year are open, and 32 are in "Open/Complete" status.

FYs 2012-14 Invoices Paid

One invoice in the amount of \$7,500.00 was paid during this period.

#### FYs 2014-16 Work Program Contracts

42 contracts from this work program year are open, and 30 are in "Open/Complete" status.

FYs 2014-16 Invoices Paid

3 invoices totaling \$544,655.42 were paid during this period.

#### FYs 2016-18 Work Program Contracts

119 contracts from this work program year are open, and 29 are in "Open/Complete" status.

8 invoices totaling \$1,023,565.55 were paid during this period.

# FYs 2018-21 Work Program Contracts

2 contracts from this work program year are open.

No invoices were paid during this period.

# Administrative Scope Changes

No administrative scope changes were initiated during this period.

#### **Attachments**

• FY 2007-08 through FYs 2018-21 (except FY 2009-10) Contract Status Reports



# **AB2766 Discretionary Fund Program Invoices**

August 27 to September 23, 2020

Contract Admin.	MSRC Chair	MSRC Liaison	Finance	Contract #	Contractor	Invoice #	Amount
2012-	2014Work Prog	ram					
9/18/2020	9/18/2020	9/22/2020	9/25/2020	MS14037	Penske Truck Leasing Co., L.P.	Final	\$7,500.00
Total: \$7,500.	00						
2014-	2016Work Prog	ram					
9/15/2020	9/18/2020	9/22/2020	9/25/2020	ML16034	City of Riverside	FINAL	\$500,000.00
9/1/2020	9/2/2020	9/4/2020	9/4/2020	ML16083	City of El Monte	67-000133	\$25,375.60
9/1/2020	9/2/2020	9/4/2020	9/4/2020	ML16126	City of Palm Springs	)9000001-FIN	\$19,279.82
Total: \$544,65	55.42						
2016-	2018Work Prog	ram					
9/16/2020	9/18/2020	9/22/2020	9/25/2020	MS18002	Southern California Association of Governments	318002-05, -(	\$293,332.00
9/16/2020	9/18/2020	9/22/2020	9/25/2020	MS18024	Riverside County Transportation Commission	02347	\$103,285.00
9/15/2020	9/18/2020	9/22/2020	9/25/2020	MS18023	Riverside County Transportation Commission	02348	\$33,845.55
9/8/2020				MS18003	Geographics	20-22156	\$373.00
9/2/2020	9/2/2020	9/4/2020	9/4/2020	ML18087	City of Murrieta	1-Final	\$143,520.00
9/1/2020	9/2/2020	9/4/2020	9/4/2020	ML18032	City of Arcadia	1-Final	\$24,650.00
9/8/2020	9/18/2020	9/22/2020	9/25/2020	MS18120	City of Redondo Beach	FINAL	\$275,000.00
8/28/2020	9/2/2020	9/4/2020	9/4/2020	ML18072	City of Anaheim	62151-FINAL	\$149,560.00

Total: \$1,023,565.55

Total This Period: \$1,575,720.97



# FYs 2007-08 Through 2018-21 AB2766 Contract Status Report

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
FY 2007	7-2008 Contracts								
Declined/C	ancelled Contracts								
ML08032	City of Irvine	5/1/2009	8/31/2010		\$9,000.00	\$0.00	36 Vehicles (Diagnostic)	\$9,000.00	No
ML08041	City of Los Angeles, Dept of Transpo	8/6/2010	7/5/2011	12/5/2011	\$8,800.00	\$0.00	73 Vehicles (Diagnostic)	\$8,800.00	No
ML08049	City of Cerritos	3/20/2009	1/19/2015	2/19/2017	\$25,000.00	\$0.00	1 CNG Heavy-Duty Vehicle	\$25,000.00	No
ML08051	City of Colton				\$75,000.00	\$0.00	3 CNG Heavy-Duty Vehicles	\$75,000.00	No
ML08080	City of Irvine	5/1/2009	5/31/2015		\$50,000.00	\$0.00	Two Heavy-Duty Nat. Gas Vehicles	\$50,000.00	No
MS08002	Orange County Transportation Autho				\$1,500,000.00	\$0.00	Big Rig Freeway Service Patrol	\$1,500,000.00	No
MS08008	Diversified Truck Rental & Leasing				\$300,000.00	\$0.00	10 H.D. Nat. Gas Vehicles	\$300,000.00	No
MS08010	Orange County Transportation Autho				\$10,000.00	\$0.00	20 H.D. Nat. Gas Vehicles	\$10,000.00	No
MS08011	Green Fleet Systems, LLC				\$10,000.00	\$0.00	30 H.D. Nat. Gas Vehicles	\$10,000.00	No
MS08052	Burrtec Waste Industries, Inc.	12/24/2008	11/23/2014	11/23/2015	\$100,000.00	\$0.00	New CNG Station - Fontana	\$100,000.00	No
MS08054	Clean Energy Fuels Corp.				\$400,000.00	\$0.00	New LNG Station - Fontana	\$400,000.00	No
MS08055	Clean Energy Fuels Corp.	11/26/2009	3/25/2016	3/25/2017	\$400,000.00	\$0.00	New LNG Station - Long Beach-Pier S	\$400,000.00	No
MS08059	Burrtec Waste Industries, Inc.	12/24/2008	11/23/2014		\$100,000.00	\$0.00	New CNG Station - San Bernardino	\$100,000.00	No
MS08060	Burrtec Waste Industries, Inc.	12/24/2008	11/23/2014		\$100,000.00	\$0.00	New CNG Station - Azusa	\$100,000.00	No
MS08062	Go Natural Gas	9/25/2009	1/24/2016	1/24/2017	\$400,000.00	\$0.00	New CNG Station - Rialto	\$400,000.00	No
MS08074	Fontana Unified School District	11/14/2008	12/13/2014		\$200,000.00	\$0.00	Expansion of Existing CNG station	\$200,000.00	No
MS08077	Hythane Company, LLC				\$144,000.00	\$0.00	Upgrade Station to Hythane	\$144,000.00	No
Total: 17									
Closed Co.	ntracts								
ML08023	City of Villa Park	11/7/2008	10/6/2012		\$6,500.00	\$5,102.50	Upgrade of Existing Refueling Facility	\$1,397.50	Yes
ML08024	City of Anaheim	7/9/2010	7/8/2017	1/8/2018	\$425,000.00	\$425,000.00	9 LPG Buses and 8 CNG Buses	\$0.00	Yes
ML08026	Los Angeles County Department of P	7/20/2009	7/19/2016		\$250,000.00	\$250,000.00	10 LPG Heavy-Duty Vehicles	\$0.00	Yes
ML08027	Los Angeles County Department of P	7/20/2009	1/19/2011	1/19/2012	\$6,901.00	\$5,124.00	34 Vehicles (Diagnostic)	\$1,777.00	Yes
ML08028	City of Santa Monica	9/11/2009	9/10/2016	5/10/2019	\$600,000.00	\$200,000.00	24 CNG Heavy-Duty Vehicles	\$400,000.00	Yes
ML08029	City of Gardena	3/19/2009	1/18/2015		\$25,000.00	\$25,000.00	1 Propane Heavy-Duty Vehicle	\$0.00	Yes
ML08030	City of Azusa	5/14/2010	3/13/2016		\$25,000.00	\$25,000.00	1 CNG Heavy-Duty Vehicle	\$0.00	No
ML08031	City of Claremont	3/27/2009	3/26/2013	3/26/2015	\$97,500.00	\$97,500.00	Upgrade of Existing CNG Station, Purchase	\$0.00	Yes
ML08033	County of San Bernardino Public Wor	4/3/2009	2/2/2010		\$14,875.00	\$14,875.00	70 Vehicles (Diagnostic)	\$0.00	Yes
ML08034	County of San Bernardino Public Wor	3/27/2009	7/26/2015		\$150,000.00	\$150,000.00	8 CNG Heavy-Duty Vehicles	\$0.00	Yes
ML08035	City of La Verne	3/6/2009	11/5/2009		\$11,925.00	\$11,925.00	53 Vehicles (Diagnostic)	\$0.00	Yes
ML08036	City of South Pasadena	5/12/2009	7/11/2013		\$169,421.00	\$169,421.00	New CNG Station	\$0.00	Yes

Comt #	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Deciset Description	Award Balance	Billing
Cont.#	Contractor City of Glendale			Ziia Bato	T		Project Description	\$0.00	Complete? Yes
ML08037	·	5/20/2009	5/19/2015		\$325,000.00	\$325,000.00	13 CNG Heavy Duty Vehicles	*	
ML08038	Los Angeles Department of Water an	7/16/2010	7/15/2017		\$1,050,000.00	\$1,050,000.00	42 CNG Heavy-Duty Vehicles	\$0.00	Yes
ML08039	City of Rancho Palos Verdes	6/5/2009	8/4/2015	0/40/0040	\$50,000.00	\$50,000.00	2 LPG Transit Buses	\$0.00	Yes
ML08040	City of Riverside	9/11/2009	9/10/2016	3/10/2019	\$455,500.00	\$455,500.00	16 CNG Vehicles, Expand CNG Station & M	\$0.00	Yes
ML08042	City of Ontario, Housing & Municipal	5/1/2009	1/31/2016		\$175,000.00	\$175,000.00	7 CNG Heavy-Duty Vehicles	\$0.00	Yes
ML08044	City of Chino	3/19/2009	3/18/2015		\$25,000.00	\$25,000.00	1 CNG Heavy-Duty Vehicle	\$0.00	Yes
ML08045	City of Santa Clarita	2/20/2009	6/19/2010		\$3,213.00	\$3,150.00	14 Vehicles (Diagnostic)	\$63.00	Yes
ML08046	City of Paramount	2/20/2009	2/19/2015		\$25,000.00	\$25,000.00	1 CNG Heavy-Duty Vehicle	\$0.00	Yes
ML08047	City of Culver City Transportation De	5/12/2009	8/11/2015		\$150,000.00	\$150,000.00	6 CNG Heavy-Duty Vehicles	\$0.00	Yes
ML08048	City of Santa Clarita	2/20/2009	6/19/2015		\$25,000.00	\$25,000.00	1 CNG Heavy-Duty Vehicle	\$0.00	Yes
ML08050	City of Laguna Beach Public Works	8/12/2009	4/11/2016	10/11/2016	\$75,000.00	\$75,000.00	3 LPG Trolleys	\$0.00	Yes
MS08001	Los Angeles County MTA	12/10/2010	6/9/2014		\$1,500,000.00	\$1,499,999.66	Big Rig Freeway Service Patrol	\$0.34	Yes
MS08003	A-Z Bus Sales, Inc.	5/2/2008	12/31/2008	2/28/2009	\$1,480,000.00	\$1,400,000.00	Alternative Fuel School Bus Incentive Progra	\$80,000.00	Yes
MS08004	BusWest	5/2/2008	12/31/2008		\$1,440,000.00	\$1,440,000.00	Alternative Fuel School Bus Incentive Progra	\$0.00	Yes
MS08005	Burrtec Waste Industries, Inc.	10/23/2008	11/22/2014	10/22/2015	\$450,000.00	\$450,000.00	15 H.D. Nat. Gas Vehicles - Azusa	\$0.00	Yes
MS08006	Burrtec Waste Industries, Inc.	10/23/2008	11/22/2014	10/22/2015	\$450,000.00	\$450,000.00	15 H.D. Nat. Gas Vehicles - Saugus	\$0.00	Yes
MS08007	United Parcel Service West Region	12/10/2008	10/9/2014	4/9/2019	\$300,000.00	\$270,000.00	10 H.D. Nat. Gas Vehicles	\$30,000.00	Yes
MS08009	Los Angeles World Airports	12/24/2008	12/23/2014		\$870,000.00	\$870,000.00	29 H.D. Nat. Gas Vehicles	\$0.00	Yes
MS08012	California Cartage Company, LLC	12/21/2009	10/20/2015	4/20/2016	\$480,000.00	\$480,000.00	12 H.D. Nat. Gas Yard Tractors	\$0.00	Yes
MS08013	United Parcel Service West Region	12/10/2008	10/9/2014	3/9/2019	\$480,000.00	\$432,000.00	12 H.D. Nat. Gas Yard Tractors	\$48,000.00	No
MS08014	City of San Bernardino	12/5/2008	6/4/2015		\$390,000.00	\$360,000.00	13 H.D. Nat. Gas Vehicles	\$30,000.00	Yes
MS08015	Yosemite Waters	5/12/2009	5/11/2015		\$180,000.00	\$117,813.60	11 H.D. Propane Vehicles	\$62,186.40	Yes
MS08016	TransVironmental Solutions, Inc.	1/23/2009	12/31/2010	9/30/2011	\$227,198.00	\$80,351.34	Rideshare 2 School Program	\$146,846.66	Yes
MS08017	Omnitrans	12/13/2008	12/12/2015	12/12/2016	\$900,000.00	\$900,000.00	30 CNG Buses	\$0.00	Yes
MS08018	Los Angeles County Department of P	8/7/2009	10/6/2016	4/6/2018	\$60,000.00	\$60,000.00	2 CNG Vehicles	\$0.00	Yes
MS08019	Enterprise Rent-A-Car Company of L	2/12/2010	7/11/2016		\$300,000.00	\$300,000.00	10 CNG Vehicles	\$0.00	Yes
MS08020	Ware Disposal Company, Inc.	11/25/2008	2/24/2016		\$900,000.00	\$900,000.00	30 CNG Vehicles	\$0.00	Yes
MS08021	CalMet Services, Inc.	1/9/2009	1/8/2016	7/8/2016	\$900,000.00	\$900,000.00	30 CNG Vehicles	\$0.00	Yes
MS08022	SunLine Transit Agency	12/18/2008	3/17/2015		\$311,625.00	\$311,625.00	15 CNG Buses	\$0.00	Yes
MS08053	City of Los Angeles, Bureau of Sanit	2/18/2009	12/17/2015		\$400,000.00	\$400,000.00	New LNG/CNG Station	\$0.00	Yes
MS08056	Clean Energy Fuels Corp.	11/26/2009	2/25/2015		\$400,000.00	\$400,000.00	New LNG Station - POLB-Anah. & I	\$0.00	Yes
MS08057	Orange County Transportation Autho	5/14/2009	7/13/2015		\$400,000.00	\$400,000.00	New CNG Station - Garden Grove	\$0.00	Yes
MS08058	Clean Energy Fuels Corp.	11/26/2009	3/25/2016	3/25/2017	\$400,000.00	\$400,000.00	New CNG Station - Ontario Airport	\$0.00	Yes
MS08061	Clean Energy Fuels Corp.	12/4/2009	3/3/2015		\$400,000.00	\$400,000.00	New CNG Station - L.ALa Cienega	\$0.00	Yes
MS08063	Go Natural Gas	9/25/2009	1/24/2016	1/24/2017	\$400,000.00	\$400,000.00	New CNG Station - Moreno Valley	\$0.00	Yes
MS08064	Hemet Unified School District	1/9/2009	3/8/2015		\$75,000.00	\$75,000.00	Expansion of Existing Infrastructure	\$0.00	Yes
MS08065	Pupil Transportation Cooperative	11/20/2008	7/19/2014		\$10,500.00	\$10,500.00	Existing CNG Station Modifications	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS08066	Clean Energy Fuels Corp.	11/26/2009	2/25/2015		\$400,000.00	\$400,000.00	New CNG Station - Palm Spring Airport	\$0.00	Yes
MS08067	Trillium CNG	3/19/2009	6/18/2015	6/18/2016	\$311,600.00	\$254,330.00	New CNG Station	\$57,270.00	Yes
MS08069	Perris Union High School District	6/5/2009	8/4/2015	8/4/2016	\$225,000.00	\$225,000.00	New CNG Station	\$0.00	Yes
MS08070	Clean Energy Fuels Corp.	11/26/2009	2/25/2015		\$400,000.00	\$400,000.00	New CNG Station - Paramount	\$0.00	Yes
MS08071	ABC Unified School District	1/16/2009	1/15/2015		\$63,000.00	\$63,000.00	New CNG Station	\$0.00	Yes
MS08072	Clean Energy Fuels Corp.	12/4/2009	3/3/2015		\$400,000.00	\$354,243.38	New CNG Station - Burbank	\$45,756.62	Yes
MS08073	Clean Energy Fuels Corp.	11/26/2009	2/25/2015		\$400,000.00	\$400,000.00	New CNG Station - Norwalk	\$0.00	Yes
MS08075	Disneyland Resort	12/10/2008	2/1/2015		\$200,000.00	\$200,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS08076	Azusa Unified School District	10/17/2008	11/16/2014	1/31/2017	\$172,500.00	\$172,500.00	New CNG station and maint. Fac. Modificatio	\$0.00	Yes
MS08078	SunLine Transit Agency	12/10/2008	6/9/2015	2/9/2016	\$189,000.00	\$189,000.00	CNG Station Upgrade	\$0.00	Yes
Total: 59									.1
Closed/Inco	omplete Contracts								
ML08025	Los Angeles County Department of P	10/30/2009	3/29/2011		\$75,000.00	\$0.00	150 Vehicles (Diagnostic)	\$75,000.00	No
MS08068	Regents of the University of Californi	11/5/2010	11/4/2017	11/4/2019	\$400,000.00	\$0.00	Hydrogen Station	\$400,000.00	No
MS08079	ABC Unified School District	1/16/2009	12/15/2009	12/15/2010	\$50,000.00	\$0.00	Maintenance Facility Modifications	\$50,000.00	No
Total: 3				1					1
Open/Comp	olete Contracts								

\$25,000.00

\$25,000.00

1 CNG Heavy-Duty Vehicle

\$0.00

Yes

ML08043 Total: 1 City of Desert Hot Springs

9/25/2009

3/24/2016

3/24/2021

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
FY 2008	8-2009 Contracts								
Declined/C	ancelled Contracts								
ML09017	County of San Bernardino Public Wor	1/28/2010	7/27/2016		\$200,000.00	\$0.00	8 Nat. Gas Heavy-Duty Vehicles	\$200,000.00	No
ML09018	Los Angeles Department of Water an	7/16/2010	9/15/2012		\$850,000.00	\$0.00	Retrofit 85 Off-Road Vehicles w/DECS	\$850,000.00	No
ML09019	City of San Juan Capistrano Public	12/4/2009	11/3/2010		\$10,125.00	\$0.00	Remote Vehicle Diagnostics/45 Vehicles	\$10,125.00	No
ML09022	Los Angeles County Department of P				\$8,250.00	\$0.00	Remote Vehicle Diagnostics/15 Vehicles	\$8,250.00	No
ML09025	Los Angeles County Department of P	10/15/2010	12/14/2012	6/14/2013	\$50,000.00	\$0.00	Remote Vehicle Diagnostics/85 Vehicles	\$50,000.00	No
ML09028	Riverside County Waste Managemen				\$140,000.00	\$0.00	Retrofit 7 Off-Road Vehicles w/DECS	\$140,000.00	No
ML09039	City of Inglewood				\$310,000.00	\$0.00	Purchase 12 H.D. CNG Vehicles and Remot	\$310,000.00	No
ML09040	City of Cathedral City				\$83,125.00	\$0.00	Purchase 3 H.D. CNG Vehicles and Remote	\$83,125.00	No
ML09044	City of San Dimas				\$425,000.00	\$0.00	Install CNG Station and Purchase 1 CNG Sw	\$425,000.00	No
ML09045	City of Orange				\$125,000.00	\$0.00	Purchase 5 CNG Sweepers	\$125,000.00	No
Total: 10			1						
Closed Co.	ntracts								
ML09007	City of Rancho Cucamonga	2/26/2010	4/25/2012		\$117,500.00	\$62,452.57	Maintenance Facility Modification	\$55,047.43	Yes
ML09008	City of Culver City Transportation De	1/19/2010	7/18/2016	7/18/2017	\$175,000.00	\$175,000.00	8 Nat. Gas Heavy-Duty Vehicles	\$0.00	Yes
ML09009	City of South Pasadena	11/5/2010	12/4/2016	3/4/2019	\$125,930.00	\$125,930.00	CNG Station Expansion	\$0.00	Yes
ML09010	City of Palm Springs	1/8/2010	2/7/2016		\$25,000.00	\$25,000.00	1 Nat. Gas Heavy-Duty Vehicle	\$0.00	Yes
ML09011	City of San Bernardino	2/19/2010	5/18/2016		\$250,000.00	\$250,000.00	10 Nat. Gas Heavy-Duty Vehicles	\$0.00	Yes
ML09012	City of Gardena	3/12/2010	11/11/2015		\$25,000.00	\$25,000.00	1 Nat. Gas Heavy-Duty Vehicle	\$0.00	Yes
ML09013	City of Riverside Public Works	9/10/2010	12/9/2011	7/31/2013	\$144,470.00	\$128,116.75	Traffic Signal Synchr./Moreno Valley	\$16,353.25	Yes
ML09014	City of Riverside Public Works	9/10/2010	12/9/2011	7/31/2013	\$113,030.00	\$108,495.94	Traffic Signal Synchr./Corona	\$4,534.06	Yes
ML09015	City of Riverside Public Works	9/10/2010	12/9/2011	7/31/2013	\$80,060.00	\$79,778.52	Traffic Signal Synchr./Co. of Riverside	\$281.48	Yes
ML09016	County of San Bernardino Public Wor	1/28/2010	3/27/2014		\$50,000.00	\$50,000.00	Install New CNG Station	\$0.00	Yes
ML09020	County of San Bernardino	8/16/2010	2/15/2012		\$49,770.00	\$49,770.00	Remote Vehicle Diagnostics/252 Vehicles	\$0.00	Yes
ML09021	City of Palm Desert	7/9/2010	3/8/2012		\$39,450.00	\$38,248.87	Traffic Signal Synchr./Rancho Mirage	\$1,201.13	Yes
ML09023	Los Angeles County Department of P	12/10/2010	12/9/2017		\$50,000.00	\$50,000.00	2 Heavy-Duty Alternative Fuel Transit Vehicl	\$0.00	Yes
ML09024	Los Angeles County Department of P	10/15/2010	12/14/2012	6/14/2013	\$400,000.00	\$0.00	Maintenance Facility Modifications	\$400,000.00	No
ML09026	Los Angeles County Department of P	10/15/2010	10/14/2017	4/14/2019	\$150,000.00	\$80,411.18	3 Off-Road Vehicles Repowers	\$69,588.82	Yes
ML09027	Los Angeles County Department of P	7/23/2010	3/22/2012	6/22/2012	\$150,000.00	\$150,000.00	Freeway Detector Map Interface	\$0.00	Yes
ML09029	City of Whittier	11/6/2009	4/5/2016		\$25,000.00	\$25,000.00	1 Nat. Gas Heavy-Duty Vehicle	\$0.00	Yes
ML09030	City of Los Angeles GSD/Fleet Servic	6/18/2010	6/17/2011		\$22,310.00	\$22,310.00	Remote Vehicle Diagnostics/107 Vehicles	\$0.00	Yes
ML09031	City of Los Angeles Dept of General	10/29/2010	10/28/2017		\$825,000.00	\$825,000.00	33 Nat. Gas Heavy-Duty Vehicles	\$0.00	Yes
ML09032	Los Angeles World Airports	4/8/2011	4/7/2018		\$175,000.00	\$175,000.00	7 Nat. Gas Heavy-Duty Vehicles	\$0.00	Yes
ML09033	City of Beverly Hills	3/4/2011	5/3/2017	1/3/2019	\$550,000.00	\$550,000.00	10 Nat. Gas Heavy-Duty Vehicles & CNG St	\$0.00	Yes
ML09034	City of La Palma	11/25/2009	6/24/2015		\$25,000.00	\$25,000.00	1 LPG Heavy-Duty Vehicle	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML09035	City of Fullerton	6/17/2010	6/16/2017	6/16/2018	\$450,000.00	\$450,000.00	2 Heavy-Duty CNG Vehicles & Install CNG	\$0.00	Yes
ML09037	City of Redondo Beach	6/18/2010	6/17/2016		\$50,000.00	\$50,000.00	Purchase Two CNG Sweepers	\$0.00	Yes
ML09038	City of Chino	9/27/2010	5/26/2017		\$250,000.00	\$250,000.00	Upgrade Existing CNG Station	\$0.00	Yes
ML09041	City of Los Angeles, Bureau of Sanit	10/1/2010	9/30/2017		\$875,000.00	\$875,000.00	Purchase 35 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML09042	Los Angeles Department of Water an	12/10/2010	12/9/2017		\$1,400,000.00	\$1,400,000.00	Purchase 56 Dump Trucks	\$0.00	Yes
ML09043	City of Covina	10/8/2010	4/7/2017	10/7/2018	\$179,591.00	\$179,591.00	Upgrade Existing CNG Station	\$0.00	Yes
ML09046	City of Newport Beach	5/20/2010	5/19/2016		\$162,500.00	\$162,500.00	Upgrade Existing CNG Station, Maintenance	\$0.00	Yes
ML09047	Los Angeles County Department of P	8/13/2014	8/12/2015	11/12/2015	\$400,000.00	\$272,924.53	Maintenance Facility Modifications	\$127,075.47	No
Total: 30									
Open/Comp	plete Contracts								

\$875,000.00

\$875,000.00

Purchase 35 Natural Gas Refuse Trucks

\$0.00

Yes

ML09036 Total: 1 City of Long Beach Fleet Services Bu

5/7/2010

5/6/2017

11/6/2022

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
FY 2010	0-2011 Contracts								
Open Cont									
ML11029	City of Santa Ana	9/7/2012	3/6/2020	3/6/2023	\$262,500.00	\$75,000.00	Expansion of Existing CNG Station, Install N	\$187,500.00	No
Total: 1	ony or carna rana	0///2012	0,0,2020	0,0,2020	ψ===,σσσ.σσ	ψ. ο,οοο.οο	2.pansion of 2.nothing of Containing instance	<b>\$101,000.00</b>	
	ancelled Contracts								
ML11038	City of Santa Monica	5/18/2012	7/17/2018		\$400,000.00	\$0.00	Maintenance Facility Modifications	\$400,000.00	No
MS11013	Go Natural Gas, Inc.				\$150,000.00	\$0.00	New CNG Station - Huntington Beach	\$150,000.00	No
MS11014	Go Natural Gas, Inc.				\$150,000.00	\$0.00	New CNG Station - Santa Ana	\$150,000.00	No
MS11015	Go Natural Gas, Inc.				\$150,000.00	\$0.00	New CNG Station - Inglewood	\$150,000.00	No
MS11046	Luis Castro				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11047	Ivan Borjas				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11048	Phase II Transportation				\$1,080,000.00	\$0.00	Repower 27 Heavy-Duty Vehicles	\$1,080,000.00	No
MS11049	Ruben Caceras				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11050	Carlos Arrue				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11051	Francisco Vargas				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11053	Jose Ivan Soltero				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11054	Albino Meza				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11059	Go Natural Gas				\$150,000.00	\$0.00	New Public Access CNG Station - Paramoun	\$150,000.00	No
MS11063	Standard Concrete Products				\$310,825.00	\$0.00	Retrofit Two Off-Road Vehicles under Showc	\$310,825.00	No
MS11070	American Honda Motor Company				\$100,000.00	\$0.00	Expansion of Existing CNG Station	\$100,000.00	No
MS11072	Trillium USA Company DBA Californi				\$150,000.00	\$0.00	New Public Access CNG Station	\$150,000.00	No
MS11077	DCL America Inc.				\$263,107.00	\$0.00	Retrofit of 13 Off-Road Diesel Vehicles with	\$263,107.00	No
MS11083	Cattrac Construction, Inc.				\$500,000.00	\$0.00	Install DECS on Eight Off-Road Vehicles	\$500,000.00	No
MS11084	Ivanhoe Energy Services and Develo				\$66,750.00	\$0.00	Retrofit One H.D. Off-Road Vehicle Under S	\$66,750.00	No
MS11088	Diesel Emission Technologies				\$32,750.00	\$0.00	Retrofit Three H.D. Off-Road Vehicles Under	\$32,750.00	No
MS11089	Diesel Emission Technologies				\$9,750.00	\$0.00	Retrofit One H.D. Off-Road Vehicle Under S	\$9,750.00	No
MS11090	Diesel Emission Technologies				\$14,750.00	\$0.00	Retrofit One H.D. Off-Road Vehicle Under S	\$14,750.00	No
Total: 22									
Closed Cor	ntracts								
ML11007	Coachella Valley Association of Gove	7/29/2011	7/28/2012		\$250,000.00	\$249,999.96	Regional PM10 Street Sweeping Program	\$0.04	Yes
ML11020	City of Indio	2/1/2013	3/31/2019	9/30/2020	\$15,000.00	\$9,749.50	Retrofit one H.D. Vehicles w/DECS, repower	\$5,250.50	Yes
ML11021	City of Whittier	1/27/2012	9/26/2018	6/26/2019	\$210,000.00	\$210,000.00	Purchase 7 Nat. Gas H.D. Vehicles	\$0.00	Yes
ML11022	City of Anaheim	3/16/2012	7/15/2018		\$150,000.00	\$150,000.00	Purchase of 5 H.D. Vehicles	\$0.00	Yes
ML11023	City of Rancho Cucamonga	4/20/2012	12/19/2018	9/19/2020	\$260,000.00	\$260,000.00	Expand Existing CNG Station, 2 H.D. Vehicl	\$0.00	Yes
ML11026	City of Redlands	3/2/2012	10/1/2018		\$90,000.00	\$90,000.00	Purchase 3 Nat. Gas H.D. Vehicles	\$0.00	Yes
ML11027	City of Los Angeles, Dept. of General	5/4/2012	7/3/2015	1/3/2016	\$300,000.00	\$300,000.00	Maintenance Facility Modifications	\$0.00	Yes

