



South Coast Air Quality Management District

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

A G E N D A

MEETING, APRIL 2, 2021

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**

Phone controls for participants:

The following commands can be used on your phone’s dial pad while in Zoom Webinar meeting:

- *6 - Toggle mute/unmute
- *9 - Raise hand

Questions About an Agenda Item

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

Meeting Procedures

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

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

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>

Cleaning the air that we breathe...

CALL TO ORDER

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

PUBLIC COMMENT PERIOD – (Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3) The public may comment on any subject within the South Coast AQMD’s authority that **does not** appear on the agenda, during the Public Comment Period. Each speaker addressing non-agenda items may be limited to a total of (3) minutes.

Staff/Phone (909) 396-

CONSENT AND BOARD CALENDAR (Items 1 through 24)

Note: Consent and Board Calendar items held for discussion will be moved to Item No. 25

- | | | |
|----|---|--------------------|
| 1. | Approve Minutes of March 5, 2021 Board Meeting | Thomas/3268 |
| 2. | Set Public Hearings May 7, 2021*: | Nastri/3131 |
| A. | Adopt Executive Officer’s FY 2021-22 Proposed Goals and Priority Objectives and Proposed Budget | Jain/2804 |

The Executive Officer's Proposed Goals and Priority Objectives, and Proposed Budget for FY 2021-22 have been developed and are recommended for adoption. The Budget and Work Program for FY 2021-22 represents input over the past several months from Board members, staff, and the public. This year’s process will include meetings of the Budget Advisory Committee and two budget workshops, one for the public on April 6, 2021 and one for the Board on April 9, 2021. The Proposed Budget incorporates, pursuant to Rule 320, an increase of most fees by 4.5 percent reflecting the Consumer Price Index from last year and this year. This action is to adopt the Executive Officer’s Proposed Goals and Priority Objectives, and Proposed Budget for FY 2021-22. (Review: Special Board Meeting/Budget Workshop, April 9, 2021)

**Please note, at the March 5, 2021 Board Meeting, a public hearing was set for the May 7, 2021 Board Meeting to Certify the Final Environmental Assessment and Adopt Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions Program, and Proposed Rule 316 – Fees for Rule 2305, Submit Rule 2305 for Inclusion Into the SIP, and Approve Supporting Budget Actions.*

- B. Determine That Proposed Amendments to Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium, Are Exempt from CEQA, and Amend Rule 1469.1 **Nakamura/3105**

Proposed Amended Rule 1469.1 would further reduce hexavalent chromium emissions from chromate spray coating operations by including requirements for other related activities such as dried coating removal and demasking, enhancing the point source requirements, enhancing parameter monitoring requirements for air pollution controls, and further minimizing the release of fugitive emissions through additional requirements for building enclosure, housekeeping, and best management practices. The proposed amendments would also remove outdated definitions and provisions. This action is to adopt the Resolution: 1) Determining that the proposed amendments to Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium, are exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium. (Reviewed: Stationary Source Committee, March 19, 2021)

Items 3 through 9 Budget/Fiscal Impact

3. Amend Contract for Development of Battery Powered Locomotive Project **Miyasato/3249**

In June 2016, the Board approved a contract with VeRail Technologies (VeRail) to develop a natural gas locomotive using U.S. EPA Clean Air Technology Initiative (CATI) funds. VeRail has since dissolved leaving \$90,825 in CATI funds unused. Subsequently, in 2017, the Board approved \$210,000 in CATI funds for a project with Rail Propulsion Systems (RPS) to develop a battery powered switcher locomotive. The U.S. EPA has since approved the reallocation of unused funds towards further enhancements to the RPS project. This action is to amend the contract with RPS to further the development of a battery electric switcher locomotive in an amount not to exceed \$90,825 of unused U.S. EPA CATI funds from the Clean Fuels Program Fund (31). (Reviewed: Technology Committee, March 19, 2021; Recommended for Approval)

4. Issue RFQ for Technical Assistance to Support South Coast AQMD's Technology Advancement Activities and Implementation Efforts **Miyasato/3249**

South Coast AQMD administers and manages both the implementation of incentive programs as well as the pre-commercial research, development, demonstration and deployment of low and zero emission technologies. This action is to issue an RFQ to solicit proposals from qualified consultants and consulting firms capable of providing technical expertise and experience to assist staff with the evaluation and implementation of these programs. It is anticipated that multiple awards will be made from this solicitation. (Reviewed: Technology Committee, March 19, 2021; Recommended for Approval)

5. **Authorize Executive Officer to Execute Agreement, Establish Special Revenue Fund, Recognize Revenue, Transfer Funds, Issue RFP and Execute Contract(s) to Develop a Real-Time Air Monitoring Network and Symptom and Incident Reporting System and Reimburse General Fund for Administrative Costs** **Low/2269**

The Aliso Fund Committee has requested South Coast AQMD to implement a Supplemental Environmental Project (SEP) to develop a real-time air monitoring network and symptom and incident reporting system in Porter Ranch and the communities surrounding the SoCalGas Aliso Canyon natural gas storage facility. These actions are to: 1) authorize the Executive Officer to execute an agreement with the Aliso Fund Committee to implement the SEP; 2) establish the Aliso Fund Porter Ranch SEP Special Revenue Fund (85) and recognize up to \$1.5 million from the Aliso Fund Committee into Fund 85; 3) transfer \$1 million from the SoCalGas Settlement Special Revenue Fund (76) to Special Revenue Fund (85); 4) issue an RFP to solicit bids; 5) authorize the Executive Officer to execute contract(s) with selected vendor(s) for a total amount not to exceed \$2,343,750; and 6) reimburse the General Fund up to \$156,250 from Special Revenue Fund (85) for administrative costs. (Reviewed: Stationary Source Committee, March 19, 2021; Recommended for Approval)

6. **Execute Contract for Biennial Audit of Motor Vehicle Registration Revenues for FYs 2017-18 and 2018-19** **Jain/2804**

Health and Safety Code Section 44244.1 requires any agency receiving fee revenues pursuant to Section 44243 or 44244 to be subject to an audit of each program or project funded at least once every two years. On November 6, 2020, the Board approved the release of an RFP to select an auditor to perform the biennial audit for FYs 2017-18 and 2018-19. This action is to award a contract to BCA Watson Rice LLP, Certified Public Accountants and Advisors. (Reviewed: Administrative Committee, March 12, 2021; Recommended for Approval)

7. **Transfer and Appropriate Funds and Execute Contracts for Short and Long-Term Systems Development, Maintenance and Support Services** **Moskowitz/3329**

On November 6, 2020, the Board approved the release of an RFP to obtain short- and long-term systems development, maintenance and support services. This action is to transfer and appropriate funds and execute new contracts to obtain these services on a task order basis. Executing contracts with multiple bidders provides a pool of well-qualified professionals who have demonstrated their understanding of and expertise in meeting agency needs, and enables South Coast AQMD to obtain cost-effective and technically responsive support. (Reviewed: Administrative Committee, March 12, 2021; Recommended for Approval)

8. Approve Telework Stipend Proposal for Professional Unit Employees **Olvera/2309**

This action requests Board approval of a proposal to pay a stipend to cover reasonable costs for employees in the Professional Unit bargaining group who are teleworking under the Executive Officer's directive related to COVID-19 safety measures. (No Committee Review)

9. Approve Modification of Program and Reallocation of Funds, and Approve Awards as Approved by MSRC **McCallon**

The Mobile Source Air Pollution Reduction Review Committee (MSRC) approved a modification to, and a reallocation from, their Voucher Incentive Program Plus Up Program partnership with South Coast AQMD for near-zero trucks. The MSRC also approved multiple awards under their RFPs for Zero and Near-Zero Emission Trucking and Cargo Handling in Riverside and San Bernardino Counties. The MSRC seeks Board approval of the contract awards, program modification, and reallocation, as part of the FYs 2018-21 Work Program. (Reviewed: Mobile Source Air Pollution Reduction Committee, March 18, 2021; Recommended for Approval)

Items 10 through 15 - Information Only/Receive and File

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

This report highlights the February 2021 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)

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

This reports the actions taken by the Hearing Board during the period of February 1 through February 28, 2021. (No Committee Review)

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

This reports the monthly penalties from February 1, 2021 through February 28, 2021, and legal actions filed by the General Counsel's Office from February 1, through February 28, 2021. An Index of South Coast AQMD Rules is attached with the penalty report. (Reviewed: Stationary Source Committee, March 19, 2021)

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

This report provides a listing of CEQA documents received by the South Coast AQMD between February 1, 2021 and February 28, 2021, and those projects for which the South Coast AQMD is acting as lead agency pursuant to CEQA. (Reviewed: Mobile Source Committee, March 19, 2021)

14. Rule and Control Measure Forecast Rees/2856

This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2021. (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, March 12, 2021)

Item 16 - Staff Presentation/Board Discussion

16. 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, March 12, 2021) (Receive & File)

Items 17 through 24 - Reports for Standing Committees and CARB

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

18. Legislative Committee Chair: Cacciotti Alatorre/3122

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

Agenda Item	Recommendation
AB 96 (O'Donnell) California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program	Support
AB 1296 (Kamlager) South Coast Air Quality Management District Board: Membership	No Position

19. **Special Legislative Committee** **Chair: Cacciotti** **Alatorre/3122**
- Receive and file; and take the following actions as recommended:
- | Agenda Item | Recommendation |
|--|-----------------------|
| AB 426 (Bauer-Kahan)
Toxic air contaminants | Work With Author |
| AB 1547 (Reyes)
Air pollution: warehouse facilities | Work With Author |
| AB 1296 (Kamlager)
South Coast Air Quality Management District:
District Board: Membership | Work With Author |
| SB 342 (Gonzalez)
South Coast Air Quality Management District:
Board Membership | Work With Author |
20. **Mobile Source Committee (Receive & File)** **Chair: Burke** **Rees/2856**
21. **Stationary Source Committee (Receive & File)** **Chair: Benoit** **Aspell/2491**
22. **Technology Committee (Receive & File)** **Chair: Buscaino** **Miyasato/3249**
23. **Mobile Source Air Pollution Reduction Review Committee (Receive & File)** **Board Liaison: Benoit** **Miyasato/3249**
24. **California Air Resources Board Monthly Report (Receive & File)** **Board Rep: Kracov** **Thomas/2500**
25. **Items Deferred from Consent and Board Calendars**

PUBLIC HEARING

26. Determine That Proposed Amendments to Rule 1426 – Emissions from Metal Finishing Operations and Rule 1469 – Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations, Are Exempt from CEQA, and Amend Rule 1426 and Rule 1469

Nakamura/3105

Proposed Amended Rule 1426 will reduce fugitive emissions of hexavalent chromium, nickel, cadmium, and lead from metal finishing facilities by establishing requirements for housekeeping, building enclosures, and best management practices. Proposed Amended Rule 1469 will incorporate provisions under Proposed Amended Rule 1426 that affect Rule 1469 facilities to streamline implementation for these facilities. Additional amendments to Rule 1469 are proposed to remove reference to a chemical that is no longer used for testing HEPA filters and to update an incorrect table reference. This action is to adopt the Resolution: 1) Determining that the proposed amendments to Rule 1426 – Emissions from Metal Finishing Operations and Rule 1469 – Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations, are exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 1426 – Emissions from Metal Finishing Operations and Rule 1469 – Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations. (Reviewed: Stationary Source Committee, February 19, 2021)

OTHER BUSINESS

- Election of Chair (and Vice Chair, if necessary), for Term May 2021 to January 2022

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:

- Communities for a Better Environment v. SCAQMD, Los Angeles Superior Court Case No. BS161399 (RECLAIM);
- Communities for a Better Environment v. South Coast Air Quality Management District, Los Angeles Superior Court Case No. 19STCP05239 (Tesoro II);
- People of the State of California, ex rel. SCAQMD v. Exide Technologies, Inc., Los Angeles Superior Court Case No. BC533528;

- In re: Exide Technologies, Inc., U.S. Bankruptcy Court, District of Delaware, Case No. 13-11482 (KJC) (Bankruptcy Case); Delaware District Court, Case No.: 19-00891 (Appellate Case); United States Court of Appeals, Third Circuit, Case No. 20-1858;
- In re: Exide Holdings Inc., U.S. Bankruptcy Court, District of Delaware, Case No. 20-11157 (CSS) (Bankruptcy Case);
- In the Matter of SCAQMD v. Southern California Gas Company, Aliso Canyon Storage Facility, SCAQMD Hearing Board Case No. 137-76 (Order for Abatement); People of the State of California, ex rel SCAQMD v. Southern California Gas Company, Los Angeles Superior Court Case No. BC608322; Judicial Council Coordinated Proceeding No. 4861;
- In the Matter of SCAQMD v. Torrance Refining Company, LLC, SCAQMD Hearing Board Case No. 6060-5 (Order for Abatement);
- CalPortland Company v. South Coast Air Quality Management District; Governing Board of the South Coast Air Quality Management District; and Wayne Nastri, Executive Officer, and Does 1-100, San Bernardino County Superior Court, Case No. CIV DS 19258941;
- Downwinders at Risk et al. v. EPA, United States Court of Appeals, Ninth Circuit, Case No. 19-1024 (consolidated with Sierra Club, et al. v. EPA, No. 15-1465);
- SCAQMD, et al. v. Elaine L. Chao, et al., District Court for the District of Columbia, Case No. 1:19-cv-03436-KBJ;
- SCAQMD, et al. v. EPA, United States Court of Appeals, D.C. Circuit, Case No. 19-1241 (consolidated with Union of Concerned Scientists v. NHTSA, No. 19-1230);
- SCAQMD, et al. v. NHTSA, EPA, et al., United States Court of Appeals, D.C. Circuit, Filed May 28, 2020;
- Association of Irrigated Residents v. U.S. EPA, SCAQMD, SJVUAPCD, et al., United States Court of Appeals, D.C. 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): South Coast AQMD Professional Employees Association

ADJOURNMENT

The meeting will be adjourned to April 9, 2021, at 11:00 a.m. (immediately following the South Coast AQMD Administrative Committee meeting but not before 11:00 a.m.), for the purpose of conducting the Board's Workshop on the Executive Officer's FY 2021-22 Proposed Goals and Priority Objectives and Proposed Budget.

*****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 beginning of the agenda, an opportunity is also provided for the public to speak on any subject within the South Coast AQMD's authority. Speakers may be limited to a total of three (3) minutes for the entirety of the Consent Calendar plus Board Calendar, and three (3) minutes or less for each of the other agenda items.

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

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

ACRONYMS

AQ-SPEC = Air Quality Sensor Performance Evaluation Center	NESHAPS = National Emission Standards for Hazardous Air Pollutants
AQIP = Air Quality Investment Program	NGV = Natural Gas Vehicle
AQMP = Air Quality Management Plan	NOx = Oxides of Nitrogen
AVR = Average Vehicle Ridership	NSPS = New Source Performance Standards
BACT = Best Available Control Technology	NSR = New Source Review
BARCT = Best Available Retrofit Control Technology	OEHHA = Office of Environmental Health Hazard Assessment
Cal/EPA = California Environmental Protection Agency	PAMS = Photochemical Assessment Monitoring Stations
CARB = California Air Resources Board	PEV = Plug-In Electric Vehicle
CEMS = Continuous Emissions Monitoring Systems	PHEV = Plug-In Hybrid Electric Vehicle
CEC = California Energy Commission	PM10 = Particulate Matter \leq 10 microns
CEQA = California Environmental Quality Act	PM2.5 = Particulate Matter \leq 2.5 microns
CE-CERT =College of Engineering-Center for Environmental Research and Technology	RECLAIM=Regional Clean Air Incentives Market
CNG = Compressed Natural Gas	RFP = Request for Proposals
CO = Carbon Monoxide	RFQ = Request for Quotations
DOE = Department of Energy	RFQQ=Request for Qualifications and Quotations
EV = Electric Vehicle	SCAG = Southern California Association of Governments
EV/BEV = Electric Vehicle/Battery Electric Vehicle	SIP = State Implementation Plan
FY = Fiscal Year	SOx = Oxides of Sulfur
GHG = Greenhouse Gas	SOON = Surplus Off-Road Opt-In for NOx
HRA = Health Risk Assessment	SULEV = Super Ultra Low Emission Vehicle
LEV = Low Emission Vehicle	TCM = Transportation Control Measure
LNG = Liquefied Natural Gas	ULEV = Ultra Low Emission Vehicle
MATES = Multiple Air Toxics Exposure Study	U.S. EPA = United States Environmental Protection Agency
MOU = Memorandum of Understanding	VOC = Volatile Organic Compound
MSERCs = Mobile Source Emission Reduction Credits	ZEV = Zero Emission Vehicle
MSRC = Mobile Source (Air Pollution Reduction) Review Committee	
NATTS =National Air Toxics Trends Station	

INSTRUCTIONS FOR ELECTRONIC PARTICIPATION

Instructions for Participating in a Virtual Meeting as an Attendee

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

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

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

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

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

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

If interpretation is needed, more time will be allotted.

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

Directions for Video ZOOM on a DESKTOP/LAPTOP:

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

Directions for Video Zoom on a SMARTPHONE:

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

Directions for TELEPHONE line only:

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

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BOARD MEETING DATE: April 2, 2021

AGENDA NO. 1

MINUTES: Governing Board Monthly Meeting

SYNOPSIS: Attached are the Minutes of the March 5, 2021 meeting.

RECOMMENDED ACTION:

Approve Minutes of the March 5, 2021 Board Meeting.

Faye Thomas
Clerk of the Boards

FT:cmw

FRIDAY, MARCH 5, 2021

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

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

Mayor Pro Tem Ben Benoit, Vice Chairman
Cities of Riverside County

Supervisor Lisa A. Bartlett
County of Orange

Council Member Joe Buscaino
City of Los Angeles

Mayor Pro Tem Michael A. Cacciotti
Cities of Los Angeles County – Eastern Region

Senator Vanessa Delgado (Ret.)
Senate Rules Committee Appointee

Gideon Kracov
Governor's Appointee

Supervisor Sheila Kuehl
County of Los Angeles

Mayor Pro Tem Larry McCallon
Cities of San Bernardino County

Supervisor V. Manuel Perez
County of Riverside

Vice Mayor Rex Richardson
Cities of Los Angeles County – Western Region

Mayor Pro Tem 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 9:05 a.m.

- Pledge of Allegiance: Led by Vice Mayor Richardson
- Roll Call

Senator Delgado joined the meeting at approximately 9:15 a.m.

- Opening Comments

Council Member Cacciotti shared photos of a commercial electric lawn and garden equipment demonstration event at Arroyo Vista Elementary School in South Pasadena, and of residential gardeners looking at battery-powered gardening tools.

Supervisor Bartlett expressed appreciation to staff for conducting the air sampling and analysis initiative near the All American Asphalt facility. She commented on the March 3, 2021 community meeting where an update on the air monitoring data was presented to the public.

Mayor Pro Tem McCallon noted that he attempted to attend an Eastern Coachella Valley AB 617 meeting but the option to listen in English was not available on the phone line.

Mayor Pro Tem Rodriguez reported that he attended the All American Asphalt community meeting. He noted that staff efforts underscore the South Coast AQMD's commitment to transparency, accessibility and ensuring the health and safety of all residents in the region. He welcomed Vice Mayor Richardson and added that he looks forward to working with him on the Board.

Supervisor Perez stressed the importance of having bilingual translation available at AB 617 meetings to ensure cultural competency. He commented on asylum seekers arriving in Riverside County and the County's commitment to ensure their safety and help to reunite families.

Vice Mayor Richardson thanked staff for briefing him on current issues, and stated that he looks forward to serving with his colleagues on the Board.

Council Member Buscaino welcomed Vice Mayor Richardson and commented on their shared values to ensure that jobs are preserved at the ports and represent the most disadvantaged, impacted communities from the port complex.

Chairman Burke announced that he would be retiring from the Board on May 31, 2020 and directed staff to call a special election at the April meeting to fulfill his unexpired term. He thanked staff for the work they do every day to serve

residents in the Basin, and his colleagues for their accomplishments in advancing the mission of the South Coast AQMD.

Mayor Pro Tem Benoit expressed sadness at hearing the announcement and noted that Dr. Burke will be missed.

Executive Officer Wayne Nastri commented on the impact, legacy and accomplishments under Chairman Burke's leadership. He expressed appreciation to Supervisor Bartlett and Mayor Pro Tem Rodriguez for their leadership and support with the city of Irvine and All American Asphalt. He also thanked Mayor McCallon for his involvement in the Eastern Coachella Valley AB 617 community meetings, and Supervisor Perez for his leadership and work with the Eastern Coachella Valley community to help in getting resources and engaging community members.

Several Board members expressed appreciation for Dr. Burke's leadership.

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

Whitney Amaya, East Yard Communities for Environmental Justice (EYCEJ)

/West Long Beach resident

Pamela Amaya, EYCEJ/West Long Beach resident

Jan Victor Andasan, EYCEJ

Expressed support for the adoption of a strong refinery rule, (Proposed Rule 1109.1 – NOx Reductions from Refinery and Refinery Related Equipment), to require that refineries upgrade and install emission control technologies. Commented that the refineries pose health and safety risks to the neighboring communities. Urged the Board to support the implementation of projects that will reduce emissions. Thanked Chairman Burke for his leadership and wished him well.

Marshall Waller, Phillips 66, highlighted the highly skilled workforce and good-paying jobs the refinery supports, noting that the employees are dedicated to safety and operating effectively. The refinery has made significant emission reduction investments over the last 25 years in new technologies and equipment upgrades to reduce emissions, as well as implementing practices for safety management.

Joe Carson, Torrance Refinery

Jake Clapham, Torrance Refinery

Carrie Holt, Torrance Refinery

Highlighted the refinery's commitment to protect its workers, the community and environment, noting that employees are dedicated to keeping each other safe and the operations safe and reliable. Emphasized that the refinery has made significant financial investments in projects that have improved the safety and reliability of their operations. Reported that real-time data collected using fence-line air monitoring systems demonstrated that the threshold limit for multiple compounds had not been exceeded for 14 months. Thanked Chairman Burke for his leadership and wished him well.

Elliott Gonzalez, Long Beach resident, expressed support for PR 1109.1, and emphasized the adverse health effects and global warming created by the oil industry. He acknowledged Chairman Burke's efforts on Environmental Justice and the impact he has had on the Board.

Emily Spokes, North East Los Angeles (NELA) Climate Collective
Carolina Forni, NELA Climate Collective
Alyssa Bell, NELA Climate Collective

Reported on a meeting with the Los Angeles Unified School District to discuss their green transition away from combustion-powered lawn equipment. Expressed concern about air pollution and climate change. Opposed any further delays in the adoption schedule for the warehouse indirect source rule (ISR) and spoke in favor of a strong ISR. Thanked and recognized Chairman Burke for his service.

Oscar Espino-Padron, Earthjustice, thanked Chairman Burke for his years of service on the Board. He expressed support for a strong refinery rule PR 1109.1 and commented on the rule being repeatedly delayed. He stated that the South Coast region continues to suffer from the worst air quality in the nation, noting that petroleum refineries contribute significantly to criteria and toxic pollutants that result in a range of health impacts.

Joseph Lyou, former South Coast AQMD Board member, recognized the progress achieved toward clean air under Chairman Burke's leadership and acknowledged his ability as a leader to deal respectfully with all members regardless of their position or political affiliation and bring them together.

Jessica Craven, NELA Climate Collective, thanked Chairman Burke for his work and commented that refineries are a dying industry. Called for no more delays for the warehouse ISR.

Andrew Kaldas, ODW Logistics, Inc., congratulated Vice Mayor Richardson on his appointment to the Board and thanked Chairman Burke for his years of service. He explained the impact that refinery regulations have on third-party logistics providers. He emphasized the need for a regulatory approach that balances the need for clean air but also protects businesses.

Alexis Willis, University of Redlands student, commented on emissions that are polluting the atmosphere, killing the planet and putting people at higher risks for health problems, especially minority communities which are disproportionately affected by health risks from air pollution.

Harvey Eder, Public Solar Public Coalition, expressed process concerns and climate concerns.

Bruce Heyman, Los Angeles Maritime Institute and Los Angeles Refinery Community Advisory Panel, welcomed Vice Mayor Richardson and expressed

appreciation for the Carl Moyer funds awarded to the Los Angeles Maritime Institute to replace old engines on ships. He reported that Marathon Petroleum is committed to safety, provides good-paying jobs and has invested millions of dollars over the last 20 years to install NOx control technology, resulting in significant NOx emission reductions.

Ranji George, a member of the public, thanked Chairman Burke for his leadership and vision that contributed to the success of the Lower-Emission School Bus Program, which provided funding to replace older diesel, high-emitting public school buses with new alternative fuel or zero-emission buses.

Chairman Burke cited the school bus exposure study that found kids were being exposed to more exhaust inside the cabin of old diesel school buses than outside.

Sari Fordham, 350 Riverside, expressed concern with air quality in the Inland Empire and respiratory issues resulting from the warehouse boom. She urged the Board to consider the health of our communities and move forward with the public hearing for the warehouse ISR in April. (Submitted Written Comments)

Chris Chavez, Coalition for Clean Air and Wilmington, West Long Beach, Carson AB 617 Community Steering Committee member, thanked Chairman Burke for his years of leadership on the Board. He expressed concern that the proposed rule has been weakened, including a less stringent emission standard, alternate compliance pathways and the compliance deadline to be extended. He stressed the need to fulfill the commitment in the community emission reduction plan (CERP) for the Wilmington, Carson, West Long Beach Community to address refinery emissions.

Tiffany Sanchez, EYCEJ, commented on the health effects of air pollution on children that live near oil refineries. She urged the Board to fight for clean air for our youth.

Gracie Torres, Western Municipal Water District and Center for Community Action and Environmental Justice (CCA EJ), welcomed Vice Mayor Richardson and thanked Dr. Burke for his years of service on the Board. She expressed concern that the proposed amendments to Rule 1426 and Rule 1469 are exempt from the requirements of CEQA. Excluding the CEQA analysis minimizes the adverse health impacts to the community from chemicals used in the metal finishing industry. She urged the Board to oppose the proposed amendments for both rules, as well as further delays to the warehouse ISR adoption schedule.

Cheryl Auger, member of the public, commented on the unhealthy levels of smog despite reduced activity during COVID-19 stay-at-home orders. She stressed the need to reduce emissions for cleaner air and urged the Board to move forward with the PR 1109.1 public hearing in April.

Ron Miller, Los Angeles/Orange Counties Building and Construction Trades Council, explained that thousands of refinery employees have productive careers in the oil and gas construction industry, live and raise their families in communities near

refineries, and work to make the refineries safe, reliable and a productive energy source. He thanked Dr. Burke and his family for their years of service to make California a safer place.

Paola Dela Cruz-Pérez, EYCEJ, commented on communities near warehouses that bear a disproportionate burden from exposure to air pollution related to goods movement activity. She expressed support for a strong warehouse ISR and refinery rule.

Mark Abramowitz, former Board Consultant, reflected on the actions taken and progress made toward achieving clean air under Chairman Burke's leadership. He commented on Chairman Burke's ability to bring people with different viewpoints together. He stated that Chairman Burke will go down in history as the most important air quality figure in California.

CONSENT CALENDAR

1. Approve Minutes of February 5, 2021 Board Meeting
2. Set Public Hearing April 2, 2021 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations
 - A. Determine That Proposed Amendments to Rule 1426 – Emissions from Metal Finishing Operations and Rule 1469 – Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations, Are Exempt from CEQA, and Amend Rule 1426 and Rule 1469
 - B. Certify Final Environmental Assessment and Adopt Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions Program, and Proposed Rule 316 – Fees for Rule 2305, Submit Rule 2305 for Inclusion Into the SIP, and Approve Supporting Budget Actions

Items 3 through 11 - Budget/Fiscal Impact

3. Adopt Resolution Recognizing Funds for FY 2020-21 Carl Moyer Program and Issue Program Announcements for Carl Moyer and SOON Programs
4. Amend Contracts for Enhanced Fleet Modernization Program and Execute Contract for Program Support
5. Execute Contracts for Hydrogen Infrastructure Projects and Fuel Cell Microgrid Study

6. Amend Contract for Kore Infrastructure Project
7. Approve South Coast AQMD Annual Investment Policy and Delegation of Authority to Appointed Treasurer to Invest South Coast AQMD Funds
8. Authorize Purchase of Maintenance and Support Services for Servers and Storage Devices
9. Issue RFP for Cybersecurity Assessment
10. Add Positions to FY 2020-21 Budget to Address Operational Needs
11. Approve Funds for Additional Batteries for Commercial Electric Lawn and Garden Equipment Incentive and Exchange Program

Item 12 - Action Item/No Fiscal Impact

12. Annual Meeting of the Health Effects of Air Pollution Foundation

Items 13 through 20 – Information Only/Receive and File

13. Legislative, Public Affairs and Media Report
14. Hearing Board Report
15. Civil Filings and Civil Penalties Report
16. Lead Agency Projects and Environmental Documents Received
17. Rule and Control Measure Forecast
18. Report of RFQs Scheduled for Release in March
19. FY 2020-21 Contract Activity

20. Status Report on Major Ongoing and Upcoming Projects for Information Management

Item 21 - Staff Presentation/Board Discussion

21. Budget and Economic Outlook Update (*Presentation in Lieu of Board Letter*)

Items 22 through 29 - Reports for Standing Committees and CARB

22. Administrative Committee
23. Investment Oversight Committee
24. Legislative Committee
25. Mobile Source Committee
26. Stationary Source Committee
27. Technology Committee
28. Mobile Source Air Pollution Reduction Review Committee
29. California Air Resources Board Monthly Report

Wayne Nastri noted that the CARB meeting summary was not available in time for the meeting; therefore, Item No. 29 was pulled.

Board Member Kracov noted that he has no financial interests in Item Nos. 3 and 5 but is required to identify for the record that he is a Board Member of CARB, which is involved in these items.

Vice Mayor Richardson noted that he does not have a financial interest in Item No. 5 but is required to identify for the record that he is a Council Member of the City of Long Beach which is involved in this Item.

General Counsel Bayron Gilchrist noted that Supervisor Perez would like to identify for the record that he has no financial interests in Item No. 5 but is required to identify for the record that he is a Board member of SunLine Transit Agency. Supervisor Perez confirmed that this was accurate.

Due to requests to speak and Board member questions on Consent Agenda Item Nos. 2B, 3, 10 and 21, the vote on the Consent and Board Calendar was deferred until after those comments were made.

30. Items Deferred from Consent and Board Calendars

- 2B. Set Public Hearing April 2, 2021 to Certify Final Environmental Assessment and Adopt Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions Program, and Proposed Rule 316 – Fees for Rule 2305, Submit Rule 2305 for Inclusion Into the SIP, and Approve Supporting Budget Actions

Mayor Pro Tem Cacciotti stated that his constituents had expressed concerns with the noticing, pandemic-related issues and implementation of the warehouse ISR rule. He recommended that the public hearing be continued for three months to allow staff additional time to work on resolving outstanding concerns. He expressed his commitment to work with staff and all stakeholders to address concerns.

MAYOR PRO TEM CACCIOTTI MOVED TO SET THE PUBLIC HEARING ON PROPOSED RULES 2305 AND 316 FOR JUNE 2021. THE MOTION WAS SECONDED BY SUPERVISOR BARLETT.

Vice Mayor Richardson recommended the following friendly amendments to the motion: 1) hold the public hearing within 60 days; and 2) direct staff to add language in the Resolution to ensure electric vehicle infrastructure projects funded by the mitigation fees from PR 2305 use a skilled and trained workforce and that a percentage of the total number of electricians working on electrification projects hold an Electric Vehicle Infrastructure Training Program Certificate.

MAYOR PRO TEM CACCIOTTI ACCEPTED THE AMENDMENTS AS PART OF HIS MOTION.

Supervisor Rutherford commented on the need for the draft socioeconomic impact assessment report to include the cost for compliance. She expressed support to delay the rule to allow adequate time for the Board to review relevant documents and analyses and for staff to address legal issues raised.

Supervisor Kuehl noted that the 2016 AQMP adopted by the Board included a warehouse ISR as a potential emission reduction strategy, and staff have been working to develop the draft proposal for several years. She expressed concern with the repeated delay of the rule and the air quality impacts from truck traffic,

which has increased during the pandemic. She urged her colleagues to commit to using the additional time to diligently review rulemaking materials to avoid further delays, if the public hearing is continued.

In response to Senator Delgado's inquiry about the potential for legal concerns if the rule is postponed to a later date, Mr. Gilchrist stated that the Board can decide today to set the public hearing for June.

Mayor Pro Tem Rodriguez asked if the appropriate Board committee would be provided with updates before the proposal comes back to the full Board for consideration.

Mr. Nastri responded that staff will provide updates to the Mobile Source Committee.

Mayor Pro Tem McCallon recommended that staff seek the advice of outside counsel on legal issues related to the proposed mitigation fee. Staff responded that outside counsel is in the process of reviewing the proposal and an opinion is expected within the coming weeks.

Adrian Martinez, Earthjustice, opposed the motion to delay the rule. The community is frustrated at attempts to further delay the rule given the countless hours they have spent participating in good faith in the rule development process. He stated that staff has done a lot to address industry concerns raised during the numerous working group meetings. He pointed out that the warehouse industry has made record profits during the pandemic and can afford to implement the warehouse ISR.

*Mayor Cory Moss, City of Industry

*Sarah Wiltfong, BizFed (Los Angeles County Business Federation)

Michael Williams, International Warehouse Logistics Association

Brad Jensen, San Gabriel Valley Economic Partnership

Luis Portillo, Inland Empire Economic Partnership

Thomas Jelenic, Pacific Merchant Shipping Association

*(Submitted Written Comments)

These commenters expressed support to delay the public hearing. Expressed concerns with substantial costs for businesses to implement the rule, that it will not be feasible to comply with rule requirements, the jurisdictional/legal authority of the South Coast AQMD to regulate mobile sources and impose a fee, and unquantifiable emissions reductions and air quality benefits. Stressed the need to understand the full impact of the rule and how the fees will be spent before the Board takes action. Thanked Chairman Burke for his and his family's years of service.

Council Member Ben Reynoso, City of San Bernardino, opposed the motion to delay the warehouse ISR. Expressed the need to regulate warehouse

development to ensure better air quality for constituents that live near warehouses, noting that the City of San Bernardino has the largest concentration of logistics facilities in California. Commented that the community is suffering from poor air quality while the logistics industry has been earning record profits during the pandemic. He pointed out that the warehouse ISR is part of Chairman Burke's legacy and the vote on this item should take place before he leaves the Board.

Dr. Karen Jakpor, American Lung Association, expressed support for a warehouse ISR. She commented on the disproportionate number of warehouses in the Inland Empire and cited studies that link fine particulate air pollution to premature deaths and increased risk of death from COVID-19. She urged the Board to move forward expeditiously to adopt a warehouse ISR before Chairman Burke leaves the Board.

Jibiana Jakpor, Riverside high school student
Angie Balderas, Sierra Club/AB 617 San Bernardino, Muscoy Community
Steering Committee co-host
Abigail Medina, San Bernardino City USD Board Member
Marven Norman, CCAEJ
Yvonne Martinez Watson, Sierra Club,
Anna Gonzalez, CCAEJ
Gabriela Mendez, CCAEJ
Mackenzie Nelson, University of Redlands student,
Faraz Rezvi, CCAEJ
Roxanna Barrera, San Bernardino resident/South Coast AQMD Youth Advisory
Council member
Andrea Vidaurre, Peoples Collective for Environmental Justice
Alejandro Montez, Inside Sustainability Southern California
co-founder/Inland Empire resident
Anthony Victoria, Peoples Collective for Environmental Justice
Kathy Hoang, Los Angeles resident/Partnership for Working Families
Ivette Torres, CE-CERT Riverside
Amy Francis, NELA Climate Collective
Dafne Gokcen, Los Angeles resident
Jen Simmons, Sierra Club/Los Angeles resident
Taylor Thomas, EYCEJ/Long Beach resident
Emma Marquez, CCAEJ
Francis Yang, Sierra Club My Generation Campaign
Jessica Aparicio, SBX: Youth and Family Services (Submitted Written
Comments)
Shane Ysais, CCAEJ
Carlo De La Cruz, Sierra Club
Justice Sandoval, SBX: Youth and Family Services
Marcy Winograd, Retired Los Angeles Unified School District teacher
Keenan Shady, Sierra Club and Los Angeles resident
Darby Osnaya, Colton resident

Gracie Torres, Eighth grader
Adonis Galarza-Toledo, CCAEJ/Coachella Valley USD Board Trustee
Yassi Kavezade, Sierra Club My Generation Campaign
Kareem Gongora, CCAEJ/Fontana resident
Linda Bassett, Los Angeles USD retired teacher
Shaun Martinez, United Brotherhood of Teamsters member
Cody Rosenfield, Los Angeles resident
Jesse Parks, Riverside County student

These commenters expressed the need for a strong warehouse ISR and opposed the motion to delay the public hearing. Expressed frustration and disappointment at the continued attempts to delay the adoption schedule, noting that the rulemaking process has been ongoing for three years. Commented on adverse health consequences affecting disadvantaged communities due to the proliferation of warehouses, unfavorable working conditions and low wages for warehouse workers while the goods movement industry has earned record-breaking profits. Stressed the need to transition the goods movement industry to zero-emission technologies to create the demand for quality jobs in a clean energy economy. Thanked Chairman Burke for his dedication and service and pointed out that the warehouse ISR is part of his legacy.

Joseph Sullivan, International Brotherhood of Electrical Workers Local 11/National Electrical Contractors Association of Greater Los Angeles, expressed appreciation to Chairman Burke for his years of service and congratulated Vice Mayor Richardson on his appointment to the Board. He noted that the warehouse ISR would help meet the state's carbon reduction goals, improve air quality in the most impacted areas, improve workforce safety and provide an opportunity to create good jobs that communities need to promote economic recovery from the pandemic.

Ben Lee, California Taxpayers Association, thanked the Board for considering additional time to deliberate on this issue. He explained that the proposed mitigation fee is mandatory and provides no special benefit for the fee payers and is therefore a tax, requiring voter approval. (Submitted Written Comments)

David Pettit, Natural Resources Defense Council, opposed the motion to delay the rule. He noted that many of the concerns being raised could have been presented at the numerous working group meetings that were conducted and there is nothing new or different that requires delaying the rule. He reflected on his relationship with Chairman Burke over the years and stated that he would miss working with him. He added that Chairman Burke should have the opportunity to cast a vote on the rule as it is a legacy matter.

Chris Chavez strongly opposed the delay of the warehouse ISR. He noted that the cost to implement the warehouse ISR would not be an economic burden to the goods movement industry, noting the substantial increase in profits for the

industry during the pandemic. He noted that the working group process for the rule development has been open and public but the warehouse industry has not been participating. He stressed that the warehouse ISR is a commitment in the AB 617 CERP.

Steven Jimenez, American Lung Association, commented that diesel exhaust generated by the warehouse sector contributes to health problems for low-income and disadvantaged communities that live near warehouses. He urged the Board to adopt a strong warehouse ISR as soon as possible to improve local and regional air quality.

Harvey Eder expressed concerns about the increase in traffic at the Ports due to the demand for products, and climate change. He urged support for the Solar New Deal.

Chris Shimoda, California Trucking Association, congratulated Chairman Burke on his retirement. He explained that the trucking industry has invested heavily to upgrade trucks and transition fleets to the cleanest available technologies. He commented that CARB and U.S. EPA have initiatives for the trucking industry that reduce NOx emissions from heavy-duty diesel trucks, transition fleets to zero-emissions and sets sale requirements.

Peter Herzog, NAIOP/Commercial Real Estate Development Association, expressed support to delay the public hearing and commended Board members for fulfilling their obligation to rely on the best science and analysis to address the concerns that have been raised. He noted that voluminous materials had been recently released which did not allow time for adequate review. He expressed concerns that the potential emission reductions and SIP credits are speculative.

Susan Phillips, Pitzer College professor, opposed the motion to delay the hearing. She commented on land use policy disparities that have benefitted some at the expense of others. She pointed to electrification as a path toward reducing the impact of climate conditions, pollution and wildfires that exacerbate public health disparities.

Supervisor Kuehl stated that she would not be supporting the motion to continue the public hearing. She noted that much time and effort has already been spent on the years-long rulemaking process to address questions and concerns, and expressed her desire to represent the majority of commenters. She described the deliberation of this item as a legacy vote for Chairman Burke and believes the public hearing should take place before he leaves.

Chairman Burke acknowledged that he would like the opportunity to cast his vote.

Board Member Kracov questioned some of the concerns that have been raised and reminded everyone that ISRs were included in the 2016 AQMP and AB 617 CERPs. U.S. EPA and CARB also allow the inclusion of ISRs in the SIP. He clarified that we are going to be making progress today with the motion to schedule the hearing no later than June.

Vice Mayor Richardson reiterated his support to delay the rule for two months and assured that the hearing will be held in June. He noted that staff will be working in the interim to address outstanding issues that have been raised and improve the proposal by adding good labor standards that improve efficiency and workforce safety.

Supervisor Perez stated he is prepared to vote today and sees this as a legacy issue for Chairman Burke.

Senator Delgado offered a compromise and recommended delaying the public hearing to May instead of June.

MAYOR PRO TEM CACCIOTTI ACCEPTED THE AMENDMENT AS PART OF HIS MOTION AND MOVED TO SET THE PUBLIC HEARING ON MAY 7, 2021 WITH LANGUAGE RECOMMENDED BY VICE MAYOR RICHARDSON ADDED TO THE RESOLUTION THAT REQUIRES USING A SKILLED AND TRAINED WORKFORCE AND ELECTRICIANS ON ELECTRIC VEHICLE CHARGING INFRASTRUCTURE PROJECTS.

MOVED BY CACCIOTTI, SECONDED BY BARTLETT; AGENDA ITEM 2B APPROVED TO SET A PUBLIC HEARING ON MAY 7, 2021 TO ADOPT PROPOSED RULES 2305 AND 316; AND DIRECT STAFF TO INCLUDE LANGUAGE IN THE RESOLUTION AS SET FORTH BELOW BY THE FOLLOWING VOTE:

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

NOES: Kuehl

ABSENT: None

Add the following paragraphs into the Resolution:

WHEREAS, using a skilled and trained workforce and electricians meeting the requirements of the Electric Vehicle Infrastructure Training Program will promote efficiency and result in more reliable infrastructure, thus promoting greater use of zero-emission vehicles;

BE IT FURTHER RESOLVED that all electric vehicle charging infrastructure projects funded in whole or in part by mitigation fees paid pursuant to Rule 2305 shall (1) use a skilled and trained workforce as defined in Public Contracts Code Section 2601, and (2) ensure that at least one and at least 25% of the total number of electricians working on the project holds an Electric Vehicle Infrastructure Training Program Certificate, as described in Public Utilities Code Section 740.20.