	_		Original	Amended	Contract			Award	Billing
Cont.#	Contractor	Start Date	End Date	End Date	Value	Remitted	Project Description	Balance	Complete?
ML11028	City of Glendale	1/13/2012	5/12/2018		\$300,000.00	\$300,000.00	Purchase 10 H.D. CNG Vehicles	\$0.00	Yes
ML11030	City of Fullerton	2/3/2012	3/2/2018		\$109,200.00	\$109,200.00	Purchase 2 Nat. Gas H.D. Vehicles, Retrofit	\$0.00	Yes
ML11031	City of Culver City Transportation De	12/2/2011	12/1/2018		\$300,000.00	\$300,000.00	Purchase 10 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML11032	City of Gardena	3/2/2012	9/1/2018	10/1/2020	\$102,500.00	\$102,500.00	Purchase Heavy-Duty CNG Vehicle, Install S	\$0.00	Yes
ML11033	City of Los Angeles, Bureau of Sanit	3/16/2012	1/15/2019		\$1,080,000.00	\$1,080,000.00	Purchase 36 LNG H.D. Vehicles	\$0.00	Yes
ML11034	City of Los Angeles Dept of General	5/4/2012	1/3/2019		\$630,000.00	\$630,000.00	Purchase 21 H.D. CNG Vehicles	\$0.00	Yes
ML11035	City of La Quinta	11/18/2011	11/17/2012		\$25,368.00	\$25,368.00	Retrofit 3 On-Road Vehicles w/DECS	\$0.00	Yes
ML11037	City of Anaheim	12/22/2012	12/21/2019		\$300,000.00	\$300,000.00	Purchase 12 Nat. Gas H.D. Vehicles	\$0.00	Yes
ML11039	City of Ontario, Housing & Municipal	1/27/2012	9/26/2018		\$180,000.00	\$180,000.00	Purchase 6 Nat. Gas H.D. Vehicles	\$0.00	Yes
ML11042	City of Chino	2/17/2012	4/16/2018		\$30,000.00	\$30,000.00	Purchase 1 Nat. Gas H.D. Vehicle, Repower	\$0.00	Yes
ML11043	City of Hemet Public Works	2/3/2012	2/2/2019		\$60,000.00	\$60,000.00	Purchase 2 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML11044	City of Ontario, Housing & Municipal	1/27/2012	6/26/2019		\$400,000.00	\$400,000.00	Expand Existing CNG Station	\$0.00	Yes
MS11001	Mineral LLC	4/22/2011	4/30/2013	4/30/2015	\$111,827.00	\$103,136.83	Design, Develop, Host and Maintain MSRC	\$8,690.17	Yes
MS11002	A-Z Bus Sales, Inc.	7/15/2011	12/31/2011	6/30/2013	\$1,705,000.00	\$1,705,000.00	Alternative Fuel School Bus Incentive Progra	\$0.00	Yes
MS11003	BusWest	7/26/2011	12/31/2011	12/31/2012	\$1,305,000.00	\$1,305,000.00	Alternative Fuel School Bus Incentive Progra	\$0.00	Yes
MS11004	Los Angeles County MTA	9/9/2011	2/29/2012		\$450,000.00	\$299,743.34	Clean Fuel Transit Service to Dodger Stadiu	\$150,256.66	Yes
MS11006	Orange County Transportation Autho	10/7/2011	2/29/2012	8/31/2012	\$268,207.00	\$160,713.00	Metrolink Service to Angel Stadium	\$107,494.00	Yes
MS11008	USA Waste of California, Inc.	10/24/2013	4/23/2020		\$125,000.00	\$125,000.00	Expansion of Existing LCNG Station	\$0.00	Yes
MS11009	USA Waste of California, Inc.	10/24/2013	4/23/2020		\$125,000.00	\$125,000.00	Expansion of Existing LCNG Station	\$0.00	Yes
MS11010	Border Valley Trading	8/26/2011	10/25/2017	4/25/2020	\$150,000.00	\$150,000.00	New LNG Station	\$0.00	Yes
MS11011	EDCO Disposal Corporation	12/30/2011	4/29/2019		\$100,000.00	\$100,000.00	New CNG Station - Signal Hill	\$0.00	Yes
MS11012	EDCO Disposal Corporation	12/30/2011	4/29/2019		\$100,000.00	\$100,000.00	New CNG Station - Buena Park	\$0.00	Yes
MS11016	CR&R Incorporated	4/12/2013	10/11/2019		\$100,000.00	\$100,000.00	New CNG Station - Perris	\$0.00	Yes
MS11017	CR&R, Inc.	3/2/2012	2/1/2018		\$100,000.00	\$100,000.00	Expansion of existing station - Garden Grove	\$0.00	Yes
MS11018	Orange County Transportation Autho	10/14/2011	1/31/2012		\$211,360.00	\$211,360.00	Express Bus Service to Orange County Fair	\$0.00	Yes
MS11019	City of Corona	11/29/2012	4/28/2020		\$225,000.00	\$225,000.00	Expansion of Existing CNG Station	\$0.00	Yes
MS11052	Krisda Inc	9/27/2012	6/26/2013		\$120,000.00	\$120,000.00	Repower Three Heavy-Duty Vehicles	\$0.00	Yes
MS11055	KEC Engineering	2/3/2012	8/2/2018	8/2/2019	\$200,000.00	\$200,000.00	Repower 5 H.D. Off-Road Vehicles	\$0.00	Yes
MS11056	Better World Group Advisors	12/30/2011	12/29/2013	12/29/2015	\$206,836.00	\$186,953.46	Programmatic Outreach Services	\$19,882.54	Yes
MS11057	Riverside County Transportation Co	7/28/2012	3/27/2013		\$100,000.00	\$89,159.40	Develop and Implement 511 "Smart Phone"	\$10,840.60	Yes
MS11058	L A Service Authority for Freeway E	5/31/2013	4/30/2014		\$123,395.00	\$123,395.00	Implement 511 "Smart Phone" Application	\$0.00	Yes
MS11060	Rowland Unified School District	8/17/2012	1/16/2019	1/16/2020	\$175,000.00	\$175,000.00	New Limited Access CNG Station	\$0.00	Yes
MS11061	Eastern Municipal Water District	3/29/2012	5/28/2015		\$11,659.00	\$1,450.00	Retrofit One Off-Road Vehicle under Showca	\$10,209.00	Yes
MS11062	Load Center	9/7/2012	1/6/2016	12/6/2016	\$175,384.00	\$169,883.00	Retrofit Six Off-Road Vehicles under Showca	\$5,501.00	Yes
MS11065	Temecula Valley Unified School Distr	8/11/2012	1/10/2019		\$50,000.00	\$48,539.62	Expansion of Existing CNG Station	\$1,460.38	Yes
MS11066	Torrance Unified School District	11/19/2012	9/18/2018		\$42,296.00	\$42,296.00	Expansion of Existing CNG Station	\$0.00	Yes
MS11067	City of Redlands	5/24/2012	11/23/2018	11/23/2019	\$85,000.00	\$85,000.00	Expansion of Existing CNG Station	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS11068	Ryder System Inc.	7/28/2012	10/27/2018		\$175,000.00	\$175,000.00	New Public Access L/CNG Station (Fontana)	\$0.00	Yes
MS11069	Ryder System Inc.	7/28/2012	8/27/2018		\$175,000.00	\$175,000.00	New Public Access L/CNG Station (Orange)	\$0.00	Yes
MS11071	City of Torrance Transit Department	12/22/2012	1/21/2019	1/21/2020	\$175,000.00	\$175,000.00	New Limited Access CNG Station	\$0.00	Yes
MS11074	SunLine Transit Agency	5/11/2012	7/31/2012		\$41,849.00	\$22,391.00	Transit Service for Coachella Valley Festival	\$19,458.00	Yes
MS11079	Bear Valley Unified School District	2/5/2013	10/4/2019		\$175,000.00	\$175,000.00	New Limited Access CNG Station	\$0.00	Yes
MS11080	Southern California Regional Rail Aut	4/6/2012	7/31/2012		\$26,000.00	\$26,000.00	Metrolink Service to Auto Club Speedway	\$0.00	Yes
MS11086	DCL America Inc.	6/7/2013	10/6/2016		\$500,000.00	\$359,076.96	Retrofit Eight H.D. Off-Road Vehicles Under	\$140,923.04	Yes
MS11087	Cemex Construction Material Pacific,	10/16/2012	2/15/2016		\$448,766.00	\$448,760.80	Retrofit 13 H.D. Off-Road Vehicles Under Sh	\$5.20	Yes
MS11091	California Cartage Company, LLC	4/5/2013	8/4/2016	2/4/2018	\$55,000.00	\$0.00	Retrofit Two H.D. Off-Road Vehicles Under	\$55,000.00	No
MS11092	Griffith Company	2/15/2013	6/14/2016	12/14/2017	\$390,521.00	\$78,750.00	Retrofit 17 H.D. Off-Road Vehicles Under Sh	\$311,771.00	No
Total: 54		1		i.		1			
Closed/Inco	omplete Contracts								
MS11064	City of Hawthorne	7/28/2012	8/27/2018	8/27/2019	\$175,000.00	\$0.00	New Limited Access CNG Station	\$175,000.00	No
MS11076	SA Recycling, LLC	5/24/2012	9/23/2015		\$424,801.00	\$0.00	Retrofit of 13 Off-Road Diesel Vehicles with	\$424,801.00	No
MS11081	Metropolitan Stevedore Company	9/7/2012	1/6/2016		\$45,416.00	\$0.00	Install DECS on Two Off-Road Vehicles	\$45,416.00	No
MS11082	Baumot North America, LLC	8/2/2012	12/1/2015		\$65,958.00	\$4,350.00	Install DECS on Four Off-Road Vehicles	\$61,608.00	Yes
MS11085	City of Long Beach Fleet Services Bu	8/23/2013	12/22/2016		\$159,012.00	\$0.00	Retrofit Seven H.D. Off-Road Vehicles Unde	\$159,012.00	No
Total: 5									
Open/Comp	plete Contracts								
ML11024	County of Los Angeles, Dept of Publi	12/5/2014	6/4/2022		\$90,000.00	\$90,000.00	Purchase 3 Nat. Gas H.D. Vehicles	\$0.00	Yes
ML11025	County of Los Angeles Department o	3/14/2014	9/13/2021		\$150,000.00	\$150,000.00	Purchase 5 Nat. Gas H.D. Vehicles	\$0.00	Yes
ML11036	City of Riverside	1/27/2012	1/26/2019	3/26/2021	\$670,000.00	\$670,000.00	Install New CNG Station, Purchase 9 H.D. N	\$0.00	Yes
ML11040	City of South Pasadena	5/4/2012	1/3/2019	1/3/2022	\$30,000.00	\$30,000.00	Purchase 1 Nat. Gas H.D. Vehicle	\$0.00	Yes
ML11041	City of Santa Ana	9/7/2012	11/6/2018	1/6/2021	\$265,000.00	\$244,651.86	Purchase 7 LPG H.D. Vehicles, Retrofit 6 H.	\$20,348.14	Yes
ML11045	City of Newport Beach	2/3/2012	8/2/2018	3/2/2021	\$30,000.00	\$30,000.00	Purchase 1 Nat. Gas H.D. Vehicle	\$0.00	Yes

\$175,000.00

\$175,000.00

Expansion of Existing CNG Station

\$0.00

Yes

MS11073 **Total: 7** 

Los Angeles Unified School District

9/11/2015

2/10/2022

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
FY 201	1-2012 Contracts								
Open Cont									
ML12014	City of Santa Ana	11/8/2013	8/7/2020	8/7/2021	\$338,000.00	\$4,709.00	9 H.D. Nat. Gas & LPG Trucks, EV Charging	\$333,291.00	No
ML12043	City of Hemet	6/24/2013	9/23/2019	11/23/2021	\$30,000.00	\$30,000.00	One Heavy-Duty Nat. Gas Vehicles	\$0.00	No
ML12045	City of Baldwin Park DPW	2/14/2014	12/13/2020	6/13/2025	\$400,000.00	\$0.00	Install New CNG Station	\$400,000.00	No
ML12057	City of Coachella	8/28/2013	8/27/2019	1/27/2022	\$57,456.00	\$57,456.00	Purchase One Nat. Gas H.D. Vehicle/Street	\$0.00	No
ML12090	City of Palm Springs	10/9/2015	10/8/2021	9/8/2025	\$21,163.00	\$0.00	EV Charging Infrastructure	\$21,163.00	No
ML12091	City of Bellflower	10/5/2018	10/4/2019	12/30/2020	\$100,000.00	\$0.00	EV Charging Infrastructure	\$100,000.00	No
Total: 6				1					
Declined/C	ancelled Contracts								
ML12016	City of Cathedral City	1/4/2013	10/3/2019		\$60,000.00	\$0.00	CNG Vehicle & Electric Vehicle Infrastructur	\$60,000.00	No
ML12038	City of Long Beach Public Works				\$26,000.00	\$0.00	Electric Vehicle Charging Infrastructure	\$26,000.00	No
ML12040	City of Duarte				\$30,000.00	\$0.00	One Heavy-Duty Nat. Gas Vehicle	\$30,000.00	No
ML12044	County of San Bernardino Public Wor				\$250,000.00	\$0.00	Install New CNG Station	\$250,000.00	No
ML12048	City of La Palma	1/4/2013	11/3/2018		\$20,000.00	\$0.00	Two Medium-Duty LPG Vehicles	\$20,000.00	No
ML12052	City of Whittier	3/14/2013	7/13/2019		\$165,000.00	\$0.00	Expansion of Existing CNG Station	\$165,000.00	No
ML12053	City of Mission Viejo				\$60,000.00	\$0.00	EV Charging Infrastructure	\$60,000.00	No
MS12007	WestAir Gases & Equipment				\$100,000.00	\$0.00	Construct New Limited-Acess CNG Station	\$100,000.00	No
MS12027	C.V. Ice Company, Inc.	5/17/2013	11/16/2019		\$75,000.00	\$0.00	Purchase 3 Medium-Heavy Duty Vehicles	\$75,000.00	No
MS12030	Complete Landscape Care, Inc.				\$150,000.00	\$0.00	Purchase 6 Medium-Heavy Duty Vehicles	\$150,000.00	No
MS12067	Leatherwood Construction, Inc.	11/8/2013	3/7/2017		\$122,719.00	\$0.00	Retrofit Six Vehicles w/DECS - Showcase III	\$122,719.00	No
MS12070	Valley Music Travel/CID Entertainme				\$99,000.00	\$0.00	Implement Shuttle Service to Coachella Musi	\$99,000.00	No
Total: 12									
Closed Co.	ntracts								
ML12013	City of Pasadena	10/19/2012	3/18/2015	9/18/2015	\$200,000.00	\$65,065.00	Electric Vehicle Charging Infrastructure	\$134,935.00	Yes
ML12019	City of Palm Springs	9/6/2013	7/5/2015		\$38,000.00	\$16,837.00	EV Charging Infrastructure	\$21,163.00	Yes
ML12020	City of Los Angeles Dept of General	9/27/2012	3/26/2019	3/26/2020	\$450,000.00	\$450,000.00	15 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML12021	City of Rancho Cucamonga	9/14/2012	1/13/2020		\$40,000.00	\$40,000.00	Four Medium-Duty Nat. Gas Vehicles	\$0.00	Yes
ML12022	City of La Puente	12/6/2013	6/5/2020		\$110,000.00	\$110,000.00	2 Medium-Duty and Three Heavy-Duty CNG	\$0.00	Yes
ML12023	County of Los Angeles Internal Servi	8/1/2013	2/28/2015		\$250,000.00	\$192,333.00	EV Charging Infrastructure	\$57,667.00	Yes
ML12037	Coachella Valley Association of Gove	3/14/2013	3/13/2014		\$250,000.00	\$250,000.00	Street Sweeping Operations	\$0.00	Yes
ML12039	City of Redlands	2/8/2013	10/7/2019		\$90,000.00	\$90,000.00	Three Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes
ML12041	City of Anaheim Public Utilities Depar	4/4/2014	11/3/2015	11/3/2017	\$68,977.00	\$38,742.16	EV Charging Infrastructure	\$30,234.84	Yes
ML12042	City of Chino Hills	1/18/2013	3/17/2017		\$87,500.00	\$87,500.00	Expansion of Existing CNG Station	\$0.00	Yes
ML12047	City of Orange	2/1/2013	1/31/2019		\$30,000.00	\$30,000.00	One Heavy-Duty Nat. Gas Vehicle	\$0.00	Yes
ML12049	City of Rialto Public Works	7/14/2014	9/13/2015		\$30,432.00	\$3,265.29	EV Charging Infrastructure	\$27,166.71	Yes

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Cont.#	Contractor	Start Date	T			Remitted	Project Description		Complete?
ML12050	City of Baldwin Park	4/25/2013	4/24/2014	10/24/2014	\$402,400.00	\$385,363.00	EV Charging Infrastructure	\$17,037.00	Yes
ML12054	City of Palm Desert	9/30/2013	2/28/2015		\$77,385.00	\$77,385.00	EV Charging Infrastructure	\$0.00	Yes
ML12055	City of Manhattan Beach	3/1/2013	12/31/2018		\$10,000.00	\$10,000.00	One Medium-Duty Nat. Gas Vehicle	\$0.00	Yes
ML12056	City of Cathedral City	3/26/2013	5/25/2014		\$25,000.00	\$25,000.00	Regional Street Sweeping Program	\$0.00	Yes
ML12066	City of Manhattan Beach	1/7/2014	4/6/2015		\$5,900.00	\$5,900.00	Electric Vehicle Charging Infrastructure	\$0.00	Yes
MS12001	Los Angeles County MTA	7/1/2012	4/30/2013		\$300,000.00	\$211,170.00	Clean Fuel Transit Service to Dodger Stadiu	\$88,830.00	Yes
MS12002	Orange County Transportation Autho	9/7/2012	4/30/2013		\$342,340.00	\$333,185.13	Express Bus Service to Orange County Fair	\$9,154.87	Yes
MS12003	Orange County Transportation Autho	7/20/2012	2/28/2013		\$234,669.00	\$167,665.12	Implement Metrolink Service to Angel Stadiu	\$67,003.88	Yes
MS12004	USA Waste of California, Inc.	10/24/2013	11/23/2019		\$175,000.00	\$175,000.00	Construct New Limited-Access CNG Station	\$0.00	Yes
MS12005	USA Waste of California, Inc.	10/19/2012	8/18/2013		\$75,000.00	\$75,000.00	Vehicle Maintenance Facility Modifications	\$0.00	Yes
MS12006	Waste Management Collection & Re	10/19/2012	8/18/2013		\$75,000.00	\$75,000.00	Vehicle Maintenance Facility Modifications	\$0.00	Yes
MS12009	Sysco Food Services of Los Angeles	1/7/2014	4/6/2020		\$150,000.00	\$150,000.00	Construct New Public-Access LNG Station	\$0.00	Yes
MS12010	Murrieta Valley Unified School Distric	4/5/2013	9/4/2019		\$242,786.00	\$242,786.00	Construct New Limited-Access CNG Station	\$0.00	Yes
MS12012	Rim of the World Unified School Distr	12/20/2012	5/19/2014		\$75,000.00	\$75,000.00	Vehicle Maintenance Facility Modifications	\$0.00	Yes
MS12025	Silverado Stages, Inc.	11/2/2012	7/1/2018		\$150,000.00	\$150,000.00	Purchase Six Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12026	U-Haul Company of California	3/14/2013	3/13/2019		\$500,000.00	\$353,048.26	Purchase 23 Medium-Heavy Duty Vehicles	\$146,951.74	Yes
MS12028	Dy-Dee Service of Pasadena, Inc.	12/22/2012	1/21/2019		\$45,000.00	\$40,000.00	Purchase 2 Medium-Duty and 1 Medium-He	\$5,000.00	Yes
MS12029	Community Action Partnership of Ora	11/2/2012	11/1/2018		\$25,000.00	\$14,850.00	Purchase 1 Medium-Heavy Duty Vehicle	\$10,150.00	Yes
MS12031	Final Assembly, Inc.	11/2/2012	11/1/2018		\$50,000.00	\$32,446.00	Purchase 2 Medium-Heavy Duty Vehicles	\$17,554.00	Yes
MS12032	Fox Transportation	12/14/2012	12/13/2018		\$500,000.00	\$500,000.00	Purchase 20 Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12035	Disneyland Resort	1/4/2013	7/3/2019		\$25,000.00	\$18,900.00	Purchase 1 Medium-Heavy Duty Vehicle	\$6,100.00	Yes
MS12036	Jim & Doug Carter's Automotive/VSP	1/4/2013	11/3/2018		\$50,000.00	\$50,000.00	Purchase 2 Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12058	Krisda Inc	4/24/2013	1/23/2019		\$25,000.00	\$25,000.00	Repower One Heavy-Duty Off-Road Vehicle	\$0.00	Yes
MS12059	Orange County Transportation Autho	2/28/2013	12/27/2014		\$75,000.00	\$75,000.00	Maintenance Facilities Modifications	\$0.00	Yes
MS12060	City of Santa Monica	4/4/2014	8/3/2017	8/3/2019	\$500,000.00	\$434,202.57	Implement Westside Bikeshare Program	\$65,797.43	No
MS12061	Orange County Transportation Autho	3/14/2014	3/13/2017		\$224,000.00	\$114,240.00	Transit-Oriented Bicycle Sharing Program	\$109,760.00	Yes
MS12062	Fraser Communications	12/7/2012	5/31/2014		\$998,669.00	\$989,218.49	Develop & Implement "Rideshare Thursday"	\$9,450.51	Yes
MS12063	Custom Alloy Light Metals, Inc.	8/16/2013	2/15/2020		\$100,000.00	\$100,000.00	Install New Limited Access CNG Station	\$0.00	Yes
MS12064	Anaheim Transportation Network	3/26/2013	12/31/2014		\$127,296.00	\$56,443.92	Implement Anaheim Circulator Service	\$70,852.08	Yes
MS12065	Orange County Transportation Autho	7/27/2013	11/30/2013		\$43,933.00	\$14,832.93	Ducks Express Service to Honda Center	\$29,100.07	Yes
MS12068	Southern California Regional Rail Aut	3/1/2013	9/30/2013		\$57,363.00	\$47,587.10	Implement Metrolink Service to Autoclub Sp	\$9,775.90	Yes
MS12069	City of Irvine	8/11/2013	2/28/2014		\$45,000.00	\$26,649.41	Implement Special Transit Service to Solar D	\$18,350.59	Yes
MS12071	Transit Systems Unlimited, Inc.	5/17/2013	12/16/2018		\$21,250.00	\$21,250.00	Expansion of Existing CNG Station	\$0.00	Yes
MS12072	99 Cents Only Stores	4/5/2013	9/4/2019		\$100,000.00	\$100,000.00	Construct New CNG Station	\$0.00	Yes
MS12073	FirstCNG, LLC	7/27/2013	12/26/2019		\$150,000.00	\$150,000.00	Construct New CNG Station	\$0.00	Yes
MS12074	Arcadia Unified School District	7/5/2013	9/4/2019		\$175,000.00	\$175,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS12076	City of Ontario, Housing & Municipal	3/8/2013	4/7/2015		\$75,000.00	\$75,000.00	Maintenance Facilities Modification	\$0.00	Yes

			Original	Amended	Contract			Award	Billing
Cont.#	Contractor	Start Date	End Date	End Date	Value	Remitted	Project Description	Balance	Complete?
MS12078	Penske Truck Leasing Co., L.P.	1/7/2014	1/6/2016		\$75,000.00	\$73,107.00	Maintenance Facility Modifications - Vernon	\$1,893.00	Yes
MS12081	Penske Truck Leasing Co., L.P.	1/7/2014	1/6/2016		\$75,000.00	\$75,000.00	Maintenance Facility Modifications - Santa A	\$0.00	Yes
MS12085	Bear Valley Unified School District	4/25/2013	6/24/2014		\$75,000.00	\$75,000.00	Maintenance Facility Modifications	\$0.00	Yes
MS12086	SuperShuttle International, Inc.	3/26/2013	3/25/2019		\$225,000.00	\$225,000.00	Purchase 23 Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12087	Los Angeles County MTA	8/29/2013	11/28/2015		\$125,000.00	\$125,000.00	Implement Rideshare Incentives Program	\$0.00	Yes
MS12088	Orange County Transportation Autho	12/6/2013	3/5/2016		\$125,000.00	\$18,496.50	Implement Rideshare Incentives Program	\$106,503.50	Yes
MS12089	Riverside County Transportation Co	10/18/2013	9/17/2015		\$249,136.00	\$105,747.48	Implement Rideshare Incentives Program	\$143,388.52	No
MS12Hom	Mansfield Gas Equipment Systems				\$296,000.00	\$0.00	Home Refueling Apparatus Incentive Progra	\$296,000.00	No
Total: 57									
Closed/Inco	omplete Contracts								
ML12051	City of Bellflower	2/7/2014	2/6/2016	5/6/2018	\$100,000.00	\$0.00	EV Charging Infrastructure	\$100,000.00	No
MS12077	City of Coachella	6/14/2013	6/13/2020		\$225,000.00	\$0.00	Construct New CNG Station	\$225,000.00	No
MS12079	Penske Truck Leasing Co., L.P.	1/7/2014	1/6/2016		\$75,000.00	\$0.00	Maintenance Facility Modifications - Boyle H	\$75,000.00	No
MS12084	Airport Mobil Inc.	12/6/2013	5/5/2020		\$150,000.00	\$0.00	Install New CNG Infrastructure	\$150,000.00	No
Total: 4									
Open/Comp	olete Contracts								
ML12015	City of Fullerton	4/25/2013	11/24/2020	11/24/2021	\$40,000.00	\$40,000.00	HD CNG Vehicle, Expand CNG Station	\$0.00	Yes
ML12017	City of Los Angeles, Bureau of Sanit	6/26/2013	5/25/2020	11/25/2021	\$950,000.00	\$950,000.00	32 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML12018	City of West Covina	10/18/2013	10/17/2020	8/17/2023	\$300,000.00	\$300,000.00	Expansion of Existing CNG Station	\$0.00	Yes
ML12046	City of Irvine	8/11/2013	3/10/2021		\$30,000.00	\$30,000.00	One Heavy-Duty Nat. Gas Vehicle	\$0.00	Yes
MS12008	Bonita Unified School District	7/12/2013	12/11/2019	4/11/2021	\$175,000.00	\$175,000.00	Construct New Limited-Access CNG Station	\$0.00	Yes
MS12011	Southern California Gas Company	6/14/2013	6/13/2019	5/28/2021	\$150,000.00	\$150,000.00	Construct New Public-Access CNG Station -	\$0.00	Yes
MS12024	Southern California Gas Company	6/13/2013	12/12/2019	11/12/2020	\$150,000.00	\$150,000.00	Construct New Public-Access CNG Station -	\$0.00	Yes
MS12033	Mike Diamond/Phace Management S	12/22/2012	12/21/2018	6/21/2021	\$148,900.00	\$148,900.00	Purchase 20 Medium-Heavy Duty Vehicles	\$0.00	No
MS12034	Ware Disposal Company, Inc.	11/2/2012	11/1/2018	5/1/2022	\$133,070.00	\$133,070.00	Purchase 8 Medium-Heavy Duty Vehicles	\$0.00	No
MS12075	CR&R Incorporated	7/27/2013	1/26/2021	1/26/2022	\$100,000.00	\$100,000.00	Expansion of Existing CNG Infrastructure	\$0.00	No
MS12080	City of Pasadena	11/8/2013	8/7/2020	2/7/2022	\$225,000.00	\$225,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS12082	City of Los Angeles, Bureau of Sanit	11/20/2013	2/19/2021	2/19/2023	\$175,000.00	\$175,000.00	Install New CNG Infrastructure	\$0.00	Yes
MS12083	Brea Olinda Unified School District	7/30/2015	2/29/2024		\$59,454.00	\$59,454.00	Install New CNG Infrastructure	\$0.00	Yes

Total: 13

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
FY 2012	2-2014 Contracts								
Open Cont	racts								
ML14012	City of Santa Ana	2/13/2015	10/12/2021		\$244,000.00	\$0.00	EV Charging and 7 H.D. LPG Vehicles	\$244,000.00	No
ML14018	City of Los Angeles Dept of General	3/6/2015	9/5/2021	5/5/2025	\$810,000.00	\$720,000.00	Purchase 27 H.D. Nat. Gas Vehicles	\$90,000.00	No
ML14021	Riverside County Regional Park and	7/24/2014	12/23/2016	9/30/2024	\$250,000.00	\$0.00	Bicycle Trail Improvements	\$250,000.00	No
ML14023	County of Los Angeles Department o	10/2/2015	9/1/2017	3/1/2021	\$230,000.00	\$0.00	Maintenance Fac. Modifications-Westcheste	\$230,000.00	No
ML14024	County of Los Angeles Department o	10/2/2015	9/1/2017	9/1/2021	\$230,000.00	\$0.00	Maintenance Fac. Modifications-Baldwin Par	\$230,000.00	No
ML14027	County of Los Angeles Dept of Public	10/2/2015	5/1/2023	12/1/2025	\$500,000.00	\$0.00	Construct New CNG Station in Canyon Coun	\$500,000.00	No
ML14030	County of Los Angeles Internal Servi	1/9/2015	3/8/2018	1/8/2021	\$425,000.00	\$25,000.00	Bicycle Racks, Outreach & Education	\$400,000.00	No
ML14069	City of Beaumont	3/3/2017	3/2/2025		\$200,000.00	\$0.00	Construct New CNG Infrastructure	\$200,000.00	No
ML14072	City of Cathedral City	8/13/2014	1/12/2021	7/12/2022	\$41,000.00	\$35,089.03	Install EV Charging, Bike Racks & Education	\$5,910.97	No
ML14097	County of Los Angeles Internal Servi	9/6/2019	9/5/2020	9/5/2021	\$104,400.00	\$0.00	Electric Vehicle Charging Infrastructure	\$104,400.00	No
MS14037	Penske Truck Leasing Co., L.P.	4/7/2017	6/6/2020		\$75,000.00	\$75,000.00	Vehicle Maint. Fac. Modifications - Carson	\$0.00	No
MS14057	Los Angeles County MTA	11/7/2014	10/6/2019	10/6/2023	\$1,250,000.00	\$0.00	Implement Various Signal Synchronization P	\$1,250,000.00	No
MS14059	Riverside County Transportation Co	9/5/2014	3/4/2018	3/4/2022	\$1,250,000.00	\$0.00	Implement Various Signal Synchronization P	\$1,250,000.00	No
MS14072	San Bernardino County Transportatio	3/27/2015	3/26/2018	3/26/2022	\$1,250,000.00	\$887,566.17	Implement Various Signal Synchronization P	\$362,433.83	No
MS14079	Waste Resources, Inc.	9/14/2016	8/13/2022	2/13/2024	\$100,000.00	\$0.00	New Limited Access CNG Station	\$100,000.00	No
MS14083	Hacienda La Puente Unified School	7/10/2015	3/9/2022		\$175,000.00	\$0.00	New Limited Access CNG Station	\$175,000.00	No
Total: 16			1		11.	ı			-
Declined/C	ancelled Contracts								
ML14063	City of Hawthorne				\$32,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$32,000.00	No
ML14068	City of South Pasadena	9/12/2014	10/11/2015	1/11/2020	\$10,183.00	\$0.00	Electric Vehicle Charging Infrastructure	\$10,183.00	No
MS14035	Penske Truck Leasing Co., L.P.				\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - Sun Valle	\$75,000.00	No
MS14036	Penske Truck Leasing Co., L.P.				\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - La Mirada	\$75,000.00	No
MS14038	Penske Truck Leasing Co., L.P.				\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - Fontana	\$75,000.00	No
MS14043	City of Anaheim				\$175,000.00	\$0.00	Expansion of Existing CNG Station	\$175,000.00	No
MS14078	American Honda Motor Co., Inc.	9/4/2015	8/3/2022		\$150,000.00	\$0.00	New Public Access CNG Station	\$150,000.00	No
MS14085	Prologis, L.P.				\$100,000.00	\$0.00	New Limited Access CNG Station	\$100,000.00	No
MS14086	San Gabriel Valley Towing I				\$150,000.00	\$0.00	New Public Access CNG Station	\$150,000.00	No
MS14091	Serv-Wel Disposal				\$100,000.00	\$0.00	New Limited-Access CNG Infrastructure	\$100,000.00	No
Total: 10						•		,	
Closed Co.	ntracts								
ML14010	City of Cathedral City	8/13/2014	10/12/2015		\$25,000.00	\$25,000.00	Street Sweeping Operations	\$0.00	Yes
ML14011	City of Palm Springs	6/13/2014	1/12/2016		\$79,000.00	\$78,627.00	Bicycle Racks, Bicycle Outreach & Educatio	\$373.00	Yes
ML14014	City of Torrance	9/5/2014	12/4/2019		\$56,000.00	\$56,000.00	EV Charging Infrastructure	\$0.00	Yes
ML14015	Coachella Valley Association of Gove	6/6/2014	9/5/2015		\$250,000.00	\$250,000.00	Street Sweeping Operations	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML14020	County of Los Angeles Dept of Pub	8/13/2014	1/12/2018		\$150,000.00	\$0.00	San Gabriel BikeTrail Underpass Improveme	\$150,000.00	No
ML14029	City of Irvine	7/11/2014	6/10/2017		\$90,500.00	\$71,056.78	Bicycle Trail Improvements	\$19,443.22	Yes
ML14051	City of Brea	9/5/2014	1/4/2017	7/4/2018	\$450,000.00	\$450,000.00	Installation of Bicycle Trail	\$0.00	Yes
ML14054	City of Torrance	11/14/2014	4/13/2017	7/13/2017	\$350,000.00	\$319,908.80	Upgrade Maintenance Facility	\$30,091.20	Yes
ML14055	City of Highland	10/10/2014	3/9/2018	3/9/2019	\$500,000.00	\$489,385.24	Bicycle Lanes and Outreach	\$10,614.76	Yes
ML14056	City of Redlands	9/5/2014	5/4/2016	5/4/2018	\$125,000.00	\$125,000.00	Bicycle Lanes	\$0.00	Yes
ML14065	City of Orange	9/5/2014	8/4/2015		\$10,000.00	\$10,000.00	Electric Vehicle Charging Infrastructure	\$0.00	Yes
ML14070	City of Rancho Cucamonga	9/3/2016	12/2/2018		\$365,245.00	\$326,922.25	Bicycle Trail Improvements	\$38,322.75	Yes
ML14071	City of Manhattan Beach	1/9/2015	11/8/2018		\$22,485.00	\$22,485.00	Electric Vehicle Charging Infrastructure	\$0.00	Yes
ML14094	City of Yucaipa	6/9/2017	6/8/2018		\$84,795.00	\$84,795.00	Installation of Bicycle Lanes	\$0.00	Yes
ML14095	City of South Pasadena	1/10/2019	7/9/2019		\$142,096.00	\$134,182.09	Bicycle Trail Improvements	\$7,913.91	Yes
ML14096	County of Los Angeles Dept of Pub	5/3/2019	12/2/2019	3/2/2020	\$74,186.00	\$74,186.00	San Gabriel BikeTrail Underpass Improveme	\$0.00	Yes
MS14001	Los Angeles County MTA	3/6/2015	4/30/2015		\$1,216,637.00	\$1,199,512.68	Clean Fuel Transit Service to Dodger Stadiu	\$17,124.32	Yes
MS14002	Orange County Transportation Autho	9/6/2013	4/30/2014		\$576,833.00	\$576,833.00	Clean Fuel Transit Service to Orange County	\$0.00	Yes
MS14003	Orange County Transportation Autho	8/1/2013	4/30/2014	10/30/2014	\$194,235.00	\$184,523.00	Implement Metrolink Service to Angel Stadiu	\$9,712.00	Yes
MS14004	Orange County Transportation Autho	9/24/2013	4/30/2014		\$36,800.00	\$35,485.23	Implement Express Bus Service to Solar De	\$1,314.77	Yes
MS14005	Transit Systems Unlimited, Inc.	4/11/2014	2/28/2016		\$515,200.00	\$511,520.00	Provide Expanded Shuttle Service to Hollyw	\$3,680.00	Yes
MS14007	Orange County Transportation Autho	6/6/2014	4/30/2015		\$208,520.00	\$189,622.94	Implement Special Metrolink Service to Ange	\$18,897.06	Yes
MS14008	Orange County Transportation Autho	8/13/2014	5/31/2015		\$601,187.00	\$601,187.00	Implement Clean Fuel Bus Service to Orang	\$0.00	Yes
MS14009	A-Z Bus Sales, Inc.	1/17/2014	12/31/2014	3/31/2015	\$388,000.00	\$388,000.00	Alternative Fuel School Bus Incentive Progra	\$0.00	Yes
MS14039	Waste Management Collection and R	7/10/2015	4/9/2016		\$75,000.00	\$75,000.00	Vehicle Maint. Fac. Modifications - Irvine	\$0.00	Yes
MS14040	Waste Management Collection and R	7/10/2015	4/9/2016		\$75,000.00	\$75,000.00	Vehicle Maint. Fac. Modifications - Santa An	\$0.00	Yes
MS14047	Southern California Regional Rail Aut	3/7/2014	9/30/2014		\$49,203.00	\$32,067.04	Special Metrolink Service to Autoclub Speed	\$17,135.96	Yes
MS14048	BusWest	3/14/2014	12/31/2014	5/31/2015	\$940,850.00	\$847,850.00	Alternative Fuel School Bus Incentive Progra	\$93,000.00	Yes
MS14058	Orange County Transportation Autho	11/7/2014	4/6/2016	4/6/2017	\$1,250,000.00	\$1,250,000.00	Implement Various Signal Synchronization P	\$0.00	Yes
MS14073	Anaheim Transportation Network	1/9/2015	4/30/2017		\$221,312.00	\$221,312.00	Anaheim Resort Circulator Service	\$0.00	Yes
MS14087	Orange County Transportation Autho	8/14/2015	4/30/2016		\$239,645.00	\$195,377.88	Implement Special Metrolink Service to Ange	\$44,267.12	Yes
MS14088	Southern California Regional Rail Aut	5/7/2015	9/30/2015		\$79,660.00	\$66,351.44	Special Metrolink Service to Autoclub Speed	\$13,308.56	Yes
MS14089	Top Shelf Consulting, LLC	1/18/2017	8/4/2016	3/31/2017	\$200,000.00	\$200,000.00	Enhanced Fleet Modernization Program	\$0.00	Yes
Total: 33									