Written Comments Submitted by:

Susan A. Phillips, Robert Redford/Conservancy for Southern California
Sustainability

Shawn Sterling, Origin Engines

Karen Jakpor, MD, Afif El-Hasan, MD, Frances Mojica/American Lung Association

Steve McCarthy/California Retailers Association

Donna Dupperon, David Fleming, Tracy Hernandez/BizFed (Los Angeles County
Business Federation)

Heather Kryczka, David Pettit/Natural Resources Defense Council

Patrick G. Farenga/FCL Logistics, LTD. and Price Transfer, Inc.

Richard Markuson/Western Electrical Contractors Association, Inc.

Rachel Wang/ViewSonic Corporation

Maria S. Salinas/Los Angeles Chamber of Commerce

Robert E. Lilja/Weber Logistics

Keila Mazariegos, MSW/SBX: Youth & Family Services

Shea Millan

Misha Askren, MD/Los Angeles family physician

Lynnette "Elle" Brown Jones, BreatheIE Program

Rocio Aguayo/San Bernardino resident

Scott Ochoa/City of Ontario

3. Adopt Resolution Recognizing Funds for FY 2020-21 Carl Moyer Program and Issue Program Announcements for Carl Moyer and SOON Programs

Ranji George expressed concerns about the substantial amount of funding that has been allocated for combustion technologies over the years and urged the Board to appropriate more funding to zero-emission infrastructure.

10. Add Positions to FY 2020-21 Budget to Address Operational Needs

Chairman Burke inquired about veteran's employment preference in South Coast AQMD's hiring process. John Olvera, DEO/Administrative and Human Resources, responded that staff is in the process of reviewing information and a report will be provided shortly.

21. Budget and Economic Outlook Update (*Presentation in Lieu of Board Letter*)

Jill Whynot, Chief Operating Officer, gave a brief overview of the presentation on Item No. 21 to provide an update on economic indicators and South Coast AQMD metrics and budget implications.

Supervisor Perez and Mayor Pro Tem Cacciotti stressed the importance of seeking continued funding for AB 617 communities.

Chairman Burke expressed concerns about unfunded state mandates.

PRESENTATION ONLY; RECEIVE AND FILE

MOVED BY MCCALLON, SECONDED BY CACCIOTTI; AGENDA ITEMS 1, 2A, 3 THROUGH 20 AND 22 THROUGH 28, APPROVED AS RECOMMENDED, RECOGNIZING FUNDS AND ACCEPTING THE TERMS AND CONDITIONS OF THE FY 2020-21 CARL MOYER GRANT AWARD, DELEGATING AUTHORITY TO THE TREASURER OF THE COUNTY OF LOS ANGELES TO INVEST AND REINVEST FUNDS OF THE SOUTH COAST AQMD, AND TO RECEIVE AND FILE THE COMMITTEE AND MSRC REPORTS, AND APPROVE THE LEGISLATIVE COMMITTEE'S RECOMMENDATION ON LEGISLATION AS SET FORTH BELOW, BY THE FOLLOWING VOTE:

AYES: Bartlett, Benoit, Burke, Buscaino, Cacciotti, Delgado, Kuehl, Kracov, McCallon, Perez, Richardson, Rodriguez, and Rutherford

NOES: None

ABSENT: None

LEGISLATIVE COMMITTEE RECOMMENDATIONS

Agenda Item	Recommendation
H.R. 283 (Schweikert and Cardenas) Crowdsourcing of Environmental Data Act of 2021	Work With Author
S. 101 (Markey and Duckworth) Environmental Justice Mapping and Data Collection Act of 2021	Support With Amendments

PUBLIC HEARINGS

31. Determine That Proposed Amended Rule 218 - Continuous Emission Monitoring; Proposed Rule 218.2 - Continuous Emission Monitoring System: General Provisions, and Proposed Rule 218.3 - Continuous Emission Monitoring System: Performance Specifications, Are Exempt from CEQA; Amend Rule 218; and Adopt Rules 218.2 and 218.3

Michael Krause, Planning and Rules Manager, gave the staff presentation on Item No. 31.

The public hearing was opened, and the following individuals addressed the Board on Item 31.

David Rothbart, County Sanitation Districts of Los Angeles County, expressed support for the rules and thanked staff for working with stakeholders.

Mr. Eder expressed concerns that renewable natural gas is being promoted as a solution.

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

A ROLL CALL WAS TAKEN AND AGENDA ITEM NO. 31 WAS APPROVED AS RECOMMENDED TO ADOPT RESOLUTION NO. 21-6 DETERMINING THAT PROPOSED AMENDED RULE 218 – CONTINUOUS EMISSION MONITORING, PROPOSED RULE 218.2 – CONTINUOUS EMISSION MONITORING SYSTEM: GENERAL PROVISIONS, AND PROPOSED RULE 218.3 – CONTINUOUS EMISSION MONITORING SYSTEM: PERFORMANCE SPECIFICATIONS ARE EXEMPT FROM THE REQUIREMENTS OF CEQA AND AMENDING RULE 218 -- CONTINUOUS EMISSION MONITORING, AND ADOPTING RULE 218.2 CONTINUOUS EMISSION MONITORING SYSTEM: GENERAL PROVISIONS, AND RULE 218.3 – CONTINUOUS EMISSION MONITORING SYSTEM: PERFORMANCE SPECIFICATIONS, BY THE FOLLOWING VOTE:

AYES: Bartlett, Benoit, Burke, Buscaino, Cacciotti, Delgado, Kuehl, Kracov, McCallon, Perez, Richardson, Rodriguez, and Rutherford

NOES: None

ABSENT: None

32. Approve and Adopt Technology Advancement Office Clean Fuels Program 2020 Annual Report and 2021 Plan Update, Resolution and Membership Changes for Clean Fuels Advisory Group and Receive and File Updated Membership of Technology Advancement Advisory Group

Matt Miyasato, DEO/Chief Technologist/Science & Technology Advancement, gave the staff presentation on Item No. 32.

The public hearing was opened, and the following individual addressed the Board on Item 32.

Harvey Eder commented on alternative fuels and solar powered technologies for vehicles.

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

Written Comments Submitted by:
Andris R. Abele)

MOVED BY CACCIOTTI, SECONDED BY BENOIT; AGENDA ITEM NO. 32 APPROVED AS RECOMMENDED, TO ADOPT RESOLUTION NO. 21-7 APPROVING THE TECHNOLOGY ADVANCEMENT OFFICE CLEAN FUELS PROGRAM ANNUAL REPORT FOR 2020 AND ADOPTING THE CLEAN FUELS PROGRAM PLAN UPDATE FOR 2021, BY THE FOLLOWING VOTE:

AYES: Bartlett, Benoit, Burke, Buscaino, Cacciotti, Delgado, Kuehl, Kracov, McCallon, Perez, Richardson, Rodriguez, and Rutherford

NOES: None

ABSENT: None

33. Annual RECLAIM Audit Report for 2019 Compliance Year

Staff waived the presentation on Item No. 33.

The public hearing was opened, and the following individual addressed the Board on Item 33.

Harvey Eder expressed support for equitable solar transition.

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

MOVED BY CACCIOTTI, SECONDED BY BENOIT; AGENDA ITEM NO. 33 APPROVED AS RECOMMENDED, TO APPROVE THE ANNUAL RECLAIM AUDIT REPORT FOR 2019 COMPLIANCE YEAR, BY THE FOLLOWING VOTE:

AYES: Bartlett, Benoit, Burke, Buscaino, Cacciotti, Delgado, Kuehl, Kracov, McCallon, Perez, Richardson, Rodriguez, and Rutherford

NOES: None

ABSENT: None

Mr. Nastri announced the upcoming retirements of Amir Dejbakhsh , DEO/Engineering & Permitting and Nancy Velasquez, the Governing Board liaison.

Chairman Burke acknowledged and thanked Mr. Dejbakhsh and Ms. Velasquez for their years of dedicated service to South Coast AQMD.

CLOSED SESSION

The Board recessed to closed session at 2:20 p.m., pursuant to Government Code sections:

CONFERENCE WITH LEGAL COUNSEL – INITIATING LITIGATION

- 54956.9(a) and 54956.9(d)(4) to consider initiation of litigation (two cases).

CONFERENCE WITH LABOR NEGOTIATORS

- 54957.6 to confer with labor negotiators:
 - Agency Designated Representative: A. John Olvera, Deputy Executive Officer – Administrative & Human Resources; and
 - Employee Organization(s): South Coast AQMD Professional Employees Association

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

ADJOURNMENT

There being no further business, the meeting was adjourned by Mr. Gilchrist at 3:15 p.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on March 5, 2021.

Respectfully Submitted,

Faye Thomas
Clerk 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
FY = Fiscal Year
MSRC = Mobile Source (Air Pollution Reduction) Review Committee
NOx = Oxides of Nitrogen
RECLAIM = Regional Clean Air Incentives Market
RFP = Request for Proposals
U.S. EPA = United States Environmental Protection Agency

BOARD MEETING DATE: April 2, 2021

AGENDA NO. 2

PROPOSAL: Set Public Hearings May 7, 2021 to:

A. Adopt Executive Officer's FY 2021-22 Proposed Goals and Priority Objectives and Proposed Budget

The Executive Officer's Proposed Goals and Priority Objectives, and Proposed Budget for FY 2021-22 have been developed and are recommended for adoption. The Budget and Work Program for FY 2021-22 represents input over the past several months from Board members, staff, and the public. This year's process will include meetings of the Budget Advisory Committee and two budget workshops, one for the public on April 6, 2021 and one for the Board on April 9, 2021. The Proposed Budget incorporates, pursuant to Rule 320, an increase of most fees by 4.5 percent reflecting the Consumer Price Index from last year and this year. This action is to adopt the Executive Officer's Proposed Goals and Priority Objectives, and Proposed Budget for FY 2021-22. (Review: Special Board Meeting/Budget Workshop, April 9, 2021)

B. Determine That Proposed Amendments to Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium, Are Exempt from CEQA, and Amend Rule 1469.1

Proposed Amended Rule 1469.1 would further reduce hexavalent chromium emissions from chromate spray coating operations by including requirements for other related activities such as dried coating removal and demasking, enhancing the point source requirements, enhancing parameter monitoring requirements for air pollution controls, and further minimizing the release of fugitive emissions through additional requirements for building enclosure, housekeeping, and best management practices. The proposed amendments would also remove outdated definitions and provisions. This action is to adopt the Resolution: 1) Determining that the proposed amendments to Rule 1469.1 – Spraying

Operations Using Coatings Containing Chromium, are exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium. (Reviewed: Stationary Source Committee, March 19, 2021)

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, dalatorre@aqmd.gov and on the Internet (www.aqmd.gov) as of April 7, 2021.

RECOMMENDED ACTIONS:

Set Public Hearings May 7, 2021 to Adopt the Executive Officer's FY 2021-22 Proposed Goals and Priority Objectives and Proposed Budget; and Determine that proposed amendments to Rule 1469.1 are exempt from CEQA and Amend Rule 1469.1.

Wayne Natri
Executive Officer

ft

BOARD MEETING DATE April 2, 2021

AGENDA NO. 3

PROPOSAL: Amend Contract for Development of Battery Powered Locomotive Project

SYNOPSIS: In June 2016, the Board approved a contract with VeRail Technologies (VeRail) to develop a natural gas locomotive using U.S. EPA Clean Air Technology Initiative (CATI) funds. VeRail has since dissolved leaving \$90,825 in CATI funds unused. Subsequently, in 2017, the Board approved \$210,000 in CATI funds for a project with Rail Propulsion Systems (RPS) to develop a battery powered switcher locomotive. The U.S. EPA has since approved the reallocation of unused funds towards further enhancements to the RPS project. This action is to amend the contract with RPS to further the development of a battery electric switcher locomotive in an amount not to exceed \$90,825 of unused U.S. EPA CATI funds from the Clean Fuels Program Fund (31).

COMMITTEE: Technology, March 19, 2021; Recommended for Approval

RECOMMENDED ACTION:

Authorize the Executive Officer to amend the RPS contract to further enhance the battery electric switcher locomotive project to add \$90,825 of unused U.S. EPA CATI funds from the Clean Fuels Program Fund (31).

Wayne Natri
Executive Officer

MMM:NB:JI:JL

Background

The Clean Air Technology Initiative (CATI) fund was established by the U.S. EPA, CARB, San Joaquin Valley Air Pollution Control District and South Coast AQMD to identify and implement emission reduction projects where residents are

disproportionately affected by emissions of diesel exhaust from the goods movement corridors and from diesel activities at the Ports, warehouses and rail yards.

In June 2016, the Board recognized \$500,000 in CATI funds into the Clean Fuels Program Fund for a \$5.1 million project with VeRail technologies for development and demonstration of an ultra-low emission natural gas switcher locomotive. In 2019, VeRail dissolved as an entity and the technology was divided among other industrial ventures outside of the rail project, with remaining \$90,825 of CATI funds. In 2017, the Board recognized \$500,000 into the Clean Fuels Program Fund for two projects under the CATI-FY-2017 grant program. \$210,000 of the CATI-FY-17 funds was awarded to RPS for the development of a battery powered switcher locomotive.

RPS is a leading contributor to the proof of concept battery electric locomotive project technology. RPS has developed and is currently demonstrating the zero emission switcher locomotive in Anaheim, with project partners Coast Rail Services, EV Grid, VACON and Tractive Power to demonstrate this technology. The initial demonstration is nearly complete, highlighting the need for battery and controller enhancements to bring it closer to commercial use.

As a result of the discontinued project listed above, there is currently \$90,825 total remaining CATI funds, with U.S. EPA concurrence to reallocate the remaining funds to upgrade the RPS zero emission switcher locomotive.

Proposal

For the proposed project, with additional funding of \$90,825 from unused CATI funds, RPS plans the following: 1) upgrade the controls for in service Federal Railroad Administration requirements; 2) modify and add additional battery pack and rack system as well as electronic control systems; and 3) continue validation and durability testing to confirm the robustness of their design.

The optimized battery electric locomotive will replace an unregulated diesel locomotive in a typical switcher operation at the Coast Rail Services rail yard in Anaheim California.

Sole Source Justification

Section VIII.B.3 of the Procurement Policy and Procedure identifies four provisions by which sole source awards may be justified when contracts are funded in whole or in part by federal funds. This award is made under provision B.3.c: The awarding federal agency authorizes noncompetition proposals. U.S. EPA deemed the proposed award to RPS to be a sub-award and does not require a competitive solicitation.

Benefits to South Coast AQMD

The proposed project supports the implementation of zero emission off-road technology that will directly reduce NOx emissions from switcher locomotives. In addition, the development and successful deployment of these zero emission switcher locomotives will promote their acceptance by railroads and facilitate their deployment at rail yards in the South Coast Air Basin, as well as assist the South Coast AQMD to attain its clean air goals. The project is included in the *Technology Advancement Office Clean Fuels Program 2019 Plan Update* under the categories “Electric/Hybrid Technologies & Infrastructure” and “Emission Control Technologies.”

Resource Impacts

The contract with RPS will be amended upon approval of up to \$90,825 in unused U.S. EPA CATI funds. Total project cost will be revised to \$1,097,825 as detailed in the table below.

Funding Source	Original Funding Amount	Additional Funding	Total Project Amount
U.S. EPA	\$210,000	\$90,825	\$300,825
Rail Propulsion Systems <i>(in-kind)</i>	\$715,000	\$82,000	\$797,000
Total	\$925,000	\$172,825	\$1,097,825

Sufficient funds are available from the Clean Fuels Program Fund (31), established as a special revenue fund resulting from the state-mandated Clean Fuels Program. The Clean Fuels Program, under Health and Safety Code Sections 40448.5 and 40512 and Vehicle Code Section 9250.11, establishes mechanisms to collect revenues from mobile sources to support projects to increase the utilization of clean fuels, including the development of the necessary advanced enabling technologies. Funds collected from motor vehicles are restricted, by statute, to be used for projects and program activities related to mobile sources that support the objectives of the Clean Fuels Program.

[↑ Back to Agenda](#)

BOARD MEETING DATE: April 2, 2021

AGENDA NO. 4

PROPOSAL: Issue RFQ for Technical Assistance to Support South Coast AQMD's Technology Advancement Activities and Implementation Efforts

SYNOPSIS: South Coast AQMD administers and manages both the implementation of incentive programs as well as the pre-commercial research, development, demonstration and deployment of low and zero emission technologies. This action is to issue an RFQ to solicit proposals from qualified consultants and consulting firms capable of providing technical expertise and experience to assist staff with the evaluation and implementation of these programs. It is anticipated that multiple awards will be made from this solicitation.

COMMITTEE: Technology Committee, March 19, 2021; Recommended for Approval

RECOMMENDED ACTIONS:

1. Issue RFQ #Q2021-06 for Technical Assistance to Support South Coast AQMD's Technology Advancement Activities and Implementation Efforts; and
2. Authorize the Executive Officer to execute contract(s) with selected consultants and/or consulting firms to provide technical assistance with implementation of the 2021 Carl Moyer Program in an amount not to exceed \$400,000 using up to \$200,000 each in administrative funds from the Carl Moyer Program Fund (32) and the Community Air Protection Program Fund (77).

Wayne Natri
Executive Officer

Background

Mobile sources emit the majority of air pollution in the South Coast Air Basin (Basin). In particular, heavy-duty diesel engines and/or vehicles emit high levels of nitrogen oxides (NOx), a precursor to photochemical smog, as well as diesel particulate exhaust, which is a toxic air contaminant.

The South Coast AQMD administers and manages both the implementation of incentive programs as well as the pre-commercial research, development, demonstration and deployment (RDD&D) of low and zero emission technologies. The Technology Advancement Office's (TAO) Clean Fuels Program incorporates a mix of short-, medium-, and long-term goals, representing a continuum of technology improvements to achieve clean air in the Basin. The Clean Fuels Program receives more than \$12 million annually in revenue and on average has 100 active contracts in progress every year. In addition, TAO oversees multiple voluntary incentive-based programs including but not limited to the Carl Moyer Program, the Proposition 1B-Goods Movement Emission Reduction Program, the On-Road Heavy-Duty Vehicle Voucher Incentive Program, the Lower Emission School Bus Program and the AB 617 CAPP. Comprehensively, these various incentive programs have 1,500 active contracts at any one time with available funding of over \$200 million.

South Coast AQMD periodically releases solicitations to obtain consultants to augment in-house expertise and assist staff with technical reviews, coordination of projects, comparative analyses and implementation of incentive programs. Due to the rapid pace at which technologies are evolving, additional assistance is required for advanced, pre-commercial technology demonstration programs. Expert consultants and administrative resources are also required to assist staff in administering and executing the various incentive programs to meet program expenditure and liquidation deadlines.

Proposal

This action is to issue an RFQ to solicit qualifications from individuals and organizations capable of providing technical assistance in a variety of areas to support the multiple incentive programs as well as the RDD&D program. The areas of expertise for technical assistance will include the following:

Incentive Programs

- Technical evaluation of mobile source projects
- CARB mobile source rules and regulations
- CARB incentive program and guideline requirements
- Surplus emission reductions and cost effectiveness calculations
- Emissions inventory for on-road and off-road equipment
- Outreach and other support activities

RDD&D Program

- Mobile applications - Low and zero emissions technologies
- Fuels - Processing, reformulation and emissions analyses
- Stationary applications - Advanced combustion and renewables
- Emissions and analyses - In-use measurements and health analyses
- Outreach - Latest technological advancements
- Financial analyst services - financial studies and cost analyses

South Coast AQMD will choose the most qualified consultants and consulting firms that demonstrate extensive experience and meet the RFQ requirements. Proposals will be due May 18, 2021, at 3:00 p.m. Board approval for RDD&D program awards are anticipated in August.

To expedite technical assistance for implementation of the 2021 Carl Moyer Program, staff is requesting that the Board authorize the Executive Officer to enter into contract(s) with selected consultants or consulting firms following the evaluation of proposals submitted in response to RFQ #Q2021-06 based on the recommendations of the review panel.

Bid Evaluation

Consultants will be selected based on the criteria in the RFQ, and successful bidders will be retained through level-of-effort contracts based on their area(s) of expertise and the needs of TAO. It is anticipated that multiple awards will be made from this RFQ. For implementation of the 2021 Carl Moyer Program, the panel will make a recommendation to the Executive Officer for final selection of consultants and/or consulting firms. Qualifications packages will be evaluated by a panel of three to five South Coast AQMD staff members familiar with the work activities and resource needs of TAO. The proposals will be evaluated and scored by the panel in accordance with established SCAQMD guidelines. The panel will consist of at least one Deputy Executive Officer or Assistant Deputy Executive Officer, and one Technology Demonstration Manager or one Technology Implementation Manager.

Outreach

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising the RFQ 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 RFQ will be emailed to the

Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations and placed on South Coast AQMD's website (<http://www.aqmd.gov>) where it can be viewed by making the selection "Grants & Bids."

Benefits to AQMD

Outside expertise will provide the support needed to implement TAO's RDD&D and incentive programs. The added support will provide an effective means of evaluating new technologies, assessing emission reductions and reviewing a higher number of applications to successfully carry out TAO activities.

Resource Impacts

Multiple awards are anticipated from this RFQ. Due to the indefinite nature of the work, the actual contract amounts cannot be determined at this time for the contracts involving RDD&D, and the total amount of funding to be recommended for the Board's consideration for each contract will be dependent upon the consultant's qualifications and TAO needs. The Clean Fuels Fund (31) will be used for awards made under this RFQ for RDD&D. Contract(s) for technical assistance for the incentive programs will not exceed \$400,000 of which \$200,000 will be from the Carl Moyer Program Fund (32) and \$200,000 from the Community Air Protection Program Fund (77).

Attachment

RFQ #Q2021-06 Technical Assistance to Support South Coast AQMD's Technology Advancement Activities and Implementation Efforts



SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
REQUEST FOR QUALIFICATIONS

Technical Assistance to Support South Coast AQMD's Technology Advancement Activities and Mobile Source Incentive Program Implementation Efforts

Q2021-06

South Coast Air Quality Management District (South Coast AQMD) requests qualifications for the following purpose according to terms and conditions attached. In the preparation of this Request for Qualifications (RFQ) the words "Proposer," "Contractor," "Consultant," "Bidder" and "Firm" are used interchangeably.

PURPOSE

The purpose of this RFQ is to solicit statement of qualifications from individuals and organizations capable of providing technical assistance in a variety of specialized areas to support South Coast AQMD's technology advancement activities and implementation efforts in regards to the Technology Advancement Office's (TAO) mobile source incentive programs as well as the research, development, demonstration and deployment (RDD&D) program.

Bidder must specify if Qualifications Package is for Mobile Source Incentive Programs, RDD&D, or both in the Cover Letter.

INDEX - The following are contained in this RFQ:

Section I	Background/Information
Section II	Contact Person
Section III	Schedule of Events
Section IV	Participation in the Procurement Process
Section V	Statement of Work/Schedule of Deliverables
Section VI	Qualifications
Section VII	Proposal Submittal Requirements
Section VIII	Proposal Submission
Section IX	Proposal Evaluation/Contractor Selection Criteria
Section X	Funding
Section XI	Sample Contract

Attachment A - Participation in the Procurement Process
Attachment B - Certifications and Representations

SECTION I: BACKGROUND/INFORMATION

The South Coast AQMD is a regional governmental agency responsible for meeting air quality health standards in Orange County and the urban portions of Los Angeles, Riverside, and San Bernardino counties.

Mobile sources emit the majority of air pollution in the South Coast Air Basin (Basin). In particular, heavy-duty diesel engines and/or vehicles emit high levels of nitrogen oxides (NOx),

a precursor to photochemical smog, as well as diesel particulate exhaust, which has been categorized by the California Air Resources Board (CARB) as a toxic air contaminant.

The Air Quality Management Plan (AQMP) for the Basin identifies the application of clean-burning alternative fuels (e.g., natural gas, ethanol, and hydrogen), advanced engine and/or vehicle technologies (e.g., fuel cells, hybrid electric and plug-in hybrid electric vehicles, battery electric) and advanced stationary source pollution control technologies to meet the national ambient air quality standards. It also specifies incentives as a key strategy to reduce emissions from mobile sources. These air quality gains, however, may only be realized if programs are in place to develop, commercialize and implement these technologies. As a result, the South Coast AQMD seeks to implement aggressive programs to develop and demonstrate pre-commercial technologies as well as incentivize commercially available technologies.

SECTION II: CONTACT PERSON:

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

Incentive Programs

Arnold Peneda
Air Quality Specialist
(909) 396-2475
E-mail: apeneda@aqmd.gov

RDD&D Program

Joseph Impullitti
Technology Demonstration Manager
(909) 396-2025
E-mail:jimpullitti@aqmd.gov

South Coast AQMD
21865 Copley Drive
Diamond Bar, CA 91765

SECTION III: SCHEDULE OF EVENTS

Date	Event
April 2, 2021	RFQ Released
May 18, 2021	Proposals Due to South Coast AQMD - No Later Than 3:00 pm
August 6, 2021	Governing Board Approval*

***Only Applies for RDD&D Program.**

SECTION IV: PARTICIPATION IN THE PROCUREMENT PROCESS

It is the policy of South Coast AQMD to ensure that all businesses including minority business enterprises, women business enterprises, disabled veteran business enterprises and small businesses have a fair and equitable opportunity to compete for and participate in South Coast AQMD contracts. Attachment A to this RFQ contains definitions and further information.

SECTION V: STATEMENT OF WORK/SCHEDULE OF DELIVERABLES

A. Objective

The objective of this RFQ is to solicit qualifications from individuals and organizations with strong technical expertise in one or more of the areas of work performed by the Technology Advancement Office at the South Coast AQMD, including but not limited to, the following:

Incentive Programs

- Technical evaluation of mobile source projects and applicable control technologies including but not limited to: on-road heavy duty trucks, off-road equipment, locomotives, marine vessels and heavy-duty vehicle/equipment infrastructure
- CARB mobile source rules and regulations
- CARB incentive programs and guideline requirements (i.e. Proposition 1B – Goods Movement Emission Reduction Program (Prop 1B), Carl Moyer Program (CMP), Community Air Protection Program Incentives (CAPP), the Enhanced Fleet Modernization Program (Replace Your Ride) and the Volkswagen Environmental Mitigation Trust Program (VW), etc.
- Surplus emission reductions and cost effectiveness calculations
- Emissions inventory for on-road and off-road mobile sources
- Outreach and other support of incentive program activities (e.g., program brochures, slide presentations, webinars, strategies to increase awareness and participation in incentive programs, program results analyses, and mobile source data compilation and analyses)

RDD&D Program

Mobile Applications - Low and zero emission technologies for light-, medium-, and heavy-duty vehicles (on- and off-road applications), including:

- Fuel cells, hybrids (electric, plug-in, hydraulic and others), and alternative fuels;
- Component (e.g., batteries and ultracapacitors) and system expertise (e.g., software controllers);
- Engines and exhaust treatment technologies (e.g., catalyst and trap systems); and
- Demonstration of low and zero emission technologies in fleets

Fuels - Fuel processing, reformulation and emission analyses for:

- Alternative and conventional fuels;
- Biofuels (ethanol, biodiesel and biomass);
- Hydrogen infrastructure; and
- Gas to liquid (GTL) fuels.

Stationary Applications

- Advanced combustion technologies;
- Advanced or innovative aftertreatment control technologies;

- Renewable technologies; and
- Fuel cell, hybrid and hydrogen energy co-production.

Emissions and Analyses

- Toxic air contaminants from motor vehicles and their potential formation;
- Health and safety issues related to new technologies;
- Mobile source data compilation and analyses;
- Advanced technology transition (bridging) analyses; and
- Advanced technology assessments, market penetration and acceptance studies.

Outreach

- Develop and conduct outreach to highlight the latest technological developments to industry, regulatory, scientific and public domains.
- Develop technical information and publication materials.

Financial Analyst Services

- Prepare financial studies and cost analyses of existing and proposed grant funded Clean Fuels projects;
- Assist in budget preparation activities in support of grant proposals and existing Clean Fuels programs and projects and the Technology Advancement Division;
- Review invoices, supporting documentation, and indirect cost proposals submitted by contractors to ensure compliance with grant terms and conditions and auditing requirements;
- Monitor expenditures, reimbursements, and status of invoices and disbursement requests for grant funded projects;
- Prepare reimbursement requests to funding agencies for grant funded projects and provide necessary invoices and supporting documentation;
- Coordinate with Finance staff to track and record payments received by funding agencies for grant funded projects;
- Coordinate with staff on creation and tracking of staff time on work program codes for grant funded projects and provides spreadsheets documenting staff time for reimbursement requests to funding agencies;
- Track grant liquidation deadlines and ensure compliance with funding agencies for completion of grant funded projects;
- Participate and contribute to regular staff meetings on grant funded projects to ensure timely completion of tasks, drawdown on funds, and resolution of issues for reimbursement of grant funded projects;
- Prepare administrative, budget, and financial reports as needed for the Technology Advancement Division;
- Assist in development and integration of new or improved systems such as online grants management, invoicing, and contracting systems to increase management effectiveness, efficiency, and reduce operational costs.

This RFQ is being used to leverage staff resources with specialized outside expertise and technical support with program implementation. The selected consultant(s) shall perform various tasks and functions designed to facilitate cooperation and ensure adequate information exchange to South Coast AQMD staff, key government agencies, existing and

potential end users of advanced vehicle and stationary technologies, and industry organizations. Important issues to be monitored, assessed and acted upon may include the status of major alternative fuel technology developmental efforts, promotion of commercially available alternative-fuel engines, advanced technology development and assistance to entities implementing alternative fuel technologies among others.

In addition, the selected consultant(s) shall perform various tasks and functions related to the implementation of South Coast AQMD's incentive funding programs, including but not limited to: CMP, Prop 1B, CAPP, Replace Your Ride and VW.

B. Statement of Work

The selected Consultant(s) shall perform tasks on an as-needed basis upon receiving written notification from the South Coast AQMD's Deputy Executive Officer for Science & Technology Advancement. All work will be assigned and pre-approved by the Project Manager and the Deputy Executive Officer. Each assignment will have specific tasks to be conducted and resources to be utilized. No work can be implemented without authorized parties prior approval and acceptance of specific, detailed task assignments. Potential tasks include but are not limited to the following:

Incentive Programs

- Assist South Coast AQMD staff in technical evaluation of applications submitted for funding consideration pertaining to mobile source incentive programs.
- Assist South Coast AQMD staff in evaluating the surplus emission reductions calculations and cost effectiveness of projects for on- and off-road heavy-duty vehicles and equipment, including but not limited to marine vessels, locomotives, on-road heavy duty trucks, cargo- handling equipment, off-road construction equipment, and locomotives.
- Assist South Coast AQMD staff with in assessing a project's compliance with CARB mobile source rules and regulations and determining project eligibility with respect to incentive program criteria and guideline requirements (i.e. Prop 1B, CMP, CAPP Incentives, etc.).
- Update annual incentive program reporting information to determine compliance with program requirements.
- Assist in the review of incentive program updates. Subsequently updating outreach material, application forms, policies and procedures and other documentation necessary to ensure that South Coast AQMD's program is consistent will any new policy or program changes approved by CARB.
- Assist South Coast AQMD staff in responding to CARB staff regarding calculation methodologies and past practices including updates to the Clean Air Reporting Log (CARL).
- Assist South Coast AQMD staff to assess impact of federal, state and local rules and

regulations that are specific to mobile source operations, including proposed amendments.

- Assist South Coast AQMD staff in preparing briefings, presentations and technical papers, and participate in incentive program workshops.
- Assist South Coast AQMD staff with processing invoices for reimbursement which may include reviewing sales purchase orders, proof of payment, loan agreements, technical data sheets, inspection reports, and Environmental Protection Agency (EPA)/CARB Executive Orders.
- Assist South Coast AQMD staff with the development, execution and modification of contracts, including but not limited to, statement of work and memorandums, with incentive program recipients
- Assist South Coast AQMD staff by providing clerical support for incentive program implementation, including but not limited to: filing, data entry, photocopying, workshop assistance, vehicle and equipment inspection reports, contract document preparation, disseminate program information, translation services (please specify any language translation services that can be provided), collection of annual report information from grantees, responding to phone inquiries about application status, and requesting additional documentation to complete application.
- Develop technical information for incentive programs and provide specific and targeted outreach support and publication materials.
- Perform other tasks relating to the implementation of South Coast AQMD incentive programs as directed by South Coast AQMD's Deputy Executive Officer.

RDD&D Program

- Assist in evaluating the emission benefits, availability, cost effectiveness, and obstacles to the commercialization of alternative fuel technologies for on- and off-road vehicles and equipment, including but not limited to trucks, cargo-handling equipment, marine vessels, construction equipment and locomotives.
- Assist in evaluating the technical progress and emissions data of demonstration projects relating to hybrid, hydraulic and alternative fueled vehicles.
- Assist in evaluating the technical status and emissions data of demonstration projects relating to control of diesel emissions.
- Assist with impact analysis of South Coast AQMD rules that are specific to mobile sources including light-, medium- and heavy-duty fleet operations.
- Assist with efforts to facilitate the development and commercialization of zero tailpipe emission technologies for vehicles (light-duty and transit applications) and stationary

applications.

- Assist in evaluating the current status of advanced chemical and mechanical energy storage technologies for application to vehicles as well as other applications, e.g., cargo-handling equipment.
- Assist in evaluating the current status of renewable energies for mobile and stationary sources.
- Assist in evaluating the current status of hydrogen storage, hydrocarbon reforming technologies and innovative components for hydrogen infrastructure.
- Assist in evaluating zero emission goods movement technologies.
- Assist in evaluating electric, plug-in electric and hybrid vehicle technologies and EV charging infrastructure.
- Assist in technical evaluation of proposals submitted to the TAO for funding consideration pertaining to alternative fuels, battery, hydrogen, fuel cells and other advanced vehicle and stationary technologies.
- Perform other tasks relating to low and zero emission vehicle and/or stationary source technologies.
- Assist in preparing briefings and technical papers and participate in technical forums in support of alternative fuel and fuel cell development, demonstration and commercialization, and other advanced mobile and stationary technologies
- Interface with other South Coast AQMD contractors to develop technical information, plan and implement conferences, and provide outreach and publication materials.
- Assist staff with developing and conducting outreach to highlight the latest technological developments to industry, regulatory, scientific and public domains.

Schedule of Deliverables

Specific deliverables and time schedules for task completion will be established by the Deputy Executive Officer, or his designee, in writing when each task is authorized. Deliverables may include but not be limited to one or more of the following: written and/or oral technical reports, spreadsheets containing calculations and technical evaluation of projects, data analysis of emissions inventory, newsletters, articles, draft position papers, language for control measures, attendance at meetings with follow-up reports, etc.

SECTION VI: QUALIFICATIONS

- A. South Coast AQMD requests submittal of detailed expertise and capabilities from consultants who meet a combination of the technical qualifications listed below.

Individuals can team to submit a joint bid if they have complementary expertise and qualifications that collectively meet the requirements. Statements of qualifications should include evidence documenting experience, expertise, and capabilities wherever possible.

- B. Bidder(s) shall be selected for contract award based on the best combinations of qualifications.

Incentive Programs – Preferred Qualifications

1. Experience in implementation of incentive programs designed to reduce emissions from diesel equipment and vehicles and other sources of air pollution.
2. At least 3-5 years professional experience in the area(s) of expertise.
3. The ability to quickly respond, on short notice, to requests for technical assistance.
4. Working knowledge of CARB mobile source regulations and South Coast AQMD incentive program criteria and guideline requirements (CMP, Prop 1B, CAPP, etc.).
5. Emissions inventory development preferably with mobile sources.
6. Working knowledge of other incentive programs, that may include state and/or federal incentive programs.
7. Proven expertise in any of the technical areas or any combination of areas as listed in Section V: Statement of Work / Schedule of Deliverables under Incentive Programs.
8. Established relationships with equipment manufacturers and/or industry or professional associations.
9. Experience in conducting outreach for air quality programs, identifying any outreach to communities, small businesses and/or developing outreach plans for disadvantaged and/or low-income communities.

RDD&D Program – Required Qualifications

1. Advanced college degree in an engineering, chemistry or related discipline.
2. At least 5 years professional experience in the area(s) of expertise.
3. The ability to quickly respond, on short notice, to requests for technical assistance.

4. Working knowledge of EPA, U.S. Department of Energy (DOE), CARB, California Energy Commission (CEC) and South Coast AQMD programs, policies, regulations, etc. regarding toxic contaminants, stationary source control technologies, mobile sources (on-road, off-road and/or marine vessels), fuel processing, alternative fuels and supporting infrastructure.
5. Proven expertise in any of the technical areas or any combination of areas as listed in Section V: Statement of Work / Schedule of Deliverables under RDD&D Program.
6. Established relationships with equipment manufacturers and industry and professional associations.
7. Knowledge of state and local permitting requirements for the establishment of alternative fuel refueling facilities, including type of technology being used and type of vehicles using these facilities.
8. Experience in developing and conducting outreach to highlight the latest technological developments to industry, regulatory, scientific and public domains.

SECTION VII: SUBMITTAL REQUIREMENTS FOR QUALIFICATIONS PACKAGE

Submitted qualifications packages must follow the format outlined below and all requested information must be supplied. Failure to submit qualifications packages in the required format will result in elimination from the evaluation process. South Coast AQMD may modify the RFQ or issue supplementary information or guidelines during the qualifications preparation period prior to the due date. Please check our website for updates (<http://www.aqmd.gov/grants-bids>). The cost for developing the qualifications package is the responsibility of the Consultant and shall not be chargeable to South Coast AQMD.

The qualifications package must be submitted in three separate volumes:

- Volume I - Statement of Qualifications
- Volume II - Cost Information
- Volume III - Certifications and Representations included in Attachment B to this RFQ, must be completed and executed by an authorized official of the Contractor.

A separate cover letter including the name, address, and telephone number of the Consultant, and signed by the person or persons authorized to represent the Firm should accompany the qualifications package upon submission. The following shall be included in the cover letter:

1. Address and telephone number of an office in, or nearest to, Diamond Bar, California.
2. Name and title of Firm's representative designated as contact.

3. Bidder must specify if Qualifications Package is for Incentive Programs, RDD&D, or Both in the Cover Letter.

A separate Table of Contents should be provided for Volumes I and II.

VOLUME I – STATEMENT OF QUALIFICATIONS

DO NOT INCLUDE ANY COST INFORMATION IN VOLUME I.

Volume I must include the following subsections:

Summary - State overall approach to meeting the objectives and satisfying the scope of work to be performed, the sequence of activities, and a description of methodology or techniques to be used.

Management Structure - Describe the proposed management structure, program monitoring procedures, and organization of the proposed team. Provide a statement addressing the Firm's ability and willingness to commit and maintain staffing to successfully complete the work within the mutually agreed schedule.

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

Assigned Personnel - Provide the following information about the staff to be assigned to the South Coast AQMD Technology Advancement Office (TAO) work activities:

1. List all key personnel assigned to the South Coast AQMD TAO work activities by level, name and location. Provide a resume or similar statement describing the background, qualifications and experience of the lead person and all persons assigned to the project. Substitution of project manager or lead personnel will not be permitted without prior written approval of South Coast AQMD.
2. Provide a spreadsheet of the labor hours proposed for each labor category at the task level.
3. Provide a statement indicating whether or not 90% of the work will be performed within the geographical boundaries of South Coast AQMD.
4. Provide a statement of education and training programs provided to, or required of, the staff identified for participation in the project, particularly with reference to management consulting, governmental practices and procedures, and technical matters.
5. Provide a summary of your Firm's general qualifications to meet required qualifications and fulfill statement of work, including additional Firm personnel and resources beyond those who may be assigned to the project.

Subcontractors - The work activities of TAO at the South Coast AQMD may require expertise in multiple technical areas. List any subcontractors that will be used, identifying functions to

be performed by them, their related qualifications and experience and the total number of hours or percentage of time they will spend on the project.

Conflict of Interest - Address possible conflicts of interest with other clients affected by actions performed by the Firm on behalf of South Coast AQMD. South Coast AQMD recognizes that prospective Contractors may be performing similar projects for other clients. Include a complete list of such clients for the past three (3) years with the type of work performed and the total number of years performing such tasks for each client. Although the Proposer will not be automatically disqualified by reason of work performed for such clients, South Coast AQMD reserves the right to consider the nature and extent of such work in evaluating the proposal.

Additional Data - Provide other essential data that may assist in the evaluation of the qualifications package.

VOLUME II - COST INFORMATION

Name and Address – This section must list the name and complete address of the Firm in the upper left-hand corner.

Cost Proposal – South Coast AQMD anticipates awarding a Time and Materials (T&M) contract. Cost information must be provided as listed below:

1. Detail must be provided by the following categories:
 - A. Labor – This section must list the fully-burdened hourly rates and the total number of hours estimated for each level of professional and administrative staff, including subcontractor staff, to be used to perform the tasks required by this RFQ. A breakdown of the proposed billing rates must identify the direct labor rate, overhead rate and amount, fringe benefit rate and amount, General and Administrative rate and amount, and proposed profit or fee. Also, include the proposed annual escalation formula for the proposed billing rates, if applicable. Provide a basis of estimate justifying the proposed labor hours and/or proposed labor mix.
 - B. Travel Costs - Indicate amount of travel cost, if any expected, with the basis of estimate to include trip destination, purpose of trip, length of trip, airline fare or mileage expense, per diem costs, lodging and car rental.
 - C. Other Direct Costs -This category may include such items as postage and mailing expense, printing and reproduction costs, etc. Provide a basis of estimate for these costs.
2. It is the policy of the South Coast AQMD to receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services. South Coast AQMD will give preference, where appropriate, to vendors who certify that they will provide “most favored customer” status to the South Coast AQMD. To receive preference points, Firm shall certify that South Coast AQMD is receiving “most favored customer” pricing in the Business Status Certifications page of Volume III, Attachment B – Certifications and Representations.