Closed/Incomplete Contracts										
ML14050	City of Yucaipa	7/11/2014	9/10/2015	7/1/2016	\$84,795.00	\$0.00	Installation of Bicycle Lanes	\$84,795.00	No	
ML14060	County of Los Angeles Internal Servi	10/6/2017	1/5/2019		\$104,400.00	\$0.00	Electric Vehicle Charging Infrastructure	\$104,400.00	No	
ML14066	City of South Pasadena	9/12/2014	7/11/2016	2/11/2018	\$142,096.00	\$0.00	Bicycle Trail Improvements	\$142,096.00	No	
ML14093	County of Los Angeles Dept of Pub	8/14/2015	1/13/2019		\$150,000.00	\$0.00	San Gabriel BikeTrail Underpass Improveme	\$150,000.00	No	
MS14092	West Covina Unified School District	9/3/2016	12/2/2022		\$124,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$124,000.00	No	

Total: 5

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
Open/Comp	olete Contracts								
ML14013	City of Los Angeles, Bureau of Sanit	10/7/2016	2/6/2025		\$400,000.00	\$400,000.00	Purchase 14 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML14016	City of Anaheim	4/3/2015	9/2/2021		\$380,000.00	\$380,000.00	Purchase 2 H.D. Vehicles, Expansion of Exis	\$0.00	Yes
ML14019	City of Corona Public Works	12/5/2014	6/4/2020	3/6/2023	\$111,518.00	\$111,517.18	EV Charging, Bicycle Racks, Bicycle Locker	\$0.82	Yes
ML14022	County of Los Angeles Department o	10/2/2015	5/1/2022		\$270,000.00	\$270,000.00	Purchase 9 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML14025	County of Los Angeles Dept of Public	10/2/2015	7/1/2018	7/1/2024	\$300,000.00	\$300,000.00	Construct New CNG Station in Malibu	\$0.00	Yes
ML14026	County of Los Angeles Dept of Public	10/2/2015	5/1/2023	5/1/2024	\$300,000.00	\$300,000.00	Construct New CNG Station in Castaic	\$0.00	Yes
ML14028	City of Fullerton	9/5/2014	1/4/2022		\$126,950.00	\$126,950.00	Expansion of Exisiting CNG Infrastructure	\$0.00	Yes
ML14031	Riverside County Waste Managemen	6/13/2014	12/12/2020		\$90,000.00	\$90,000.00	Purchase 3 H.D. CNG Vehicles	\$0.00	Yes
ML14032	City of Rancho Cucamonga	1/9/2015	1/8/2022		\$113,990.00	\$104,350.63	Expansion of Existing CNG Infras., Bicycle L	\$9,639.37	Yes
ML14033	City of Irvine	7/11/2014	2/10/2021	2/10/2022	\$60,000.00	\$60,000.00	Purchase 2 H.D. CNG Vehicles	\$0.00	Yes
ML14034	City of Lake Elsinore	9/5/2014	5/4/2021		\$56,700.00	\$56,700.00	EV Charging Stations	\$0.00	Yes
ML14049	City of Moreno Valley	7/11/2014	3/10/2021		\$105,000.00	\$101,976.09	One HD Nat Gas Vehicle, EV Charging, Bicy	\$3,023.91	Yes
ML14061	City of La Habra	3/11/2016	3/10/2022		\$41,600.00	\$41,270.49	Purchase Two Heavy-Duty Nat. Gas Vehicle	\$329.51	Yes
ML14062	City of San Fernando	3/27/2015	5/26/2021	10/31/2023	\$325,679.00	\$325,679.00	Expand Existing CNG Fueling Station	\$0.00	Yes
ML14064	City of Claremont	7/11/2014	7/10/2020	1/10/2021	\$60,000.00	\$60,000.00	Purchase Two Heavy-Duty Nat. Gas Vehicle	\$0.00	Yes
ML14067	City of Duarte	12/4/2015	1/3/2023	6/3/2024	\$60,000.00	\$60,000.00	Purchase Two Electric Buses	\$0.00	Yes
MS14041	USA Waste of California, Inc.	9/4/2015	10/3/2021		\$175,000.00	\$175,000.00	Limited-Access CNG Station, Vehicle Maint.	\$0.00	Yes
MS14042	Grand Central Recycling & Transfer	6/6/2014	9/5/2021		\$150,000.00	\$150,000.00	Expansion of Existing CNG Station	\$0.00	Yes
MS14044	TIMCO CNG Fund I, LLC	5/2/2014	11/1/2020		\$150,000.00	\$150,000.00	New Public-Access CNG Station in Santa An	\$0.00	Yes
MS14045	TIMCO CNG Fund I, LLC	6/6/2014	12/5/2020		\$150,000.00	\$150,000.00	New Public-Access CNG Station in Inglewoo	\$0.00	Yes
MS14046	Ontario CNG Station Inc.	5/15/2014	5/14/2020	11/14/2021	\$150,000.00	\$150,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS14052	Arcadia Unified School District	6/13/2014	10/12/2020		\$78,000.00	\$78,000.00	Expansion of an Existing CNG Fueling Statio	\$0.00	Yes
MS14053	Upland Unified School District	1/9/2015	7/8/2021		\$175,000.00	\$175,000.00	Expansion of Existing CNG Infrastructure	\$0.00	No
MS14074	Midway City Sanitary District	1/9/2015	3/8/2021		\$250,000.00	\$250,000.00	Limited-Access CNG Station & Facility Modif	\$0.00	Yes
MS14075	Fullerton Joint Union High School Dis	7/22/2016	11/21/2023		\$300,000.00	\$293,442.00	Expansion of Existing CNG Infrastructure/Ma	\$6,558.00	Yes
MS14076	Rialto Unified School District	6/17/2015	2/16/2022	6/25/2023	\$225,000.00	\$225,000.00	New Public Access CNG Station	\$0.00	Yes
MS14077	County Sanitation Districts of L.A. Co	3/6/2015	5/5/2021		\$175,000.00	\$175,000.00	New Limited Access CNG Station	\$0.00	Yes
MS14080	CR&R Incorporated	6/1/2015	8/31/2021	8/31/2022	\$200,000.00	\$200,000.00	Expansion of Existing CNG Infrastructure/Ma	\$0.00	No
MS14081	CR&R Incorporated	6/1/2015	5/30/2021		\$175,000.00	\$100,000.00	Expansion of Existing CNG Infrastructure/Ma	\$75,000.00	No
MS14082	Grand Central Recycling & Transfer	12/4/2015	3/3/2023	3/3/2024	\$150,000.00	\$150,000.00	Construct New Public Access CNG Station	\$0.00	Yes
MS14084	US Air Conditioning Distributors	5/7/2015	9/6/2021		\$100,000.00	\$100,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS14090	City of Monterey Park	5/7/2015	5/6/2021		\$225,000.00	\$225,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes

Total: 32

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
FY 2014	4-2016 Contracts								
Open Cont	racts								
ML16006	City of Cathedral City	4/27/2016	4/26/2022		\$25,000.00	\$0.00	Bicycle Outreach	\$25,000.00	No
ML16007	City of Culver City Transportation De	10/6/2015	4/5/2023		\$246,000.00	\$210,000.00	Purchase 7 H.D. Nat. Gas Vehicles, EV Cha	\$36,000.00	No
ML16008	City of Pomona	9/20/2016	11/19/2022	5/19/2025	\$60,000.00	\$0.00	Purchase 3 Medium-Duty and 1 Heavy-Duty	\$60,000.00	No
ML16010	City of Fullerton	10/7/2016	4/6/2023	4/6/2024	\$78,222.00	\$27,896.71	Expand Existing CNG Station, EV Charging I	\$50,325.29	No
ML16017	City of Long Beach	2/5/2016	8/4/2023	1/4/2026	\$1,445,400.00	\$1,375,400.00	Purchase 50 Medium-Duty, 17 H.D. Nat. Ga	\$70,000.00	No
ML16018	City of Hermosa Beach	10/7/2016	1/6/2023		\$29,520.00	\$23,768.44	Purchase 2 M.D. Nat. Gas Vehicles, Bicycle	\$5,751.56	No
ML16022	Los Angeles Department of Water an	5/5/2017	3/4/2024	9/4/2025	\$360,000.00	\$0.00	Purchase 12 H.D. Nat. Gas Vehicles	\$360,000.00	No
ML16025	City of South Pasadena	6/22/2016	4/21/2023	10/21/2024	\$160,000.00	\$0.00	Purchase H.D. Nat. Gas Vehicle, Expand Exi	\$160,000.00	No
ML16032	City of Azusa	9/9/2016	4/8/2019	4/8/2021	\$474,925.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$474,925.00	No
ML16034	City of Riverside	3/11/2016	10/10/2018	7/10/2020	\$500,000.00	\$500,000.00	Implement a "Complete Streets" Pedestrian	\$0.00	No
ML16038	City of Palm Springs	4/1/2016	7/31/2022	9/30/2022	\$170,000.00	\$0.00	Install Bicycle Lanes & Purchase 2 Heavy-D	\$170,000.00	No
ML16039	City of Torrance Transit Department	1/6/2017	9/5/2022	9/5/2023	\$32,000.00	\$0.00	Install EV Charging Infrastructure	\$32,000.00	No
ML16040	City of Eastvale	1/6/2017	7/5/2022	7/5/2026	\$110,000.00	\$0.00	Install EV Charging Infrastructure	\$110,000.00	No
ML16041	City of Moreno Valley	9/3/2016	1/2/2021	1/2/2024	\$20,000.00	\$0.00	Install EV Charging Infrastructure	\$20,000.00	No
ML16042	City of San Dimas	4/1/2016	12/31/2019	12/31/2021	\$55,000.00	\$0.00	Install EV Charging Infrastructure	\$55,000.00	No
ML16046	City of El Monte	4/1/2016	5/31/2021	5/31/2023	\$20,160.00	\$0.00	Install EV Charging Infrastructure	\$20,160.00	No
ML16047	City of Fontana	1/6/2017	8/5/2019	8/5/2021	\$500,000.00	\$0.00	Enhance an Existing Class 1 Bikeway	\$500,000.00	No
ML16048	City of Placentia	3/26/2016	5/25/2021	6/25/2022	\$90,000.00	\$18,655.00	Install a Bicycle Locker and EV Charging Infr	\$71,345.00	No
ML16052	City of Rancho Cucamonga	9/3/2016	11/2/2019	3/31/2021	\$315,576.00	\$0.00	Install Two Class 1 Bikeways	\$315,576.00	No
ML16053	City of Claremont	3/11/2016	7/10/2018	12/10/2020	\$498,750.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$498,750.00	No
ML16057	City of Yucaipa	4/27/2016	1/26/2019	1/26/2021	\$380,000.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$380,000.00	No
ML16070	City of Beverly Hills	2/21/2017	6/20/2023		\$90,000.00	\$0.00	Purchase 3 H.D. Nat. Gas Vehicles	\$90,000.00	No
ML16071	City of Highland	5/5/2017	1/4/2020	1/4/2022	\$264,500.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$264,500.00	No
ML16075	City of San Fernando	10/27/2016	2/26/2019	2/26/2021	\$354,000.00	\$0.00	Install a Class 1 Bikeway	\$354,000.00	No
ML16077	City of Rialto	5/3/2018	10/2/2021	2/2/2023	\$463,216.00	\$158,105.51	Pedestrian Access Improvements, Bicycle L	\$305,110.49	No
ML16083	City of El Monte	4/1/2016	4/30/2021	4/30/2023	\$57,210.00	\$25,375.60	Install EV Charging Infrastructure	\$31,834.40	No
MS16086	San Bernardino County Transportatio	9/3/2016	10/2/2021		\$800,625.00	\$530,127.84	Freeway Service Patrols	\$270,497.16	No
MS16090	Los Angeles County MTA	10/27/2016	4/26/2020	10/26/2020	\$2,500,000.00	\$0.00	Expansion of the Willowbrook/Rosa Parks Tr	\$2,500,000.00	No
MS16094	Riverside County Transportation Co	1/25/2017	1/24/2022		\$1,909,241.00	\$0.00	MetroLink First Mile/Last Mile Mobility Strate	\$1,909,241.00	No
MS16096	San Bernardino County Transportatio	10/27/2016	12/26/2019	6/30/2021	\$450,000.00	\$0.00	EV Charging Infrastructure	\$450,000.00	No
MS16110	City of Riverside	10/6/2017	2/5/2025	2/5/2026	\$300,000.00	\$71,250.00	Expansion of Existing CNG Station and Main	\$228,750.00	No
MS16115	City of Santa Monica	4/14/2017	7/13/2025		\$870,000.00	\$427,500.00	Repower 58 Transit Buses	\$442,500.00	No
MS16117	Omnitrans	4/21/2017	6/20/2023		\$175,000.00	\$175,000.00	Expansion of Existing CNG Infrastructure	\$0.00	No
MS16118	Omnitrans	4/21/2017	6/20/2023		\$175,000.00	\$175,000.00	Expansion of Existing CNG Infrastructure	\$0.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS16119	Omnitrans	4/21/2017	8/20/2022		\$150,000.00	\$0.00	New Public Access CNG Station	\$150,000.00	No
MS16120	Omnitrans	4/7/2017	5/6/2025		\$945,000.00	\$0.00	Repower 63 Existing Buses	\$945,000.00	No
MS16121	Long Beach Transit	11/3/2017	4/2/2024	11/30/2026	\$600,000.00	\$14,250.00	Repower 39 and Purchase 1 New Transit Bu	\$585,750.00	No
MS16123	Orange County Transportation Autho	12/7/2018	11/6/2023		\$91,760.00	\$0.00	Install La Habra Union Pacific Bikeway	\$91,760.00	No
MS16124	Riverside County Transportation Co	12/14/2018	12/14/2019	5/14/2020	\$253,239.00	\$226,551.89	Extended Freeway Service Patrols	\$26,687.11	No
MS16125	San Bernardino County Transportatio	9/20/2019	11/19/2020		\$1,000,000.00	\$0.00	Traffic Signal Synchronization Projects	\$1,000,000.00	No
Total: 40					1	1		-	
Declined/C	ancelled Contracts								
ML16014	City of Dana Point				\$153,818.00	\$0.00	Extend an Existing Class 1 Bikeway	\$153,818.00	No
ML16065	City of Temple City				\$500,000.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$500,000.00	No
ML16067	City of South El Monte				\$73,329.00	\$0.00	Implement an "Open Streets" Event	\$73,329.00	No
ML16074	City of La Verne	7/22/2016	1/21/2023		\$365,000.00	\$0.00	Install CNG Fueling Station	\$365,000.00	No
MS16043	LBA Realty Company LLC				\$100,000.00	\$0.00	Install Limited-Access CNG Station	\$100,000.00	No
MS16080	Riverside County Transportation Co				\$1,200,000.00	\$0.00	Passenger Rail Service for Coachella and St	\$1,200,000.00	No
MS16098	Long Beach Transit				\$198,957.00	\$0.00	Provide Special Bus Service to Stub Hub Ce	\$198,957.00	No
MS16104	City of Perris				\$175,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$175,000.00	No
MS16106	City of Lawndale	3/1/2019	11/30/2025		\$175,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$175,000.00	No
MS16107	Athens Services				\$100,000.00	\$0.00	Construct a Limited-Access CNG Station	\$100,000.00	No
MS16108	VNG 5703 Gage Avenue, LLC				\$150,000.00	\$0.00	Construct Public-Access CNG Station in Bell	\$150,000.00	No
MS16109	Sanitation Districts of Los Angeles C				\$275,000.00	\$0.00	Expansion of an Existing L/CNG Station	\$275,000.00	No
MS16111	VNG 925 Lakeview Avenue, LLC				\$150,000.00	\$0.00	Construct Public Access CNG Station in Pla	\$150,000.00	No
Total: 13				•					
Closed Cor	ntracts								
ML16009	City of Fountain Valley	10/6/2015	2/5/2018	5/5/2019	\$46,100.00	\$46,100.00	Install EV Charging Infrastructure	\$0.00	Yes
ML16015	City of Yorba Linda	3/4/2016	11/3/2017		\$85,000.00	\$85,000.00	Install Bicycle Lanes	\$0.00	No
ML16020	City of Pomona	4/1/2016	2/1/2018	8/1/2018	\$440,000.00	\$440,000.00	Install Road Surface Bicycle Detection Syste	\$0.00	Yes
ML16026	City of Downey	5/6/2016	9/5/2017		\$40,000.00	\$40,000.00	Install EV Charging Infrastructure	\$0.00	No
ML16028	City of Azusa	9/9/2016	4/8/2018		\$25,000.00	\$25,000.00	Enhance Existing Class 1 Bikeway	\$0.00	Yes
ML16031	City of Cathedral City	12/19/2015	2/18/2017		\$25,000.00	\$25,000.00	Street Sweeping in Coachella Valley	\$0.00	Yes
ML16033	Coachella Valley Association of Gove	4/27/2016	4/26/2018		\$250,000.00	\$250,000.00	Street Sweeping Operations in Coachella Val	\$0.00	Yes
ML16035	City of Wildomar	4/1/2016	11/1/2017		\$500,000.00	\$0.00	Install Bicycle Lanes	\$500,000.00	No
ML16036	City of Brea	3/4/2016	12/3/2018		\$500,000.00	\$500,000.00	Install a Class 1 Bikeway	\$0.00	Yes
ML16045	City of Anaheim	6/22/2016	8/21/2019		\$275,000.00	\$255,595.08	Maintenance Facility Modifications	\$19,404.92	Yes
ML16049	City of Buena Park	4/1/2016	11/30/2018		\$429,262.00	\$429,262.00	Installation of a Class 1 Bikeway	\$0.00	Yes
		_ , , _ ,					1	001000	<del> </del>

\$320,000.00

\$120,000.00

\$73,910.00

\$258,691.25

\$120,000.00

\$62,480.00

Implement "Open Streets" Event with Variou

Implement a "Complete Streets" Pedestrian

Implement an "Open Streets" Event

\$61,308.75

\$11,430.00

\$0.00

Yes

Yes

Yes

ML16051

ML16054

ML16060

City of South Pasadena

City of Yucaipa

City of Cudahy

2/12/2016

3/26/2016

2/5/2016

1/11/2017

7/26/2018

10/4/2017

12/11/2017

10/25/2019

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML16061	City of Murrieta	4/27/2016	1/26/2020		\$11,642.00	\$9,398.36	Installation of EV Charging Infrastructure	\$2,243.64	Yes
ML16062	City of Colton	6/3/2016	7/2/2020		\$21,003.82	\$21,003.82	Installation of EV Charging Infrastructure	\$0.00	Yes
ML16064	County of Orange, OC Parks	2/21/2017	10/20/2018		\$204,073.00	\$157,632.73	Implement "Open Streets" Events with Vario	\$46,440.27	Yes
ML16066	City of Long Beach Public Works	1/13/2017	9/12/2018		\$75,050.00	\$63,763.62	Implement an "Open Streets" Event	\$11,286.38	Yes
ML16068	Riverside County Dept of Public Heal	12/2/2016	8/1/2018		\$171,648.00	\$171,648.00	Implement "Open Streets" Events with Vario	\$0.00	Yes
ML16073	City of Long Beach Public Works	1/13/2017	7/12/2017		\$50,000.00	\$50,000.00	Implement an "Open Streets" Event	\$0.00	Yes
ML16078	City of Moreno Valley	5/6/2016	11/5/2017	5/5/2018	\$32,800.00	\$31,604.72	Install Bicycle Infrastructure & Implement Bic	\$1,195.28	Yes
ML16079	City of Yucaipa	4/1/2016	3/31/2020		\$5,000.00	\$5,000.00	Purchase Electric Lawnmower	\$0.00	Yes
ML16122	City of Wildomar	6/8/2018	6/7/2019		\$500,000.00	\$500,000.00	Install Bicycle Lanes	\$0.00	Yes
MS16001	Los Angeles County MTA	4/1/2016	4/30/2017		\$1,350,000.00	\$1,332,039.84	Clean Fuel Transit Service to Dodger Stadiu	\$17,960.16	Yes
MS16002	Orange County Transportation Autho	10/6/2015	5/31/2016		\$722,266.00	\$703,860.99	Clean Fuel Transit Service to Orange County	\$18,405.01	Yes
MS16003	Special Olympics World Games Los	10/9/2015	12/30/2015		\$380,304.00	\$380,304.00	Low-Emission Transportation Service for Sp	\$0.00	Yes
MS16004	Mineral LLC	9/4/2015	7/3/2017	1/3/2018	\$27,690.00	\$9,300.00	Design, Develop, Host and Maintain MSRC	\$18,390.00	Yes
MS16029	Orange County Transportation Autho	1/12/2018	6/11/2020		\$836,413.00	\$567,501.06	TCM Partnership Program - OC Bikeways	\$268,911.94	Yes
MS16030	Better World Group Advisors	12/19/2015	12/31/2017	12/31/2019	\$271,619.00	\$245,355.43	Programmic Outreach Services to the MSRC	\$26,263.57	Yes
MS16084	Transit Systems Unlimited, Inc.	5/6/2016	2/28/2018		\$565,600.00	\$396,930.00	Implement Special Shuttle Service from Unio	\$168,670.00	No
MS16085	Southern California Regional Rail Aut	3/11/2016	9/30/2016		\$78,033.00	\$64,285.44	Special MetroLink Service to Autoclub Spee	\$13,747.56	No
MS16089	Orange County Transportation Autho	7/8/2016	4/30/2017		\$128,500.00	\$128,500.00	Implement Special Bus Service to Angel Sta	\$0.00	Yes
MS16092	San Bernardino County Transportatio	2/3/2017	1/2/2019		\$242,937.00	\$242,016.53	Implement a Series of "Open Streets" Event	\$920.47	Yes
MS16093	Orange County Transportation Autho	9/3/2016	3/2/2018	9/2/2018	\$1,553,657.00	\$1,499,575.85	Implement a Mobile Ticketing System	\$54,081.15	Yes
MS16095	Orange County Transportation Autho	7/22/2016	5/31/2017		\$694,645.00	\$672,864.35	Implement Special Bus Service to Orange C	\$21,780.65	Yes
MS16099	Foothill Transit	3/3/2017	3/31/2017		\$50,000.00	\$50,000.00	Provide Special Bus Service to the Los Ange	\$0.00	Yes
MS16100	Southern California Regional Rail Aut	5/5/2017	9/30/2017		\$80,455.00	\$66,169.43	Provide Metrolink Service to Autoclub Speed	\$14,285.57	Yes
Total: 37									
Closed/Inc	omplete Contracts								
ML16005	City of Palm Springs	3/4/2016	10/3/2017		\$40,000.00	\$0.00	Install Bicycle Racks, and Implement Bicycle	\$40,000.00	No
MS16082	Riverside County Transportation Co	9/3/2016	8/2/2018		\$590,759.00	\$337,519.71	Extended Freeway Service Patrols	\$253,239.29	No
MS16091	San Bernardino County Transportatio	10/7/2016	11/6/2018		\$1,000,000.00	\$0.00	Traffic Signal Synchronization Projects	\$1,000,000.00	No
Total: 3									
Open/Com	plete Contracts								
ML16011	City of Claremont	10/6/2015	6/5/2022		\$90,000.00	\$90,000.00	Purchase 3 Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes
ML16012	City of Carson	1/15/2016	10/14/2022		\$60,000.00	\$60,000.00	Purchase 2 Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes
ML16013	City of Monterey Park	12/4/2015	7/3/2022	7/3/2024	\$90,000.00	\$90,000.00	Purchase 3 Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes
	01: 41 4 1 5 45					*	B 1 8411 B 1 11 1 8 11 11 11		

\$630,000.00

\$102,955.00

\$49,400.00

\$30,000.00

\$630,000.00

\$102,955.00

\$49,399.00

\$30,000.00

Purchase 21 Heavy-Duty Nat. Gas Vehicles

Install EV Charging Infrastructure

Install EV Charging Infrastructure

Purchase 1 H.D. Nat. Gas Vehicle

\$0.00

\$0.00

\$1.00

\$0.00

Yes

Yes

Yes

Yes

ML16016

ML16019

ML16021

ML16023

City of Los Angeles Dept of General

City of Los Angeles, Dept of General

City of Santa Clarita

City of Banning

2/5/2016

1/25/2017

10/7/2016

12/11/2015

12/4/2022

3/24/2023

6/6/2024

12/10/2021

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML16024	City of Azusa	4/27/2016	2/26/2022		\$30,000.00	\$30,000.00	Purchase 1 H.D. Nat. Gas Vehicle	\$0.00	Yes
ML16027	City of Whittier	1/8/2016	11/7/2022		\$30,000.00	\$30,000.00	Purchase 1 H.D. Nat. Gas Vehicle	\$0.00	Yes
ML16037	City of Rancho Cucamonga	2/5/2016	11/4/2022		\$30,000.00	\$30,000.00	Purchase One Heavy-Duty Natural Gas Vehi	\$0.00	Yes
ML16050	City of Westminster	5/6/2016	7/5/2020	5/5/2022	\$115,000.00	\$93,925.19	Installation of EV Charging Infrastructure	\$21,074.81	No
ML16055	City of Ontario	5/6/2016	5/5/2022		\$270,000.00	\$270,000.00	Purchase Nine Heavy-Duty Natural-Gas Vehi	\$0.00	Yes
ML16056	City of Ontario	3/23/2016	9/22/2020	9/22/2021	\$106,565.00	\$106,565.00	Expansion of an Existing CNG Station	\$0.00	Yes
ML16058	Los Angeles County Department of P	10/7/2016	4/6/2024		\$371,898.00	\$371,898.00	Purchase 11 H.D. Nat. Gas Vehicles and Ins	\$0.00	No
ML16059	City of Burbank	4/1/2016	2/28/2022		\$180,000.00	\$180,000.00	Purchase 6 H.D. Nat. Gas Vehicles	\$0.00	No
ML16063	City of Glendora	3/4/2016	4/3/2022		\$30,000.00	\$30,000.00	Purchase One H.D. Nat. Gas Vehicle	\$0.00	Yes
ML16069	City of West Covina	3/10/2017	6/9/2021		\$54,199.00	\$54,199.00	Installation of EV Charging Infrastructure	\$0.00	Yes
ML16072	City of Palm Desert	3/4/2016	1/4/2020	1/3/2022	\$56,000.00	\$56,000.00	Installation of EV Charging Infrastructure	\$0.00	Yes
ML16076	City of San Fernando	2/21/2017	8/20/2021		\$43,993.88	\$43,993.88	Install EV Charging Infrastructure	\$0.00	Yes
ML16126	City of Palm Springs	7/31/2019	7/30/2020	10/30/2020	\$22,000.00	\$19,279.82	Install Bicycle Racks, and Implement Bicycle	\$2,720.18	Yes
MS16081	EDCO Disposal Corporation	3/4/2016	10/3/2022		\$150,000.00	\$150,000.00	Expansion of Existing Public Access CNG St	\$0.00	Yes
MS16087	Burrtec Waste & Recycling Services,	7/8/2016	3/7/2023		\$100,000.00	\$100,000.00	Construct New Limited-Access CNG Station	\$0.00	Yes
MS16088	Transit Systems Unlimited, Inc.	5/12/2017	1/11/2023		\$17,000.00	\$17,000.00	Expansion of Existing CNG Station	\$0.00	Yes
MS16097	Walnut Valley Unified School District	10/7/2016	11/6/2022		\$250,000.00	\$250,000.00	Expand CNG Station & Modify Maintenance	\$0.00	Yes
MS16102	Nasa Services, Inc.	2/21/2017	4/20/2023		\$100,000.00	\$100,000.00	Construct a Limited-Access CNG Station	\$0.00	No
MS16103	Arrow Services, Inc.	2/3/2017	4/2/2023		\$100,000.00	\$100,000.00	Construct a Limited-Access CNG Station	\$0.00	Yes
MS16105	Huntington Beach Union High School	3/3/2017	7/2/2024		\$175,000.00	\$175,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS16112	Orange County Transportation Autho	4/14/2017	3/13/2024		\$1,470,000.00	\$1,470,000.00	Repower Up to 98 Transit Buses	\$0.00	No
MS16113	Los Angeles County MTA	5/12/2017	4/11/2024		\$1,875,000.00	\$1,875,000.00	Repower Up to 125 Transit Buses	\$0.00	Yes
MS16114	City of Norwalk	3/3/2017	6/2/2024		\$45,000.00	\$32,170.00	Purchase 3 Transit Buses	\$12,830.00	Yes
MS16116	Riverside Transit Agency	3/3/2017	1/2/2023		\$10,000.00	\$9,793.00	Purchase One Transit Bus	\$207.00	No

Total: 31

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
FY 2016	6-2018 Contracts								
Open Cont	racts								
ML18020	City of Colton	5/3/2018	4/2/2024		\$67,881.00	\$35,667.00	Purchase One Medium-Duty and One Heavy	\$32,214.00	No
ML18022	City of Desert Hot Springs	5/3/2018	1/2/2020	1/2/2021	\$50,000.00	\$50,000.00	Traffic Signal and Synchronization Project	\$0.00	No
ML18030	City of Grand Terrace	6/28/2018	3/27/2022	3/27/2025	\$45,000.00	\$0.00	Install EVSE	\$45,000.00	No
ML18031	City of Diamond Bar	9/7/2018	11/6/2025		\$73,930.00	\$0.00	Install EVSE, Purchase up to 2-LD Vehicles	\$73,930.00	No
ML18032	City of Arcadia	2/1/2019	4/30/2025		\$24,650.00	\$24,650.00	Purchase 1 Heavy-Duty Near-ZEV	\$0.00	No
ML18034	City of Calabasas	6/8/2018	3/7/2022	3/7/2023	\$50,000.00	\$0.00	Install EVSE	\$50,000.00	No
ML18036	City of Indian Wells	8/8/2018	5/7/2023		\$50,000.00	\$0.00	Install EV Charging Station	\$50,000.00	No
ML18038	City of Anaheim	10/5/2018	5/4/2025	5/4/2026	\$221,500.00	\$147,883.27	Purchase 5 Light-Duty ZEVs and Install EVS	\$73,616.73	No
ML18039	City of Redlands	6/28/2018	7/27/2024	1/27/2025	\$87,000.00	\$0.00	Purchase 1 Medium/Heavy-Duty ZEV and In	\$87,000.00	No
ML18041	City of West Hollywood	8/8/2018	12/7/2023		\$50,000.00	\$0.00	Install EV Charging Infrastructure	\$50,000.00	No
ML18043	City of Yorba Linda	9/7/2018	12/6/2023		\$87,990.00	\$0.00	Install EV Charging Infrastructure	\$87,990.00	No
ML18044	City of Malibu	8/8/2018	10/7/2022	10/7/2023	\$50,000.00	\$0.00	Install EV Charging Infrastructure	\$50,000.00	No
ML18046	City of Santa Ana	11/9/2018	7/8/2026		\$385,000.00	\$0.00	Purchase 6 Light-Duty ZEVs, 9 Heavy-Duty	\$385,000.00	No
ML18047	City of Whittier	8/8/2018	4/7/2026		\$113,910.00	\$45,564.00	Purchase 5 Heavy-Duty Near-Zero Emission	\$68,346.00	No
ML18050	City of Irvine	9/7/2018	8/6/2028		\$330,490.00	\$0.00	Purchase 1 Medium/Heavy-Duty ZEV and In	\$330,490.00	No
ML18051	City of Rancho Cucamonga	3/1/2019	10/31/2025		\$227,040.00	\$0.00	Purchase 9 Light-Duty ZEVs, 2 Med-Duty ZE	\$227,040.00	No
ML18053	City of Paramount	9/7/2018	3/6/2023		\$64,675.00	\$0.00	Install EV Charging Infrastructure	\$64,675.00	No
ML18055	City of Long Beach Fleet Services Bu	11/29/2018	11/28/2026		\$622,220.00	\$103,465.30	Install EV Charging Stations	\$518,754.70	No
ML18056	City of Chino	3/29/2019	9/28/2023		\$103,868.00	\$0.00	Install EV Charging Infrastructure	\$103,868.00	No
ML18057	City of Carson	10/5/2018	7/4/2023		\$106,250.00	\$50,000.00	Purchase 5 Zero-Emission Vehicles and Infr	\$56,250.00	No
ML18058	City of Perris	10/12/2018	11/11/2024		\$94,624.00	\$0.00	Purchase 1 Med. H.D. ZEV and EV Charging	\$94,624.00	No
ML18059	City of Glendale Water & Power	2/1/2019	7/31/2026		\$260,500.00	\$0.00	Install Electric Vehicle Charging Infrastructur	\$260,500.00	No
ML18060	County of Los Angeles Internal Servi	10/5/2018	8/4/2026		\$1,367,610.00	\$271,648.00	Purchase 29 Light-Duty Zero Emission Vehic	\$1,095,962.00	No
ML18063	City of Riverside	6/7/2019	1/6/2027		\$383,610.00	\$0.00	Expand Existing CNG Station	\$383,610.00	No
ML18064	City of Eastvale	11/29/2018	4/28/2026		\$80,400.00	\$28,457.43	Purchase 2 Light-Duty, One Medium-Duty. Z	\$51,942.57	No
ML18067	City of Pico Rivera	9/7/2018	11/6/2022		\$83,500.00	\$0.00	Instal EVSE	\$83,500.00	No
ML18068	City of Mission Viejo	7/31/2019	6/30/2027		\$125,690.00	\$10,000.00	Purchase 2 Light-Duty ZEVs, Install EVSE &	\$115,690.00	No
ML18069	City of Torrance	3/1/2019	7/31/2027		\$187,400.00	\$0.00	Purchase 4 Heavy-Duty Near-Zero Emission	\$187,400.00	No
ML18078	County of Riverside	10/5/2018	10/4/2028		\$425,000.00	\$175,000.00	Purchase 17 Heavy-Duty Vehicles	\$250,000.00	No
ML18080	City of Santa Monica	1/10/2019	12/9/2023		\$121,500.00	\$14,748.62	Install EV Charging Stations	\$106,751.38	No
ML18081	City of Beaumont	10/5/2018	10/4/2022	10/4/2023	\$31,870.00	\$0.00	EV Charging Infrastructure	\$31,870.00	No
ML18082	City of Los Angeles Bureau of Sanita	8/30/2019	8/29/2028		\$900,000.00	\$0.00	Purchase Medium-Duty Vehicles and EV Ch	\$900,000.00	No
ML18083	City of San Fernando	11/2/2018	11/1/2022		\$20,000.00	\$0.00	Implement Traffic Signal Synchronization	\$20,000.00	No
ML18084	City of South El Monte	10/18/2019	9/17/2023		\$30,000.00	\$0.00	EV Charging Infrastructure	\$30,000.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML18087	City of Murrieta	3/29/2019	3/28/2025		\$143,520.00	\$143,520.00	Install Four EV Charging Stations	\$0.00	No
ML18088	City of Big Bear Lake	11/29/2018	8/28/2020	8/28/2021	\$50,000.00	\$0.00	Install Bicycle Trail	\$50,000.00	No
ML18089	City of Glendora	7/19/2019	4/18/2025	4/18/2026	\$50,760.00	\$0.00	Purchase a medium-duty ZEV	\$50,760.00	No
ML18090	City of Santa Clarita	5/9/2019	2/8/2023		\$122,000.00	\$0.00	Install Nine EV Charging Stations	\$122,000.00	No
ML18091	City of Temecula	1/19/2019	7/18/2023		\$141,000.00	\$0.00	Install Sixteen EV Charging Stations	\$141,000.00	No
ML18092	City of South Pasadena	2/1/2019	1/31/2025		\$50,000.00	\$0.00	Procure Two Light-Duty ZEVs and Install EV	\$50,000.00	No
ML18093	City of Monterey Park	2/1/2019	2/28/2026		\$25,000.00	\$0.00	Purchase Heavy-Duty Near-ZEV	\$25,000.00	No
ML18094	City of Laguna Woods	7/12/2019	12/11/2024		\$50,000.00	\$0.00	Install Two EV Charging Stations	\$50,000.00	No
ML18095	City of Gardena	11/9/2018	12/8/2024		\$25,000.00	\$0.00	Purchase Heavy-Duty Near-ZEV	\$25,000.00	No
ML18096	City of Highland	12/13/2019	8/12/2024		\$70,210.00	\$9,918.84	Purchase Light-Duty ZEV and Install Three E	\$60,291.16	No
ML18097	City of Temple City	11/29/2018	7/28/2022		\$16,000.00	\$12,000.00	Purchase Two Light-Duty ZEVs	\$4,000.00	No
ML18098	City of Redondo Beach	2/1/2019	3/31/2023	3/31/2024	\$89,400.00	\$0.00	Install Six EV Charging Stations	\$89,400.00	No
ML18099	City of Laguna Hills	3/1/2019	5/31/2023		\$32,250.00	\$0.00	Install Six EV Charging Stations	\$32,250.00	No
ML18101	City of Burbank	2/1/2019	4/30/2024		\$137,310.00	\$0.00	Install Twenty EV Charging Stations	\$137,310.00	No
ML18126	City of Lomita	12/7/2018	1/6/2020		\$26,500.00	\$0.00	Install bicycle racks and lanes	\$26,500.00	No
ML18128	City of Aliso Viejo	8/30/2019	11/29/2023		\$65,460.00	\$0.00	Purchase Two Light-Duty ZEVs and Install S	\$65,460.00	No
ML18129	City of Yucaipa	12/14/2018	3/13/2023		\$63,097.00	\$0.00	Install Six EV Charging Stations	\$63,097.00	No
ML18130	City of Lake Forest	3/1/2019	9/30/2022		\$106,480.00	\$0.00	Install Twenty-One EVSEs	\$106,480.00	No
ML18132	City of Montclair	4/5/2019	9/4/2023		\$50,000.00	\$0.00	Install Eight EVSEs	\$50,000.00	No
ML18133	City of Rancho Mirage	12/7/2018	11/6/2020		\$50,000.00	\$0.00	Traffic Signal Synchronization	\$50,000.00	No
ML18134	City of Los Angeles Dept of General	5/3/2019	5/2/2028		\$290,000.00	\$0.00	Purchase Five Medium-Duty ZEVs	\$290,000.00	No
ML18135	City of Azusa	12/6/2019	12/5/2029		\$55,000.00	\$0.00	Purchase Three Light-Duty ZEVs and One H	\$55,000.00	No
ML18136	City of Orange	4/12/2019	8/11/2024		\$42,500.00	\$30,000.00	Purchase Four Light-Duty ZEVs and Install	\$12,500.00	No
ML18137	City of Wildomar	3/1/2019	5/31/2021	12/1/2021	\$50,000.00	\$0.00	Install Bicycle Trail	\$50,000.00	No
ML18138	City of La Canada Flintridge	2/8/2019	5/7/2023		\$50,000.00	\$32,588.07	Install Four EVSEs and Install Bicycle Racks	\$17,411.93	No
ML18139	City of Calimesa	8/30/2019	7/29/2020	11/29/2021	\$50,000.00	\$0.00	Install Bicycle Lane	\$50,000.00	No
ML18140	City of Bell Gardens	12/14/2018	12/13/2028		\$50,000.00	\$0.00	Purchase Two Heavy-Duty Near-ZEVs	\$50,000.00	No
ML18141	City of Rolling Hills Estates	2/14/2020	1/13/2024		\$40,000.00	\$0.00	Purchase One Light-Duty ZEV and Install Tw	\$40,000.00	No
ML18142	City of La Quinta	4/24/2019	2/23/2023	8/23/2023	\$51,780.00	\$0.00	Install Two EV Charging Stations	\$51,780.00	No
ML18143	City of La Habra	10/18/2019	9/17/2025	9/17/2027	\$80,700.00	\$0.00	Install Two EV Charging Stations	\$80,700.00	No
ML18144	City of Fontana Public Works	10/4/2019	12/3/2023		\$269,090.00	\$0.00	Install Twelve EVSEs	\$269,090.00	No
ML18145	City of Los Angeles Dept of Transpor	1/10/2020	4/9/2027		\$1,400,000.00	\$0.00	Provide One Hundred Rebates to Purchaser	\$1,400,000.00	No
ML18146	City of South Gate	3/1/2019	11/30/2023		\$127,400.00	\$50,000.00	Purchase Five Light-Duty ZEVs and Install T	\$77,400.00	No
ML18147	City of Palm Springs	1/10/2019	1/9/2024		\$60,000.00	\$0.00	Install Eighteen EV Charging Stations	\$60,000.00	No
ML18151	County of San Bernardino Departme	8/25/2020	10/24/2029		\$200,000.00	\$0.00	Purchase Eight Heavy-Duty Near Zero Emis	\$200,000.00	No
ML18154	City of Hemet	11/22/2019	9/1/2023		\$30,000.00	\$0.00	Purchase Two Light-Duty ZEV and EV Charg	\$30,000.00	No
ML18156	City of Covina	2/1/2019	3/31/2023	12/31/2023	\$63,800.00	\$42,713.00	Purchase Four Light-Duty ZEVs and EV Cha	\$21,087.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML18157	City of Los Angeles Bureau of Street	6/21/2019	5/20/2027		\$85,000.00	\$0.00	Purchase One Medium-Duty ZEV	\$85,000.00	No
ML18159	City of Rialto	12/13/2019	5/12/2024		\$135,980.00	\$0.00	Purchase Nine Light-Duty ZEVs and EV Cha	\$135,980.00	No
ML18161	City of Indio	5/3/2019	10/2/2025		\$50,000.00	\$10,000.00	Purchase 1 Light-Duty Zero Emission, 1 Hea	\$40,000.00	No
ML18162	City of Costa Mesa	1/10/2020	7/9/2026		\$148,210.00	\$0.00	Purchase Four Light-Duty ZEVs and EV Cha	\$148,210.00	No
ML18163	City of San Clemente	3/8/2019	12/7/2024		\$85,000.00	\$70,533.75	Purchase Four Light-Duty ZEVs and EV Cha	\$14,466.25	No
ML18165	City of Baldwin Park	2/1/2019	1/30/2024		\$49,030.00	\$0.00	Expand CNG Station	\$49,030.00	No
ML18167	City of Beverly Hills	3/29/2019	6/28/2025		\$50,000.00	\$0.00	Purchase Two Heavy-Duty Near-Zero Emissi	\$50,000.00	No
ML18168	City of Maywood	3/29/2019	11/28/2022		\$7,059.00	\$0.00	Purchase EV Charging Infrastructure	\$7,059.00	No
ML18169	City of Alhambra	6/14/2019	8/13/2024		\$111,980.00	\$0.00	Install EV Charging Infrastructure	\$111,980.00	No
ML18170	City of Laguna Niguel	1/10/2020	8/9/2028		\$85,100.00	\$0.00	Purchase Two Light-Duty ZEVs and EV Char	\$85,100.00	No
ML18171	City of El Monte	3/1/2019	4/30/2025		\$119,757.00	\$0.00	Purchase One Heavy-Duty ZEVs and EV Ch	\$119,757.00	No
ML18172	City of Huntington Park	3/1/2019	2/28/2025		\$65,450.00	\$0.00	Purchase One Heavy-Duty ZEV	\$65,450.00	No
ML18173	City of Manhattan Beach	3/29/2019	2/28/2023		\$49,000.00	\$17,500.00	Purchase Two Light-Duty ZEVs and EV Char	\$31,500.00	No
ML18174	City of Bell	11/22/2019	7/21/2026		\$25,000.00	\$0.00	Purchase One Heavy-Duty ZEV	\$25,000.00	No
ML18176	City of Coachella	3/1/2019	11/30/2024		\$58,020.00	\$0.00	Install EV Charging Stations	\$58,020.00	No
ML18177	City of San Bernardino	6/7/2019		12/6/2026	\$279,088.00	\$0.00	Purchase Medium- and Heavy-Duty Evs and	\$279,088.00	No
ML18178	City of La Puente	11/1/2019	11/30/2025		\$25,000.00	\$0.00	Purchase One Heavy-Duty Near-Zero Emissi	\$25,000.00	No
MS18002	Southern California Association of G	6/9/2017	11/30/2018	4/30/2021	\$2,500,000.00	\$886,787.98	Regional Active Transportation Partnership	\$1,613,212.02	No
MS18003	Geographics	2/21/2017	2/20/2021		\$70,453.00	\$60,556.71	Design, Host and Maintain MSRC Website	\$9,896.29	No
MS18009	Penske Truck Leasing Co., L.P.	8/8/2018	12/7/2020		\$82,500.00	\$0.00	Modify Maintenance Facility & Train Technici	\$82,500.00	No
MS18015	Southern California Association of G	7/13/2018	2/28/2021	8/31/2021	\$2,000,000.00	\$0.00	Southern California Future Communities Part	\$2,000,000.00	No
MS18023	Riverside County Transportation Co	6/28/2018	6/27/2021		\$500,000.00	\$219,962.43	Weekend Freeway Service Patrols	\$280,037.57	No
MS18024	Riverside County Transportation Co	6/28/2018	8/27/2021		\$1,500,000.00	\$659,640.00	Vanpool Incentive Program	\$840,360.00	No
MS18025	Los Angeles County MTA	11/29/2018	5/31/2019		\$1,324,560.00	\$961,246.86	Special Bus and Train Service to Dodger Sta	\$363,313.14	Yes
MS18026	Omnitrans	10/5/2018	1/4/2020		\$83,000.00	\$0.00	Modify Vehicles Maintenance Facility and Tr	\$83,000.00	No
MS18027	City of Gardena	11/2/2018	9/1/2026		\$365,000.00	\$0.00	Install New Limited Access CNG, Modify Mai	\$365,000.00	No
MS18029	Irvine Ranch Water District	8/8/2018	10/7/2024		\$185,000.00	\$0.00	Install New Limited Access CNG Station & T	\$185,000.00	No
MS18065	San Bernardino County Transportatio	3/29/2019	8/28/2023		\$2,000,000.00	\$1,664,525.31	Implement Metrolink Line Fare Discount Pro	\$335,474.69	No
MS18066	El Dorado National	12/6/2019	2/5/2026		\$100,000.00	\$0.00	Install New Limited-Access CNG Station	\$100,000.00	No
MS18073	Los Angeles County MTA	1/10/2019	2/9/2026		\$2,000,000.00	\$0.00	Purchase 40 Zero-Emission Transit Buses	\$2,000,000.00	No
MS18104	Orange County Transportation Autho	2/21/2020	3/31/2021		\$212,000.00	\$165,235.92	Implement College Pass Transit Fare Subsid	\$46,764.08	No
MS18106	R.F. Dickson Co., Inc.	7/19/2019	1/18/2026		\$265,000.00	\$250,000.00	Expansion of Existing Infrastructure/Mechani	\$15,000.00	No
MS18108	Capistrano Unified School District	2/1/2019	5/30/2025		\$116,000.00	\$0.00	Expansion of Existing Infrastructure & Train	\$116,000.00	No
MS18110	Mountain View Unified School District	2/1/2019	3/31/2025		\$275,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$275,000.00	No
MS18112	Banning Unified School District	11/29/2018	11/28/2024	11/28/2025	\$275,000.00	\$0.00	Install New CNG Infrastructure	\$275,000.00	No
MS18114	Los Angeles County Department of P	11/15/2019	11/14/2026		\$175,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$175,000.00	No
MS18115	City of Commerce	6/7/2019	12/6/2025		\$275,000.00	\$0.00	Expansion of Existing L/CNG Infrastructure	\$275,000.00	No

			Original	Amended	Contract			Award	Billing
Cont.#	Contractor	Start Date	End Date	End Date	Value	Remitted	Project Description	Balance	Complete?
MS18116	Los Angeles County Department of P	11/15/2019	11/14/2026		\$175,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$175,000.00	No
MS18117	City of San Bernardino	6/7/2019	11/6/2025		\$240,000.00	\$0.00	Expansion of Existing CNG Infrastructure/Me	\$240,000.00	No
MS18118	City of Beverly Hills	3/29/2019	7/28/2025		\$85,272.00	\$0.00	Expansion of Existing CNG Infrastructure	\$85,272.00	No
MS18120	City of Redondo Beach	2/1/2019	9/30/2025		\$275,000.00	\$275,000.00	Install New Limited-Access CNG Infrastructu	\$0.00	No
MS18122	Universal Waste Systems, Inc.	2/1/2019	3/31/2025	3/31/2026	\$200,000.00	\$0.00	Install New Limited Acess CNG Infrastructur	\$200,000.00	No
MS18124	County Sanitation Districts of Los An	7/31/2019	2/28/2027		\$275,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$275,000.00	No
MS18125	U.S. Venture	5/9/2019	8/8/2025		\$200,000.00	\$180,000.00	Install New Limited-Access CNG Infrastructu	\$20,000.00	No
MS18175	Regents of the University of Californi	6/7/2019	8/6/2025		\$1,000,000.00	\$0.00	Expansion of Existing Hydrogen Station	\$1,000,000.00	No
Total: 116	3								
Pending Ex	recution Contracts								
ML18100	City of Brea				\$56,500.00	\$0.00	Install Thirteen EV Charging Stations	\$56,500.00	No
ML18148	City of San Dimas				\$50,000.00	\$0.00	Implement Bike Share Program	\$50,000.00	No
ML18149	City of Sierra Madre				\$50,000.00	\$0.00	Implement Bike Share Program	\$50,000.00	No
ML18150	City of South El Monte				\$20,000.00	\$0.00	Implement Bike Share Program	\$20,000.00	No
ML18152	County of San Bernardino Flood Cont	8/11/2020	10/10/2029		\$108,990.00	\$0.00	Purchase Five Heavy-Duty Near Zero Emissi	\$108,990.00	No
ML18158	City of Inglewood				\$146,000.00	\$0.00	Purchase 4 Light-Duty Zero Emission, 4 Hea	\$146,000.00	No
ML18166	City of Placentia				\$25,000.00	\$0.00	Purchase One Heavy-Duty Near-Zero Emissi	\$25,000.00	No
MS18121	City of Montebello				\$70,408.00	\$0.00	Expansion of Existing CNG Infrastructure	\$70,408.00	No
Total: 8			-	•					
Declined/Ca	ancelled Contracts								
ML18075	City of Orange				\$25,000.00	\$0.00	One Heavy-Duty Vehicle	\$25,000.00	No
ML18153	City of Cathedral City	5/3/2019	4/2/2025		\$52,215.00	\$0.00	Install EV Charging Infrastructure	\$52,215.00	No
ML18164	City of Pomona				\$200,140.00	\$0.00	Purchase Three Heavy-Duty ZEVs	\$200,140.00	No
MS18013	California Energy Commission				\$3,000,000.00	\$0.00	Advise MSRC and Administer Hydrogen Infr	\$3,000,000.00	No
MS18017	City of Banning				\$225,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$225,000.00	No
MS18018	City of Norwalk	6/8/2018	9/7/2019		\$75,000.00	\$0.00	Vehicle Maintenance Facility Modifications	\$75,000.00	No
MS18107	Huntington Beach Union High School				\$225,000.00	\$0.00	Expansion of Existing Infrastructure	\$225,000.00	No
MS18109	City of South Gate				\$175,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$175,000.00	No
MS18111	Newport-Mesa Unified School District				\$175,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$175,000.00	No
MS18113	City of Torrance				\$100,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$100,000.00	No
MS18119	LBA Realty Company XI LP				\$100,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$100,000.00	No
Total: 11			I.		1	1		ı	
Closed Cor	ntracts								
MS18001	Los Angeles County MTA	6/29/2017	4/30/2018		\$807,945.00	\$652,737.07	Provide Clean Fuel Transit Service to Dodge	\$155,207.93	No
MS18004	Orange County Transportation Autho	8/3/2017	4/30/2019		\$503,272.00	\$456,145.29	Provide Special Rail Service to Angel Stadiu	\$47,126.71	Yes
MS18005	Orange County Transportation Autho	1/5/2018	4/30/2019		\$834,222.00	\$834,222.00	Clean Fuel Bus Service to OC Fair	\$0.00	Yes
10000									

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS18008	Foothill Transit	1/12/2018	3/31/2019		\$100,000.00	\$99,406.61	Special Transit Service to LA County Fair	\$593.39	Yes
MS18010	Southern California Regional Rail Aut	12/28/2017	7/31/2019		\$351,186.00	\$275,490.61	Implement Special Metrolink Service to Unio	\$75,695.39	Yes
MS18011	Southern California Regional Rail Aut	2/9/2018	6/30/2018		\$239,565.00	\$221,725.12	Special Train Service to Festival of Lights	\$17,839.88	Yes
MS18014	Regents of the University of Californi	10/5/2018	12/4/2019	3/4/2020	\$254,795.00	\$251,455.59	Planning for EV Charging Infrastructure Inve	\$3,339.41	Yes
MS18016	Southern California Regional Rail Aut	1/10/2019	3/31/2019		\$87,764.00	\$73,140.89	Special Train Service to Auto Club Speedwa	\$14,623.11	Yes
MS18102	Orange County Transportation Autho	10/4/2019	5/31/2020		\$1,146,000.00	\$1,146,000.00	Implement OC Flex Micro-Transit Pilot Proje	\$0.00	Yes
MS18103	Orange County Transportation Autho	2/8/2019	9/7/2020		\$642,000.00	\$613,303.83	Install Hydrogen Detection System	\$28,696.17	Yes
MS18105	Southern California Regional Rail Aut	1/10/2019	6/30/2019		\$252,696.00	\$186,830.04	Special Train Service to the Festival of Light	\$65,865.96	Yes
Total: 12			1	II.		-			.1
Open/Com	olete Contracts								
ML18019	City of Hidden Hills	5/3/2018	5/2/2022	5/2/2023	\$49,999.00	\$49,999.00	Purchase Two Light-Duty ZEVs and EVSE	\$0.00	Yes
ML18021	City of Signal Hill	4/6/2018	1/5/2022		\$49,661.00	\$46,079.31	Install EV Charging Station	\$3,581.69	Yes
ML18028	City of Artesia	6/28/2018	3/27/2025		\$50,000.00	\$50,000.00	Install EVSE	\$0.00	Yes
ML18033	City of Duarte	8/8/2018	2/7/2025		\$50,000.00	\$50,000.00	Purchase 1-HD ZEV	\$0.00	Yes
ML18035	City of Westlake Village	8/8/2018	11/7/2022		\$50,000.00	\$50,000.00	Install EVSE	\$0.00	Yes
ML18037	City of Westminster	6/28/2018	6/27/2024	12/27/2026	\$120,900.00	\$120,900.00	Install EVSE, Purchase up to 3-LD ZEV & 1-	\$0.00	Yes
ML18040	City of Agoura Hills	7/13/2018	6/12/2022		\$17,914.00	\$17,914.00	Install EV Charging Infrastructure	\$0.00	Yes
ML18042	City of San Fernando	6/28/2018	2/27/2024		\$10,000.00	\$10,000.00	Purchase 1 Light-Duty ZEV	\$0.00	Yes
ML18045	City of Culver City Transportation De	6/28/2018	6/27/2025		\$51,000.00	\$51,000.00	Purchase Eight Near-Zero Vehicles	\$0.00	Yes
ML18048	City of Lynwood	6/28/2018	10/27/2024		\$93,500.00	\$44,505.53	Purchase Up to 3 Medium-Duty Zero-Emissi	\$48,994.47	No
ML18049	City of Downey	7/6/2018	5/5/2023		\$148,260.00	\$148,116.32	Install EV Charging Stations	\$143.68	Yes
ML18052	City of Garden Grove	8/8/2018	10/7/2022		\$53,593.00	\$46,164.28	Purchase 4 L.D. ZEVs and Infrastructure	\$7,428.72	No
ML18054	City of La Habra Heights	8/8/2018	4/7/2022		\$9,200.00	\$9,200.00	Purchase 1 L.D. ZEV	\$0.00	Yes
ML18061	City of Moreno Valley	4/9/2019	2/8/2025		\$25,000.00	\$25,000.00	Purchase 1 Heavy-Duty Near-ZEV	\$0.00	Yes
ML18062	City of Beaumont	8/8/2018	9/7/2024		\$25,000.00	\$25,000.00	Purchase 1 Heavy-Duty Near-ZEV	\$0.00	Yes
ML18070	City of Lomita	11/29/2018	6/28/2022		\$6,250.00	\$6,250.00	Purchase 1 Light-Duty ZEV	\$0.00	No
ML18071	City of Chino Hills	9/7/2018	10/6/2022		\$20,000.00	\$20,000.00	Purchase 2 Light-Duty ZEVs	\$0.00	Yes
ML18072	City of Anaheim	12/18/2018	11/17/2026		\$239,560.00	\$239,560.00	Purchase 9 Light-Duty ZEVs & 2 Med/Hvy-D	\$0.00	Yes
ML18074	City of Buena Park	12/14/2018	6/13/2026		\$107,960.00	\$107,960.00	EV Charging Infrastructure	\$0.00	No
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\$1,130.00

\$59,776.00

\$183,670.00

\$50,000.00

\$300,000.00

\$10,000.00

\$19,294.00

\$50,000.00

\$1,130.00

\$59,776.00

\$183,670.00

\$50,000.00

\$300,000.00

\$7,113.70

\$19,294.00

\$35,608.86

Purchase Light-Duty ZEV

**EV Charging Infrastructure** 

Install Sixty EV Charging Stations

Purchase Three Light-Duty ZEVs

Install EV Charging Infrastructure

Four Light-Duty ZEV and EV Charging Infras

Purchase Two Heavy-Duty Near-Zero Emissi

Purchase Light-Duty Zero Emission Vehicle

Yes

Yes

Yes

Yes

Yes

Yes

Yes

\$0.00

\$0.00

\$0.00

\$0.00

\$0.00

\$0.00

\$2,886.30

\$14,391.14

City of Culver City Transportation De

City of Los Angeles Bureau of Street

City of Los Angeles, Police Departme

City of Orange

City of Orange

City of Pasadena

City of La Puente

City of Claremont

10/5/2018

11/2/2018

12/7/2018

4/12/2019

2/8/2019

2/1/2019

5/3/2019

7/31/2019

10/4/2023

10/1/2022

11/6/2023

10/11/2026

4/7/2023

2/28/2023

12/2/2022

9/30/2023

ML18076

ML18077

ML18079

ML18085

ML18086

ML18127

ML18131

ML18155

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML18160	City of Irwindale	3/29/2019	12/28/2022		\$14,263.00	\$14,263.00	Purchase Two Light-Duty ZEVs	\$0.00	Yes
MS18012	City of Hermosa Beach	2/2/2018	2/1/2024		\$36,000.00	\$36,000.00	Construct New Limited-Access CNG Station	\$0.00	Yes
MS18123	City Rent A Bin DBA Serv-Wel Dispo	12/14/2018	2/13/2025		\$200,000.00	\$200,000.00	Install New Limited-Access CNG Infrastructu	\$0.00	Yes

Total: 30

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
FY 2018	8-2021 Contracts								
Open Cont	racts								
MS21001	Los Angeles County MTA	8/30/2019	7/29/2020		\$1,148,742.00	\$249,664.87	Implement Special Transit Service to Dodger	\$899,077.13	No
MS21002	Better World Group Advisors	11/1/2019	12/31/2022		\$265,079.00	\$42,283.45	Programmatic Outreach Services	\$222,795.55	No
MS21003	Orange County Transportation Autho	7/8/2020	5/31/2021		\$468,298.00	\$0.00	Provide Express Bus Service to the Orange	\$468,298.00	No
Total: 3									
Pending Ex	xecution Contracts								
MS21004	Los Angeles County MTA				\$2,188,899.00	\$0.00	Clean Fuel Bus Service to Dodger Stadium	\$2,188,899.00	No

Total: 1



BOARD MEETING DATE: November 6, 2020 AGENDA NO. 23

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board held a meeting on October 22, 2020.

The following is a summary of the meeting.

RECOMMENDED ACTION:

Receive and file.

Judith Mitchell, Member South Coast AQMD Governing Board

ft

The California Air Resources Board (CARB or Board) held a meeting remotely on October 22, 2020 via a web-based videoconferencing service. Key items presented are summarized below.

#### **DISCUSSION ITEMS**

20-11-1: Public Meeting to Consider Proposed Research Contract with the University of California, Berkeley, Titled "Total Exposure to Air Pollutants and Noise in Disadvantaged Communities"

The Board approved funding of the proposed research contract with the University of California, Berkeley titled "Total Exposures to Air Pollutants and Noise in Disadvantaged Communities." The research proposal was developed in response to the Board-approved research projects for fiscal year 2020-2021 and will investigate how local factors such as daily activities, indoor air pollutant sources, housing conditions, outdoor air pollutant sources, and environmental stressors such as noise pollution can impact an individual's exposure to specific air pollutants in disadvantaged communities. This information will provide CARB with strategies to improve public health by supporting programs such as electrification strategies, high-efficiency air filtration, improved building standards, and safer consumer product choices.

# 20-11-2: Public Meeting to Consider Proposed Research Contract with the University of California, Davis, Titled "Developing a Comprehensive Framework for Estimating the Social Costs of Emissions of Criteria Pollutants and Air Toxics in California, and Identifying Other Direct and Indirect Benefits of California's Climate and Air Quality Programs"

The Board approved funding for the proposed research contract titled "Developing a Comprehensive Framework for Estimating the Social Costs of Emissions of Criteria Pollutants and Air Toxics in California, and Identifying Other Direct and Indirect Benefits of California's Climate and Air Quality Programs" with the University of California, Davis. The research contract was developed in response to the Board-approved research projects for fiscal year 2020-2021. This research will determine the most accurate information about the health benefits (and avoided negative impacts) of relevant CARB policies by qualitatively assessing the environmental, energy, economic, and social benefits related to California's climate and air quality programs.

### 20-11-3: Public Meeting to Consider Proposed West Mojave Desert Vehicle Miles Traveled Offset Demonstration

The Board approved the West Mojave Desert Vehicle Miles Traveled (VMT) Offset State Implementation Plan (VMT SIP) submittal for the 2015 70 parts per billion 8-hour ozone standard (standard). The federal Clean Air Act (Act) requires states to submit enforceable transportation control strategies and transportation control measures to offset any growth in emissions from growth in VMT or numbers of vehicle trips for ozone nonattainment areas classified as severe for the standard, such as West Mojave Desert. The West Mojave Desert VMT Offset Demonstration shows that the West Mojave Desert meets the VMT emissions-offset requirements in the Act for the standard. CARB will submit the West Mojave Desert VMT Offset Demonstration to the United States Environmental Protection Agency to be included in California's State Implementation Plan.

### 20-11-6: Public Meeting to Consider an Update on Race, Equity, and the California Air Resources Board's Activities

The Board heard a report from Board Member Serna, and engaged with staff and the public, on CARB's efforts to better understand and address the ways race has affected climate and air quality risks in California, and CARB's own internal operations. California's legacy of racial discrimination, and the way it affects exposure to air pollution, is coming into sharper focus at CARB, as are the ways CARB's own processes can disfavor recruitment and advancement for people of color. The discussion focused on CARB's efforts to address these issues, internally and externally. The Board adopted a resolution that recognizes the many ways racism can affect our work,

condemns racism in all its forms, and establishes an expectation that CARB will review its process and policies affecting external stakeholders to address improper burdens caused by racial inequality. The Board's resolution specifically directs staff to increase diversity within CARB, remediate race-based harms in programmatic areas under CARB's jurisdiction, establish a zero-tolerance racism policy applicable to all public and internal activities in which CARB is engaged including those involving CARB's employees and associated stakeholders, support CARB's newly-created Diversity and Racial Equity Task Force regarding internal processes, and ensure external programs appropriately serve communities of color. Besides approving the resolution, the Board directed staff to move forward with public engagement to establish a new CARB office dedicated to addressing environmental and racial justice.

### 20-11-4: Public Meeting to Hear an Informational Update on Next-Generation Heavy-Duty Vehicle Enforcement

The Board heard an informational update on CARB's enforcement programs efforts to utilize new technology and approaches to reduce emissions from heavy-duty vehicle diesel gross polluters. CARB's programs to reduce emissions from heavy-duty vehicles have resulted in significantly cleaner heavy-duty trucks and buses on California's roads and while these emissions continue to decline due to our recently adopted rules, emissions from heavy-duty diesel vehicles are still significant and impact the health of Californians, especially those in disadvantaged communities. Most of the air pollution produced by all heavy-duty trucks is coming from a relatively small percentage of those in-use vehicles whose engines and emissions control systems are malfunctioning or poorly maintained. In order to find this subset of vehicles and bring them into compliance, CARB has developed an enforcement approach using roadside emissions monitoring technology including the Portable Emissions AcQuisition System (PEAQS) paired with Automated License Plate Reader (ALPR) cameras. The deployment of these technologies will ensure high-emitting vehicles are identified and brought into compliance. CARB staff informed the Board that these enforcement tools will be developed in stages, first focusing on the high particulate matter emitting heavy-duty vehicles, then high emitters of oxides of nitrogen. CARB staff discussed that an enforcement program with PEAQS monitors in disadvantaged communities would support the goals of AB 617 and how this program would integrate with and support CARB's Heavy-Duty Inspection and Maintenance program currently being developed as directed by Senate Bill 210 (Leyva, 2019). The Board also heard that these technologies will first be deployed in the San Joaquin Valley (Valley) to reduce the excessive particulate matter emissions from diesel trucks and help the Valley meet State and federal clean air requirements.

# 20-11-5: Public Meeting to Hear an Informational Update on the Implementation of the San Joaquin Valley PM2.5 State Implementation Plan

The Board heard an informational update on the implementation of the 2018 PM2.5 State Implementation Plan (Plan) for the San Joaquin Valley (Valley). The Plan adopted by the Board on January 24, 2019 was developed by CARB and the San Joaquin Valley Air Pollution Control District (District) to meet four National Ambient Air Quality Standards (standards) for fine particulate matter (PM2.5), the 1997 annual and 24-hour PM2.5 standards, the 2006 24-hour PM2.5 standard, and the 2012 annual PM2.5 standard. The Plan demonstrates that emissions reductions from CARB and District measures will provide significant air quality benefits for the Valley, that the Valley's air quality continues to improve, and that the Valley will attain all PM2.5 standards in a timely manner. When CARB adopted the Plan in 2019, the Board directed staff to return annually with an update on implementation of the Plan. This was the second annual informational update and informed the Board of the progress made on regulatory and incentive-based measures committed to in the Plan, the challenges implementing the measures, and potential new measures being developed to achieve further emissions reductions needed for attainment. Staff will be returning to the Board in February 2021 with another update on implementation of the Plan, including options for phasing out agricultural open burning in the Valley.

#### **Attachment**

CARB October 22, 2020 Meeting Agenda



#### **PUBLIC MEETING AGENDA**

#### Thursday, October 22, 2020

In accordance with Governor Newsom's Executive Orders N-29-20 and N-33-20 as well as recommendations from the California Department of Public Health, the October 22, 2020, Board Meeting will not have a physical location to attend in person. This will be a remote-only meeting.

The Board Meeting will be conducted remotely via a web-based videoconferencing service called Zoom. Members of the public who wish to comment verbally can register for the webinar.

Register for the Webinar – for those who wish to comment verbally at the hearing.

Alternatively, during the Board Meeting, members of the public can offer verbal comments by calling in via telephone. Members of the public do not have to register beforehand if they call in using the number below.

Phone Number: (669) 900-6833 Webinar ID: 841 7381 8126

To only watch the Board Meeting and not provide verbal comments, please view the webcast. The webcast is the same video stream offered by CARB during normal Board Meetings. If you do not wish to provide verbal comments, we strongly recommend watching the webcast as this will free up space on the webinar for those who are providing verbal comments.

**Webcast** – for those who only plan to observe the hearing.

How to Participate in the Remote Board Meeting

#### Thursday October 22, 2020 9:00 a.m.

#### **DISCUSSION ITEMS:**

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

#### Agenda Item #

20-11-1 Public Meeting to Consider Proposed Research Contract with U.C. Berkeley, Titled "Total Exposure to Air Pollutants and Noise in Disadvantaged Communities"

The Board will consider approval of the research proposal that was developed in response to the Board-approved research projects for fiscal year 2020-2021. This item requires Board

approval due to the contract amount and also to comply with Government Code section 1091 because one Board Member is affiliated with the University of California at Berkeley.