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

SECTION VIII: SUBMISSION OF QUALIFICATIONS PACKAGE

All qualifications packages must be submitted according to specifications set forth in the section above, and this section. Failure to adhere to these specifications may be cause for rejection of the qualifications package by the South Coast AQMD.

Signature - All qualifications packages must be signed by an authorized representative of the Firm.

Due Date - **All qualifications packages are due no later than 3:00 p.m., May 18, 2021, and should be directed to:**

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

Submittal - Submit four (4) complete copies of the proposal in a sealed envelope, plainly marked in the upper left-hand corner with the name and address of the Firm and the words "Request for Qualifications Q2021-06."

Late bids/proposals will not be accepted under any circumstances.

Grounds for Rejection - A proposal may be immediately rejected if:

- It is not prepared in the format described, or
- It is signed by an individual not authorized to represent the Firm.

Modification or Withdrawal - Once submitted, qualifications package cannot be altered without the prior written consent of South Coast AQMD. All qualifications packages shall constitute firm offers and may not be withdrawn for a period of ninety (90) days following the May 18, 2021 due date.

SECTION IX: EVALUATION/CONTRACTOR SELECTION CRITERIA

- A. Qualifications packages will be evaluated by a panel of three to five South Coast AQMD staff members familiar with the with the work activities and resource needs of TAO at the South Coast AQMD. The panel shall be appointed by the Executive Officer or his designee. In addition, the evaluation panel may include such outside public sector or academic community expertise as deemed desirable by the Executive Officer. The panel will make a recommendation to the Executive Officer and/or the Governing Board of South Coast AQMD for final selection of a contractor(s) and negotiation of a contract(s).

B. Each member of the evaluation panel shall be accorded equal weight in his or her rating of qualifications packages. The evaluation panel members shall evaluate the qualifications packages according to the specified criteria and numerical weightings set forth below.

1. Evaluation Criteria

(a) <u>Technical Criteria</u>	<u>Points</u>
Technical expertise, training and education	30
Previous experience, including relevant positions held, number of years and actual work done in the selected area of expertise, evaluations conducted, papers published (if applicable), etc.	40
(b) Labor rates*	<u>30</u>
<i>*The labor rates will be evaluated based on the fully burdened labor rates for each proposed technical expert and the clerical/technical support. The labor rates will be compared to other Firms with qualifications in the same technical areas or with knowledge of similar work being done by other agencies, companies and/or consultants. The most competitive labor rates will be given the highest points</i>	
TOTAL:	100
(c) <u>Additional Points</u>	
Small Business or Small Business Joint Venture	10
DVBE or DVBE Joint Venture	10
Use of DVBE or Small Business Subcontractors	7
Zero or Near-Zero Emission Vehicle Business	5
Local Business (Non-Federally Funded Projects Only)	5
Off-Peak Hours Delivery Business	2
Most Favored Customer	2

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

Self-Certification for Additional Points

The award of these additional points shall be contingent upon Proposer completing the Self-Certification section of Attachment B – Certifications and Representations and/or inclusion of a statement in the proposal self-certifying that Proposer qualifies for additional points as detailed above.

2. To receive additional points in the evaluation process for the categories of Small Business or Small Business Joint Venture, DVBE or DVBE Joint Venture or Local Business (for non-federally funded projects), the proposer must submit a self-certification at the time of proposal submission certifying that the proposer meets the requirements set forth in Attachments A and B. To receive points for the use of DVBE and/or Small Business subcontractors, at least 25 percent of the total contract value must be subcontracted to DVBEs and/or Small Businesses. To receive points as a Zero or Near-Zero Emission Vehicle Business, the proposer must demonstrate to the Executive Officer, or designee, that supplies and materials delivered to South Coast AQMD are delivered in vehicles that operate on clean-fuels. To receive points as a Local Business, the proposer must affirm that it has an ongoing business within the South Coast AQMD at the time of bid/proposal submittal and that 90% of the work related to the contract will be performed within the South Coast AQMD. Proposals for legislative representation, such as in Sacramento, California or Washington D.C. are not eligible for local business incentive points. Federally funded projects are not eligible for local business incentive points. To receive points as an Off-Peak Hours Delivery Business, the proposer must submit, at proposal submission, certification of its commitment to delivering supplies and materials to South Coast AQMD between the hours of 10:00 a.m. and 3:00 p.m. To receive points for Most Favored Customer status, the proposer must submit, at proposal submission, certification of its commitment to provide most favored customer status to the South Coast AQMD. The cumulative points awarded for Small Business, DVBE, use of Small Business or DVBE Subcontractors, Local Business, Zero or Near-Zero Emission Vehicle Business, Off-Peak Hour Delivery Business and Most Favored Customer shall not exceed 17 points.
- C. During the selection process the evaluation panel may wish to interview some Firms for clarification purposes only. No new material will be permitted at this time. Additional information provided during the bid review process is limited to clarification by the Firm of information presented in his/her qualification package, upon request by South Coast AQMD.
- D. The Executive Officer or Governing Board may award the contract to a Firm other than the Firm receiving the highest rating in the event the Governing Board determines that another Firm from among those technically qualified would provide the best value to South Coast AQMD considering cost and technical factors. The determination shall be based solely on the Evaluation Criteria contained in the Request for Qualifications (RFQ), on evidence provided in the qualifications package and on any other evidence provided during the bid review process.
- E. Selection will be made based on the above-described criteria and rating factors. The selection will be made by and is subject to Executive Officer or Governing Board approval. Firms may be notified of the results by letter.
- F. The Governing Board has approved a Bid Protest Procedure which provides a process for a Bidder or prospective Bidder to submit a written protest to South Coast AQMD

Procurement Manager in recognition of two types of protests: Protest Regarding Solicitation and Protest Regarding Award of a Contract. Copies of the Bid Protest Policy can be secured through a request to South Coast AQMD Procurement Department.

- G. The Executive Officer or Governing Board may award contracts to more than one Firm if in (his or their) sole judgment the purposes of the (contract or award) would best be served by selecting multiple Firms.
- H. If additional funds become available, the Executive Officer or Governing Board may increase the amount awarded. The Executive Officer or Governing Board may also select additional Firms for a grant or contract if additional funds become available.
- I. Disposition of Qualifications Packages – Pursuant to South Coast AQMD’s Procurement Policy and Procedure, South Coast AQMD reserves the right to reject any or all qualifications packages. All qualifications packages become the property of South Coast AQMD and are subject to the California Public Records Act. One copy of the qualifications package shall be retained for South Coast AQMD files. Additional copies and materials will be returned only if requested and at the Firm's expense.
- J. **If qualifications package submittal is for a Public Works project as defined by State of California Labor Code Section 1720, Firm is required to include Contractor Registration No. in Attachment B. Qualifications package submittal will be deemed as non-responsive and Bidder may be disqualified if Contractor Registration No. is not included in Attachment B. Firm is alerted to changes to California Prevailing Wage compliance requirements as defined in Senate Bill 854 (Stat. 2014, Chapter 28), and California Labor Code Sections 1770, 1771, 1725, 1777, 1813 and 1815.**

SECTION X: FUNDING

Multiple awards are anticipated from this RFQ. Due to the indefinite nature of the work, the actual contract amounts cannot be determined at this time for the contracts involving RDD&D, and the total amount of funding to be recommended for the Board's consideration for each contract will be dependent upon the consultant's qualifications and TAO needs. Contract(s) for technical assistance for the incentive programs will not exceed \$400,000.

SECTION XI: SAMPLE CONTRACT

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

ATTACHMENT A

PARTICIPATION IN THE PROCUREMENT PROCESS

A. It is the policy of South Coast Air Quality Management District (South Coast AQMD) to ensure that all businesses including minority business enterprises, women business enterprises, disabled veteran business enterprises and small businesses have a fair and equitable opportunity to compete for and participate in South Coast AQMD contracts.

B. Definitions:

The definition of minority, women or disadvantaged business enterprises set forth below is included for purposes of determining compliance with the affirmative steps requirement described in Paragraph G below on procurements funded in whole or in part with federal grant funds which involve the use of subcontractors. The definition provided for disabled veteran business enterprise, local business, small business enterprise, Zero or Near-Zero emission vehicle business and off-peak hours delivery business are provided for purposes of determining eligibility for point or cost considerations in the evaluation process.

1. "Women business enterprise" (WBE) as used in this policy means a business enterprise that meets all of the following criteria:
 - a. a business that is at least 51 percent owned by one or more women, or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more women.
 - b. a business whose management and daily business operations are controlled by one or more women.
 - c. a business which is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign-based business.
2. "Disabled veteran" as used in this policy is a United States military, naval, or air service veteran with at least 10 percent service-connected disability who is a resident of California.
3. "Disabled veteran business enterprise" (DVBE) as used in this policy means a business enterprise that meets all of the following criteria:
 - a. is a sole proprietorship or partnership of which at least 51 percent is owned by one or more disabled veterans or, in the case of a publicly owned business, at least 51 percent of its stock is owned by one or more disabled veterans; a subsidiary which is wholly owned by a parent corporation but only if at least 51 percent of the voting stock of the parent corporation is owned by one or more disabled veterans; or a joint venture in which at least 51 percent of the joint venture's management and control and earnings are held by one or more disabled veterans.

- b. the management and control of the daily business operations are by one or more disabled veterans. The disabled veterans who exercise management and control are not required to be the same disabled veterans as the owners of the business.
 - c. is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, firm, or other foreign-based business.
4. "Local business" as used in this policy means a company that has an ongoing business within geographical boundaries of South Coast AQMD at the time of bid or proposal submittal and performs 90% of the work related to the contract within the geographical boundaries of South Coast AQMD and satisfies the requirements of subparagraph H below. Proposals for legislative representation, such as in Sacramento, California or Washington D.C. are not eligible for local business incentive points.
5. "Small business" as used in this policy means a business that meets the following criteria:
 - a. 1) an independently owned and operated business; 2) not dominant in its field of operation; 3) together with affiliates is either:
 - A service, construction, or non-manufacturer with 100 or fewer employees, and average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years, or
 - A manufacturer with 100 or fewer employees.
 - b. Manufacturer means a business that is both of the following:
 - 1) Primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products.
 - 2) Classified between Codes 311000 and 339000, inclusive, of the North American Industrial Classification System (NAICS) Manual published by the United States Office of Management and Budget, 2007 edition.
6. "Joint ventures" as defined in this policy pertaining to certification means that one party to the joint venture is a DVBE or small business and owns at least 51 percent of the joint venture.
7. "Zero or Near-Zero Emission Vehicle Business" as used in this policy means a company or contractor that uses Zero or Near-Zero emission vehicles in conducting deliveries to South Coast AQMD. Zero or Near-Zero emission vehicles include vehicles powered by electric, compressed natural gas (CNG), liquefied natural gas (LNG), liquefied petroleum gas (LPG), ethanol, methanol and hydrogen and are certified to 90% or lower of the existing standard.

8. "Off-Peak Hours Delivery Business" as used in this policy means a company or contractor that commits to conducting deliveries to South Coast AQMD during off-peak traffic hours defined as between 10:00 a.m. and 3:00 p.m.
 9. "Benefits Incentive Business" as used in this policy means a company or contractor that provides janitorial, security guard or landscaping services to South Coast AQMD and commits to providing employee health benefits (as defined below in Section VIII.D.2.d) for full time workers with affordable deductible and co-payment terms.
 10. "Minority Business Enterprise" as used in this policy means a business that is at least 51 percent owned by one or more minority person(s), or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more or minority persons.
 - a. a business whose management and daily business operations are controlled by one or more minority persons.
 - b. a business which is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign-based business.
 - c. "Minority person" for purposes of this policy, means a Black American, Hispanic American, Native-American (including American Indian, Eskimo, Aleut, and Native Hawaiian), Asian-Indian (including a person whose origins are from India, Pakistan, and Bangladesh), Asian-Pacific-American (including a person whose origins are from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the United States Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia, and Taiwan).
 11. "Most Favored Customer" as used in this policy means that the South Coast AQMD will receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services.
 12. "Disadvantaged Business Enterprise" as used in this policy means a business that is an entity owned and/or controlled by a socially and economically disadvantaged individual(s) as described by Title X of the Clean Air Act Amendments of 1990 (42 U.S.C. 7601 note) (10% statute), and Public Law 102-389 (42 U.S.C. 4370d)(8% statute), respectively;
 - a Small Business Enterprise (SBE);
 - a Small Business in a Rural Area (SBRA);
 - a Labor Surplus Area Firm (LSAF); or
 - a Historically Underutilized Business (HUB) Zone Small Business Concern, or a concern under a successor program.
- C. Under Request for Quotations (RFQ), DVBEs, DVBE business joint ventures, small businesses, and small business joint ventures shall be granted a preference in an amount equal to 5% of the lowest cost responsive bid. Zero or Near-Zero Emission Vehicle Businesses shall be granted a preference in an amount equal to 5 percent of the lowest cost responsive bid. Off-Peak Hours Delivery Businesses shall be granted a preference in an amount equal to 2 percent of the lowest cost responsive bid. Local businesses (if the

procurement is not funded in whole or in part by federal grant funds) shall be granted a preference in an amount equal to 2% of the lowest cost responsive bid. Businesses offering Most Favored Customer status shall be granted a preference in an amount equal to 2 percent of the lowest cost responsive bid.

- D. Under Request for Proposals, DVBEs, DVBE joint ventures, small businesses, and small business joint ventures shall be awarded ten (10) points in the evaluation process. A non-DVBE or large business shall receive seven (7) points for subcontracting at least twenty-five (25%) of the total contract value to a DVBE and/or small business. Zero or Near-Zero Emission Vehicle Businesses shall be awarded five (5) points in the evaluation process. On procurements which are not funded in whole or in part by federal grant funds local businesses shall receive five (5) points. Off-Peak Hours Delivery Businesses shall be awarded two (2) points in the evaluation process. Businesses offering Most Favored Customer status shall be awarded two (2) points in the evaluation process.
- E. South Coast AQMD will ensure that discrimination in the award and performance of contracts does not occur on the basis of race, color, sex, national origin, marital status, sexual preference, creed, ancestry, medical condition, or retaliation for having filed a discrimination complaint in the performance of South Coast AQMD contractual obligations.
- F. South Coast AQMD requires Contractor to be in compliance with all state and federal laws and regulations with respect to its employees throughout the term of any awarded contract, including state minimum wage laws and OSHA requirements.
- G. When contracts are funded in whole or in part by federal funds, and if subcontracts are to be let, the Contractor must comply with the following, evidencing a good faith effort to solicit disadvantaged businesses. Contractor shall submit a certification signed by an authorized official affirming its status as a MBE or WBE, as applicable, at the time of contract execution. South Coast AQMD reserves the right to request documentation demonstrating compliance with the following good faith efforts prior to contract execution.
 - 1. Ensure Disadvantaged Business Enterprises (DBEs) are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
 - 2. Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
 - 3. Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and Local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.
 - 4. Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.

5. Using the services and assistance of the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.
 6. If the prime contractor awards subcontracts, require the prime contractor to take the above steps.
- H. To the extent that any conflict exists between this policy and any requirements imposed by federal and state law relating to participation in a contract by a certified MBE/WBE/DVBE as a condition of receipt of federal or state funds, the federal or state requirements shall prevail.
- I. When contracts are not funded in whole or in part by federal grant funds, a local business preference will be awarded. For such contracts that involve the purchase of commercial off-the-shelf products, local business preference will be given to suppliers or distributors of commercial off-the-shelf products who maintain an ongoing business within the geographical boundaries of South Coast AQMD. However, if the subject matter of the RFP or RFQ calls for the fabrication or manufacture of custom products, only companies performing 90% of the manufacturing or fabrication effort within the geographical boundaries of South Coast AQMD shall be entitled to the local business preference. Proposals for legislative representation, such as in Sacramento, California or Washington D.C. are not eligible for local business incentive points.
- J. In compliance with federal fair share requirements set forth in 40 CFR Part 33, South Coast AQMD shall establish a fair share goal annually for expenditures with federal funds covered by its procurement policy.

ATTACHMENT B



South Coast Air Quality Management District

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

Business Information Request

Dear South Coast AQMD Contractor/Supplier:

South Coast Air Quality Management District (South Coast AQMD) is committed to ensuring that our contractor/supplier records are current and accurate. If your firm is selected for award of a purchase order or contract, it is imperative that the information requested herein be supplied in a timely manner to facilitate payment of invoices. In order to process your payments, we need the enclosed information regarding your account. **Please review and complete the information identified on the following pages, remember to sign all documents for our files, and return them as soon as possible to the address below:**

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

If you do not return this information, we will not be able to establish you as a vendor. This will delay any payments and would still necessitate your submittal of the enclosed information to our Accounting department before payment could be initiated. Completion of this document and enclosed forms would ensure that your payments are processed timely and accurately.

If you have any questions or need assistance in completing this information, please contact Accounting at (909) 396-3777. We appreciate your cooperation in completing this necessary information.

Sincerely,

Sujata Jain
Chief Financial Officer

DH;jn

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

REV 1/21



South Coast Air Quality Management District

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

BUSINESS INFORMATION REQUEST

Business Name	
Division of	
Subsidiary of	
Website Address	
Type of Business <i>Check One:</i>	Individual DBA, Name _____, County Filed in _____ Corporation, ID No. _____ LLC/LLP, ID No. _____ Other _____

REMITTING ADDRESS INFORMATION

Address			
City/Town			
State/Province		Zip	
Phone	() - Ext	Fax	() -
Contact		Title	
E-mail Address			
Payment Name if Different			

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

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

BUSINESS STATUS CERTIFICATIONS

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

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

Statements of certification:

As a prime contractor to South Coast AQMD, _____ (name of business) will engage in good faith efforts to achieve the fair share in accordance with 40 CFR Section 33.301, and will follow the six affirmative steps listed below **for contracts or purchase orders funded in whole or in part by federal grants and contracts.**

1. Place qualified SBEs, MBEs, and WBEs on solicitation lists.
2. Assure that SBEs, MBEs, and WBEs are solicited whenever possible.
3. When economically feasible, divide total requirements into small tasks or quantities to permit greater participation by SBEs, MBEs, and WBEs.
4. Establish delivery schedules, if possible, to encourage participation by SBEs, MBEs, and WBEs.
5. Use services of Small Business Administration, Minority Business Development Agency of the Department of Commerce, and/or any agency authorized as a clearinghouse for SBEs, MBEs, and WBEs.
6. If subcontracts are to be let, take the above affirmative steps.

Self-Certification Verification: Also for use in awarding additional points, as applicable, in accordance with South Coast AQMD Procurement Policy and Procedure:

Check all that apply:

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

Percent of ownership: _____ %

Name of Qualifying Owner(s): _____

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

I, the undersigned, hereby declare that to the best of my knowledge the above information is accurate. Upon penalty of perjury, I certify information submitted is factual.

NAME

TITLE

TELEPHONE NUMBER

DATE

Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

By signing the filled-out form, you:

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

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

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

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

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

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

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

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

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

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

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

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

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

Backup Withholding

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

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

Payments you receive will be subject to backup withholding if:

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

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

Also see *Special rules for partnerships*, earlier.

What is FATCA Reporting?

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

Updating Your Information

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

Penalties

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

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

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

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

Specific Instructions

Line 1

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

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

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

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

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

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

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

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

Line 3

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

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

Line 4, Exemptions

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

Exempt payee code.

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

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

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

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

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

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

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

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

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

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

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

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

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

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.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABL accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor ²
5. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee ¹
b. So-called trust account that is not a legal or valid trust under state law	The actual owner ¹
6. Sole proprietorship or disregarded entity owned by an individual	The owner ³
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor ⁴
For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity ⁴
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee

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

¹ 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.

² Circle the minor's name and furnish the minor's SSN.

³ 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.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships*, earlier.

***Note:** The grantor also must provide a Form W-9 to trustee of trust.

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records From Identity Theft

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

To reduce your risk:

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

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

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

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

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

Protect yourself from suspicious emails or phishing schemes.

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

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

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. 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.IdentityTheft.gov and Pub. 5027.

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

Privacy Act Notice

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

2021 Withholding Exemption Certificate**590**

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

Withholding Agent Information

Name

Payee Information

Name

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

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

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

State ZIP code

Exemption Reason**Check only one box.**

By checking the appropriate box below, the payee certifies the reason for the exemption from the California income tax withholding requirements on payment(s) made to the entity or individual.

 Individuals — Certification of Residency:

I am a resident of California and I reside at the address shown above. If I become a nonresident at any time, I will promptly notify the withholding agent. See instructions for General Information D, Definitions.

 Corporations:

The corporation has a permanent place of business in California at the address shown above or is qualified through the California Secretary of State (SOS) to do business in California. The corporation will file a California tax return. If this corporation ceases to have a permanent place of business in California or ceases to do any of the above, I will promptly notify the withholding agent. See instructions for General Information D, Definitions.

 Partnerships or Limited Liability Companies (LLCs):

The partnership or LLC has a permanent place of business in California at the address shown above or is registered with the California SOS, and is subject to the laws of California. The partnership or LLC will file a California tax return. If the partnership or LLC ceases to do any of the above, I will promptly inform the withholding agent. For withholding purposes, a limited liability partnership (LLP) is treated like any other partnership.