<u>More Information</u> <u>Board Item Materials</u> <u>Written Comments</u>

20-11-2: Public Meeting to Consider Proposed Research Contract with U.C. Davis, Titled "Developing a Comprehensive Framework for Estimating the Social Costs of Emissions of Criteria Pollutants and Air Toxics in California, and Identifying Other Direct and Indirect Benefits of California's Climate and Air Quality Programs"

The Board will consider approval of the research proposal that was developed in response to the Board-approved research projects for fiscal year 2020-2021. This item requires Board approval due to the contract amount and also to comply with Government Code section 1091 because one Board Member is affiliated with the University of California at Davis.

<u>More Information</u> <u>Board Item Materials</u> <u>Written Comments</u>

### 20-11-3: Public Meeting to Consider Proposed West Mojave Desert Vehicle Miles Traveled Offset Demonstration

The Board will consider approval of the West Mojave Desert Vehicle Miles Traveled (VMT) Offset State Implementation Plan submittal for the 2015 70 parts per billion 8-hour ozone standard. If approved, the California Air Resources Board (CARB) will submit the West Mojave Desert VMT Offset Demonstration to the United States Environmental Protection Agency to be included in California's State Implementation Plan.

More Information Board Item Materials Written Comments

### 20-11-6: Public Meeting to Consider an Update on Race, Equity, and the California Air Resources Board's Activities

The Board will consider a report from Board Member Serna, and engage in discussion with staff, on CARB's efforts to better understand and address the ways race has affected climate and air quality risks in California and CARB's own internal operations. The discussion will focus on CARB's efforts to address these issues, internally and externally. The Board will provide staff guidance via resolution on work to remediate race-based harms within CARB's jurisdiction.

Board Item Materials Written Comments

### 20-11-4: Public Meeting to Hear an Informational Update on Next-Generation Heavy-Duty Vehicle Enforcement

The Board will hear how the Enforcement Division utilizes the Portable Emissions
Acquisition System (PEAQS) and the Automatic License Plate Reader technologies for data
driven heavy-duty vehicle enforcement efforts and to support the Heavy-Duty Inspection and
Maintenance Program. Staff will present a pilot deployment of PEAQS at California
Department of Food and Agriculture stations, the preliminary findings from the data
collected, and how it is currently being used to guide CARB's enforcement actions.

More Information Presentation Board Item Materials Written Comments

### 20-11-5: Public Meeting to Hear an Informational Update on the Implementation of the San Joaquin Valley PM2.5 State Implementation Plan

The Board will hear an informational update on the implementation of the 2018 PM2.5 State Implementation Plan for the San Joaquin Valley, including progress on developing new mobile source measures.

More Information Presentation Board Item Materials Written Comments

#### **CLOSED SESSION**

The Board may hold a closed session, as authorized by Government Code section 11126(e), to confer with, and receive advice from, its legal counsel regarding the following pending or potential litigation:

Alliance for California Business v. California State Transportation Agency, et al., Sacramento County Superior Court, Case No. 34-2016-80002491.

American Coatings Association, Inc. v. State of California and California Air Resources Board, Sacramento County Superior Court, Case No. 04CS01707.

American Lung Association, et al. v. United States Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 19-1140.

California v. Stout, et al., United States District Court, Central District of California, Case No. 2:20-cv-00371.

California v. Wheeler, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 19-1239.

California v. Wheeler, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 20-1167.

California Air Resources Board v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 18-1085.

California Natural Gas Vehicle Coalition v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 20CECG02250.

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.

Environmental Defense Fund, et al., v. Andrew Wheeler, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 20-1360.

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 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.

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. Andrew Wheeler, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 20-1357.

State of California, et al., v. Chao, et al., United States District Court, 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, United States Court of Appeals, District Court of Columbia Circuit, Case No. 19-1227.

State of California, et al., v. United States Environmental Protection Agency, United States District Court, Northern District of California, Case No. 4:18-cv-03237.

State of New York, et al. v. Andrew Wheeler and the United States Environmental Protection Agency, U.S. District Court, District of Columbia, Case No. 1:18-cv-00773.

State of North Dakota v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1381.

State of North Dakota, et al. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1242.

State of Wyoming, et al. v. United States Department of the Interior, et al., U.S. District Court, District of Wyoming, Case No. 16-CV-285-SWS.

Truck Trailer Manufacturers Association, Inc. v. United States Environmental Protection Agency, et al., U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1430.

People v. Southern California Gas Company, Los Angeles Superior Court, Case No. BC 602973.

The Two Hundred, et al. v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 18CECG01494.

*United States v. California*, United States District Court, Eastern District of California, Case No. 2:19-cv-02142-WBS-EFB.

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

Board members may identify matters they would like to have noticed for consideration at future meetings and comment on topics of interest; no formal action on these topics will be taken without further notice.

OPEN SESSION TO PROVIDE AN OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD ON SUBJECT MATTERS WITHIN THE JURISDICTION OF THE BOARD

Although no formal Board action may be taken, the Board is allowing an opportunity to interested members of the public to address the Board on items of interest that are within the Board's jurisdiction, but that do not specifically appear on the agenda. Each person will be allowed a maximum of three minutes to ensure that everyone has a chance to speak. The public will also have an opportunity to submit written comments for open session the morning of the Board Meeting.

Submit Comments Electronically the Day of the Board Meeting
View Submitted Comments

PLEASE NOTE: PowerPoint presentations to be displayed during public comment at the Board meeting must be electronically submitted via email to the Clerks' Office at <a href="mailto:cotb@arb.ca.gov">cotb@arb.ca.gov</a> no later than noon on the business day prior to the scheduled Board meeting.

### IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CLERKS' OFFICE: 1001 I Street, 23<sup>rd</sup> Floor, Sacramento, California 95814

cotb@arb.ca.gov or (916) 322-5594 CARB Homepage: www.arb.ca.gov

#### SPECIAL ACCOMMODATION REQUEST

Consistent with California Government Code section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format or another language;
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerks' Office at <a href="mailto:cotb@arb.ca.gov">cotb@arb.ca.gov</a> or at (916) 322-5594 as soon as possible, but no later than 7 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia
- Documentos disponibles en un formato alterno u otro idioma
- Una acomodación razonable relacionados con una incapacidad

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor contacte la oficina del Consejo al (916) 322-5594 o por correo electronico al <a href="mailto:cotb@arb.ca.gov">cotb@arb.ca.gov</a> lo más pronto posible, pero no menos de 7 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.



# Budget and Economic Outlook Update

**Board Meeting** 

November 6, 2020



# **Presentation Topics**

- Economic Indicators
- South Coast AQMD Metrics and Economic Implications
- Summary Charts

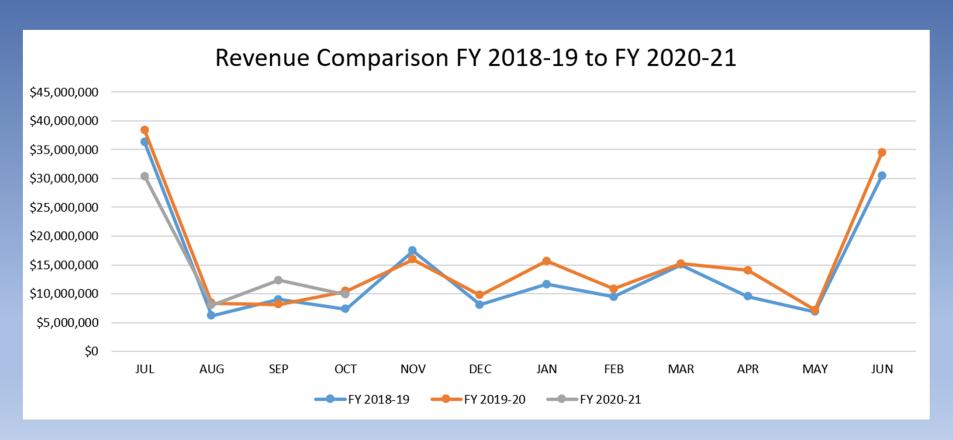
# Summary of Metrics – Monthly

Metric			
State Economic Indicators	September 2019	September 2020	Notes
Statewide Refinery Activity (Million Barrels Crude Oil Input)	44.7	38.0	
Port TEU Throughput (Million TEUs)	1.5	1.7	
Statewide Unemployment %	3.9%	11.0%	
South Coast AQMD	Oct. 2019	Oct. 2020	
Revenue	\$10.5 million	\$9.9 million	
Expenditures	\$16.3 million	\$12.4 million	
Vacancy Rate	17.1	16.5	
Permit Applications Received	663	558	Oct. 2020 preliminary data
Expired Permits	57	303	1 year to reinstate
Fee Review Requests	4	8	
CEQA Activity	56	53	2

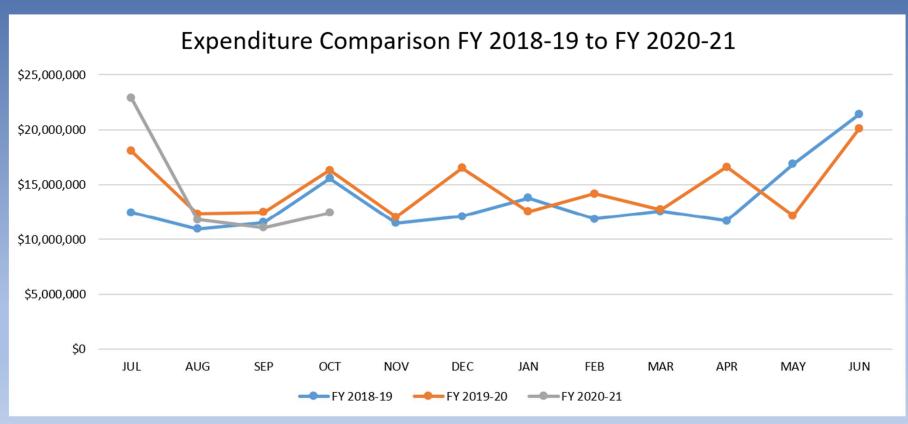
# Summary of Metrics – Year to Date

Metric	Jan Sept 2019	Jan. – Sept. 2020	Notes
U.S. GDP (3rd Quarter, \$ trillions)	21.5	21.3	
State Economic Indicators			
Refinery Activity (Million Barrels Crude Oil Input)	449	368	
Port TEU Throughput (Million TEUs)	12.8	12.2	
South Coast AQMD	Jan. – Oct. 2019	Jan. – Oct. 2020	
Revenue	\$148.4 million	\$158.1 million	
Expenditures	\$147.5 million	\$146.5 million	
Vacancy Rate, end of September	17.1	16.5	
Permit Applications Received	6,554	5,645	
Expired Permits	634	1,393	1 year to reinstate
Fee Review Requests	45	120	
CEQA Activity	654	494	

### Revenue



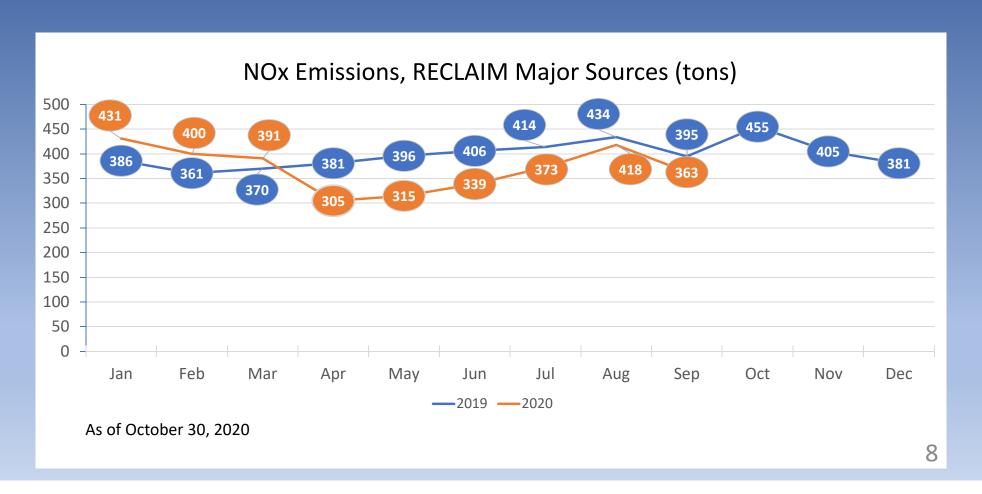
# Expenditures



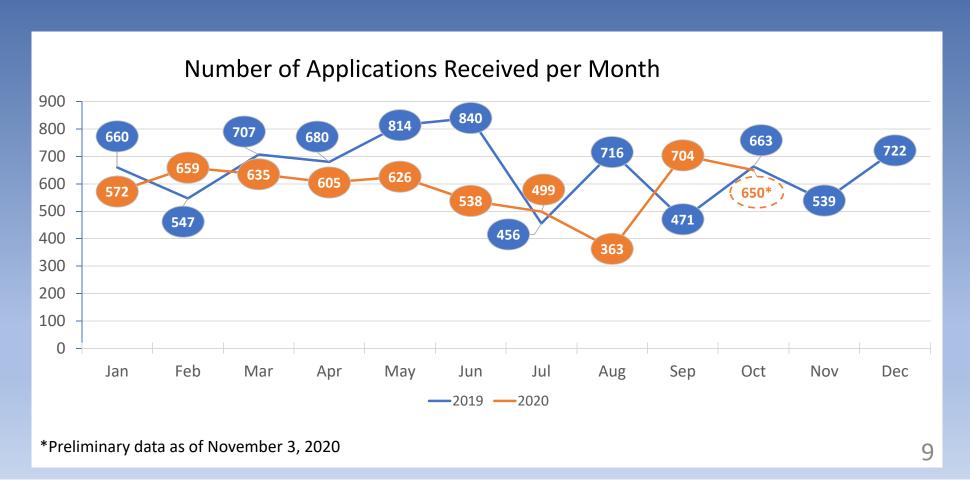
# Staffing Levels as of 10/31/20

- 946 budgeted FTEs
- 156 vacant positions
- 790 filled positions
- 16.5 % vacancy rate

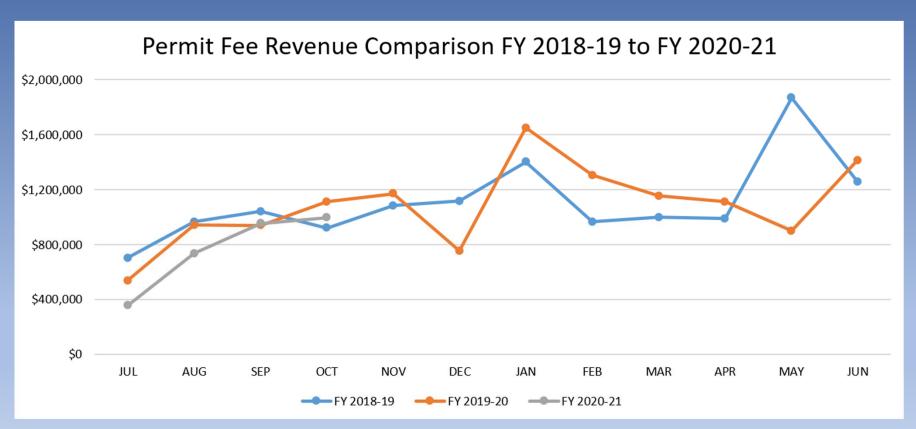
### **Emission Trends**



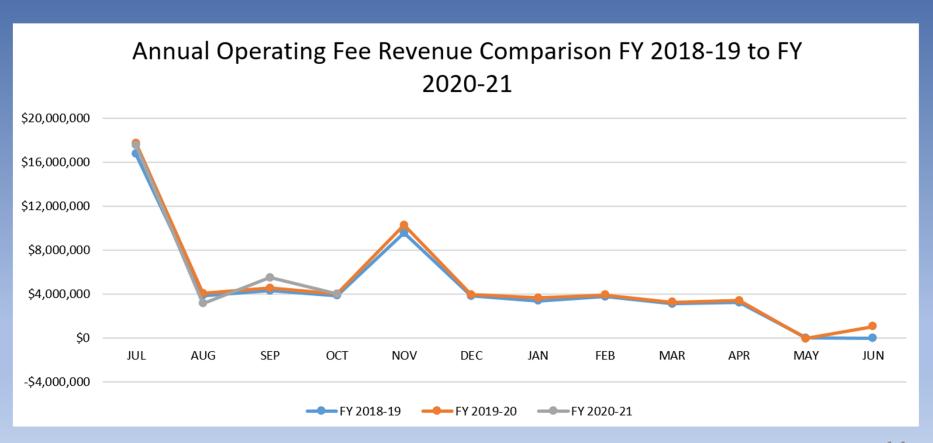
# **Permit Activity**



## Permit Revenue



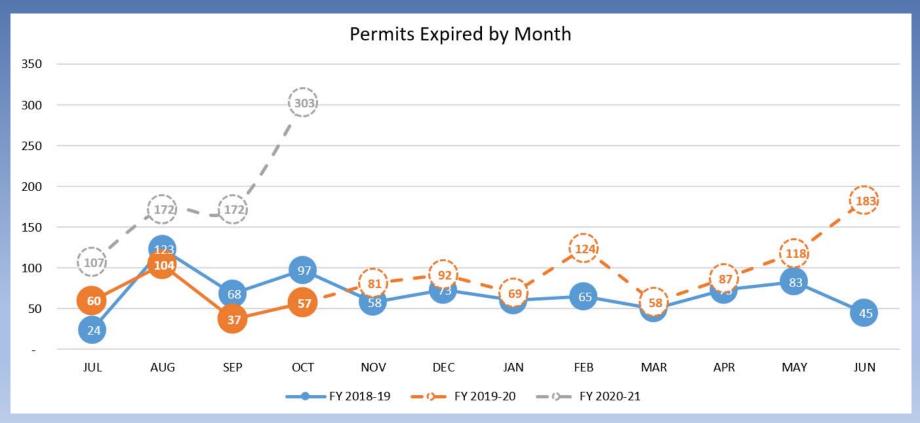
# Annual Operating Fee Revenue



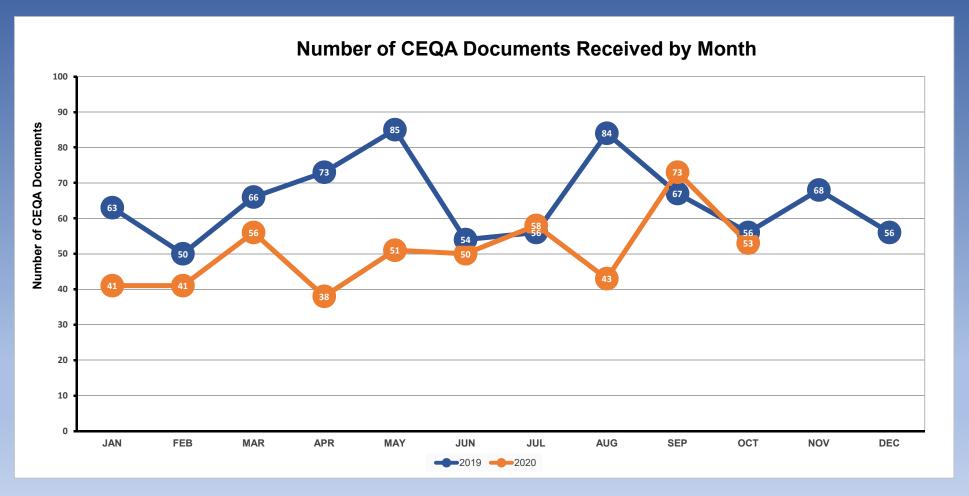
# Fee Review Committee Requests



# **Expired Permits**



## **CEQA** Activity Update



# Summary of Metrics – Monthly

Metric			
State Economic Indicators	September 2019	September 2020	Notes
Statewide Refinery Activity (Million Barrels Crude Oil Input)	44.7	38.0	
Port TEU Throughput (Million TEUs)	1.5	1.7	
Statewide Unemployment %	3.9%	11.0%	
South Coast AQMD	Oct. 2019	Oct. 2020	
Revenue	\$10.5 million	\$9.9 million	
Expenditures	\$16.3 million	\$12.4 million	
Vacancy Rate	17.1	16.5	
Permit Applications Received	663	558	Oct. 2020 preliminary data
Expired Permits	57	303	1 year to reinstate
Fee Review Requests	4	8	
CEQA Activity	56	53	15

## Summary of Metrics – Year to Date

Metric	Jan Sept 2019	Jan. – Sept. 2020	Notes
U.S. GDP (3rd Quarter, \$ trillions)	21.5	21.3	
State Economic Indicators			
Refinery Activity (Million Barrels Crude Oil Input)	449	368	
Port TEU Throughput (Million TEUs)	12.8	12.2	
South Coast AQMD	Jan. – Oct. 2019	Jan. – Oct. 2020	
Revenue	\$148.4 million	\$158.1 million	
Expenditures	\$147.5 million	\$146.5 million	
Vacancy Rate, end of September	17.1	16.5	
Permit Applications Received	6,554	5,645	
Expired Permits	634	1,393	1 year to reinstate
Fee Review Requests	45	120	
CEQA Activity	654	494	





# 2020 Ozone Season and Wildfire Impacts

↑ Back to Agenda

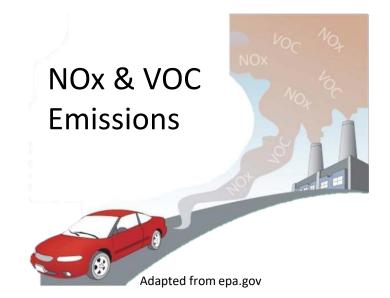


## Presentation Outline

- 2020 ozone data and trends
- Unique meteorology in 2020
- Unique emissions in 2020
- 2020 PM2.5 data
- Policy Implications



# Factors Influencing Ozone Levels



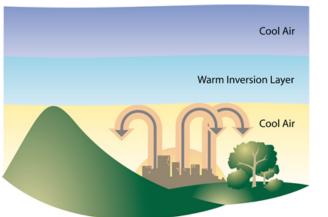




**US National Park Service** 

Wikimedia Commons

## Mixing and Ventilation

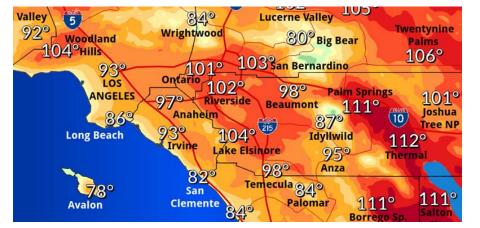


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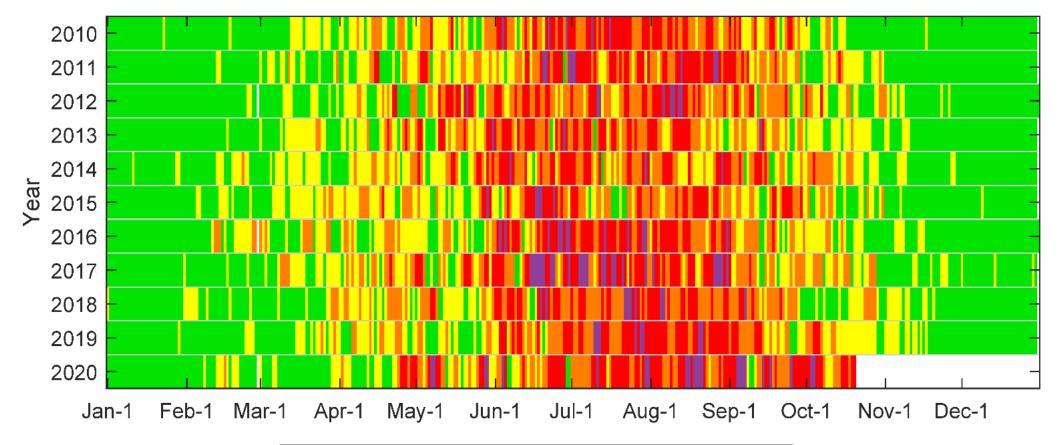
## Season



## Temperature



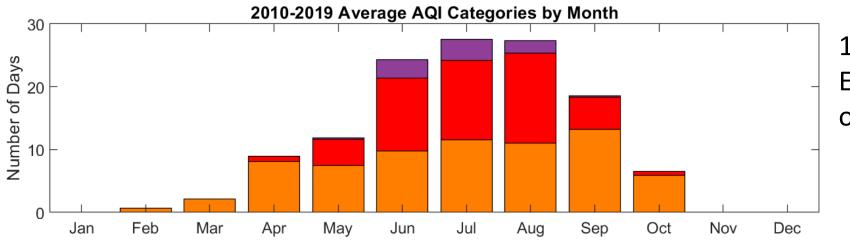
## 2020 Ozone Air Quality Unlike Previous Years



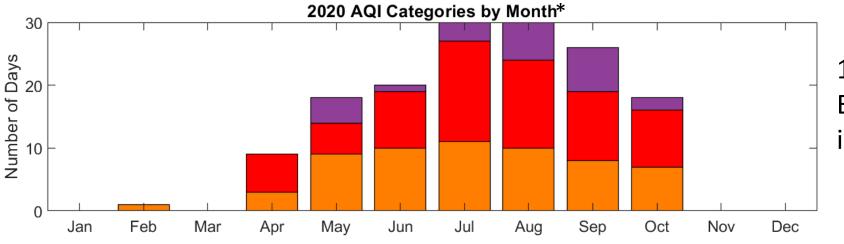




## Ozone AQI Levels Compared to Past Years



128 Ozone
Exceedance Days
on Average



Unhealthy

Very unhealthy

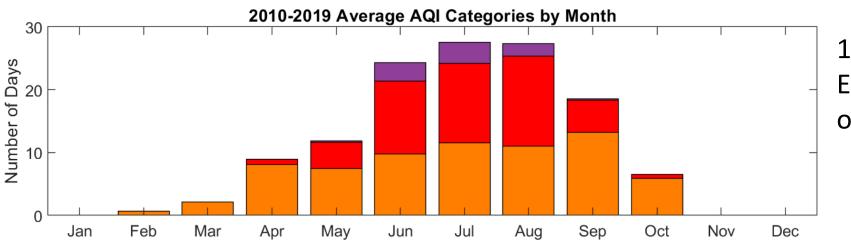
152 Ozone Exceedance Days in 2020<sup>‡</sup>



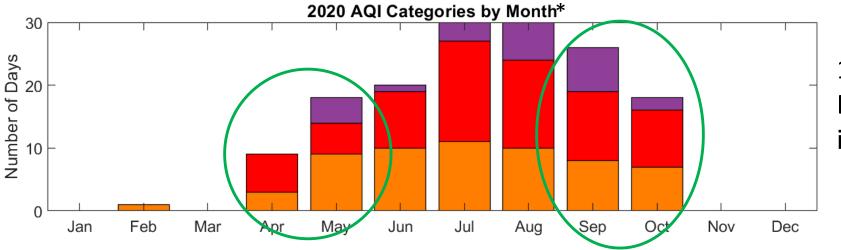
Unhealthy for sensitive groups

\* 2020 data is preliminary. ‡As of October 21.

## Ozone AQI Levels Compared to Past Years



128 Ozone
Exceedance Days
on Average



Unhealthy

Very unhealthy

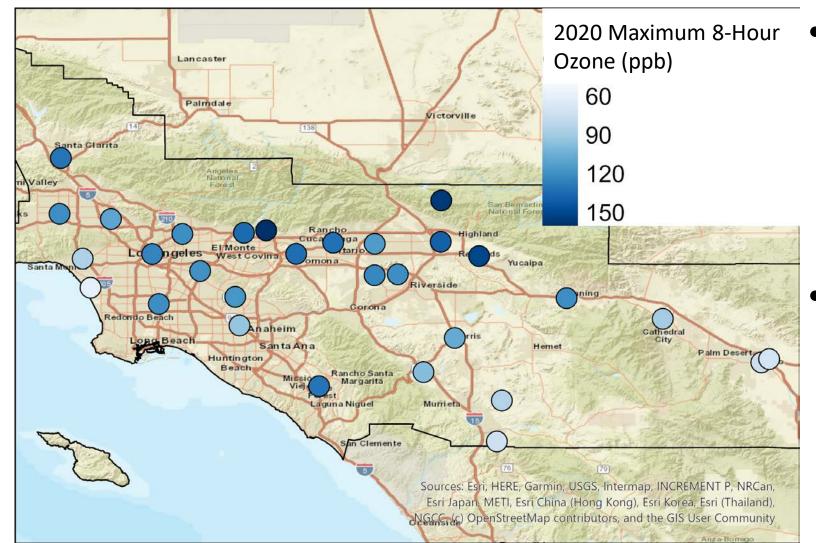
152 Ozone Exceedance Days in 2020<sup>‡</sup>



Unhealthy for sensitive groups

\* 2020 data is preliminary. ‡As of October 21.

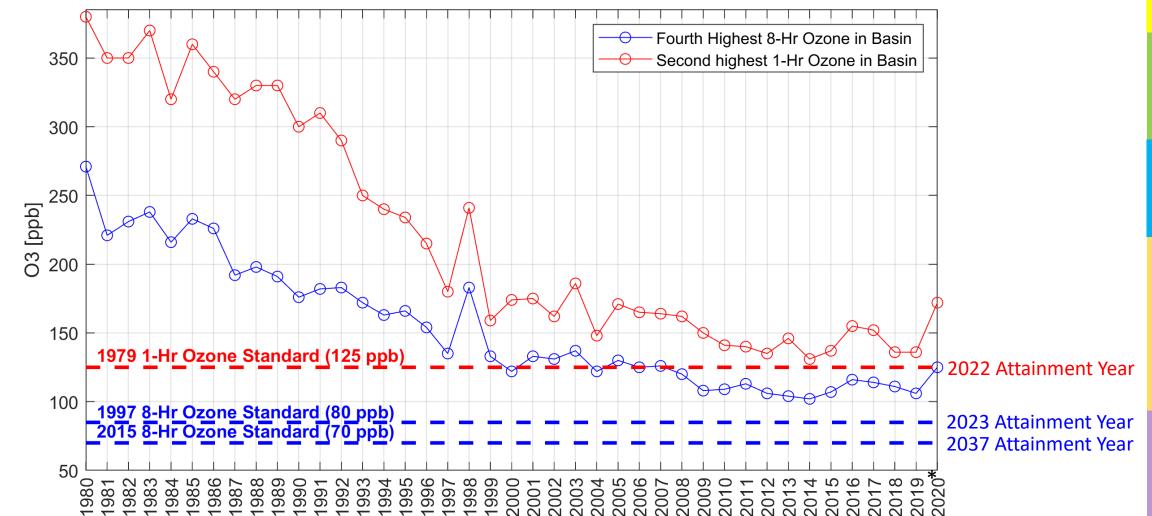
# 2020 Ozone Concentrations Were Abnormally High Throughout the Basin



- Basin-Max 1-hour value was 185 ppb (Central L.A.)
  - ➤ Highest reading in L.A. since 1994
  - Highest in Basin since2003
- Basin-Max 8-hour value was 145 ppb (Glendora)
  - Highest in Basin since2005

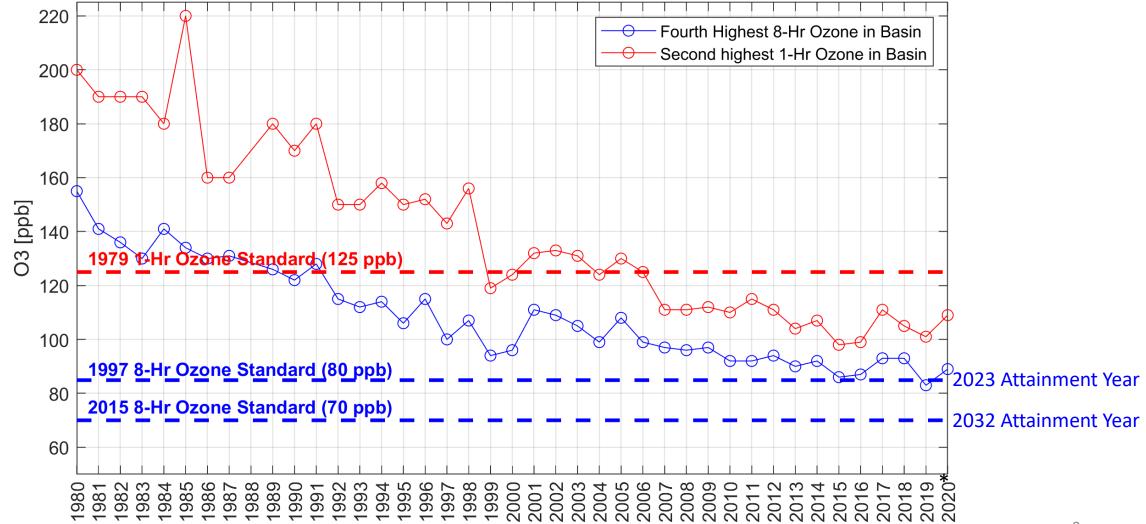


# Progress Towards Attaining Ozone Standards in the Basin



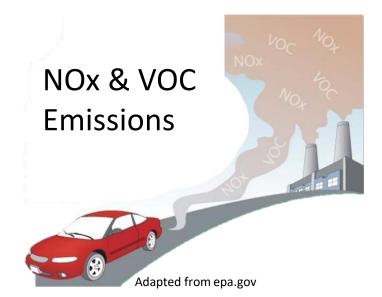


# Progress Towards Attaining Ozone Standards in the Coachella Valley





## Why is the 2020 Ozone Season Unique?



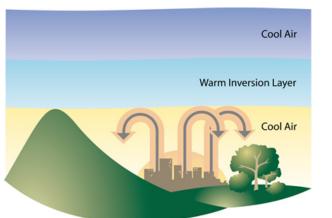




**US National Park Service** 

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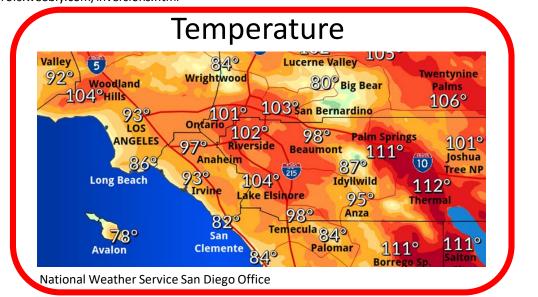
## Mixing and Ventilation



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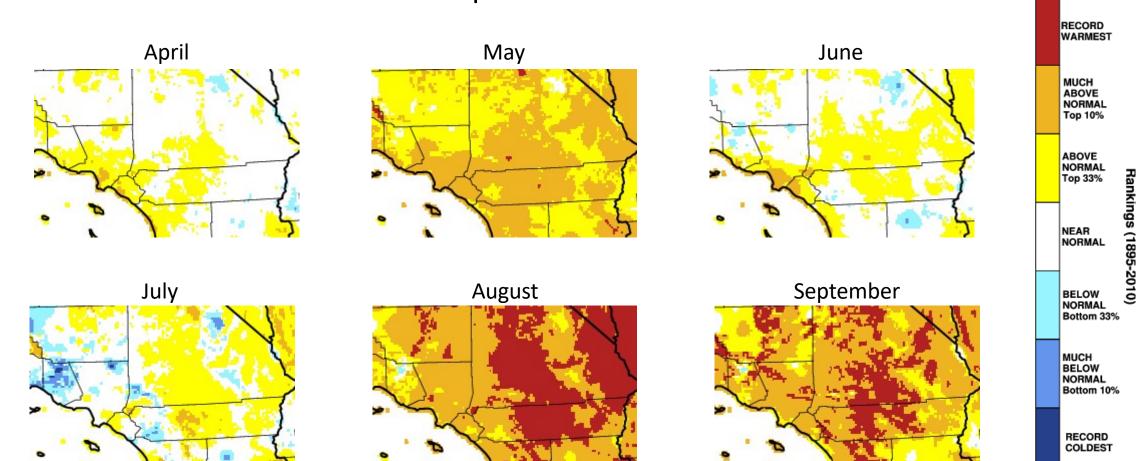
### Season





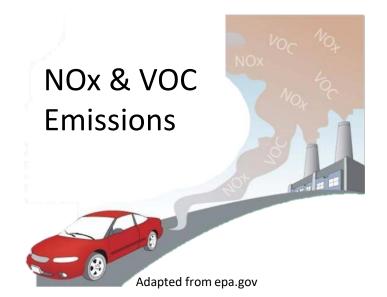
## 2020 Ozone Season was Extremely Hot

## Mean Temperature Percentile





## Why is the 2020 Ozone Season Unique?



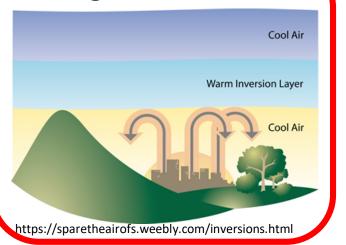


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Season

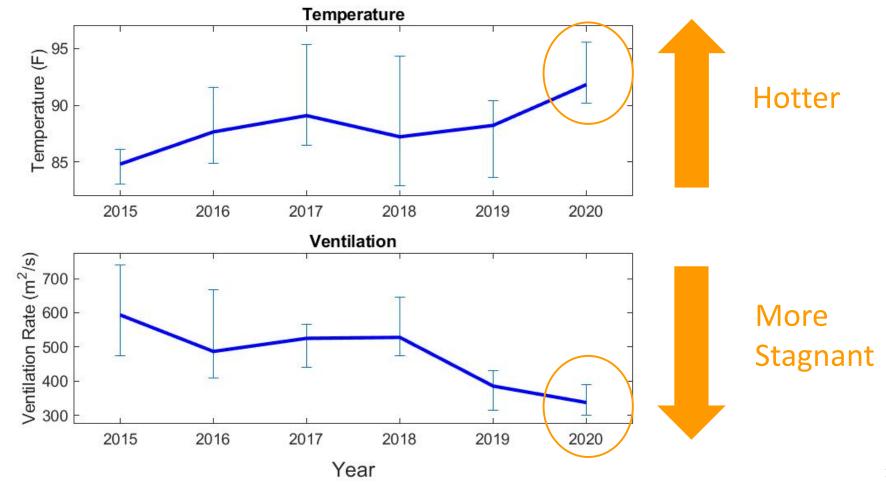


Temperature



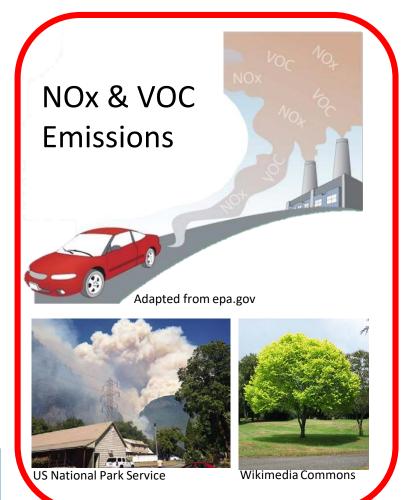
## Ozone Exceedance Days Were Abnormally Hot and Stagnant

### Weather on Highest Ozone Days Each Year in Los Angeles

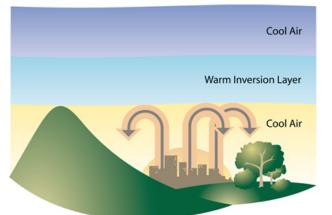




## Why is the 2020 Ozone Season Unique?



## Mixing and Ventilation

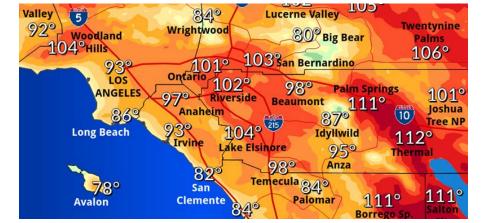


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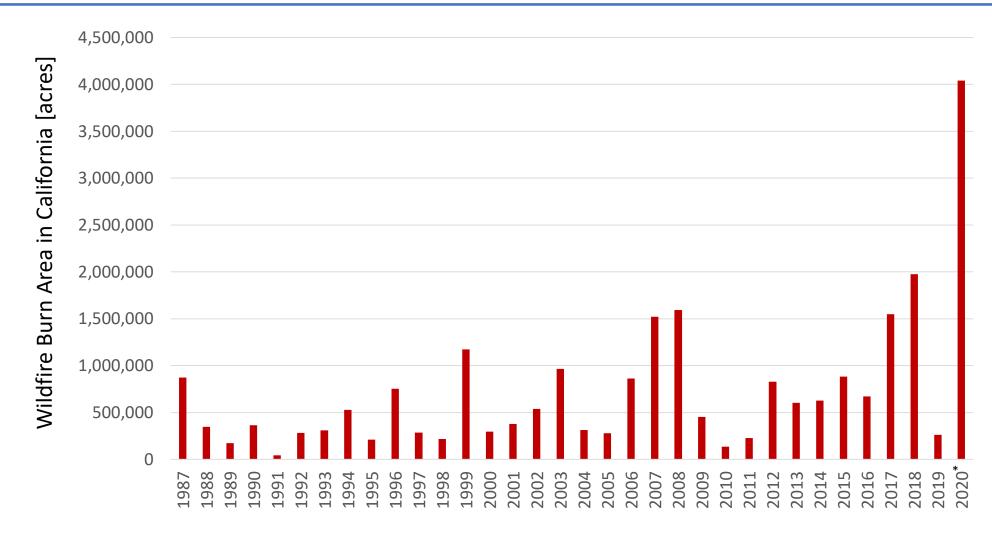
### Season



### Temperature



## Record Wildfire Area Burned in California

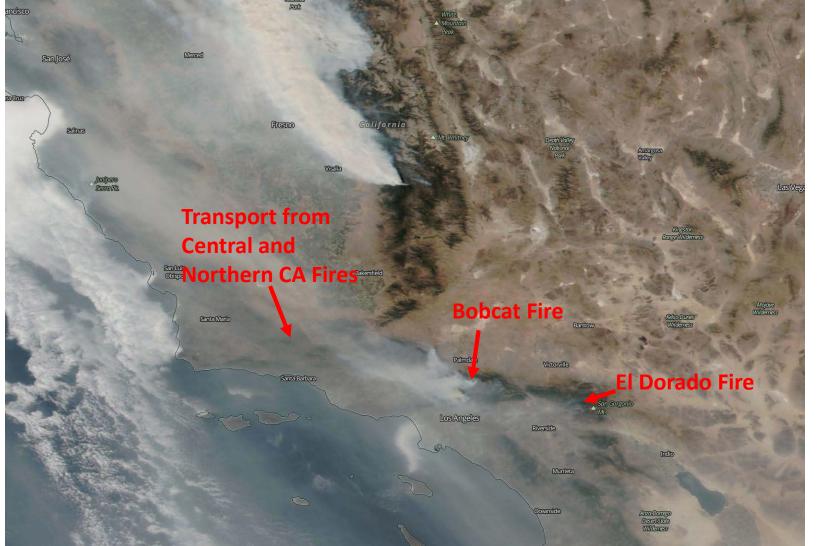




\*Current as of Oct 4, 2020

Source: CalFire

# Strong and Frequent Wildfire Smoke Influence





Sept. 13<sup>th</sup>, 2020 Suomi NPP/VIIRS

## Wildfire Plumes May Have Led to Higher Ozone

- Increases in ozone from local and distant wildfires still uncertain and under active investigation
- Preliminary analysis indicates that there may have been increases in areas that were frequently downwind of the Bobcat fire



## Possible Changes in Ozone Levels Due to COVID Response

Ozone concentrations depend on NOx and VOC emissions along with the NOx to VOC ratio

Apr.	Significant Emission Reductions
May	Significant Emission Reductions
Jun.	Significant Emission Reductions
Jul.	Modest Emission Reductions
Aug.	Typical Anthropogenic Emissions
Sep.	Typical Anthropogenic Emissions
Oct	Typical Anthropogenic Emissions

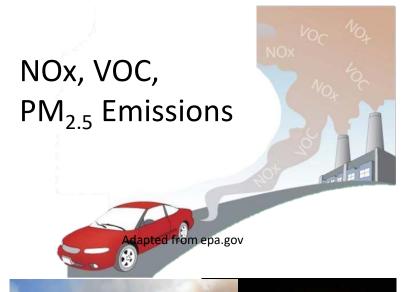
 Increased VOC emissions from disinfecting?



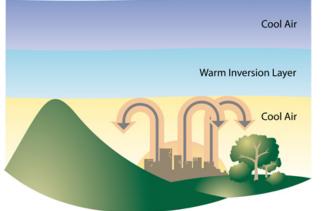
# 2020 PM2.5 Data and Trends



# Factors Influencing PM<sub>2.5</sub> Levels







https://sparetheairofs.weebly.com/inversions.html





Sunlight



Storms





# Elevated PM2.5 Levels Due to Fires and Independence Day Fireworks

## Number of PM2.5 Basin Exceedance Days\*

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2015	12	10	1	1	0	1	2	0	0	0	0	0	27
2016	3	4	3	0	0	1	2	0	0	1	0	8	22
2017	0	0	4	0	0	1	2	0	0	1	5	6	19
2018	6	2	0	1	0	1	2	2	0	0	4	4	22
2019	1	0	0	0	0	0	2	0	0	Q _	3	0	6
2020	4	1	0	0	0	0	2	3	9	4#			23#

**Independence Day Fireworks** 

2020 Wildfires



<sup>\*</sup> Calculated using continuous PM2.5 measurements

<sup>#</sup> Calculated using measurement data through Oct. 14, 2020

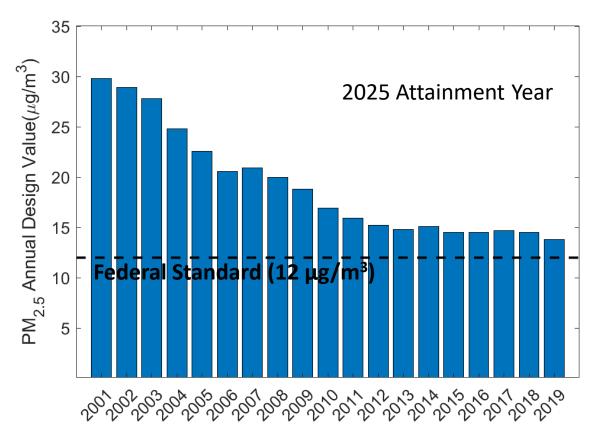
## Definition of Exceptional Events

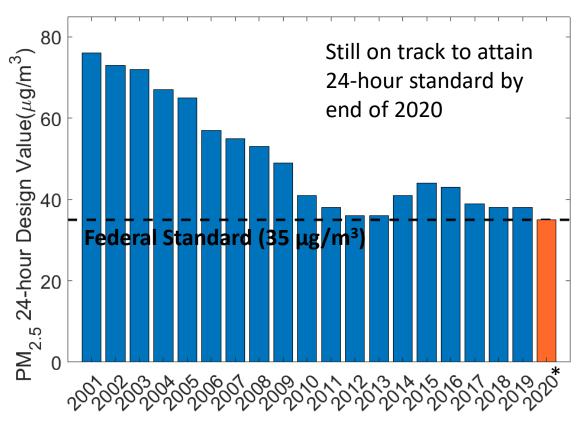
- >An exceptional event meets all these criteria:
  - The emissions from the event(s) caused the monitored exceedance(s)
  - The event is not reasonably controllable or preventable
  - The event is either:
    - Natural; or
    - Caused by human activity but is unlikely to recur at that same location

Exceedances caused by exceptional events can be removed when determining attainment of federal standards



# Progress Towards Attainment of PM2.5 Standards







<sup>\*</sup> Preliminary estimation based on the FRM PM2.5 data from the first two quarters of 2020. Exceedances likely to be approved as exceptional events removed in 2017-2020 data.

## Conclusions

- High ozone values recorded during the 2020 ozone season were due to several reasons
  - > Record high temperatures
  - > Abnormally stagnant meteorology
  - Increased emissions of VOCs and NOx from historic wildfire season
  - > Possible changes in emissions due to COVID response
- Relative impacts of each of these factors are complicated and will take time to sort out
- High PM2.5 values recorded during the summer of 2020 attributed to local fires and smoke transport from fires along the west coast



## Attainment Implications

24-Hour PM2.5 Standard

- Still on track to attain by the end of 2020
- PM2.5 in Nov. & Dec. along with successful exceptional event demonstrations are critical

1-Hour Ozone Standard

• Based on preliminary 2020 data, it will not be possible to attain the 1-hour ozone standard by the 2022 deadline as we have recorded more than three exceedances at a single station during the 2020-2022 period

8-Hour Ozone Standard

• Elevated ozone values in 2020 will not affect attainment of the 80 ppb ozone standard as the 2023 deadline is based on data collected in 2021-2023



Overall Ozone Attainment Goals

• If a changing climate causes these extreme weather and wildfire events to continue or get worse, attainment of future standards will be even more challenging



BOARD MEETING DATE: November 6, 2020 AGENDA NO. 26

PROPOSAL: Determine That Proposed Amendments to Rule 1178 – Further

Reductions of VOC Emissions from Storage Tanks at Petroleum

Facilities, Are Exempt from CEQA and Amend Rule 1178

SYNOPSIS: Rule 1178 establishes requirements to control VOC emissions from

storage tanks at petroleum facilities. Amendments to Rule 1178 are

needed to address safety concerns related to the enclosure of external floating roof tanks that store sour water. Proposed

Amended Rule 1178 will reinstate an expired provision that allows operators to accept a permit condition to limit the vapor pressure of organic liquid stored for external floating roof tanks that store sour

water.

COMMITTEE: Stationary Source, September 18, 2020, Reviewed

#### **RECOMMENDED ACTIONS:**

Adopt the attached Resolution:

- 1. Determining that the proposed amendments to Rule 1178 Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities, are exempt from the requirements of the California Environmental Quality Act; and
- 2. Amending Rule 1178 Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities.

Wayne Nastri Executive Officer

PMF:SN:MM:RC

### **Background**

Rule 1178 – Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities was adopted on December 21, 2001. The purpose of Rule 1178 is to reduce emissions of VOCs from seals and fittings on storage tanks at petroleum facilities. Rule 1178 requires, by December 31, 2008, operators with VOC emissions exceeding 40,000

pounds per year either to install domed roofs on all external floating roof tanks that contain organic liquids having a true vapor pressure greater than or equal to three pounds per square inch absolute (psia) or to accept a permit condition limiting the true vapor pressure to lower than 3 psia. If the true vapor pressure is greater than or equal to 3 psia, the operator is required to install a domed roof no later than two years after exceeding the true vapor pressure limit.

In March 2019, a petroleum refining facility reported annual emissions for two external floating roof tanks in waste water storage service based on measurements exceeding 3 psia vapor pressure. The facility reported that the two waste water storage tanks which contain hydrogen sulfide contaminants can create pyrophoric material capable of igniting spontaneously in air. The facility requested that they not be subject to any doming requirement due to the safety concern and to instead have the option to accept a permit condition to limit the true vapor pressure of 3 psia, similar to the 2008 expired provision.

### **Proposal**

PAR 1178 reinstates a portion of the December 31, 2008 option that allows an operator to accept a permit condition to limit the true vapor pressure to 3 psia, in lieu of doming an external floating roof tank. PAR 1178 limits this provision to organic liquid stored in waste water tanks as installation of a domed roof creates a safety hazard due to the accumulation of pyrophoric material. As part of this amendment, the Executive Officer retains the ability to review and to confirm an operator's claim of a safety hazard due to the accumulation of pyrophoric material.

#### **Public Process**

The development of PAR 1178 was conducted through a public process. A public workshop was held on September 3, 2020 with the comment period closing on September 17, 2020. During the comment period, staff did not receive any comments.

### **Emission Reductions**

The proposed amendment would result in approximately 2.4 pounds of VOC per day foregone emissions.

### **Key Issues**

Staff is not aware of any key issues.

### California Environmental Quality Act

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3). A Notice of Exemption has been prepared pursuant to

<sup>&</sup>lt;sup>1</sup>AFPM Process Safety Bulletin – Flammability Hazards of Hydrogen Sulfide Accumulation in Sulfur Tanks by AFPM (American Fuel and Petrochemical Manufacturers); June 2018

CEQA Guidelines Section 15062 and is included as Attachment H to this Board letter. If the proposed project is approved, the Notice of Exemption will be electronically filed with the State Clearinghouse of the Governor's Office of Planning and Research to be posted on their CEQAnet Web Portal, which may be accessed via the following weblink: <a href="https://ceqanet.opr.ca.gov/search/recent">https://ceqanet.opr.ca.gov/search/recent</a>. In addition, the Notice of Exemption will be electronically posted on the South Coast AQMD's webpage which can be accessed via the following weblink: <a href="http://www.aqmd.gov/nav/about/public-notices/ceqa-notices/notices-of-exemption/noe---year-2020">http://www.aqmd.gov/nav/about/public-notices/ceqa-notices/notices-of-exemption/noe---year-2020</a>. The electronic filing and posting of the Notice of Exemption is being implemented in accordance with Governor Newsom's Executive Orders N-54-20 and N-80-20 issued on April 22, 2020 and September 23, 2020, respectively, for the State of Emergency in California as a result of the threat of COVID-19.

### **Socioeconomic Analysis**

The proposed amendment to Rule 1178 does not impose any additional costs. Therefore, no socioeconomic analysis is required under California Health and Safety Code Sections 40440.8 and 40728.5.

### **AQMP and Legal Mandates**

PAR 1178 is needed to address a safety issue and is not implementing a control measure in the 2016 AQMP. PAR 1178 will be submitted to CARB and U.S. EPA for approval into the State Implementation Plan.

### **Resource Impacts**

Existing staff resources are adequate to implement the proposed amendments.

#### **Attachments**

- A. Summary of Proposal
- B. Key Issues and Responses
- C. Rule Development Process
- D. Key Contacts List
- E. Resolution
- F. Proposed Amended Rule 1178
- G. Final Staff Report
- H. Notice of Exemption
- I. Board Meeting Presentation

### **ATTACHMENT A**

### **SUMMARY OF PROPOSAL**

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

### Reinstatement of Permitting Option

• Reinstates a provision that allows operators to accept a permit condition to limit the vapor pressure of organic liquid stored in a waste water tank in lieu of installing a dome where the installation of a domed roof may create a hazard due to the accumulation of pyrophoric material.

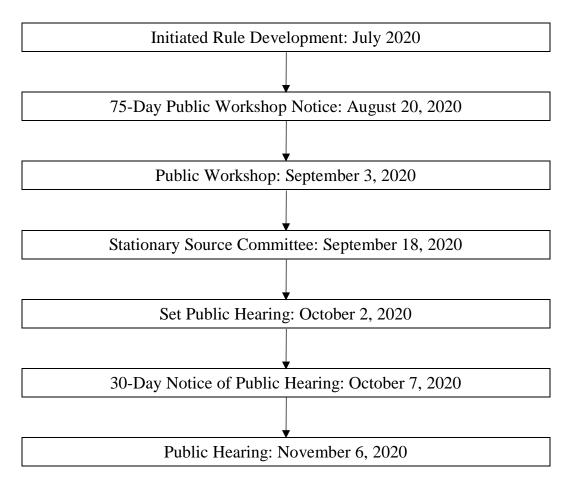
### ATTACHMENT B

### **KEY ISSUES AND RESPONSES**

Proposed Amended Rule 1178 – Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities
Staff is not aware of any key issues.

### ATTACHMENT C RULE DEVELOPMENT PROCESS

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



Five (4) months spent in rule development.

One (1) Public Workshop.

One (1) Stationary Source Committee Meeting.

### ATTACHMENT D

### **KEY CONTACTS LIST**

Proposed Amended Rule 1178 – Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities (*listed alphabetically*)

- Phillips 66 Refinery
- Western States Petroleum Association

### **ATTACHMENT E**

### **RESOLUTION NO. 20-\_\_\_**

A Resolution of the South Coast Air Quality Management District (South Coast AQMD) Governing Board determining that Proposed Amended Rule 1178 – Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities, is exempt from the requirements of the California Environmental Quality Act (CEQA).

A Resolution of the South Coast AQMD Governing Board amending Rule 1178 – Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities.

**WHEREAS**, the South Coast AQMD Governing Board finds and determines that Proposed Amended Rule 1178 is considered a "project" as defined by 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 1178 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 1178 is exempt from CEQA; and

**WHEREAS**, the South Coast AQMD Governing Board finds and determines that implementation of the proposed project would result in minimal foregone VOC emission reductions whereby it can be seen with certainty that there is no possibility that proposed project may have any significant adverse 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 Proposed Amended Rule 1178 that is completed in compliance with CEQA Guidelines Section 15062 – Notice of Exemption; and

**WHEREAS**, the South Coast AQMD staff conducted a public workshop meeting on September 3, 2020 regarding Proposed Amended Rule 1178; and

WHEREAS, Proposed Amended Rule 1178 and the November 6, 2020 South Coast AQMD Governing Board letter, including the Notice of Exemption, Final Staff Report, 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, and 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 the modifications to Proposed Amended Rule 1178 since the notice of public hearing was published are not so substantial as to significantly affect the meaning of the proposed amended rule within the meaning of Health and Safety Code Section 40726 because: (a) the changes do not impact emission reductions, (b) the changes do not affect the number or type of sources regulated by the rule, (c) the changes are consistent with the information contained in the notice of public hearing, and (d) the consideration of the range of CEQA alternatives is not applicable because Proposed Amended Rule 1178 is exempt from CEQA; and

**WHEREAS**, Proposed Amended Rule 1178 will be submitted for incorporation 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 Final Staff Report; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that a need exists to amend Rule 1178 to provide an alternative compliance measure for operators with tanks subject to Phase II in which installation of a domed roof would result in hazard due to accumulation of pyrophoric material; 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, and 41508 of the Health and Safety Code; and

WHEREAS, the South Coast AQMD Governing Board has determined that there is a problem that Proposed Amended Rule 1178 will alleviate, addressing safety concerns from the enclosure of external floating roof tanks that store sour water and the proposed amendment will promote the attainment or maintenance of state or federal ambient air quality standards; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1178 is written and displayed so that its meaning can be easily understood by the persons directly affected by it; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1178 is in harmony with, and not in conflict with or contradictory to, existing federal or state statutes, court decisions, or regulations; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1178 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 has determined that Proposed Amended Rule 1178 references the following statutes which the South Coast AQMD hereby implements, interprets or makes specific: Health and Safety Code Sections 40001(a) (rules to meet air quality standards); 40440(a) (rules to carry out the plan); and 40702 (adoption of rules and regulations); and

**WHEREAS**, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1178 does not make an existing emission limit or standard more stringent, and therefore the requirements of Health and Safety Code Section 40727.2 are satisfied; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that no socioeconomic assessment is required under Health and Safety Code Section 40440.8(a) because there are no adverse socio-economic impacts; and further that the proposed amended rule does not "significantly affect air quality or emissions limitations;" 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 the Planning and Rules Manager of Rule 1178 as the custodian of the documents or other materials which constitute the record of proceedings upon which the adoption of these 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 1178 is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. This information was presented to the South Coast AQMD Governing Board, whose members reviewed, considered and approved the information therein prior to acting on Proposed Amended Rule 1178; 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 1178 as set forth in the attached, and incorporated herein by reference; and

**BE IT FURTHER RESOLVED,** that the Executive Officer is hereby directed to forward a copy of this Resolution and Proposed Amended Rule 1178 to the California Air Resources Board for approval and subsequently submitted to the U.S. Environmental Protection Agency for incorporation into the State Implementation Plan.

DATE:	
	CLERK OF THE BOARDS

## RULE 1178. FURTHER REDUCTIONS OF VOC EMISSIONS FROM STORAGE TANKS AT PETROLEUM FACILITIES

#### (a) Purpose

The purpose of this rule is to further reduce emissions of volatile organic compounds (VOC) from storage tanks located at petroleum facilities.

#### (b) Applicability

The rule applies to all aboveground storage tanks that have capacity equal to or greater than 75,000 liters (19,815 gallons), are used to store organic liquids with a true vapor pressure greater than 5 mm Hg (0.1 psi) absolute under actual storage conditions, and are located at any petroleum facility that emits more than 40,000 pounds (20 tons) per year of VOC in any emission inventory year starting with the emission inventory year 2000.

#### (c) Definitions

For the purpose of this rule the following definitions shall apply:

- (1) ACCESS HATCH is an opening in the roof with a vertical well and a cover attached to it. Access hatch provides passage for workers and materials through the roof for construction or maintenance.
- (2) AMBIENT TEMPERATURE is the temperature of an organic liquid within a storage tank that has been influenced by atmospheric conditions only and is not elevated by a non-atmospheric means of heating at the tank which includes but is not limited to steam, hot water, heaters, heat exchangers, tank insulation, or tank jacketing.
- (3) CERTIFIED PERSON is a person who has successfully completed the District tank self-inspection program and a District approved fugitive emissions compliance inspection program, and who holds a certificate issued by the Executive Officer evidencing that such person is in good standing in this program.
- (4) CONTINUOUS SEAL is a seal that forms a continuous closure that completely covers the annular space between the wall of the storage vessel and the edge of the floating roof. A continuous seal may be a vapor-

- mounted, liquid-mounted, or metallic shoe seal. A continuous seal may be constructed of fastened segments so as to form a continuous seal.
- (5) DOMED ROOF is a self-supporting fixed roof attached to the top of an external floating roof tank to reduce evaporative losses.
- (6) EMISSION CONTROL SYSTEM is a combination of capture system(s) and control equipment used to recover, reduce, remove or control the release of VOC to the atmosphere. Such equipment includes, but is not limited to, absorbers, adsorbers, compressors, condensers, incinerators, flares, boilers, and process heaters.
- (7) EMISSION INVENTORY YEAR is the annual emission-reporting period beginning from July 1 of the previous year through June 30 of a given year. For example, emission inventory year 2000 covers the period from July 1, 1999 through June 30, 2000.
- (8) EXTERNAL FLOATING ROOF TANK is a storage tank with a roof consisting of a double deck or pontoon single deck which rests or floats on the liquid being contained.
- (9) EXEMPT COMPOUNDS are as defined in Rule 102.
- (10) FACILITY is any equipment or group of equipment or other VOC-emitting activities, which are located on one or more contiguous properties within the District, in actual physical contact or separated solely by a public roadway or other public right-of-way, and are owned or operated by the same person (or by persons under common control), or an outer continental shelf (OCS) source as determined in 40 CFR Section 55.2. Such above-described groups, if noncontiguous, but connected only by land carrying a pipeline, shall not be considered one facility.
- (11) FIXED ROOF SUPPORT COLUMN AND WELL is a column made of round pipe or of structural shape with an irregular cross section that passes through the floating roof via a peripheral vertical well and is used to support the roof of an internal floating roof tank.
- (12) FIXED ROOF TANK is a storage tank with a permanently affixed roof
- (13) FLEXIBLE ENCLOSURE SYSTEM is a VOC emission reduction system made of a VOC impervious material which is resistant to ultraviolet radiation, completely enclosing a slotted guidepole and controls the vapor emission pathway from inside the storage vessel through the guidepole slots to the outside air.

- (14) FUEL GAS SYSTEM is the piping and control system that gathers gaseous stream(s) generated by onsite operations and transports the gaseous stream for sale or for use as fuel gas in combustion devices, or in-process combustion equipment such as furnaces and gas turbines, either singly or in combination.
- (15) GAUGE FLOAT is a device that is used to indicate the level of liquid within the tank. The float rests on the liquid surface and is housed inside a well that is closed by a removable cover.
- (16) GAUGE HATCH/SAMPLE PORT is an opening in the roof that provides access for gauging or sampling. A gauge hatch/sample port is usually equipped with a closing cover or a funnel and slit-fabric seal to cover the opening.
- of the tank, passing through a well that is equipped with a sliding cover. The guidepole is used to prevent adverse movement of the roof and subsequent damage to the roof fittings and rim seals, or as access for level gauging or sampling of the liquid stock. The guidepole can be solid or equipped with slots or holes for gauging purpose.
- (18) INTERNAL FLOATING ROOF TANK is a storage tank equipped with a fixed roof and a floating roof which rests on the liquid being contained.
- (19) LADDER AND WELL is a ladder that passes through a well, and is used to access the tank bottom of an internal floating roof tank.
- (20) LIQUID MOUNTED PRIMARY SEAL is a primary seal that is mounted in full contact with the liquid in the annular space between the tank shell and the floating roof.
- (21) MECHANICAL SHOE PRIMARY SEAL is a metallic band attached to the floating roof sliding in contact with the tank shell. The shoes are supported and held against the tank shell by a mechanical device, and are joined together to form a ring. The vapor space between the shoe and the roof is sealed from the atmosphere by a primary seal of coated or VOC impervious fabric.
- (22) ORGANIC LIQUID is any liquid containing VOC.
- (23) PETROLEUM FACILITY is any facility primarily engaged in the production, refining, storage, transfer or distribution of crude petroleum or petroleum products as defined in the Standard Industrial Classification for crude petroleum and natural gas (SIC code 1311), petroleum refining (SIC

- code 2911), petroleum bulk stations and terminals (SIC code 5171), or other related industries (e.g., SIC codes 4226, 4612, 4613, 4923 and 5541).
- (24) POLE FLOAT is a device located inside a guidepole that floats on the surface of the stored liquid, and is used to indicate the liquid level inside the tank.
- (25) POLE SLEEVE is a device that extends from either the cover or the rim of an opening in a floating roof deck to the outer surface of a pole that passes through the opening.
- (26) POLE WIPER is a seal that extends from either the cover or the rim of an opening in a floating roof deck to the outer surface of a pole that passes through the opening.
- (27) PRESSURE-VACUUM VENT is a vent that is used to minimize tank emissions due to breathing effects.
- (28) PRIMARY SEAL is a seal mounted below a secondary seal of a rim seal system that consists of two seals. A primary seal, which is in contact with the floating roof tank shell, can be either mechanical shoe, resilient filled, or wiper type.
- (29) RESILIENT FILLED PRIMARY SEAL is an envelope filled with resilient foam (non-metallic polyurethane) mounted at the rim of the floating roof that makes contact with the shell. A resilient filled nonmetallic primary seal can be liquid-mounted or vapor-mounted.
- (30) RIM MOUNTED SECONDARY SEAL is a secondary seal mounted on the rim of the floating roof of a storage tank. Rim mounted secondary seals are effective at reducing losses from the primary seal fabric.
- (31) RIM SEAL SYSTEM is a closure device between the shell of the storage tank and the floating roof edge. A rim seal system may consist of two seals, one above the other. The lower seal is referred to as the primary seal and the upper seal is referred to as the secondary seal.
- (32) RIM VENT is a device consisting of a weighted pallet that rests on a valve seat. Rim vents are used to release any excess pressure or vacuum present in the vapor pocket between the seal and the rim area of a floating roof tank.
- (33) ROOF DRAIN is a drain on the roof of a floating roof tank that is used to remove rainwater from the floating roof. There are two types of roof drains. A closed roof drain removes the rainwater from the surface of the roof through a flexible hose through the stored liquid prior to exiting the tank. With a closed roof drain, the rainwater does not come in contact with the

- liquid stored in the tank. An open roof drain is any drain other than the closed roof drain. An open roof drain is typically used only during an emergency.
- (34) ROOF LEG is a device that holds the floating roof at a predetermined distance from the tank bottom to allow for tank cleaning or repair. There are two types of roof legs, adjustable or fixed. Fixed legs are attached to the floating roof or hangers suspended from the roof, whereas adjustable legs pass through a well or sleeve, and penetrate the roof.
- (35) ROOF OPENING is any opening through a floating roof of a storage tank for any roof fitting including but not limited to access hatch, fixed roof support column and well, gauge float, gauge hatch, sample port, guidepole, ladder and well, rim vent, roof drain, roof leg, and vacuum breaker, and excluding rim seal system.
- (36) SECONDARY SEAL is a seal mounted above the primary seal of a rim seal system that consists of two seals. Secondary seals can be shoe mounted or rim-mounted.
- (37) SHOE MOUNTED SECONDARY SEAL is a secondary seal mounted on the primary mechanical shoe. Shoe mounted secondary seals are effective at reducing vapor losses from the gaps between the shoe and the tank shell.
- (38) SLOTTED GUIDEPOLE is a guidepole that has slots or holes through the wall of the guidepole. The slots or holes allow the stored liquid to flow into the pole at liquid levels above the lowest operating level.
- (38) STORAGE TANK is a stationary aboveground container that has capacity equal to or greater than 75,000 liters (19,815 gallons) and is used to store organic liquids with a true vapor pressure greater than 5 mm Hg (0.1 psi) absolute under actual storage conditions.
- (40) TRUE VAPOR PRESSURE is the vapor pressure of a liquid at actual storage conditions.
- (41) VACUUM BREAKER is a device used to equalize the pressure of the vapor space across the deck as the floating roof is either being landed on or floated off its legs. A vacuum breaker consists of a well with a cover. Attached to the underside of the cover is a guided leg long enough to contact the tank bottom as the floating roof is being landed. When in contact with the tank bottom, the guided leg mechanically lifts the cover off the well.