 Tax-Exempt Entities:

The entity is exempt from tax under California Revenue and Taxation Code (R&TC) Section 23701 _____ (insert letter) or Internal Revenue Code Section 501(c) _____ (insert number). If this entity ceases to be exempt from tax, I will promptly notify the withholding agent. Individuals cannot be tax-exempt entities.

 Insurance Companies, Individual Retirement Arrangements (IRAs), or Qualified Pension/Profit-Sharing Plans:

The entity is an insurance company, IRA, or a federally qualified pension or profit-sharing plan.

 California Trusts:

At least one trustee and one noncontingent beneficiary of the above-named trust is a California resident. The trust will file a California fiduciary tax return. If the trustee or noncontingent beneficiary becomes a nonresident at any time, I will promptly notify the withholding agent.

 Estates — Certification of Residency of Deceased Person:

I am the executor of the above-named person's estate or trust. The decedent was a California resident at the time of death. The estate will file a California fiduciary tax return.

 Nonmilitary Spouse of a Military Servicemember:

I am a nonmilitary spouse of a military servicemember and I meet the Military Spouse Residency Relief Act (MSRRA) requirements. See instructions for General Information E, MSRRA.

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

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

Type or print payee's name and title

Telephone

Payee's signature ▶

Date

2021 Instructions for Form 590

Withholding Exemption Certificate

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

General Information

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

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

A Purpose

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

Form 590 does not apply to payments of backup withholding. For more information, go to ftb.ca.gov 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 888.745.3886.

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 Nonresident Withholding Guidelines. To get a withholding publication, see Additional Information.

C Who Certifies this Form

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

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

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

If an entertainer (or the entertainer's business entity) is paid for a performance, the entertainer's information must be provided. **Do not** submit the entertainer's agent or promoter information.

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

D Definitions

For California nonwage withholding purposes:

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

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

Permanent Place of Business:

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

E Military Spouse Residency Relief Act (MSRRA)

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

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

Domicile is defined as the one place:

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

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

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

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 MSRR requirements, get FTB Pub. 1032.

Specific Instructions

Payee Instructions

Enter the withholding agent's name.

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

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

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

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

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

Withholding Agent Instructions

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

The payee must notify the withholding agent if any of the following situations occur:

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

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

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 ftb.ca.gov and login or register for **MyFTB**.

Telephone: 888.792.4900 or 916.845.4900, Withholding Services and Compliance phone service

Fax: 916.845.9512

Mail: WITHHOLDING SERVICES AND COMPLIANCE MS F182
FRANCHISE TAX BOARD
PO BOX 942867
SACRAMENTO CA 94267-0651

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

Internet and Telephone Assistance

Website: ftb.ca.gov

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

Teléfono: 800.852.5711 dentro de los Estados Unidos
916.845.6500 fuera de los Estados Unidos

TTY/TDD: 800.822.6268 para personas con discapacidades auditivas o del habla.
711 ó 800.735.2929 servicio de relevo de California

Certification Regarding Debarment, Suspension, and Other Responsibility Matters

The prospective participant certifies to the best of its knowledge and belief that it and the principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgement rendered against them or commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction: violation of Federal or State antitrust statute or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Typed Name & Title of Authorized Representative

Signature of Authorized Representative Date

I am unable to certify to the above statements. My explanation is attached.



CAMPAIGN CONTRIBUTIONS DISCLOSURE

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

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

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

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

SECTION I.

Contractor (Legal Name): _____

DBA, Name _____, County Filed in _____ Corporation, ID No. _____ LLC/LLP, ID No. _____
--

List any parent, subsidiaries, or otherwise affiliated business entities of Contractor:
(See definition below).

SECTION II.

Has Contractor and/or any parent, subsidiary, or affiliated company, or agent thereof, made a campaign contribution(s) totaling \$250 or more in the aggregate to a current member of the South Coast Air Quality Management Governing Board or member/alternate of the MSRC in the 12 months preceding the date of execution of this disclosure?

Yes No **If YES, complete Section II below and then sign and date the form. If NO, sign and date below. Include this form with your submittal.**

Campaign Contributions Disclosure, *continued:*

Name of Contributor _____

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

Name of Contributor _____

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

Name of Contributor _____

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

Name of Contributor _____

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

I declare the foregoing disclosures to be true and correct.

By: _____

Title: _____

Date: _____

DEFINITIONS

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

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



South Coast Air Quality Management District

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

Direct Deposit Authorization

STEP 1: Please check all the appropriate boxes

- | | |
|--|--|
| <input type="checkbox"/> Individual (Employee, Governing Board Member) | <input type="checkbox"/> New Request |
| <input type="checkbox"/> Vendor/Contractor | <input type="checkbox"/> Cancel Direct Deposit |
| <input type="checkbox"/> Changed Information | |

STEP 2: Payee Information

Last Name		First Name		Middle Initial	Title
Vendor/Contractor Business Name (if applicable)					
Address				Apartment or P.O. Box Number	
City		State	Zip	Country	
Taxpayer ID Number		Telephone Number		Email Address	

Authorization

- I authorize South Coast Air Quality Management District (South Coast AQMD) to direct deposit funds to my account in the financial institution as indicated below. I understand that the authorization may be rejected or discontinued by South Coast AQMD at any time. If any of the above information changes, I will promptly complete a new authorization agreement. If the direct deposit is not stopped before closing an account, funds payable to me will be returned to South Coast AQMD for distribution. This will delay my payment.
- This authorization remains in effect until South Coast AQMD receives written notification of changes or cancellation from you.
- I hereby release and hold harmless South Coast AQMD for any claims or liability to pay for any losses or costs related to insufficient fund transactions that result from failure within the Automated Clearing House network to correctly and timely deposit monies into my account.

STEP 3:

You must verify that your bank is a member of an Automated Clearing House (ACH). Failure to do so could delay the processing of your payment. You must attach a voided check or have your bank complete the bank information and the account holder must sign below.

To be Completed by your Bank

Staple Voided Check Here	Name of Bank/Institution				
	Account Holder Name(s)				
	<input type="checkbox"/> Saving <input type="checkbox"/> Checking		Account Number	Routing Number	
	Bank Representative Printed Name		Bank Representative Signature		Date
	ACCOUNT HOLDER SIGNATURE:			Date	

For South Coast AQMD Use Only

Input By

Date

BOARD MEETING DATE: April 2, 2021

AGENDA NO. 5

PROPOSAL: Authorize the Executive Officer to Execute Agreement, Establish Special Revenue Fund, Recognize Revenue, Transfer Funds, Issue RFP and Execute Contract(s) to Develop a Real-Time Air Monitoring Network and Symptom and Incident Reporting System and Reimburse General Fund for Administrative Costs

SYNOPSIS: The Aliso Fund Committee has requested that South Coast AQMD implement a Supplemental Environmental Project (SEP) to develop a real-time air monitoring network and symptom and incident reporting system in Porter Ranch and the communities surrounding the SoCalGas Aliso Canyon natural gas storage facility. These actions are to: 1) authorize the Executive Officer to execute an agreement with the Aliso Fund Committee to implement the SEP; 2) establish the Aliso Fund Porter Ranch SEP Special Revenue Fund (85) and recognize up to \$1.5 million from the Aliso Fund Committee into Fund 85; 3) transfer \$1 million from the SoCalGas Settlement Special Revenue Fund (76) to Special Revenue Fund (85); 4) issue an RFP to solicit bids; 5) authorize the Executive Officer to execute contract(s) with selected vendor(s) for a total amount not to exceed \$2,343,750; and 6) reimburse the General Fund up to \$156,250 from Special Revenue Fund (85) for administrative costs.

COMMITTEE: Stationary Source, March 19, 2021; Recommended for Approval

RECOMMENDED ACTIONS:

1. Authorize the Executive Officer to execute an agreement with the Aliso Fund Committee, which is comprised of one representative each from the California Attorney General's Office, the Los Angeles City Attorney's Office, and the Los Angeles County Counsel's Office, to implement a SEP to develop a real-time air monitoring network and symptom and incident reporting system in Porter Ranch and surrounding communities;
2. Establish the Aliso Fund Porter Ranch SEP Special Revenue Fund (85) and recognize, upon receipt, up to \$1.5 million, from the Aliso Fund Committee into Fund 85;

3. Transfer \$1 million from the SoCalGas Settlement Special Revenue Fund (76) to the Aliso Fund Porter Ranch SEP Special Revenue Fund (85);
4. Issue RFP #2021-12 to solicit bids to develop a real-time air monitoring network and a symptom and incident reporting system in Porter Ranch and the communities surrounding the SoCalGas Aliso Canyon natural gas storage facility;
5. Authorize the Executive Officer to execute contract(s) with selected vendor(s) for a total amount not to exceed \$2,343,750 from Fund 85 to develop a real-time air monitoring network and symptom and incident reporting system in Porter Ranch and the communities surrounding the SoCalGas Aliso Canyon natural gas storage facility; and
6. Reimburse the General Fund up to \$156,250 from Fund 85 for administrative costs necessary to implement the SEP air monitoring network and a symptom and incident reporting system project.

Wayne Nastri
Executive Officer

MMM:JCL:AP:ld

Background

The Los Angeles City Attorney (City Attorney), County Counsel for the County of Los Angeles (County Counsel), the County of Los Angeles, the California Attorney General, and CARB entered into a settlement agreement to resolve their claims against SoCalGas in connection with the Aliso Canyon natural gas leak. As part of the settlement agreement, the Aliso Supplemental Environmental Project Fund (Aliso Fund), a special revenue fund administered by the Attorney General's Office, was created to receive settlement revenue. The Aliso Fund is overseen by the Aliso Fund Committee, which is comprised of one representative each from the City Attorney's Office, County Counsel's Office, and the Attorney General's Office.

The settlement agreement includes funding for a Supplemental Environmental Project (SEP) to develop a real-time air monitoring network and symptom and incident reporting system in Porter Ranch and the communities surrounding SoCalGas's Aliso Canyon natural gas storage facility (the Facility).

The Aliso Fund Committee has requested that South Coast AQMD implement the air monitoring and symptom and incident reporting system project and is providing \$1.5 million in funding pursuant to the settlement described above. As part of a settlement agreement with SoCalGas relating to the Aliso Canyon natural gas leak, South Coast AQMD received \$1 million for a health study. In November 2018, the Board authorized the release of RFP #2019-06 to solicit research proposals to provide information to the

public about the levels of pollutants from the Aliso Canyon incident in the community through data integration and exposure modeling, in an amount not to exceed \$1 million from the SoCalGas Settlement Special Revenue Fund (76). Following the RFP process only one bid was received, which did not receive a fundable score and no contracts were issued. On September 4, 2020, the Board authorized utilizing the \$1 million towards air monitoring in Porter Ranch as part of the Aliso Fund Committee's air monitoring SEP. With South Coast AQMD's contribution, the total funding for the real-time air monitoring network and symptom and incident reporting system is \$2.5 million. This funding will provide up to \$156,250 for reimbursement of administrative costs from Fund 85.

Proposal

Staff is seeking Board approval to release RFP #2021-12 to solicit qualified contractors to develop and operate a real-time air monitoring network and symptom and incident reporting system in Porter Ranch and the communities surrounding the Facility. The SEP also contemplates development of a website for reporting local environmental and public health concerns. Pursuant to the SEP, the air monitoring network will monitor for, at a minimum, methane, toxic air contaminants (including BTEX compounds), and/or criteria air pollutants. The data collected from the air monitoring network will be made available to the public in near real-time by publishing the results on a public website. The data will supplement the readings being collected by SoCalGas at the fenceline between the Facility and the Porter Ranch community. The public will be able to utilize the website to access air monitoring data and to report local environmental and public health concerns in the communities surrounding the Facility.

The total contract funding for this project will not exceed \$2,343,750. To expedite the implementation of this SEP, staff is requesting that the Board authorize the Executive Officer to enter directly into contract(s) following the evaluation of RFP #2021-12 based on the recommendations of the review panel.

These actions are also to authorize the Executive Officer to execute an agreement with the Aliso Fund Committee to implement the SEP; establish the Aliso Fund Porter Ranch SEP Special Revenue Fund (85) and recognize up to \$1.5 million from the Aliso Fund Committee into Fund 85; transfer \$1 million from the SoCalGas Settlement Special Revenue Fund (76) to Special Revenue Fund (85); and reimburse the General Fund up to \$156,250 from Special Revenue Fund (85) for administrative costs.

Outreach

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising the RFP and inviting bids will be published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, Riverside County's Press Enterprise, and the Daily News newspapers to leverage the most cost-effective method of outreach to the Porter Ranch area. Additionally, potential bidders may be notified

utilizing South Coast AQMD's electronic listing of certified minority vendors. Notice of the RFP will be emailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations and placed on South Coast AQMD's website (<http://www.aqmd.gov>) where it can be viewed by making the selection "Grants & Bids." Staff will additionally reach out to potential qualified bidders whose work has been cited in related literature or referred to staff by other subject experts.

Bid Evaluation

A review panel will be appointed by the Executive Officer or his designee and will include a diverse pool of South Coast AQMD staff members familiar with the project subject matter, and may include outside experts from other governmental agencies and academia and other technically-qualified experts, to evaluate the proposals in accordance with criteria contained in the attached RFP. The panel will make a recommendation to the Executive Officer for final selection of project(s) and contractor(s).

Resource Impacts

Sufficient funds up to \$2.5 million will be available in the Aliso Fund Porter Ranch SEP Special Revenue Fund (85). Contract(s) to develop and operate a real-time air monitoring network and symptom and incident reporting system in Porter Ranch and in communities surrounding the Facility will not exceed \$2,343,750 from Fund 85. Reimbursement of administrative costs from Fund 85 will not exceed \$156,250.

Attachment

RFP #2021-12 - Develop a Real-Time Air Monitoring Network and Symptom and Incident Reporting System in Porter Ranch and the Communities Surrounding the Southern California Gas Aliso Canyon Gas Storage Facility



SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
REQUEST FOR PROPOSALS

Develop a Real-Time Air Monitoring Network and Symptom and Incident Reporting System in Porter Ranch and the Communities Surrounding the Southern California Gas Aliso Canyon Gas Storage Facility

P2021-12

South Coast Air Quality Management District (“South Coast AQMD”), requests proposals for the following purpose according to terms and conditions attached. In the preparation of this Request for Proposal (RFP) the words “Proposer,” “Contractor,” “Consultant,” “Bidder,” and “Firm” are used interchangeably.

PURPOSE

The purpose of this Request for Proposals (RFP) is to solicit bids from qualified contractors to develop a real-time air monitoring network and symptom and incident reporting system in Porter Ranch and the communities surrounding the Southern California Gas Company (“SoCalGas”) Aliso Canyon natural gas storage facility (“Facility”), and to operate said network and reporting system.

The proposals shall aim at monitoring methane, air toxics, and other pollutants associated with potential fugitive emissions from the Facility. Proposers shall demonstrate ample knowledge and experience in the development, use, and implementation of air monitoring methods and techniques relevant to the purpose of this RFP, as well as expertise in one or more of the following air monitoring strategies and approaches, which have been suggested and discussed during past public meetings:

1. Fenceline air monitoring
2. Stationary air monitoring at multiple community locations
3. Detailed chemical speciation monitoring
4. Onsite sampling and monitoring
5. Mobile monitoring
6. Aerial measurements
7. Other strategies and approaches

Proposers shall also provide evidence of their expertise in the development and implementation of symptom and incident reporting systems (e.g. web-based, mobile phone or other applications).

A review panel will be appointed by the South Coast AQMD Executive Officer or his designee and will include a diverse pool of South Coast AQMD staff members familiar with the project subject matter, outside experts from other governmental agencies and academia, and other technically-qualified experts to evaluate the proposals in accordance with criteria contained in this RFP. The panel will then make a

recommendation to the Executive Officer for final selection of project(s) and contractor(s) (see Section IX for details). The total contract funding will not exceed \$2,343,750.

INDEX – The following are contained in this RFP:

Section I	Background/Information
Section II	Contact Person
Section III	Schedule of Events
Section IV	Participants in the Procurement Process
Section V	Statement of Work/Schedule of Deliverables
Section VI	Required Qualifications
Section VII	Proposal Submittal Requirements
Section VIII	Proposal Submission
Section IX	Proposal Evaluation/Contractor Selection Criteria
Section X	Funding
Section XI	Sample Contract

Attachment A – Participation in the Procurement Process

Attachment B – Certification and Representations

SECTION 1: BACKGROUND/INFORMATION

SoCalGas operates a natural gas underground storage facility at 12801 Tampa Avenue in Northridge, CA 91326. The Facility’s underground storage reservoir has the capacity to store over 80 billion cubic feet of natural gas. SoCalGas operates about 115 injection/withdrawal wells at this location. SoCalGas injects natural gas into the underground reservoir at this Facility when the demand for natural gas is low and withdraws it when the demand for natural gas is high. On October 23, 2015, SoCalGas reported that it discovered that a well used to inject and withdraw natural gas from the underground storage reservoir at their Facility (known as Well SS-25) was leaking. Despite several attempts by SoCalGas to stop the leak, natural gas continued to leak from the underground reservoir through Well SS-25 and its surroundings until the well was permanently sealed on February 18, 2016.

The Los Angeles City Attorney (“City Attorney”), County Counsel for the County of Los Angeles (“County Counsel”), the County of Los Angeles, the California Attorney General, and the California Air Resources Board entered into a settlement agreement to resolve their claims against SoCalGas in connection with the Aliso Canyon natural gas leak. As part of the settlement agreement, the Aliso Supplemental Environmental Project Fund (“Aliso Fund”), a special revenue fund administered by the Attorney General’s Office, was created to receive settlement revenue. The Aliso Fund is overseen by the Aliso Fund Committee, which is comprised of one representative each from the City Attorney’s Office, County Counsel’s Office, and the Attorney General’s Office (together, the “Aliso Fund Committee”). The settlement agreement includes funding for a Supplemental Environmental Project (“SEP”) to develop a real-time air

monitoring network and symptom and incident reporting system in Porter Ranch and the communities surrounding the Facility (“Air Monitoring SEP”).

The Aliso Fund Committee has requested South Coast AQMD to implement the Air Monitoring SEP and is providing \$1.5 million in funding pursuant to the settlement described above. As part of its own settlement agreement with SoCalGas relating to the Aliso Canyon natural gas leak, South Coast AQMD received \$1 million which has been approved by the Board to be used towards air monitoring in Porter Ranch as part of the Aliso Fund Committee’s Air Monitoring SEP. The total contract funding for the project is \$2,343,750.

Two public meetings were held on September 16, 2020 and on October 21, 2020 to discuss the details of this Air Monitoring SEP and gather input on potential measurement strategies, air pollutants to be measured, monitoring locations, and the development of a public website to report local environmental and public health concerns in near-real time. Community members expressed interest in focusing the measurements primarily at the fenceline of the Facility and throughout the community; on monitoring for Benzene, Toluene, Ethyl-benzene, and Xylenes (BTEX) and methane; and on developing a public website for gathering and disseminating information from and to the public.

SECTION II: CONTACT PERSON

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

Dr. Andrea Polidori
Advanced Monitoring Technologies Manager
South Coast AQMD
21865 Copley Drive
Diamond Bar, CA 91765-4178
(909) 396-3283
apolidori@aqmd.gov

SECTION III: SCHEDULE OF EVENTS

Date	Event
April 2, 2021	RFP Released
April 16, 2021	Bidder’s Conference and Office Hours*
May 7, 2021	Proposals Due to South Coast AQMD – No Later than 5:00pm
May 14 – June 4, 2021	Proposal Evaluations and Contract(s) Award
July 2, 2021	Anticipated Contract(s) Execution

*Participation in the Bidder's Conference is optional. Such participation would assist in notifying potential Bidders of any updates or amendments. The Bidder's Conference will be held on Zoom or other virtual meeting platform on Friday, April 16, 2021 at 9:00 AM. Please contact Dr. Andrea Polidori at (909) 396-3283 or at apolidori@aqmd.gov by close of business on Thursday, April 15, 2021, if you plan to attend and for additional information regarding this meeting. **A recording of the virtual Bidder's Conference will be posted on the South Coast AQMD website after April 16, 2021. Please refer back to the South Coast AQMD website for the latest information or contact Dr. Andrea Polidori for further details.**

SECTION IV: PARTICIPANTS IN THE PROCUREMENT PROCESS

It is the policy of South Coast AQMD to ensure that all businesses including minority business enterprises, women business enterprises, disabled veteran business enterprises, and small businesses have a fair and equitable opportunity to compete for and participate in South Coast AQMD contracts. Attachment A to this RFP contains definitions and further information.

SECTION V: STATEMENT OF WORK/SCHEDULE OF DELIVERABLES

Statement of Work

Contractor will work with the community and the South Coast AQMD to identify and secure appropriate air monitoring locations. The air monitoring network that will be developed as part of this SEP shall measure for, at a minimum, benzene, other BTEX compounds, methane, and wind and meteorology (wind speed and direction). Monitoring of other air toxic contaminants (such as total VOCs), sulfur compounds and/or criteria air pollutants (such as particulate matter) is recommended.

The data collected from this air monitoring network shall be made available to the public in near real-time through a public website to inform the community about the levels of specific constituents in the air they breathe. The data will not be privately owned and will be readily available to the public for viewing or other use during and after the conclusion of the SEP. The data will supplement the readings being collected by SoCalGas at the fence line of the Facility on the northern part of the Porter Ranch community. The public shall be able to utilize the website to report local environmental and public health concerns in the communities surrounding the Facility.

The contractor's technical proposal shall include, at a minimum, the following:

- a. A detailed plan to detect potential fugitive emissions from the Facility or other sources that may impact the Porter Ranch community and neighboring areas. The plan shall clearly describe the air monitoring strategies and approaches that will be used. It should be noted that during a public meeting held virtually on October 21, 2020 to discuss the details of this Air Monitoring SEP, South Coast AQMD conducted an on-line survey to gather input from the community on potential measurement strategies for this project. Below is a list of monitoring approaches ranked in order of preference based on the results of this public survey:

- Fenceline air monitoring (**highest priority**)
 - Stationary air monitoring at multiple community locations
 - Detailed chemical speciation monitoring
 - Onsite sampling and monitoring
 - Mobile monitoring
 - Aerial measurements
 - Other strategies and approaches (**lowest priority**)
- b. Any air contaminants or criteria pollutants in addition to methane, benzene, other BTEX, and other pollutants that will be monitored and why. For all measured pollutants, specify the time resolution, minimum detection limit, accuracy, precision, bias and other relevant data quality indicators. Meteorological parameters such as wind speed and wind direction shall be measured at multiple locations and as part of this monitoring network to facilitate data interpretation and help identify potential emission source(s);
- c. The technologies that will be used for monitoring the air pollutants and meteorological parameters for this SEP. These may include, but are not limited to:
- Optical Remote Sensing (open path or point instruments)
 - Spectroscopic and/or spectrometric techniques
 - Integrated sampling and laboratory analysis
 - Federal Reference Methods and/or Federal Equivalent Methods (FRM and FEM)
 - Air quality sensors
 - Anemometers, vanes, profilers, and other types of devices for monitoring wind and meteorology
 - Other

Preferably, a combination of two or more of the above mentioned techniques shall be used to allow for the identification and quantification of a wider array of air pollutants, but specifically methane and BTEX.

- d. The number and location of all air monitors that will be installed/deployed for this project (e.g., number and location of fenceline air monitoring paths, and number and location of community monitors) along with the rationale used for designing the monitoring network. If the contractor(s) recommends different numbers and/or locations of monitors for different pollutants, explain that and why.
- e. Quality assurance (QA) and quality control (QC) procedures that will be implemented to guarantee that the measurements collected as part of this SEP are of the highest quality. The contractor(s) shall be able to provide all raw data, Standard Operating Procedures (SOPs), protocols, and other related QA/QC documentation.

- f. The method(s) or procedure(s) (e.g. use of tracer compounds, analysis of wind data, modelling, other) used to analyze the collected data and determine whether any detected emissions of the measured air pollutants are from the Facility, as opposed to other local sources (e.g. landfills, motor-vehicle exhaust, others).
- g. Details on the public website that will be developed for displaying the collected air monitoring data in real time and for reporting local environmental and public health concerns in the communities surrounding the Facility. If a web-based, mobile phone, or other application will be used as part of this project, describe how this will be implemented for tracking health symptoms and environmental incidents (i.e. odor complaints, flaring/releases, fires) that allows public reporting of this information but does not violate HIPAA or any other privacy concerns.
- h. The length of time the contractor(s) can operate the monitoring network and the symptom and incident reporting system. The plan shall describe how the air monitoring, meteorological and other data/information will be stored throughout the duration of the project. The contractor(s) shall retain all raw and final data for up to five years past the duration of the monitoring period and provide this information to the South Coast AQMD before the termination of this contract.
- i. During this study, contractor(s) shall work in close collaboration with South Coast AQMD staff. Weekly phone/virtual meetings shall be held between the contractor(s) and South Coast AQMD staff to discuss and resolve potential issues related to the measurements performed. Contractor(s) shall submit a progress report to the South Coast AQMD on a semi-annual basis and a final report no later than one month after completion of this SEP.
- j. The contractor(s) shall host and organize: a community meeting prior to the beginning of monitoring to describe the monitoring plan and timeline along with an overview of the measurement strategy and data and notification display options to the community; semi-annual community meetings throughout the duration of this contract to update the public on the status of the study; a community meeting at the end of the project to summarize the monitoring data and relevant results and findings.

SECTION VI: REQUIRED QUALIFICATIONS

- A. Organization, firms, or persons proposing to bid on this RFP must be qualified and experienced in the field of work proposed. Proposers shall demonstrate a wide range of knowledge and experience implementing similar projects, especially the portion related to the development, deployment, operation, and maintenance of air monitoring solutions for the detection of benzene, BTEX, methane and other air contaminants at ambient levels. The proposal should demonstrate the following minimum qualifications:
 - 1. Demonstrated general knowledge and experience of air monitoring systems, methods, and analysis;

2. Demonstrated experience in developing air monitoring networks designed for off-site detection;
3. Extensive experience in air monitoring data analysis and interpretation;
4. Demonstrated experience in maintaining public-facing websites; and
5. Demonstrated experience in incident reporting and or tracking applications.

The following qualifications are desired:

1. Demonstrated experience in communicating with the public;
2. Extensive experience working in collaboration with government agencies and communities; and
3. Demonstration experience for conducting fenceline and ambient air measurements related to the oil and gas industry.

Proposer must submit the following:

1. Resumes or similar statement of qualifications of project's lead person(s) and other individuals that will play a major role in this SEP;
2. List of key personnel assigned to the project by level, name, and qualifications. Specify the estimated time to be spent by the lead person and key persons assigned to the project;
3. List specific portion of the project to be subcontracted (if any). Include all subcontractors and their statement of qualification;
4. Summary of major similar projects handled during the last five years demonstrating experience in the project areas with references; and
5. Summary of proposer's general qualifications to meet required qualifications and fulfill statement of work, including additional personnel and resources beyond those of the project's lead person(s).

SECTION VII: PROPOSAL SUBMITTAL REQUIREMENTS

Submitted proposals must follow the format outlined below and all requested information must be supplied. Failure to submit proposals in the required format will result in elimination from proposal evaluation. South Coast AQMD may modify the RFP or issue supplementary information or guidelines during the proposal preparation period prior to the due date. Please check our website for updates (<http://www.aqmd.gov/nav/grants-bids>). The cost for developing the proposal is the responsibility of the contractor(s) and shall not be chargeable to South Coast AQMD.

Each proposal must be submitted in three separate volumes:

- Volume I - Technical Proposal
- Volume II - Cost Proposal
- Volume III - Certifications and Representations included in Attachment B to this RFP, must be completed and executed by an authorized official of the Contractor.

A separate cover letter including the name, address, and telephone number of the contractor(s), and signed by the person or persons authorized to represent the Firm should accompany the proposal submission. Firm contact information as follows should also be included in the cover letter:

1. Address and telephone number of an office in, or nearest to, Diamond Bar, CA; and
2. Name and title of Firm's representative designated as contact.

A separate Table of Contents should be provided for Volumes I and II.

VOLUME I - TECHNICAL PROPOSAL

DO NOT INCLUDE ANY COST INFORMATION IN THE TECHNICAL VOLUME

Summary (Section A) - State overall approach to meeting the objectives and satisfying the scope of work to be performed, the sequence of activities, a description of methodology or techniques to be used, including the specific pollutants to be measured and corresponding detection levels, and details on the development and implementation of the symptom and incident reporting system.

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

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

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

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

1. List all key personnel assigned to the project by level, name and location. Provide a resume or similar statement describing the background, qualifications and experience of the lead person and all persons assigned to the project. Substitution of project manager or lead personnel will not be permitted without prior written approval of South Coast AQMD.
2. Provide a spreadsheet of the labor hours proposed for each labor category at the task level.

3. Provide a statement indicating whether or not 90% of the work will be performed within the geographical boundaries of South Coast AQMD.
4. Provide a statement of education and training programs provided to, or required of, the staff identified for participation in the project, particularly with reference to management consulting, governmental practices and procedures, and technical matters.
5. Provide a summary of your Firm's general qualifications to meet required qualifications and fulfill statement of work, including additional Firm personnel and resources beyond those who may be assigned to the project.

Subcontractors (Section F) - This project may require expertise in multiple technical areas. List any subcontractors that will be used, identifying functions to be performed by them, their related qualifications and experience and the total number of hours or percentage of time they will spend on the project.

Conflict of Interest (Section G) - Address possible conflicts of interest with other clients affected by actions performed by the Firm on behalf of South Coast AQMD. South Coast AQMD recognizes that prospective Contractors may be performing similar projects for other clients. Include a complete list of such clients for the past three (3) years with the type of work performed and the total number of years performing such tasks for each client. Although the Proposer will not be automatically disqualified by reason of work performed for such clients, South Coast AQMD reserves the right to consider the nature and extent of such work in evaluating the proposal.

Additional Data (Section H) - Provide other essential data that may assist in the evaluation of this proposal.

VOLUME II - COST PROPOSAL

Name and Address - The Cost Proposal must list the name and complete address of the Proposer in the upper left-hand corner.

Cost Proposal – South Coast AQMD anticipates awarding a fixed price contract. Cost information must be provided as listed below:

1. Detail must be provided by the following categories:
 - a. Labor – The Cost Proposal must list the fully-burdened hourly rates and the total number of hours estimated for each level of professional and administrative staff to be used to perform the tasks required by this RFP. Costs should be estimated for each of the components of the work plan.
 - b. Subcontractor Costs - List subcontractor costs and identify subcontractors by name. Itemize subcontractor charges per hour or per day.

- c. Travel Costs - Indicate amount of travel cost and basis of estimate to include trip destination, purpose of trip, length of trip, airline fare or mileage expense, per diem costs, lodging and car rental.
 - d. Other Direct Costs - This category may include such items as postage and mailing expense, printing and reproduction costs, etc. Provide a basis of estimate for these costs.
2. It is the policy of South Coast AQMD to receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services. South Coast AQMD will give preference, where appropriate, to vendors who certify that they will provide "most favored customer" status to South Coast AQMD. To receive preference points, Proposer shall certify that South Coast AQMD is receiving "most favored customer" pricing in the Business Status Certifications page of Volume III, Attachment B – Certifications and Representations.

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

SECTION VIII: PROPOSAL SUBMISSION

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

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

Due Date - All proposals are due no later than 5:00 p.m., May 7, 2021 and should be directed to:

Procurement Unit
South Coast AQMD
21865 Copley Drive
Diamond Bar, CA 91765-4178
(909) 396-3520

Submittal - Submit four (4) complete paper copies and an electronic copy of the proposal in a sealed envelope, plainly marked in the upper left-hand corner with the name and address of the Proposer and the words "Request for Proposals P2021-12."

Late bids/proposals will not be accepted under any circumstances.

Grounds for Rejection - A proposal may be immediately rejected if:

- It is not prepared in the format described, or
- It is signed by an individual not authorized to represent the Firm.

Modification or Withdrawal - Once submitted, proposals cannot be altered without the prior written consent of South Coast AQMD. All proposals shall constitute firm offers and may not be withdrawn for a period of ninety (90) days following the last day to accept proposals.

SECTION IX: PROPOSAL EVALUATION/CONTRACTOR SELECTION CRITERIA

- A. Proposals will be evaluated by a panel of two (2) to three (3) South Coast AQMD Staff members familiar with the subject matter of the project, and two (2) to three (3) outside experts, which may include CARB representatives, subject matter experts from academic or other scientific institutions, and/or other technically-qualified representatives (the “Panel”). The panel members shall be appointed by the Executive Officer or his designee.
- B. Each member of the Panel shall be accorded equal weight in his or her rating of the proposals. The Panel members shall evaluate the proposals according to the specified criteria and numerical weightings set forth below.

1. Proposal Evaluation Criteria

R&D Projects Requiring Technical or Scientific Expertise, or Special Projects Requiring Unique Knowledge or Abilities

Understanding the Problem	25
Technical/Management Approach	25
Contractor Qualifications	20
Previous Experience on Similar Projects	15
Cost	15
TOTAL	100

i. Additional Points

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

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

Self-Certification for Additional Points

The award of these additional points shall be contingent upon Proposer completing the Self-Certification section of Attachment B – Certifications and Representations and/or inclusion of a statement in the proposal self-certifying that Proposer qualifies for additional points as detailed above.

2. To receive additional points in the evaluation process for the categories of Small Business or Small Business Joint Venture, DVBE or DVBE Joint Venture or Local Business (for non-federally funded projects), the proposer must submit a self-certification at the time of proposal submission certifying that the proposer meets the requirements set forth in Attachments A and B. To receive points for the use of DVBE and/or Small Business subcontractors, at least 25 percent of the total contract value must be subcontracted to DVBEs and/or Small Businesses. To receive points as a Zero or Near-Zero Emission Vehicle Business, the proposer must demonstrate to the Executive Officer, or designee, that supplies and materials delivered to South Coast AQMD are delivered in vehicles that operate on clean-fuels. To receive points as a Local Business, the proposer must affirm that it has an ongoing business within the South Coast AQMD at the time of bid/proposal submittal and that 90 percent of the work related to the contract will be performed within South Coast AQMD. Proposals for legislative representation, such as in Sacramento, California or Washington D.C. are not eligible for local business incentive points. Federally funded projects are not eligible for local business incentive points. To receive points as an Off-Peak Hours Delivery Business, the proposer must submit, at proposal submission, certification of its commitment to delivering supplies and materials to South Coast AQMD between the hours of 10:00 a.m. and 3:00 p.m. To receive points for Most Favored Customer status, the proposer must submit, at proposal submission, certification of its commitment to provide most favored customer status to South Coast AQMD. The cumulative points awarded for Small Business, DVBE, use of Small Business or DVBE Subcontractors, Local Business, Zero or Near-Zero Emission Vehicle Business, Off-Peak Hour Delivery Business and Most Favored Customer shall not exceed 17 points.
3. For procurement of Research and Development (R & D) projects or projects requiring technical or scientific expertise or special projects requiring unique knowledge and abilities, technical factors including past

experience shall be weighted at 70 points and cost shall be weighted at 30 points. A proposal must receive at least 56 out of 70 points on R & D projects and projects requiring technical or scientific expertise or special projects requiring unique knowledge and abilities, in order to be deemed qualified for award.

4. The lowest cost proposal will be awarded the maximum cost points available and all other cost proposals will receive points on a prorated basis. For example if the lowest cost proposal is \$100,000 and the maximum points available are 30 points, this proposal would receive the full 30 points. If the next lowest cost proposal is \$110,000 it would receive 27 points reflecting the fact that it is 10% higher than the lowest cost (90 percent of 30 points = 27 points).
- C. During the selection process the evaluation panel may wish to interview some proposers for clarification purposes only. No new material will be permitted at this time. Additional information provided during the bid review process is limited to clarification by the Proposer of information presented in his/her proposal, upon request by South Coast AQMD.
 - D. The Executive Officer or Governing Board may award the contract to a Proposer other than the Proposer receiving the highest rating in the event the Executive Officer or Governing Board determines that another Proposer from among those technically qualified would provide the best value to South Coast AQMD considering cost and technical factors. The determination shall be based solely on the Evaluation Criteria contained in the Request for Proposal (RFP), on evidence provided in the proposal and on any other evidence provided during the bid review process.
 - E. Selection will be made based on the above-described criteria and rating factors. The selection will be made by and is subject to Executive Officer or Governing Board approval. Proposers may be notified of the results by letter.
 - F. The Governing Board has approved a Bid Protest Procedure which provides a process for a Bidder or prospective Bidder to submit a written protest to South Coast AQMD Procurement Manager in recognition of two types of protests: Protest Regarding Solicitation and Protest Regarding Award of a Contract. Copies of the Bid Protest Policy can be secured through a request to South Coast AQMD Procurement Department.
 - G. The Executive Officer or Governing Board may award contracts to more than one proposer if in (his or their) sole judgment the purposes of the (contract or award) would best be served by selecting multiple proposers.
 - H. If additional funds become available, the Executive Officer or Governing Board may increase the amount awarded. The Executive Officer or Governing Board may also select additional proposers for a grant or contract if additional funds become available.
 - I. Disposition of Proposals – Pursuant to South Coast AQMD’s Procurement Policy and Procedure, South Coast AQMD reserves the right to reject any or all proposals. All proposals become the property of South Coast AQMD, and are subject to the California Public Records Act. One copy of the proposal shall be

retained for South Coast AQMD files. Additional copies and materials will be returned only if requested and at the proposer's expense.

- J. If proposal submittal is for a Public Works project as defined by State of California Labor Code Section 1720, Proposer is required to include Contractor Registration No. in Attachment B. Proposal submittal will be deemed as non-responsive and Bidder may be disqualified if Contractor Registration No. is not included in Attachment B. Proposer is alerted to changes to California Prevailing Wage compliance requirements as defined in Senate Bill 854 (Stat. 2014, Chapter 28), and California Labor Code Sections 1770, 1771 and 1725.**

SECTION X: FUNDING

The total funding for the work contemplated by this RFP shall not exceed \$2,343,750.

SECTION XI: SAMPLE CONTRACT

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



South Coast Air Quality Management District

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

Business Information Request

Dear South Coast AQMD Contractor/Supplier:

South Coast Air Quality Management District (South Coast AQMD) is committed to ensuring that our contractor/supplier records are current and accurate. If your firm is selected for award of a purchase order or contract, it is imperative that the information requested herein be supplied in a timely manner to facilitate payment of invoices. In order to process your payments, we need the enclosed information regarding your account. **Please review and complete the information identified on the following pages, remember to sign all documents for our files, and return them as soon as possible to the address below:**

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

If you do not return this information, we will not be able to establish you as a vendor. This will delay any payments and would still necessitate your submittal of the enclosed information to our Accounting department before payment could be initiated. Completion of this document and enclosed forms would ensure that your payments are processed timely and accurately.

If you have any questions or need assistance in completing this information, please contact Accounting at (909) 396-3777. We appreciate your cooperation in completing this necessary information.

Sincerely,

Sujata Jain
Chief Financial Officer

DH:tm

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

REV 5/20



South Coast Air Quality Management District

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

BUSINESS INFORMATION REQUEST

Business Name	
Division of	
Subsidiary of	
Website Address	
Type of Business <i>Check One:</i>	<input type="checkbox"/> Individual <input type="checkbox"/> DBA, Name _____, County Filed in _____ <input type="checkbox"/> Corporation, ID No. _____ <input type="checkbox"/> LLC/LLP, ID No. _____ <input type="checkbox"/> Other _____

REMITTING ADDRESS INFORMATION

Address			
City/Town			
State/Province		Zip	
Phone	() - Ext	Fax	() -
Contact		Title	
E-mail Address			
Payment Name if Different			

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

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

BUSINESS STATUS CERTIFICATIONS

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

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

Statements of certification:

As a prime contractor to South Coast AQMD, _____ (name of business) will engage in good faith efforts to achieve the fair share in accordance with 40 CFR Section 33.301, and will follow the six affirmative steps listed below **for contracts or purchase orders funded in whole or in part by federal grants and contracts.**

1. Place qualified SBEs, MBEs, and WBEs on solicitation lists.
2. Assure that SBEs, MBEs, and WBEs are solicited whenever possible.
3. When economically feasible, divide total requirements into small tasks or quantities to permit greater participation by SBEs, MBEs, and WBEs.
4. Establish delivery schedules, if possible, to encourage participation by SBEs, MBEs, and WBEs.
5. Use services of Small Business Administration, Minority Business Development Agency of the Department of Commerce, and/or any agency authorized as a clearinghouse for SBEs, MBEs, and WBEs.
6. If subcontracts are to be let, take the above affirmative steps.

Self-Certification Verification: Also for use in awarding additional points, as applicable, in accordance with South Coast AQMD Procurement Policy and Procedure:

Check all that apply:

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

Percent of ownership: _____ %

Name of Qualifying Owner(s): _____

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

I, the undersigned, hereby declare that to the best of my knowledge the above information is accurate. Upon penalty of perjury, I certify information submitted is factual.

NAME

TITLE

TELEPHONE NUMBER

DATE

Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Request for Taxpayer
Identification Number and Certification**

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

Go to www.irs.gov/FormW9 for instructions and the latest information.

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

Part I Taxpayer Identification Number (TIN)

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

Social security number

				-							
--	--	--	--	---	--	--	--	--	--	--	--

or

Employer identification number

				-							
--	--	--	--	---	--	--	--	--	--	--	--

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

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ▶	Date ▶
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General Instructions

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

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

Purpose of Form

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

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

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

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

By signing the filled-out form, you:

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

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

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

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

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

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

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

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

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

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

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

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

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

Backup Withholding

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

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

Payments you receive will be subject to backup withholding if:

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

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

Also see *Special rules for partnerships*, earlier.

What is FATCA Reporting?

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

Updating Your Information

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

Penalties

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

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

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

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

Specific Instructions

Line 1

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

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

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

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

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

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

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

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

Line 3

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

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

Line 4, Exemptions

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

Exempt payee code.

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

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

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

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

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

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

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

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

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

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

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

Line 5

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

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

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

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

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

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

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.SSA.gov. 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.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor ²
5. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee ¹
b. So-called trust account that is not a legal or valid trust under state law	The actual owner ¹
6. Sole proprietorship or disregarded entity owned by an individual	The owner ³
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(c)(2)(i)(A))	The grantor ⁴

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

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

¹ 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.

² Circle the minor's name and furnish the minor's SSN.