- (42) VAPOR MOUNTED PRIMARY SEAL is a primary seal that does not come in contact with the liquid in the annular space between the tank shell and the floating roof.
- (43) VAPOR TIGHT CONDITION is a condition that exists when the reading on a portable hydrocarbon analyzer is less than 500 parts per million (ppm), expressed as methane, above background, measured using EPA Reference Method 21.
- (44) VISIBLE GAP is a gap of more than 1/8 inch between any gasket or seal and the opening that it is intended to seal. Visible gap for primary and secondary seals is a gap that does not meet the requirements specified in subdivision (d).
- (45) VOLATILE ORGANIC COMPOUNDS (VOC) as defined in Rule 102.
- (46) WASTE STREAM TANK is a storage tank containing at least 75% water by volume, and some liquid waste stream generated in a manner which contains petroleum liquid, emulsified oil, VOC or other hydrocarbons. For the purpose of this rule, waste stream tanks include waste water tanks and recovered oil (or slop oil) tanks.
- (47) WIPER PRIMARY SEAL is a continuous annular blade of flexible material (e.g. rubber, urethane, or foam filled) fastened to a mounting bracket on the deck perimeter that spans the annular rim space and contacts the tank shell. A wiper seal system may consist of a single primary seal, or dual (multiple) seals where one seal is mounted above the other.

#### (d) Requirements

- (1) External Floating Roof Tanks
  - (A) No later than July 1, 2003, the operator of an external floating roof tank containing organic liquids having true vapor pressure of less than 3 psia at any petroleum facility with annual VOC emissions exceeding 40,000 lbs (20 tons) for emission inventory year 2000 shall:
    - (i) Equip each access hatch and gauge float well with a cover that is gasketed and bolted. The cover shall be closed at all times, with no visible gaps, except when the hatch or well must be opened for access.
    - (ii) Equip each gauge hatch/sample well with a cover that is gasketed. The cover shall be closed at all times, with no

- visible gaps, except when the hatch or well must be opened for access.
- (iii) Gasket or cover each adjustable roof leg with a VOC impervious sock at all times when the roof is floating.
- (iv) Gasket each rim vent. Rim vents shall be closed at all times, with no visible gaps, when the roof is floating; and shall be set to open only when the roof is being floated off the roof leg supports or when the pressure beneath the rim seal exceeds the manufacturer's recommended setting.
- (v) Gasket each vacuum breaker. Vacuum breakers shall be closed at all times, with no visible gaps, when the roof is floating; and shall be set to open only when the roof is being floated off or is being landed on the roof leg supports.
- (vi) Equip each open floating roof drain with a slotted membrane fabric cover or other device with an equivalent control efficiency that covers at least 90 percent of the area of the opening.
- (vii) Equip each unslotted guidepole well with a gasketed sliding cover and a flexible fabric sleeve or wiper.
- (viii) Equip each unslotted guidepole with a gasketed cover at the end of the pole. The cover shall be closed at all times, with no visible gaps, except when gauging or sampling.
- (ix) Equip each slotted guidepole with the following combination of components:
  - (A) A gasketed cover, a pole wiper, and a pole float with a wiper or seal; or
  - (B) A gasketed cover, a pole wiper, and a pole sleeve that shall be extended into the stored liquid; or
  - (C) A gasketed cover, a pole wiper, a pole sleeve that shall be extended into the stored liquid, and a flexible enclosure system.
- (x) Maintain the pole float in a condition such that it floats within the guidepole at all times, except when it must be removed for sampling or when the tank is empty. The wiper or seal of the pole float shall be at or above the height of the pole wiper.

- (xi) An operator that equips the slotted guidepole with a flexible enclosure system shall ensure that the flexible enclosure system:
  - (A) Completely encloses the slotted guidepole;
  - (B) Is free of holes, tears, slots, or rips; and
  - (C) Is double-clamped tightly at the top of the guidepole and secured to the tank roof with no visible gaps.
- (xii) Cover each slotted guidepole opening with a gasketed cover at all times, with no visible gaps, except when the cover must be opened for access.
- (xiii) Except for vacuum breakers and rim vents, ensure that each opening in the external floating roof shall provide a projection below the liquid surface.
- (xiv) Except for vacuum breakers, rim vents, roof drains, and leg sleeves, equip all other openings in the roof with a gasketed cover or seal which is closed at all times, with no visible gaps, except when the cover or seal must be opened for access.
- (B) No later than July 1, 2003, the operator of an external floating roof tank containing organic liquids having true vapor pressure of less than 3 psia at any petroleum facility with annual VOC emissions exceeding 40,000 lbs (20 tons) for emission inventory year 2000 shall equip the tank with a rim seal system meeting the following requirements:
  - (i) The primary seal shall be a mechanical shoe or liquid mounted.
  - (ii) The secondary seal shall be rim mounted and shall not be attached to the primary seal.
  - (iii) Gaps between the tank shell and the primary seal shall not exceed 1.3 centimeters (1/2 inch) for a cumulative length of 30 percent of the circumference of the tank, and 0.32 centimeter (1/8 inch) for 60 percent of the circumference of the tank. No gap between the tank shell and the primary seal shall exceed 3.8 centimeters (1-1/2 inches). No continuous gap between the tank shell and the primary seal greater than

- 0.32 centimeter (1/8 inch) shall exceed 10 percent of the circumference of the tank.
- (iv) Gaps between the tank shell and the secondary seal shall not exceed 0.32 centimeter (1/8 inch) for a cumulative length of 95 percent of the circumference of the tank. No gap between the tank shell and the secondary seal shall exceed 1.3 centimeters (1/2 inch).
- (v) Mechanical shoe primary seals shall be installed so that one end of the shoe extends into the stored organic liquid and the other end extends a minimum vertical distance of 61 centimeters (24 inches) above the stored organic liquid surface.
- (vi) The geometry of the shoe shall be such that the maximum gap between the shoe and the tank shell is no greater than double the gap allowed by the seal gap criteria specified in clause (d)(1)(B)(iii) for a length of at least 46 centimeters (18 inches) in the vertical plane above the liquid surface.
- (vii) The primary seal envelope shall be made available for unobstructed inspection by the Executive Officer along its circumference. In the case of riveted tanks with resilient filled primary seals, at least eight such locations shall be made available; for all other types of seals, at least four such locations shall be made available. If the Executive Officer deems it necessary, further unobstructed inspection of the primary seal may be required to determine the seal's condition along its entire circumference.
- (viii) The secondary seal shall be installed in a way that permits the Executive Officer to insert probes up to 3.8 centimeters (1-1/2 inches) in width to measure gaps in the primary seal.
- (ix) There shall be no holes, tears or openings in the secondary seal or in the primary seal envelope surrounding the annular vapor space enclosed by the roof edge, seal fabric, and secondary seal.
- (x) Except during the preventive maintenance, repair, or inspection periods specified in subdivision (f) and (g) of this rule that do not exceed 72 hours with prior notification to the

- Executive Officer, both the primary seal and the secondary seal shall cover the annular space between the external floating roof and the wall of the storage tank in a continuous fashion, with no visible gaps.
- (xi) The operator shall use a rim seal system that is identified on the current list of seals approved by the Executive Officer. The operator requesting the use of an alternative rim seal system shall submit a written application including emission test results and analysis demonstrating that the alternative rim seal system is better in performance and has a rim seal loss emission factor that is less than or equal to the current design.
- (C) No later than July 1, 2003, in lieu of complying with the requirement of no visible gap in subparagraph (d)(1)(A), the operator of an external floating roof tank shall maintain all roof openings in a vapor tight condition at all times except during preventive maintenance, repair, or inspection periods specified in subdivision (f) and (g) of this rule.
- (2) Domed External Floating Roof Tanks
  - (A) Phase I: The operator at any petroleum facility with annual VOC emissions exceeding 40,000 lbs (20 tons) for emission inventory year 2000 shall install domed roofs on all external floating roof tanks that contain organic liquids having true vapor pressure greater than or equal to 3 psia as reported in the Annual Emissions Report pursuant to Rule 301 Permit Fees for the emission inventory year 2000 according to the following schedule:
    - (i) At least 1/3 of the tanks subject to this provision by January 1, 2004;
    - (ii) At least 2/3 of the tanks subject to this provision by January 1, 2006;
    - (iii) All tanks subject to this provision by January 1, 2008.
    - (iv) As an alternative to clauses (i) through (iii) above, an operator may submit a compliance plan demonstrating that 75% of the tanks subject to this provision have domes installed by December 31, 2006, and 100% of such tanks shall have domes installed by December 31, 2008. The

Executive Officer shall approve any plan which convincingly demonstrates compliance and may impose conditions of approval necessary to assure compliance. The operator shall comply with all provisions and conditions of an approved plan.

- (B) Phase II: For additional external floating roof tanks that are not identified under Phase I but contain organic liquids having true vapor pressure greater than or equal to 3 psia as reported in the Annual Emissions Report pursuant to Rule 301 - Permit Fees for any emission inventory year after 2000, the operator who is subject to Phase I shall comply with the requirements specified in subparagraph (d)(2)(A) no later than two years after becoming subject to the rule. In those cases where the two-year period falls within Phase I, the operator shall complete the installation of the domes on all Phase II tanks by no later than January 1, 2010, or December 31, 2010 if choosing to comply with the alternative in clause (d)(2)(A)(iv). The applicability and compliance verification of waste stream tanks and recovered oil tanks shall be based on a monthly average true vapor pressure greater than or equal to 3 psia. The monthly average true vapor pressure of waste stream shall be determined based on at least one representative sample or multiple samples collected from the top surface layer that is no deeper than 6 inches at a frequency committed to in writing by the affected facility no later than January 1, 2003. The facility shall monitor and keep records of sampling results and monthly average true vapor pressures on site and make them available to the Executive Officer upon request.
- (C) In lieu of complying with the requirements in subparagraph  $(d)(2)(B)_{\overline{2}}$ 
  - (i) the The operator who is subject to Phase I shall accept permit conditions to limit the true vapor pressure of the organic liquids stored in the a tanks to lower than 3 psia by the end of Phase I.
  - (ii) The operator of a waste water tank where the installation of a domed roof may create a hazard due to the accumulation of pyrophoric material, as confirmed by the Executive

Officer, who is subject to Phase II shall accept permit conditions to limit the true vapor pressure of the organic liquids stored in a tank to lower than 3 psia.

- (D) The operator of a domed external floating roof tank shall equip and maintain all roof openings in accordance with the specifications listed in subparagraph (d)(1)(A) by the applicable compliance date in subparagraph (d)(2)(A) and (d)(2)(B). Each slotted guidepole shall be equipped with the following combination of components:
  - (i) A gasketed cover, a pole wiper, a pole float with a wiper or seal; or
  - (ii) A gasketed cover, a pole wiper, and a pole sleeve that shall be extended into the stored liquid; or
  - (iii) A gasketed cover, a pole wiper, and a flexible enclosure system.
- (E) The operator of a domed external floating roof tank shall equip the tank with a rim seal system consisting of a primary and a secondary seal meeting the specifications listed in subparagraph (d)(1)(B) by the applicable compliance date in subparagraphs (d)(2)(A) and (d)(2)(B).
- (F) The operator shall ensure that the concentration of organic vapor in the vapor space above a domed external floating roof shall not exceed 30 percent of its lower explosive limit (LEL) by the applicable compliance date in subparagraph (d)(2)(A) and (d)(2)(B).
- (G) The operator shall submit to the Executive Officer an annual status report including at a minimum all of the following:
  - (i) A list of all external floating roof tanks subject to the requirement in subparagraphs (d)(2)(A) and (d)(2)(B);
  - (ii) A general description of each tank including information such as tank identification, District permit number or District device identification, tank type, tank capacity, type of liquid stored, and if applicable, number of representative samples, frequency of sampling, averaging method used to determine the monthly average true vapor pressure of waste stream or recovered oil tanks, and the results.
  - (iii) A compliance status for each tank; and

- (iv) An estimated compliance date for each external floating roof tank that is not yet in compliance with the requirement in subparagraph (d)(2)(A) and (d)(2)(B).
- (3) Internal Floating Roof Tanks

When an internal floating roof tank is scheduled for emptying and degassing, but no later than January 1, 2007, the operator of an internal floating roof tank at any petroleum facility with annual VOC emissions exceeding 40,000 lbs (20 tons) for emission inventory year 2000 shall:

- (A) Equip each fixed roof support column and well with a sliding cover that is gasketed or with flexible fabric sleeves;
- (B) Equip each ladder well with a gasketed cover. The cover shall be closed at all times, with no visible gaps, except when the well must be opened for access;
- (C) Equip and maintain other roof openings according to the specifications listed in subparagraph (d)(1)(A) or (d)(1)(C). Each slotted guidepole shall be equipped with the following combination of components:
  - (i) A gasketed cover, a pole wiper, a pole float with a wiper or seal; or
  - (ii) A gasketed cover, a pole wiper, and a pole sleeve that shall be extended into the stored liquid; or
  - (iii) A gasketed cover, a pole wiper, and a flexible enclosure system.
- (D) Equip the tank with a rim seal system consisting of either a primary seal, or a primary and a secondary seal meeting the specifications listed in subparagraph (d)(1)(B), with the exception of a mechanical shoe primary seal which shall have one end extend a minimum vertical distance of 15 centimeters (6 inches) above the liquid surface and the other end extend into the liquid a minimum of 10 centimeters (4 inches); and
- (E) Ensure that the concentration of organic vapor in the vapor space above the internal floating roof shall not exceed 50 percent of its lower explosive limit (LEL) for those installed prior to June 1, 1984 and 30 percent of its LEL for those installed after June 1, 1984.

#### (4) Fixed Roof Tanks

- (A) No later than January 1, 2007, the operator of a fixed roof tank at any petroleum facility with annual VOC emissions exceeding 40,000 lbs (20 tons) for emission inventory year 2000 shall equip each fixed roof tank containing organic liquids with true vapor pressure greater than 0.1 psia with an emission control system meeting the following requirements:
  - (i) The tank emissions are vented to an emission control system with an overall control efficiency of at least 95% by weight or the tank emissions are vented to a fuel gas system.
  - (ii) Any tank gauging or sampling device on a tank shall be equipped with a vapor tight cover which shall be closed at all times, with no visible gaps, except during gauging or sampling. The roof of such tank shall be properly maintained in a vapor tight condition with no holes, tears or uncovered opening.
  - (iii) All openings on the roof shall be properly installed and maintained in a vapor tight condition at all times.
  - (iv) The operator shall equip each fixed roof tank with pressurevacuum vents that shall be set to the lesser of 10% below the maximum allowable working pressure of the roof or 0.5 psig.
  - (v) The operator shall maintain pressure-vacuum vents in a vapor tight condition at all times except when the operating pressure of the fixed roof tank exceeds the manufacturer's recommended setting.
- (B) In lieu of complying with the requirement in subparagraph (d)(4)(A), the operator may choose to convert the fixed roof tank to an external floating roof tank or an internal floating roof tank meeting the requirements specified in paragraph (d)(1) or (d)(3).
- (5) The operator of any petroleum facility with annual VOC emissions exceeding 40,000 lbs (20 tons) for any emission inventory year subsequent to 2000 reporting pursuant to Rule 301 Permit Fees shall:
  - (A) Comply with the requirements for external floating roof tanks specified in paragraph (d)(1) no later than one year after becoming subject to this rule.

- (B) Comply with the requirements for domed external floating roof tanks specified in paragraph (d)(2) no later than six years after becoming subject to this rule. Any external floating roof tank that later becomes subject to this requirement based on any subsequent emission inventory year, shall comply with the requirements in paragraph (d)(2) no later than two years after becoming subject to this rule.
- (C) Comply with the requirements for internal floating roof tanks specified in paragraph (d)(3) when the tanks are scheduled for emptying and degassing, but no later than five years after becoming subject to this rule.
- (D) Comply with the requirements for fixed roof tanks specified in paragraph (d)(4) no later than five years after becoming subject to this rule.
- (6) The operator of all tanks for which a permit to construct and operate has been issued by the Executive Officer on and after January 1, 2002 for new construction shall comply with the requirements of subdivision (d).

#### (e) Identification Requirements

- (1) The operator shall permanently identify all tanks subject to the requirements of this rule by a visible sign that includes the tank number, on the outside wall of the tank for inventory, inspection and record keeping purposes.
- (2) The operator shall notify the Executive Officer of any change(s) in tank identification.

#### (f) Monitoring Requirements

(1) External Floating Roof Tanks

To demonstrate compliance with paragraph (d)(1), the operator shall have a certified person conduct the following in accordance with the procedures and guidelines specified in Attachment A:

- (A) Conduct an EPA Method 21 inspection or measure gaps of all roof openings on a semiannual basis and each time the tank is emptied and degassed.
- (B) Perform complete gap measurements of the rim seal system on a semiannual basis and each time the tank is emptied and degassed.

- (2) Domed External Floating Roof Tanks and Internal Floating Roof Tanks

  To demonstrate compliance with paragraph (d)(2) and (d)(3), the operator
  shall have a certified person conduct the following in accordance with the
  procedures and guidelines specified in Attachment A:
  - (A) Visually inspect the rim seal system and roof openings and use an explosimeter to measure the lower explosive limit (LEL) on a semiannual basis.
  - (B) Perform complete gap measurements of the rim seal system each time the tank is emptied and degassed but no less than once every ten years.
  - (C) Perform complete gap measurements of all roof openings each time the tank is emptied and degassed but no less than once every ten years.

#### (3) Fixed Roof Tanks

- (A) No later than 180 days after the effective date of the requirements, the operator of a facility who elects to install an emission control system to comply with the requirements in clause (d)(4)(A)(i) shall conduct an initial performance testing to determine the overall efficiency of the emission control system and submit a complete test report to the Executive Officer. The performance testing of the emission control system shall be repeated when the system is modified or an operating parameter is changed in a manner that affects the capture or control efficiency. In such case, the performance test shall be conducted and the test report submitted to the Executive Officer within 180 days after the modification. Subsequent to the initial performance test, the operator shall conduct annual performance tests, and shall monitor and record applicable operating parameters on a weekly basis to ensure that the emission control system is achieving 95% overall control efficiency.
- (B) To demonstrate compliance with clause (d)(4)(A)(ii), (d)(4)(A)(iii) and (d)(4)(A)(v), the operator shall have a certified person conduct EPA Method 21 measurements on a quarterly basis.
- (C) To demonstrate compliance with clause (d)(4)(A)(iv), the operator shall keep engineering data sheet for pressure-vacuum vents installed after January 1, 2002.

#### (g) Maintenance Requirements

The operator shall repair, or replace any piping, valves, vents, seals, gaskets, or covers of roof openings that are found to have defects or visible gaps, or are not vapor tight, and do not meet all the requirements of this rule before filling or refilling an emptied and degassed storage tank, or within 72 hours after an inspection, including one conducted by the operator as specified in subdivision (f), determines that the equipment is not operating in compliance.

#### (h) Record Keeping and Reporting Requirements

- (1) During the inspections specified subdivision (f), the operator shall keep records of all findings, including but not limited to the readings measured according to EPA Reference Test Method 21.
- (2) The operator shall record all inspections of primary, secondary seals, a flexible enclosure system (if any), and roof openings on compliance inspection report forms approved by the Executive Officer as described in Attachment A.
- (3) The operator shall submit all inspection reports and documents to the Executive Officer semiannually within five working days of completion of the inspections specified in paragraph (f)(1) and (f)(2); and on January 31 and July 31, respectively, upon the completion of two consecutive quarterly inspections conducted as specified in subparagraph (f)(3)(B).
- (4) If the operator determines that a tank is in violation of the requirements of this rule during the inspections specified subdivision (f), the operator shall submit a written report to the Executive Officer within 120 hours of the determination of non-compliance, indicating corrective actions taken to achieve compliance.
- (5) The operator who elects to install or modify an emission control system to comply with the requirement in clause (d)(4)(A)(i) shall conduct an initial performance test as described in clause (f)(3)(A) and submit a complete test report to the Executive Officer no later than 180 days after the effective date of the requirement for new installation; or 180 days after the modification. Subsequent annual performance test and test report shall be submitted annually within 60 days after the end of each emission inventory year.
- (6) The operator shall keep all monitoring, inspection, maintenance, and repair records at the facility for a period of five years and shall make the records available to the Executive Officer upon request.

- (i) Test Methods and Procedures
  - The following test methods and procedures shall be used to determine compliance with this rule. Alternative test methods may be used if they are determined to be equivalent and approved in writing by the Executive Officer, the California Air Resources Board, and the U.S. Environmental Protection Agency.
  - (1) Measurements of gaseous volatile organic compound leaks shall be conducted according to EPA Reference Method 21 using an appropriate analyzer calibrated with methane.
  - (2) Organic liquids that are stored at ambient temperatures with a true vapor pressure of greater than 5 mm Hg (0.1 psi) absolute under actual storage conditions shall be determined as those with a flash point of less than 100 °F as determined by ASTM Method D-93.
  - Organic liquids that are stored at above ambient temperatures with a true vapor pressure greater than 5 mm Hg (0.1 psi) absolute under actual storage conditions shall be determined as those whose volume percent evaporated is greater than ten percent at an adjusted temperature T<sub>Adj</sub> as determined by ASTM Method D-86 of:

$$T_{Adj} = 300 \, {}^{o}F + T_1 - T_a$$

Where:

T<sub>1</sub> = Liquid Storage Temperature (°F)

 $T_a = Ambient Temperature (^{\circ}F) = 70 ^{\circ}F$ 

- (4) Organic liquids with a true vapor pressure of greater than or equal to 3 psia shall be determined by ASTM Method D-323 for Reid vapor pressure and converted to true vapor pressure using applicable nomographs in EPA AP-42 or District and EPA approved nomographs. The actual storage temperature used for determining true vapor pressure shall be 70 degrees Fahrenheit for organic liquids that are stored at ambient temperatures, and actual storage temperature for organic liquids that are stored at above ambient temperatures.
- (5) Control efficiency of an emission control system, on a mass emissions basis, and the VOC concentrations in the exhaust gases shall be determined by U.S. EPA Test Methods 25, 25A; District Method 25.1 Determination of Total Gaseous Non-Methane Organic Emissions as Carbon; or District Method 25.3 Determination of Low Concentration Non-Methane Non-

- Ethane Organic Compound Emissions from Clean Fueled Combustion Sources, as applicable.
- (6) When more than one test method or set of test methods are specified for any testing, the application of these methods to a specific set of test conditions is subject to approval by the Executive Officer. In addition, a violation of any requirement of this rule established by any one of the specified test methods or set of test methods shall constitute a violation of the rule.
- (7) The sampling, analysis, and reporting shall be conducted by a laboratory that has been approved under the District Laboratory Approval Program (LAP) for the cited District reference test methods, where LAP approval is available. For District reference test methods for which no LAP program is available, the LAP approval requirement shall become effective one year after the date that the LAP program becomes available for that District reference test method.
- (8) Tests to determine emission factors for an alternative control device for rim seal or deck opening shall accurately simulate conditions under which the device will operate, such as wind, temperature, and barometric pressure. Test methods that can be used to perform the testing required in this paragraph include, but are not limited to, the following methods, which shall be performed by a laboratory certified by American Petroleum Institute (API):
  - (A) API Manual of Petroleum Measurement Standards, Chapter 19, Section 3, Part A, Wind Tunnel Test Method for the Measurement of Deck-Fitting Loss Factors for External Floating-Roof Tanks;
  - (B) API Manual of Petroleum Measurement Standards, Chapter 19, Section 3, Part B, Air Concentration Test Method for the Measurement of Rim Seal Loss Factors for Floating-Roof Tanks.
  - (C) API Manual of Petroleum Measurement Standards, Chapter 19, Section 3, Part E; Weight Loss Test Method for the Measurement of Deck-Fitting Loss Factors for Internal Floating-Roof Tanks.

#### (j) Exemptions

(1) The provisions of this rule shall not apply to pressurized storage tanks designed to operate in excess of 15 pounds per square inch gauge (psig) without any emissions to the atmosphere except under emergency conditions.

- (2) Domed external floating roof tanks installed prior to January 1, 2002 shall be exempt from the requirements of subparagraph (d)(2)(D) and (d)(2)(E) for secondary seals.
- (3) Any facility with a facility emission cap equal to or less than 40,000 pounds (20 tons) per year of VOC shall be exempt from the requirements of this rule.
- (4) Portable Baker tanks containing organic liquids having true vapor pressures from 0.1 psia to 0.5 psia equipped with carbon canisters to reduce the emissions from the storage tanks to less than 500 ppm outlet concentration shall be exempt from the performance testing requirements specified in clause (d)(4)(A)(i) and subparagraph (f)(3)(A) provided that the operator conducts EPA Reference Method 21 measurement weekly to ensure that the system achieves the emission standard of 500 ppm.
- (5) External floating roof tanks having permit conditions that limit the true vapor pressure of the organic liquids stored in the tanks to lower than 3 psia shall be exempt from the requirements of paragraph (d)(2).
- (6) External floating roof tanks subject to clause (d)(1)(A)(i) shall be exempt from this requirement until the next time the tank is emptied and degassed, provided that the operator has demonstrated to the satisfaction of the Executive Officer that in order to properly bolt, the covers for access hatches and gauge float wells must be welded. The operator shall use equivalent means, such as clamping, to secure the covers during the interim period.
- (7) External floating roof tanks permitted to contain more than 97% by volume crude oil shall be exempt from the doming requirements of paragraph (d)(2)(A) and (d)(2)(B) but shall comply with other remaining applicable requirements of this rule.

#### ATTACHMENT A

#### INSPECTION PROCEDURES AND COMPLIANCE REPORT FORMS

#### **Equipment Needed:**

Organic Vapor Analyzer (OVA) calibrated with methane in accordance with EPA Test Method 21, explosimeter calibrated with methane (for internal floating roof tanks), liquid resistant measuring tape or device, tank probe (to measure gaps in tank seals - 1/8 inch, 1/2 inch, 1-1/2 inch), flashlight.

#### <u>Inspection Procedures</u>:

- 1. The findings of all tank self-inspections, whether completed or not, shall be recorded on the Rule 1178 Compliance Report forms prescribed by the Executive Officer and submitted to the District's Refinery Section in accordance with the rule's requirements. If an inspection is stopped before completion, indicate the reason for this action in the Comments section of the compliance report form.
- 2. During the compliance inspection, the person(s) conducting the inspection must have a copy of the Permit to Operate or Permit to Construct pertinent to the tank being inspected. Any discrepancies between the permit equipment description and the existing tank or the permit conditions and the actual operating conditions of the tank as verified during inspection must be recorded in the Comments section of the compliance report form.
- 3. Inspect the ground level periphery of each tank for possible leaks in the tank shell. Complete the tank information section (D) on the report.
- 4. For external floating roof tanks:
  - o From the platform, conduct an overall visual inspection of the roof and check for obvious permit or rule violations. Record the information as shown under section F of the compliance report form.
  - O During visual inspection of the roof, check for unsealed roof legs, open hatches, open emergency roof drains or vacuum breakers and record the findings on the report accordingly. Indicate presence of any tears in the fabric of both seals.
  - o Conduct an inspection of the roof fittings for vapor tight condition and record any leaks above 500 ppm in the fugitive emissions tank report OR conduct an inspection of the roof fittings using the 1/8" probes.

- O Conduct an inspection of the entire secondary seal using the 1/8" and 1/2" probes. Record the gap data in section F(4) of the report.
- O Conduct an inspection of the entire primary seal using the 1/8", 1/2", and 1-1/2" probes. Inspect the primary seal by holding back the secondary seal. Record the gap data in section F(5) of the report.
- o Record all cumulative gaps between 1/8 inch and 1/2 inch; between 1/2 inch and 1-1/2 inch; and in excess of 1-1/2 inches, for both primary and secondary seals in section G of the report. Secondary seal gaps greater than 1/2 inch should be measured for length and width, and recorded in Comments under section (J) of the report.
- o For slotted guidepoles with a flexible enclosure system, conduct a visual inspection of the flexible enclosure system. Record any holes, tears, slots, or rips in the flexible enclosure system and any tightening or replacement of clamps at the top and the bottom of the flexible enclosure system pursuant to clause (d)(1)(A)(xi).
- 5. For internal floating roof and domed tanks:
  - O Using an explosimeter, measure the concentration of the vapor space above the floating roof in terms of lower explosive limit (LEL), and record the reading in section (E) of the report.
  - o Conduct a visual inspection of the roof openings and the secondary seal, if applicable, and record findings on the report.
  - o Conduct gap measurements of the rim seal system and roof openings each time the tank is emptied and degassed but no less than once every ten years.
  - O Conduct a visual inspection of the slotted guidepole flexible enclosure system.
- 6. For fixed roof tanks:
  - O Conduct an inspection of the pressure relief valves, piping, valves and fittings located on the roof for vapor tight condition and record any readings in excess of 500 ppm in the fugitive emissions tank report.
- 7. Complete all necessary calculations and record all required data accordingly on the report.

#### SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT RULE 1178 COMPLIANCE REPORT

Tank No.		SCAQMD Permit I	SCAQMD Permit No Inspec		on Date	Time	Time			
Is Tł	nis a Follow-up Inspection	? No □ Yes		If yes, D	ate of Previous I	nspection				
A.	COMPANY INFORM	ATION:								
	Company Name									
	Location Address				City	Zip				
	Mailing Address				City	Zip				
	Contact Person				Title					
	Phone				E-mail					
В.	INSPECTION COND	UCTED BY:								
	Name				Title					
	Company Name				Phone					
	Mailing Address				City	Zip				
<b>C.</b>	TANK INFORMATIO	ON:								
	Capacity	(bbls) Installation Date		Tank Diameter		(ft) Tank Height	(ft			
	Product Type			P	roduct RVP					
	Type of Tank: Riveto	ed  Wel	ded □	Other $\square$	(describe)					
	Color of Shell				Color	of Roof				
	Roof Type: Pont	toon   Doub	le Deck 🛚	Other(de	escribe)					
	External floating roof	□ Internal	floating roof or	domed tank	☐ Flexible en	closure system				
).	GROUND LEVEL INSPECTION:									
	1) Product Temper	rature	° F	2) Pr	roduct level	(1	ft)			
	3) List type and location of leaks found in tank shell.									
	4) List any discrep	pancies between the exis	sting equipment	and the equipm	nent description o	n the Permit.				

#### (<u>Amended November 6, 2020</u>)

NTERNAL FLOATING ROOF TANK when needed)  1) On the diagram (below) indicate the location of the ladder, roof drain(s), anti-rotation device(s), platform, gauge well, and vents or oth appurtenances. Note information in relation to North (to the top of the worksheet).  2) Describe any uncovered openings found on the roof in the Comments section (J). (Refer to Rule 463(a)(1)(F)):  3) Identify any tears in the seal fabric. Describe and indicate on diagram (below):  4) Secondary Seal Inspection  a) Type of Secondary Seal:  b) Does 1/2" probe drop past seal? No   Yes   if yes, measure length(s) and show on diagram.  c) Does 1/8" probe drop past seal? No   Yes   if yes, measure length(s) and show on diagram.  d) Record dimensions of gap for gaps > 1/8"   >1/2"    NOTE: Record the actual width and cumulative length of gaps in feet and inches. (Do not include gaps > 1/2" in 1/8" measurements)  5) Primary Seal Inspection  a) Type of Primary Seal:   Shoe;   Tube;   Other    b) (shoe seal) does 1-1/2" probe drop past seal? No   Yes   if yes, measure length(s) and show on diagram.  c) (shoe seal) does 1/2" probe drop past seal? No   Yes   if yes, measure length(s) and show on diagram.  d) (tube seal) does 1/2" probe drop past seal? No   Yes   if yes, measure length(s) and show on diagram.  e) (all seal types) does 1/8" probe drop past seal? No   Yes   if yes, measure length(s) and show on diagram.  f) Record dimensions of gaps for gaps > 1/8"   >1/2"    NOTE: Record the actual width and cumulative length of gaps in feet and inches. (Do not include gaps > 1/2"   NOTE: Record the actual width and cumulative length of gaps in feet and inches. (Do not include gaps > 1/2"   NOTE: Record the actual width and cumulative length of gaps in feet and inches. (Do not include gaps in feet and inches. (Do not include gaps > 1/2"   NOTE: Record the actual width and cumulative length of gaps in feet and inches. (Do not include gaps in feet and inches. (Do not include gaps in feet and inches. (Do not include gaps in feet and inches. (Do not	E.	INTI	ERNAL FLOATING ROOF OR DOM	ED TANK:	:			Page 2 of 4					
3) Are all roof openings covered? No		1)	Check vapor space between floating roo	of and fixed	roof with	explosimete	r	% LEL					
F. EXTERNAL FLOATING ROOF TANK (or DOMED TANK AND INTERNAL FLOATING ROOF TANK when needed)  1) On the diagram (below) indicate the location of the ladder, roof drain(s), anti-rotation device(s), platform, gauge well, and vents or oth appurtenances. Note information in relation to North (to the top of the worksheet).  2) Describe any uncovered openings found on the roof in the Comments section (J). (Refer to Rule 463(a)(1)(F)):  3) Identify any tears in the seal fabric. Describe and indicate on diagram (below):  4) Secondary Seal Inspection  a) Type of Secondary Seal:  b) Does 1/2" probe drop past seal?  No   Yes   if yes, measure length(s) and show on diagram.  c) Does 1/8" probe drop past seal? No   Yes   if yes, measure length(s) and show on diagram.  d) Record dimensions of gap for gaps > 1/8"   >1/2"  NOTE: Record the actual width and cumulative length of gaps in feet and inches. (Do not include gaps > 1/2" in 1/8" measurements)  5) Primary Seal Inspection  a) Type of Primary Seal:   Shoe;   Tube;   Other  b) (shoe seal) does 1/2" probe drop past seal? No   Yes   if yes, measure length(s) and show on diagram.  c) (shoe seal) does 1/2" probe drop past seal? No   Yes   if yes, measure length(s) and show on diagram.  d) (tube seal) does 1/2" probe drop past seal? No   Yes   if yes, measure length(s) and show on diagram.  e) (all seal types) does 1/8" probe drop past seal? No   Yes   if yes, measure (length(s) and show on diagram.  e) (all seal types) does 1/8" probe drop past seal? No   Yes   if yes, measure (length(s) and show on diagram.  f) Record dimensions of gaps for gaps   NOTE: Record the actual width and cumulative length of gaps in feet and inches.  (Do not include gaps > 1/2" in 1/8" measurements, or gaps > 1-1/2" in 1/2" measurements)  NOTE: Show defects using symbols. Show seal gaps and lengths.  LEGEND: Equipment:  Antirotational device Gauge well  T Roof drain = Emergency roof drain   Platform & ladder		2)	Conduct visual inspection of roofs, second	ondary seals	s, and slotte	ed guidepole	flexible enclosure system,	if applicable.					
INTERNAL FLOATING ROOF TANK when needed)  On the diagram (below) indicate the location of the ladder, roof drain(s), anti-rotation device(s), platform, gauge well, and vents or oth apputtenances. Note information in relation to North (to the top of the worksheet).  Describe any uncovered openings found on the roof in the Comments section (J). (Refer to Rule 463(a)(1)(F)):  Identify any tears in the seal fabric. Describe and indicate on diagram (below):  Secondary Seal Inspection  a) Type of Secondary Seal:  b) Does 1/2" probe drop past seal? No   Yes   if yes, measure length(s) and show on diagram.  c) Does 1/8" probe drop past seal? No   Yes   if yes, measure length(s) and show on diagram.  d) Record dimensions of gap for gaps > 1/8"   >1/2"    NOTE: Record the actual width and cumulative length of gaps in feet and inches. (Do not include gaps > 1/2" in 1/8" measurements)  Primary Seal Inspection  a) Type of Primary Seal:   Shoe;   Tube;   Other  b) (shoe seal) does 1-1/2" probe drop past seal? No   Yes  ; if yes, measure length(s) and show on diagram.  c) (shoe seal) does 1/2" probe drop past seal? No   Yes   if yes, measure length(s) and show on diagram.  d) (tube seal) does 1/2" probe drop past seal? No   Yes   if yes, measure length(s) and show on diagram.  e) (all seal types) does 1/8" probe drop past seal? No   Yes   if yes, measure length(s) and show on diagram.  f) Record dimensions of gaps for gaps   NoTE: Record the actual width and cumulative length of gaps in feet and inches.  (Do not include gaps > 1/2"   NOTE: Record the actual width and cumulative length of gaps in feet and inches.  (Do not include gaps > 1/2"   NOTE: Record the actual width and cumulative length of gaps in feet and inches.  Co (all seal types) does 1/8" probe drop past seal? No   Yes   if yes, identify  NOTE: Show defects using symbols. Show seal gaps and lengths.  LEGEND:  Equipment:  Antirotational device Gauge well  T Leg stand  Roof drain  * Emergency voof drain  * Emergency voof drain  * Emergency voof drain  * Emergency v		3)	Are all roof openings covered? No	□ Yes	s 🗆	If no, exp	olain in Comments section (	(J) and proceed to part (H)(6).					
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d) (tube seal) does 1/2" probe drop past seal? No Yes if yes, measure length(s) and show on diagram. e) (all seal types) does 1/8" probe drop past seal? No Yes if yes, measure (length(s) and show on diagram. f) Record dimensions of gaps for gaps >1/8" >1/2" >1-1/2"		,											
e) (all seal types) does 1/8" probe drop past seal? No							if yes, measure length(s) and show on diagram.						
f) Record dimensions of gaps for gaps  >1/8"  >1-1/2"  NOTE: Record the actual width and cumulative length of gaps in feet and inches.  (Do not include gaps > 1/2" in 1/8" measurements, or gaps > 1-1/2" in 1/2" measurements)  6) Deck Fitting Inspection (circle one) does 1/8" probe drop past gasket seal or pass Method 21? No  Yes  if yes, identify  NOTE: Show defects using symbols. Show seal gaps and lengths.  LEGEND: Equipment:  Antirotational device Gauge well  T Leg stand Roof drain  * Emergency roof drain  * Emergency roof drain  * Vacuum breaker  σ Vent Platform & ladder			, , , ,	•									
>1-1/2"													
(Do not include gaps > 1/2" in 1/8" measurements, or gaps > 1-1/2" in 1/2" measurements)  6) Deck Fitting Inspection (circle one) does 1/8" probe drop past gasket seal or pass Method 21? No □ Yes □ if yes, identify  NOTE: Show defects using symbols. Show seal gaps and lengths.  LEGEND: Equipment: Antirotational device Gauge well T Leg stand Roof drain * Emergency roof drain ∞ Vacuum breaker σ Vent Platform & ladder		1)	• • • • • • • • • • • • • • • • • • • •	NOTE: P	acord the								
(circle one) does 1/8" probe drop past gasket seal or pass Method 21? No □ Yes □ if yes, identify  NOTE: Show defects using symbols. Show seal gaps and lengths.  LEGEND:  Equipment:  Antirotational device  Gauge well  T Leg stand  Roof drain  * Emergency roof drain  ∞ Vacuum breaker  σ Vent  Platform & ladder								ups in jeei ana inches.					
NOTE: Show defects using symbols. Show seal gaps and lengths.  LEGEND: Equipment: Antirotational device Gauge well T Leg stand Roof drain * Emergency roof drain ∞ Vacuum breaker σ Vent Platform & ladder	6)	Deck	Fitting Inspection										
LEGEND: Equipment:  Antirotational device Gauge well  T Leg stand Roof drain  * Emergency roof drain  ∞ Vacuum breaker  σ Vent Platform & ladder		(circl	le one) does 1/8" probe drop past gasket s	eal or pass	Method 21	? No	☐ Yes ☐ if yes,	identify					
Equipment:  Antirotational device Gauge well  T Leg stand Roof drain  * Emergency roof drain  ∞ Vacuum breaker  σ Vent Platform & ladder	NOT	E: Sho	ow defects using symbols. Show seal gap	s and length	ıs.								
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Gauge well  T Leg stand  Roof drain  * Emergency roof drain  ∞ Vacuum breaker  σ Vent  Platform & ladder		,					<u>Equipme</u>						
Roof drain  * Emergency roof drain  ∞ Vacuum breaker  σ Vent  Platform & ladder													
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vacuum breaker  σ Vent Platform & ladder	/	′	\				*						
σ Vent Platform & ladder													
			)				σ						
	\	\					Defects:	Platform & ladder					
Leg top			/					C I					
# Leg pin							#						
Open hatch  √\ Torn seal		\					١٨						
V∖ Torn seal  -P-  Primary seal gap													
-S-  Secondary seal gap													

ank l	No	SC	AQMD Permit No.					Page 3
7)	Flexible Enclosure S	system Inspe	ection					
	Does flexible enclosure system have any holes, tears, slots, or rips? If yes, No $\Box$ Yes $\Box$ identify location and approximate size:							
			m have double-clamps at the top that are emissions from being released to the outside?	No [	□ Ye	es 🗆		
			properly secured to the roof of the tank, with re emissions from being released to the	No [	□ Y6	es 🗆		
'IN'	ΓERNAL FLOATING	G ROOF O	R DOMED TANK, PROCEED TO PART H	I(6) WH	EN APPR	OPRIAT	E:	
	CALCULATION	S - complete	e all applicable portions of the following:					
	Reco	rd dimensio	ns of indicated gaps [from F(4)(d), F(5)(b), and	1 F(5)(f)	]. Record	in feet and	d inches.	
		Gaps in pr	rimary seal between 1/8 and 1/2 inch:					
		Gaps in pr	rimary seal between 1/2 and 1-1/2 inch:					
		Gaps in pr	imary seal greater than 1-1/2 inches:					
		Gaps in se	econdary seal between 1/8 and 1/2 inch:					
		Gaps in se	econdary seal greater than 1/2 inch:					
	Mult	iply diamete	r (ft) of tank to determine appropriate gap limi	ts:				
		5% circun	nference = diameter X 0.157 =		60% ci	rc. = dian	n. X 1.88 =	
		10% circu	mference = diameter X 0.314 =		90% ci	rc. = dian	n. X 2.83 =	
		30% circu	mference = diameter X 0.942 =		95% ci	rc. = dian	n. X 2.98 =	
	DETERMINE CO	OMPLIANO	CE STATUS OF TANK:					
	1)		y openings found on the roof?				No □	Yes □
	2)	•						Yes □
	3)	-	oduct level lower than the level at which the ro-	d be floatin	g?	No 🗆	Yes □	
	4)	Seconda	•				_	_
			Did 1/2" probe drop between shell and seal?				No 🗆	Yes □
	<b>~</b> \	ъ.	Did cumulative 1/8" - 1/2" gap exceed 95%	circumf	erence leng	gth?	No 🗆	Yes [
	5)	Primary		10				., -
		Shoe	Did 1-1/2" probe drop between shell and sea		C 1	4 1	No 🗆	Yes □
			Did cumulative 1/2" - 1-1/2" gap exceed 30°			-	No □	Yes □
			Did cumulative 1/8 - 1/2" gap exceed 60% c Did any single continuous 1/8" - 1-1/2" gap		_		No □	Yes E
		Tube	Did 1/2" probe drop between shell and seal	exceed	10/6 CHC. 1	engui	No □	Yes E
		Tube	Did cumulative 1/8" - 1/2" gap exceed 95%	circumf	Caranca lan	wh?	No □	Yes E
	6)	Internal	floating roof (installed before 6/1/84) did LEL			51111	No □	Yes □
	0)	memai.	(installed after 6/1/84) or domed tank did LE				No □	Yes E
	7)	Does tan	k have permit conditions?	CACCC	2070.		No □	Yes E
	,,	2 305 tun	Does tank comply with these conditions?				No □	Yes [

#### (Amended November 6, 2020)



South Coast Air Quality Management District 21865 East Copley Drive Diamond Bar, CA 91765 (909) 396-2000

Page 4 of 4 J. **COMMENTS:** Use this section to complete answers to above listed items and to describe repairs made to the tank; include date and time repairs were made. K. I(We) certify the foregoing information to be correct and complete to the best of my(our) knowledge. Inspection completed by: Date: (Certification ID #) (Signature) Compliance status by: Date: (Signature) (Certification ID #) **Company Representative:** Date: (Signature) (Certification ID #) SEND COMPLETED REPORT (both sheets) TO: SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT 21865 E. Copley Drive Diamond Bar, CA. 91765 FAX: (909)396 -3341 Attn: Rule 1178 Supervising Inspector FOR SCAQMD USE ONLY: Date received\_ Reviewed by:\_ Date reviewed (Signature) (Certification ID #) Tank Status: [ ] in compliance [ ] in violation, Rule(s)\_\_\_ Comments:\_

#### RULE 1178 FUGITIVE EMISSIONS TANK REPORT

Company Information								
Company Name								
Address								
Contact/Phone	Number							
SCAQMD ID #	ŧ			Report Date				
Tank ID	Туре	Fitting	Date	Leak Rate	Type of Repair	Date	Post Repair Leak Rate	

#### SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

#### **Final Staff Report**

## Proposed Amended Rule 1178 – Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities

November 2020

#### **Deputy Executive Officer**

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Planning, Rule Development, and Area Sources Susan Nakamura

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Reviewed By: Kevin Orellana – Program Supervisor

Brian Tomasovic – Senior Deputy District Counsel

#### SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT GOVERNING BOARD

Chairman: DR. WILLIAM A. BURKE

Speaker of the Assembly Appointee

Vice Chairman: BEN BENOIT

Council Member, Wildomar Cities of Riverside County

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LISA BARTLETT Supervisor, Fifth District County of Orange

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CARLOS RODRIGUEZ Council Member, Yorba Linda Cities of Orange County

JANICE RUTHERFORD Supervisor, Second District County of San Bernardino

#### EXECUTIVE OFFICER:

**WAYNE NASTRI** 

#### **BACKGROUND**

The Governing Board adopted Rule 1178 – Further Reductions of Fugitive-VOC Emissions from Storage Tanks at Petroleum Facilities on December 21, 2001, with the purpose of further reducing emissions of volatile organic compounds (VOCs) from storage seals and fittings on storage tanks at petroleum facilities with annual VOC emissions of more than 40,000 pounds (20 tons). Rule 1178 requires the operator at any petroleum facility with annual VOC emissions exceeding 40,000 lbs (20 tons) for emission inventory year 2000 to have installed domed roofs on all external floating roof tanks that contain organic liquids having true vapor pressure (TVP) greater than or equal to 3 psia as reported in the Annual Emission Report (AER) pursuant to Rule 301 – Permit Fees for the emissions inventory year 2000, no later than December 31, 2008 (Phase I).

For any external floating roof tank that was not required to install a domed roof, but subsequently was determined to contain organic liquids having TVP greater than or equal to 3 psia as reported in the AER pursuant to Rule 301 for any emissions inventory year after 2000, the tank operator would be required to install a domed roof no later than two years after becoming subject to the rule (Phase II). The applicability and compliance verification of waste stream tanks and recovered oil tanks is based on a monthly average TVP greater than or equal to 3 psia.

Rule 1178 contains a limited exemption, where in lieu of installing a domed roof on an external floating roof tank subject to Phase II of the rule, an operator could alternatively apply for a South Coast AQMD permit that would limit the TVP of organic liquids stored in the tank to lower than 3 psia. This limited exemption that allowed an operator of a tank with a monthly average true vapor pressure greater than 3 psia to accept a permit condition limiting the vapor pressure ended with Phase I, on December 31, 2008.

#### **REGULATORY HISTORY FOR RULE 1178**

Since its adoption, Rule 1178 has been amended twice. The rule was amended in April 2006 to include a provision that allowed the use of alternatives to a slotted membrane fabric drain cover for an external floating roof, provided that it had the equivalent control efficiency. The amendment also clarified the definition of a mechanical shoe primary seal by requiring the use of VOC-impervious fabric to serve as a seal in the vapor space between the shoe seal and the roof. In addition, the amendment also specified guidelines for the distances which internal floating roof tank seals were allowed to be extended into the liquid and outside the liquid stored.

Rule 1178 was also amended in April 2018, and included a provision that incorporated a flexible enclosure system that encapsulates the entire surface of the slotted guide pole and serves as a VOC emission reduction option as outlined in the 2000 U.S. EPA Storage Tank Emission Reduction Partnership Program (STERPP) Agreement. The amendment made the option available for application in certain floating roof tank configurations, including those where the operator had

chosen to conduct radar depth gauging. The amendment clarified the inspection procedures and entries to compliance report forms to include the flexible enclosure system option.

#### AFFECTED FACILITIES

Rule 1178 applies to all above ground storage tanks that have capacity equal to or greater than 75,000 liters (19,815 gallons), are used to store organic liquids with a TVP greater than 5 mm Hg (0.1 psi) absolute under actual storage conditions, and are located at any petroleum facility that emits more than 40,000 pounds (20 tons) per year of VOC.

PAR 1178 will affect waste water tanks that were not identified previously under Phase I of the rule but subsequently contain organic liquids with a TVP greater than 3 psia as reported on their AER. Rule 1178 defines a waste stream tank as a storage tank containing at least 75% water by volume and some liquid waste stream generated in a manner which contains petroleum liquid, emulsified oil, VOC, or other hydrocarbons. PAR 1178 provides an option to permit such a tank with a condition to limit the TVP of the organic liquids stored in the tank to lower than 3 psia in lieu of complying with the doming requirements. Staff is aware of only one facility where two tanks may be subject to the proposed amendment.

#### **PUBLIC PROCESS**

The development of PAR 1178 was conducted through a public process. A public workshop meeting was held on September 3, 2020 with the comment period closing on September 17, 2020. The purpose of the public workshop was to present the proposed rule to the general public and stakeholders and to receive any comments related to the proposal. During the comment period, staff did not receive any comments from the general public or from affected stakeholders.

#### **SUMMARY OF PROPOSAL**

In March 2019, a petroleum refining facility located within the jurisdiction of the South Coast AQMD reported on its 2018 AER the emissions for two external floating roof tanks in waste water storage service. While the underlying TVP values were not reported on the face of the AER, the report utilized a TVP value in excess of 3.0 psia. In a case where compliance verification determines the monthly average TVP is greater than or equal to 3 psia, the operator is required to install a domed roof onto a tank within two years once a tank becomes subject to the rule. A limited exemption provided under Rule 1178 would not apply for a tank that becomes subject to the rule after the end of Phase I (December 31, 2008).

The facility requested relief from the requirement of installing a domed roof due to safety concerns associated with the enclosure of the tanks' roofs. Specifically, the facility reported that tanks that store waste water may contain hydrogen sulfide contaminants which can create pyrophoric

material. A waste water tank, which is a type of waste stream tank, typically stores water generated from the production of oil or the refining process of oil and that contains contaminants including hydrogen sulfide and ammonia. By definition, a pyrophoric material is capable of igniting spontaneously in air. The material can accumulate under a domed roof and possibly lead to a fire or explosion. Due to the safety concerns associated with installing a dome on the roof of an external floating roof tank in waste water service, the facility requested a waiver from the to not be subject to any doming requirement and to instead have the an-option to accept a permitted condition to limit the TVP of the organic liquids stored in the waste water tanks to lower than 3 psia, an option that generally expired for any tanks that would become subject to the rule on December 1, 2008.

Staff has reviewed concerns related to the enclosure of external floating roof tanks in waste water service and agrees that there is a potential safety concern. Proposed Amended Rule 1178 will allow the option for an operator to apply for and accept permit conditions to limit the TVP of the organic liquid stored in waste water tanks where the installation of a domed roof may create a hazard due to the accumulation of pyrophoric material. This amendment reinstates the option that generally expired at the end of Phase I (December 31, 2008), but the amendment has been narrowed in scope to be allowed only for tanks with organic liquid stored in waste water service where the installation of a domed roof may create a hazard due to the accumulation of pyrophoric material.

Proposed Amended Rule 1178, subparagraph (d)(2)(C) will contain two clauses. Clause (d)(2)(C)(i) keeps the existing condition and clause (d)(2)(C)(ii) would provide the permitting option for external floating roof tanks that store waste water. The proposed rule language would read:

- (C) In lieu of complying with the requirements in subparagraph (d)(2)(B):
  - (i) The operator who is subject to Phase I shall accept permit conditions to limit the true vapor pressure of the organic liquids stored in a tank to lower than 3 psia by the end of Phase I; or
  - (ii) The operator of a waste water tank where the installation of a domed roof may create a hazard due to the accumulation of pyrophoric material, as confirmed by the Executive Officer, who is subject to Phase II shall accept permit conditions to limit the true vapor pressure of the organic liquids stored in a tank to lower than 3 psia.

This amendment addresses a specific issue related to concerns regarding the installation of a domed roof on a waste water tank. The term waste water tank is used in (C)(ii) rather than "waste stream tank," to avoid the suggestion that all waste stream tanks may have recourse to the new provision. Not all tanks would be expected to contain sour water characteristics that could lend to

<sup>&</sup>lt;sup>1</sup>AFPM Process Safety Bulletin – Flammability Hazards of Hydrogen Sulfide Accumulation in Sulfur Tanks by AFPM (American Fuel and Petrochemical Manufacturers); June 2018

<sup>&</sup>lt;sup>2</sup> Retrieved from: https://www.dictionary.com/browse/pyrophoric

the showing of a demonstrable hazard. As part of this amendment, the Executive Officer retains the ability to review and to confirm an operator's support for any claim of hazard due to the accumulation of pyrophoric material.

Staff recognizes that Rule 1178 will be amended in the future as part of the implementation of Assembly Bill (AB) 617, particularly for areas of concern identified and committed to in the Community Emissions Reduction Plan (CERP) for the communities of Wilmington, Carson, and West Long Beach.

#### EMISSION REDUCTIONS AND COST EFFECTIVENESS

Staff evaluated potential VOC emission reductions if domes were to be installed on the two tanks versus the implementation of the proposed permit condition to limit the TVP of the material stored in the tank to less than 3 psia. A baseline of emissions at a TVP of 3.26 psia for the material stored in the tanks was used for illustrative purposes and for closely approximating psia values utilized in the 2018 AER. Based on an initial TVP value of 3.26 psia, if domes were to be installed on the two tanks affected by the rule, a reduction of approximately 2 lbs of VOC per day per tank was estimated. Based on an initial TVP value of 3.26 psia, by implementing the proposed permit condition of limiting the TVP of the material in the tank to less than 3 psia, a reduction of approximately 0.8 lbs of VOC per day per tank was estimated. The proposed amendment would result in approximately 2.4 lbs of VOC per day foregone. Notably, however, the reported emissions for these two tanks of regulatory interest in reporting year 2019 were 786.2 lbs. of VOC combined, thus making even this amount of suggested foregone VOC an upper bound estimate for an atypical year.

PAR 1178 proposes the option for an operator of a waste water tank where the installation of a domed roof may create a hazard due to the accumulation of pyrophoric material who is subject to Phase II to accept permit conditions to limit the true vapor pressure of the organic liquids stored in a tank to lower than 3 psia. The proposed amendment does not result in any increased costs to be incurred. While the tank operator would have to pay for an application to change the condition of the applicable permit, the cost would be less than the application cost to modify the tank to install the dome. While permit conditions would be expected to impose monitoring and recordkeeping requirements, these costs on the facility already are imposed by ongoing rule requirements under Rule 1178(d)(2)(B) for the facility to verify that a tank is not subject to a doming requirement. The proposed rule also does not have any significant effect on air quality. As a result, a cost-effectiveness analysis as part of a socio-economic analysis is not required.

#### CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3). A Notice of Exemption will be prepared pursuant to CEQA Guidelines Section 15062

and if the proposed project is approved, the Notice of Exemption will be electronically filed with the State Clearinghouse of the Governor's Office of Planning and Research to be posted on their Portal, which may accessed Web be via the following https://ceqanet.opr.ca.gov/search/recent. In addition, the Notice of Exemption will be electronically posted on the South Coast AQMD's webpage which can be accessed via the http://www.aqmd.gov/nav/about/public-notices/ceqa-notices/notices-offollowing weblink: exemption/noe---year-2020. The electronic filing and posting of the Notice of Exemption is being implemented in accordance with Governor Newsom's Executive Orders N-54-20 and N-80-20 issued on April 22, 2020 and September 23, 2020, respectively, for the State of Emergency in California as a result of the threat of COVID-19.

#### SOCIOECONOMIC ANALYSIS

The proposed amendments to Rule 1178 do not impose any additional costs. Therefore, no socioeconomic analysis is required under California Health and Safety Code (CH&SC) Sections 40440.8 and 40728.5.

## DRAFT FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE SECTION 40727

Requirements to Make Findings

California Health & Safety Code Section 40727 requires that the Board make findings of necessity, authority, clarity, consistency, non-duplication, and reference based on relevant information presented at the public hearing and in the staff report. In order to determine compliance with Sections 40727 and 40727.2, a written analysis is required comparing the proposed rule with existing regulations.

The draft findings are as follows:

Necessity

PAR 1178 is necessary to provide operational flexibility to an operator of an external floating roof tank in the service of sour water or recovered oil while addressing safety concerns related to the installation of domed roofs on these types of tanks.

*Authority* 

The South Coast AQMD obtains its authority to adopt, amend, or repeal rules and regulations pursuant to CH&SC Sections 39002, 40000, 40001, 40440, 40702, 40725 through 40728, and 41508.

#### Clarity

PAR 1178 is written or displayed so that its meaning can be easily understood by the persons directly affected by them.

#### Consistency

PAR 1178 is in harmony with and not in conflict with or contradictory to, existing statutes, court decisions or state or federal regulations.

#### Non-Duplication

PAR 1178 will not impose the same requirements as any existing state or federal regulations. The proposed amended rules are necessary and proper to execute the powers and duties granted to, and imposed upon, the South Coast AQMD.

#### Reference

In amending this rule, the following statutes which the South Coast AQMD hereby implements, interprets or makes specific are referenced: CH&SC Sections 39002, 40001, 40406, 40702, and 40440(a).

#### **COMPARATIVE ANALYSIS**

Under CH&SC Section 40727.2, the South Coast AQMD is required to perform a comparative written analysis when adopting, amending, or repealing a rule or regulation. The comparative analysis is relative to existing federal requirements, existing or proposed South Coast AQMD rules and air pollution control requirements and guidelines which are applicable to above ground storage tanks. Because PAR 1178 does not impose a new or more stringent emissions limit or standard, or other air pollution control monitoring, reporting or recordkeeping requirements, a comparative analysis is not required.

#### INCREMENTAL COST EFFECTIVENESS

California Health and Safety Code Section 40920.6 requires an incremental cost-effectiveness analysis for BARCT rules or emission reduction strategies when there is more than one control option which would achieve the emission reduction objective of the proposed amendments, relative to ozone, CO, SOx, NOx, and their precursors. The proposed amendment does not include new BARCT requirements. Therefore, this provision does not apply to the proposed amendment.

#### ATTACHMENT H



MD (909) 396-2000 · www.agmd.gov

NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL **SUBJECT:** 

**OUALITY ACT** 

**PROJECT TITLE:** PROPOSED AMENDED RULE 1178 – FURTHER REDUCTIONS OF VOC

EMISSIONS FROM STORAGE TANKS AT PETROLEUM 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 AOMD is proposing amendments to Rule 1178 which would: 1) allow an operator to accept a permit condition to limit the true vapor pressure of organic liquid contained in wastewater stored in an external floating roof tank to three pounds per square inch absolute (psia), in lieu of doming the tank, to prevent creating a safety hazard due to the accumulation of pyrophoric material that could otherwise occur if the tank were domed; and 2) allow the Executive Officer to retain the ability to review and confirm an operator's claim of a safety hazard due to the accumulation of pyrophoric material. Proposed Amended Rule 1178 is estimated to result in approximately 2.4 pounds per day of foregone VOC emission reductions, which is less than the South Coast AQMD air quality significance threshold of 55 pounds per day (mass daily threshold for operation).

The proposed project has been reviewed pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. Since the proposed project would result in minimal foregone VOC emission reductions, 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 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 electronically filed with the State Clearinghouse of the Governor's Office of Planning and Research which, upon following accessed their CEQAnet Web Portal via the on https://ceqanet.opr.ca.gov/search/recent. In addition, the Notice of Exemption will be electronically posted on the South Coast AOMD's webpage which can be accessed via the following weblink: http://www.aqmd.gov/nav/about/public-notices/ceqa-notices/notices-of-exemption/noe---year-2020. electronic filing and posting of the Notice of Exemption is being implemented in accordance with Governor Newsom's Executive Orders N-54-20 and N-80-20 issued on April 22, 2020 and September 23, 2020, respectively, for the State of Emergency in California as a result of the threat of COVID-19.

Any questions regarding this Notice of Exemption should be directed to Kevin Ni by email at kni@aqmd.gov or by phone at (909) 396-2462. Any questions regarding Proposed Amended Rule 1178 should be directed to Rodolfo Chacon by email at rchacon@aqmd.gov or by phone at (909) 396-2726.

**Date:** October 15, 2020

Program Supervisor, CEOA

Planning, Rule Development and Area Sources

Reference: California Code of Regulations, Title 14, Division 6, Chapter 3

## NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

To: Governor's Office of Planning and Research - From: South Coast Air Quality Management District

State Clearinghouse 21865 Copley Drive 1400 Tenth St, Suite 222 Diamond Bar, CA 91765 Sacramento, CA 95814-5502

#### **Project Title:**

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

#### **Project Location:**

The project is located in 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 portion of the Salton Sea Air Basin (SSAB) and the non Palo Verde, Riverside County portion of the Mojave Desert Air Basin (MDAB).

#### Description of Nature, Purpose, and Beneficiaries of Project:

South Coast AQMD is proposing amendments to Rule 1178 which would: 1) allow an operator to accept a permit condition to limit the true vapor pressure of organic liquid contained in wastewater stored in an external floating roof tank to three pounds per square inch absolute (psia), in lieu of doming the tank, to prevent creating a safety hazard due to the accumulation of pyrophoric material that could otherwise occur if the tank were domed; and 2) allow the Executive Officer to retain the ability to review and confirm an operator's claim of a safety hazard due to the accumulation of pyrophoric material. Proposed Amended Rule 1178 is estimated to result in approximately 2.4 pounds per day of foregone VOC emission reductions, which is less than the South Coast AQMD air quality significance threshold of 55 pounds per day (mass daily threshold for operation).

Public Agency Approving Project: Agency Carrying Out Project:

South Coast Air Quality Management District 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 1178 pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. Since the proposed project would result in minimal foregone VOC emission reductions, 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 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: November 6, 2020

<b>CEQA Contact Person:</b> Kevin Ni	<b>Phone Number:</b> (909) 396-2462	Email: kni@aqmd.gov	<b>Fax:</b> (909) 396-3982	
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Date Received for Filing:	Signature:	(Signed Upon Board Approval)
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Planning, Rule Development and Area Sources



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

**Board Meeting**November 6, 2020

# Background

- Rule 1178 establishes requirements to reduce VOC emissions from storage tanks at petroleum facilities
- Proposed amendments needed to address a specific safety issue
- Separate from a broader amendment planned in 2021 for AB 617

### AFPM PROCESS SAFETY BULLETIN



23 December 2014

Hazards of Purged Tanks - Formation of Pyrophoric Iron Sulfide in Low Oxygen

This APPM Process Safely Bulletin is a communication of the APPM Event Sharing program. Bulletins are intended to communicate causal factors and lessons learned from API RP 754 Ter 1 and Ter 2 process safety events (PSS), as well as PSEs judged to have high learning value, and to notify industry of hazards and circumstances that may potentially lead to a PSE. This Process Safety Bulletin does not constitute legal or technical advice or recommendations of any kind, nor does it after any legal requirements. Although care has been taken to provide accurate information, APPM makes no express or implied representations or varranties, including without limitation filtness for a specific purpose or compliance with applicable leass, concerning the information contained in this Process Safety Bulletin.

#### General Hazard Information

Two companies have recently experienced similar process safety events where seemingly insignificant adjustments on relatively low-risk process equipment resulted in significant consequences at both fecilities. Each of these events involved nitrogen purged sour water tanks; however, other nitrogen purged or blanketed tanks may present a similar hazard.

The purpose of this Process Safety Bulletin is to increase the awareness of:

- The potential for pyrophoric iron sulfide scale to accumulate inside certain tanks;
- The potential for pyrophoric iron sulfide to act as an ignition source for flammable gases in the vapor space of a took if supposed to act as an ignition source for flammable gases in the vapor space of a
- tank if exposed to oxygen because the nitrogen purge or blanketing is stopped or inadequale;

  The importance of the nitrogen purge on certain tanks; and
- . Seemingly insignificant changes that can have significant impacts and should be analyzed for potential hazards

#### Specific Issue/Hazaro

There are many situations in refineries where tanks are nitrogen purged or otherwise blanketed to exclude oxygen or prevent other undesirable components from accumulating. When the material processed or stored in purged or blanketed tanks contains HsS, an iron sulfide scale can form on interior surfaces, usually the tank walls. This no sulfide scale can then act as an inglinic source if the purge or blanketing gas flow is stopped or insufficient and oxygen enters the lank. Throttling or 'pinching' a valve in the purge/blanket pas system can cause the purge/blanket to be inadequate in high-demand situations. Iron sulfide scale can be more prevalent in purged tanks than in vented tanks is more oxygen in the vapor space of vented tanks reacts with the iron sulfide is (forms. Since the iron sulfide is consumed (by reacting with oxygen) the iron sulfide does not accumulate in quantities large enough to act as an ignition source.

#### Event

Throttling or "pinching", a valve in the nitrogen purge system on a sour water tank recently led to two significant events in our industry. In both events, adjusting the nitrogen purge by throttling a valve was a response to odor complaints received by operations personnel. Also, in both incidents, the throttling of the nitrogen purge supply line resulted in an inadequate purge which allowed oxygen ingress into the tank's vapor space. The oxygen ingress allowed fron sulfide scale to smolder and provided a source of lignition for flammable gases in the vapor space of the tanks. In both cases there was an initial explosion, and in one of the cases a fire followed.

# Safety Issue

- In 2019, two waste water tanks exceeded the true vapor pressure limit of 3 psia, which requires doming
- If tanks are domed, stored waste water containing hydrogen sulfide contaminants can self-ignite
- Self-ignition can lead to fire, damage to a tank, and subsequent community exposure



# Proposed Amendment



Re-instate 2008 option to allow operator to accept a permit condition to limit the true vapor pressure of a storage tank in lieu of doming the tank



Provision would be limited to waste stream tanks where pyrophoric material may form



Permit condition would limit the true vapor pressure to below 3 psia

# VOC Emissions Forgone and Cost Impacts

VOC Emissions Forgone

2.4 lbs/day forgone in selecting permitting option

No Cost Impacts  The proposed amendment does not impose any additional costs

## Staff Recommendation

## Adopt Resolution:

- Determining that PAR 1178 is exempt from the requirements of CEQA
- Amending Rule 1178