³ 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.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships*, earlier.

*Note: The grantor also must provide a Form W-9 to trustee of trust.

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records From Identity Theft

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

To reduce your risk:

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

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

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

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

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

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

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

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. 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.IdentityTheft.gov and Pub. 5027.

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

Privacy Act Notice

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

2020 Withholding Exemption Certificate

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

Withholding Agent Information

Name _____

Payee Information

Name _____

SSN or ITIN FEIN CA Corp no. CA SO

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

City (if you have a foreign address, see Instructions.) _____

State _____

ZIP code _____

Exemption Reason

Check only one box.

By checking the appropriate box below, the payee certifies the reason for the exemption from the California income tax withholding requirements on payment(s) made to the entity or individual.

Individuals — Certification of Residency:

I am a resident of California and I reside at the address shown above. If I become a nonresident at any time, I will promptly notify the withholding agent. See instructions for General Information D, Definitions.

Corporations:

The corporation has a permanent place of business in California at the address shown above or is qualified through the California Secretary of State (SOS) to do business in California. The corporation will file a California tax return. If this corporation ceases to have a permanent place of business in California or ceases to do any of the above, I will promptly notify the withholding agent. See instructions for General Information D, Definitions.

Partnerships or Limited Liability Companies (LLCs):

The partnership or LLC has a permanent place of business in California at the address shown above or is registered with California SOS, and is subject to the laws of California. The partnership or LLC will file a California tax return. If the partnership or LLC ceases to do any of the above, I will promptly inform the withholding agent. For withholding purposes, a limited liability partnership (LLP) is treated like any other partnership.

Tax-Exempt Entities:

The entity is exempt from tax under California Revenue and Taxation Code (R&TC) Section 23701 _____ (insert letter) or Internal Revenue Code Section 501(c) _____ (insert number). If this entity ceases to be exempt from tax, I will promptly notify the withholding agent. Individuals cannot be tax-exempt entities.

Insurance Companies, Individual Retirement Arrangements (IRAs), or Qualified Pension/Profit-Sharing Plans:

The entity is an insurance company, IRA, or a federally qualified pension or profit-sharing plan.

California Trusts:

At least one trustee and one noncontingent beneficiary of the above-named trust is a California resident. The trust will file California fiduciary tax return. If the trustee or noncontingent beneficiary becomes a nonresident at any time, I will promptly notify the withholding agent.

Estates — Certification of Residency of Deceased Person:

I am the executor of the above-named person's estate or trust. The decedent was a California resident at the time of death. The estate will file a California fiduciary tax return.

Nonmilitary Spouse of a Military Servicemember:

I am a nonmilitary spouse of a military servicemember and I meet the Military Spouse Residency Relief Act (MSRRA) requirements. See instructions for General Information E, MSRRA.

CERTIFICATE OF PAYEE: Payee must complete and sign below.

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

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

Type or print payee's name and title _____ Telephone _____

Payee's signature ► _____ Date _____

2020 Instructions for Form 590

Withholding Exemption Certificate

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

General Information

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

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

A Purpose

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

Form 590 does not apply to payments of backup withholding. For more information, go to ftb.ca.gov 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 888.745.3886.

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 Nonresident Withholding Guidelines. To get a withholding publication, see Additional Information.

C Who Certifies this Form

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

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

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

If an entertainer (or the entertainer's business entity) is paid for a performance, the entertainer's information must be provided. **Do not** submit the entertainer's agent or promoter information.

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

D Definitions

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

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

Foreign refers to non-U.S.

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

Permanent Place of Business:

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

E Military Spouse Residency Relief Act (MSRRA)

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

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

Domicile is defined as the one place:

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

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

California may require nonmilitary spouses of military servicemembers to provide proof that they meet the criteria for California personal income tax exemption as set forth in the 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 MSRRA requirements, get FTB Pub. 1032.

Specific Instructions

Payee Instructions

Enter the withholding agent's name.

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

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

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

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

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

Withholding Agent Instructions

Do not send this form to the FTB. The certification on Form 580 remains valid until the payee's status changes. The withholding agent must retain a copy of the certificate or substitute for at least five years after the last payment to which the certificate applies. The agent must provide it to the FTB upon request.

The payee must notify the withholding agent if any of the following situations occur:

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

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

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 ftb.ca.gov and login or register for MyFTB.

Telephone: 888.792.4900 or 916.845.4900, Withholding Services and Compliance phone service

Fax: 916.845.9512

Mail: WITHHOLDING SERVICES AND COMPLIANCE MS F182
FRANCHISE TAX BOARD
PO BOX 942857
SACRAMENTO CA 94267-0651

For questions unrelated to withholding, or to download, view, and print California tax

forms and publications, or to access the TTY/TDD numbers, see the Internet and Telephone Assistance section.

Internet and Telephone Assistance

Website: ftb.ca.gov

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

Teléfono: 800.852.5711 dentro de los Estados Unidos

916.845.6500 fuera de los Estados Unidos

TTY/TDD: 800.822.6268 para personas con discapacidades auditivas o de habla

711 ó 800.735.2929 servicio de relevo de California

Certification Regarding Debarment, Suspension, and Other Responsibility Matters

The prospective participant certifies to the best of its knowledge and belief that it and the principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgement rendered against them or commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction: violation of Federal or State antitrust statute or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Typed Name & Title of Authorized Representative

Signature of Authorized Representative Date

I am unable to certify to the above statements. My explanation is attached.



CAMPAIGN CONTRIBUTIONS DISCLOSURE

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

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

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

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

SECTION I.

Contractor (Legal Name): _____

DBA, Name _____, County Filed in _____ Corporation, ID No. _____ LLC/LLP, ID No. _____
--

List any parent, subsidiaries, or otherwise affiliated business entities of Contractor:
(See definition below).

SECTION II.

Has Contractor and/or any parent, subsidiary, or affiliated company, or agent thereof, made a campaign contribution(s) totaling \$250 or more in the aggregate to a current member of the South Coast Air Quality Management Governing Board or member/alternate of the MSRC in the 12 months preceding the date of execution of this disclosure?

Yes No **If YES, complete Section II below and then sign and date the form. If NO, sign and date below. Include this form with your submittal.**

Campaign Contributions Disclosure, continued:

Name of Contributor _____

Governing Board Member or MSRC Member/Alternate

Amount of Contribution

Date of Contribution

Name of Contributor _____

Governing Board Member or MSRC Member/Alternate

Amount of Contribution

Date of Contribution

Name of Contributor _____

Governing Board Member or MSRC Member/Alternate

Amount of Contribution

Date of Contribution

Name of Contributor _____

Governing Board Member or MSRC Member/Alternate

Amount of Contribution

Date of Contribution

I declare the foregoing disclosures to be true and correct.

By: _____

Title: _____

Date: _____

DEFINITIONS

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

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



South Coast Air Quality Management District

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

Direct Deposit Authorization

STEP 1: Please check all the appropriate boxes

- | | |
|--|--|
| <input type="checkbox"/> Individual (Employee, Governing Board Member) | <input type="checkbox"/> New Request |
| <input type="checkbox"/> Vendor/Contractor | <input type="checkbox"/> Cancel Direct Deposit |
| <input type="checkbox"/> Changed Information | |

STEP 2: Payee Information

Last Name		First Name		Middle Initial	Title
Vendor/Contractor Business Name (if applicable)					
Address				Apartment or P.O. Box Number	
City			State	Zip	Country
Taxpayer ID Number		Telephone Number			Email Address

Authorization

- I authorize South Coast Air Quality Management District (South Coast AQMD) to direct deposit funds to my account in the financial institution as indicated below. I understand that the authorization may be rejected or discontinued by South Coast AQMD at any time. If any of the above information changes, I will promptly complete a new authorization agreement. If the direct deposit is not stopped before closing an account, funds payable to me will be returned to South Coast AQMD for distribution. This will delay my payment.
- This authorization remains in effect until South Coast AQMD receives written notification of changes or cancellation from you.
- I hereby release and hold harmless South Coast AQMD for any claims or liability to pay for any losses or costs related to insufficient fund transactions that result from failure within the Automated Clearing House network to correctly and timely deposit monies into my account.

STEP 3:

You must verify that your bank is a member of an Automated Clearing House (ACH). Failure to do so could delay the processing of your payment. You must attach a voided check or have your bank complete the bank information and the account holder must sign below.

To be Completed by your Bank

Staple Voided Check Here	Name of Bank/Institution		
	Account Holder Name(s)		
	<input type="checkbox"/> Saving <input type="checkbox"/> Checking	Account Number	Routing Number
	Bank Representative Printed Name	Bank Representative Signature	Date
	ACCOUNT HOLDER SIGNATURE:		Date

For South Coast AQMD Use Only

Input By _____

Date _____

[↑ Back to Agenda](#)

BOARD MEETING DATE: April 2, 2021

AGENDA NO. 6

PROPOSAL: Execute Contract for Biennial Audit of Motor Vehicle Registration Revenues for FYs 2017-18 and 2018-19

SYNOPSIS: Health and Safety Code Section 44244.1 requires any agency receiving fee revenues pursuant to Section 44243 or 44244 to be subject to an audit of each program or project funded at least once every two years. On November 6, 2020, the Board approved the release of an RFP to select an auditor to perform the biennial audit for FYs 2017-18 and 2018-19. This action is to award a contract to BCA Watson Rice LLP, Certified Public Accountants and Advisors.

COMMITTEE: Administrative, March 12, 2021; Recommended for Approval

RECOMMENDED ACTION:

Authorize the Chairman to execute a contract with BCA Watson Rice LLP, Certified Public Accountants and Advisors for performance of the biennial audit of Motor Vehicle Registration revenues for FYs 2017-18 and 2018-19 at a total cost not to exceed \$100,800. Sufficient funding is included in FY 2021 general fund budget.

Wayne Natri
Executive Officer

SJ:JK:tm

Background

AB 2766, chaptered into law as Health and Safety Code Sections 44220-44247, was enacted to authorize air pollution control districts to impose fees on motor vehicles. Fees are expended on mobile source air pollution reduction measures pursuant to the California Clean Air Act of 1988 or the South Coast AQMD AQMP pursuant to Article 5 of Chapter 5.5 of Part 3 of the California Health and Safety Code. Health and Safety Code Section 44244.1(a) states that any agency receiving fee revenues pursuant to Section 44243 or 44244 shall, at least once every two years, be subject to an audit of each program or project funded. The audit is to be conducted by an independent auditor

selected by South Coast AQMD in accordance with Division 2 (commencing with Section 1100) of the Public Contract Code. Audit program guidelines for local government recipients of fee revenues under Health and Safety Code Sections 44220-44247 were prepared by South Coast AQMD with input from the Technical Advisory Committee Audit Subcommittee of the Interagency AQMP Implementation Committee (IAIC), representatives of the Finance Committee of the League of California Cities and with Certified Public Accounting (CPA) firms whose clients include local governments. These audit guidelines were approved by the IAIC, MSRC and by the Board on December 4, 1992 and further revised and approved in January 1995, and again in August 2003. This is the thirteenth biennial audit of these fee revenues and covers FYs 2017-18 and 2018-19.

Proposal

On November 6, 2020, the Board approved an RFP to conduct the biennial audit of recipients of AB 2766 fee revenues. The audit will cover recipients in all three segments of the AB 2766 fee distribution to determine whether the fee revenues collected in FYs 2017-18 and 2018-19 were spent on the reduction of pollution from motor vehicles. The primary purpose of the audit is to set forth an opinion regarding the propriety of the expenditures incurred, not the degree of efficacy in reducing air pollution.

Outreach

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising the RFP and inviting bids was published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside County Press Enterprise newspapers to leverage the most cost-effective method of outreach to the South Coast Basin.

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

Bid Evaluation

South Coast AQMD received two proposals from CPA firms that are qualified to perform audits in the State of California. All the proposals were received by the 3:00 p.m., January 15, 2020 deadline and were evaluated by a technically qualified panel in accordance with criteria contained in the RFP.

Panel Composition

The panel convened to evaluate the proposals consisted of: City of Los Angeles Assistant Director of Transportation (Local Governments/MSRC), South Coast AQMD Planning and Rules Manager of Transportation Programs, a South Coast AQMD

Financial Analyst (CPA) and another South Coast AQMD Financial Analyst (CPA Candidate). Of the four panelists that scored the proposals one is female and three are male. One panelist is Hispanic and three are Caucasian.

Both of the proposals received were rated technically qualified to perform the audit of the AB 2766 program and were scored for cost. The evaluation results for the two proposals are:

BIDDER	TECHNICAL SCORE	BID AMOUNT	COST	SMALL/ LOCAL BUSINESS	TOTAL POINTS	OVERALL RANK
BCA Watson Rice, LLP.	64.5	\$100,800	30.0	15	109.5	1 st
Simpson & Simpson, Certified Public Accountants	61.8	\$106,850	28.3	15	104.9	2 nd

The selection criteria used to rank the proposals included responsiveness to the RFP; technical expertise; qualifications and experience; past performance; cost; and SB/SBJV/DVBE/DVBEJV/DVBE/SB subcontractors/local business designation (non-EPA). Based on the panel’s assessment of the criteria, BCA Watson Rice, LLP Certified Public Accountants and Advisors was selected to be recommended to the Board.

Resource Impacts:

The maximum audit cost is \$100,800. The total audit costs will be borne by the entities being audited as follows:

- The cost of the audit of South Coast AQMD's portion of motor vehicle registration revenues is \$4,850. Sufficient funds are included in the FY 2020-21 Budget;
- The cost of the audit of ten projects of the Mobile Source Air Pollution Reduction Trust Fund is \$8,200 and shall be deducted from the FY 2021-22 revenues subvended to the Mobile Source Air Pollution Reduction Review Committee; and
- The total cost of eighty-nine financial audits and twenty-one compliance audits of local governments is up to a maximum of \$87,750. This cost will be borne by the entities being audited in the manner set forth in the audit program guidelines and will be deducted from quarterly fee revenues prior to distribution.

BOARD MEETING DATE: April 2, 2021

AGENDA NO. 7

PROPOSAL: Transfer and Appropriate Funds and Execute Contracts for Short and Long-Term Systems Development, Maintenance and Support Services

SYNOPSIS: On November 6, 2020, the Board approved the release of an RFP to obtain short- and long-term systems development, maintenance and support services. This action is to transfer and appropriate funds and execute new contracts to obtain these services on a task order basis. Executing contracts with multiple bidders provides a pool of well-qualified professionals who have demonstrated their understanding of and expertise in meeting agency needs and enables South Coast AQMD to obtain cost-effective and technically responsive support.

COMMITTEE: Administrative, March 12, 2021; Recommended for Approval

RECOMMENDED ACTIONS:

1. Transfer \$220,900 from Information Management's FY 2020-21 Budget, Services and Supplies Major Object, Professional and Special Services account to Information Management's FY 2020-21 Capital Outlay Major Object, Capital Outlay account;
2. Authorize the Chairman to execute a contract for systems development and support services with AgreeYa Solutions, Inc., in the amount of \$95,500 from Information Management's FY 2020-21 Budget;
3. Authorize the Chairman to execute a contract for systems development and support services with Prelude Systems, in the amount of \$93,000 from Information Management's FY 2020-21 Budget;
4. Authorize the Chairman to execute a contract for systems development and support services with Sierra Cybernetics, Inc., in the amount of \$204,400 from Information Management's FY 2020-21 Budget; and
5. Authorize the Chairman to execute a contract for systems development and support services with Varsun e-Technologies Group, Inc., in the amount of \$425,900 from Information Management's FY 2020-21 Budget.

Wayne Nastri
Executive Officer

Background

On November 6, 2020, South Coast AQMD released RFP #P2021-05 for Systems Development, Maintenance and Support Services to solicit bids from consultants capable of providing a full range of high-quality systems development, maintenance, and support services; enterprise resource planning; customer relationship management; and content management system services. The requested services include both routine maintenance of functional systems, as well as enhancements to existing systems and new system development. Additional development efforts are needed to enhance system functionality and to provide additional automation for improving productivity. At the same time, Information Management is developing and/or acquiring systems capable of efficiently implementing new and evolving rules and programs.

A task order contract for a term of one year will be used, with the option to extend the term for two (2) one-year periods. Due to the indefinite nature of the work, the final contract amount cannot be determined at this time. As is the case with this action, funding for each contract will be added upon approval of a task order.

Outreach

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising the RFP/RFQ and inviting bids was published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside County's Press Enterprise newspapers to leverage the most cost-effective method of outreach to the South Coast Basin.

Additionally, potential bidders may have been notified utilizing South Coast AQMD's own electronic listing of certified minority vendors. Notice of the RFP/RFQ has been emailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations, and placed on South Coast AQMD's website (<http://www.aqmd.gov>).

Evaluation

Twelve vendors attended the mandatory Bidder's Conference via Zoom on December 3, 2020. Five bids were received in response to the RFP when final bidding closed at 1:00 p.m. on January 5, 2021. Of the five bids, one was from a woman-owned business enterprise, four were from certified small businesses, three were verified local businesses, and three were from a certified minority-owned business enterprise.

Of the five responding bids, four were rated technically qualified to perform the work identified in the RFP; one did not achieve the minimum points required to meet the technical criteria. Attachment A reflects the evaluation of the four qualified proposals and their respective scores.

Panel Composition

The eight-member evaluation panel consisted of: an IT Manager from the Ventura County Air Pollution Control District, and seven South Coast AQMD staff members: two Assistant Deputy Executive Officers, one Planning and Rules Manager, two IT Managers, and two Systems and Programming Supervisors. Of the eight panelists, four are Asian, four are Caucasian; two are female and six are male.

Proposal

Staff proposes to transfer \$220,900 from Information Management's FY 2020-21 Budget, Services and Supplies Major Object, Professional and Special Services account to Information Management's FY 2020-21 Capital Outlay Major Object, Capital Outlay account and execute contracts in the amount of \$95,500 with AgreeYa Solutions, \$93,000 with Prelude Systems, \$204,400 with Sierra Cybernetics and \$425,900 with Varsun eTechnologies for the specific task orders listed in Attachment B.

Resource Impacts

Upon Board approval, sufficient funding will be available in Information Management's FY 2020-2021 Budget.

Attachments

Attachment A – RFP Evaluation Summary

Attachment B – Task Order Summary

ATTACHMENT A

RFP Evaluation Summary

Summary of Evaluation of Qualified Respondents to RFP #P2021-05 Vendor	Technical Score	Cost Score	Additional Points	Total Score
AgreeYa Solutions	65	25	10	100
Prelude Systems	59	19		78
Sierra Cybernetics, Inc.	63	30	17	110
Varsun eTechnologies	62	20	17	99

ATTACHMENT B

Task Order Summary

TASK	DESCRIPTION	ESTIMATE	AWARD TO
Mobile Application Enhancement	Enhancements for both iOS and Android version of the Mobile App including filing of complaints and integration with FIND	\$95,500	AgreeYa
Source Tests Tracking System Maintenance	Maintenance of automated system to facilitate the submittal, tracking, routing and management of source test submissions	\$17,600	Prelude
eMovers System Maintenance	Maintenance of online submittal system for Rule 2202 form submittals	\$30,000	Prelude
Web Application/Web Services Maintenance	To provide maintenance and development work for suite of web applications and web services	\$45,400	Prelude
CLASS/PeopleSoft System Enhancements	Technology upgrades and system enhancements for CLASS and payroll time reporting system	\$45,200	Sierra
Web Application/Web Services Maintenance	To provide maintenance and development work for suite of web applications and web services	\$95,200	Sierra
Website & IT Specialist Support	To provide support for website content development, publishing and other required IT support	\$64,000	Sierra
Prop 1B GMS	To develop a web-based application and Grant Management System (GMS) for Prop 1B grants	\$75,200	Varsun
School Bus GMS	To develop a web-based application and Grant Management System (GMS) for Low Emission School Bus	\$50,200	Varsun
PeopleSoft System Enhancements	Enhance PeopleSoft Finance and Payroll System for changes resulting from labor agreements and regulatory changes, etc.	\$25,000	Varsun
Legal Office System Maintenance	To provide maintenance and development work for Legal Office System	\$30,000	Varsun
Cloud Platform for Air Quality Data Phase II	Incorporate additional data streams into the framework developed in Phase I	\$200,000	Varsun
Web Application/Web Services Maintenance	To provide maintenance and development work for suite of web applications and web services	\$45,500	Varsun
TOTAL		\$818,800	

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BOARD MEETING DATE: April 2, 2021

AGENDA NO. 8

PROPOSAL: Approve a Telework Stipend Proposal for Professional Unit Employees

SYNOPSIS: This action requests Board approval of a proposal to pay a stipend to cover reasonable costs for employees in the Professional Unit bargaining group who are teleworking under the Executive Officer's directive related to COVID-19 safety measures.

COMMITTEE: No Committee Review

RECOMMENDED ACTIONS:

Approve the telework stipend proposal for employees in the Professional Unit bargaining group who are teleworking pursuant to the Executive Officer's directive related to COVID-19 safety measures, as shown in Attachment A.

Wayne Natri
Executive Officer

AJO:mm

Background

On March 19, 2020, the Executive Officer issued COVID-19 Directive No. 1b, as part of the implementation of the Continuity Of Operations plan to address the COVID-19 pandemic, directing telework for South Coast AQMD employees to the greatest extent possible while still maintaining business operations. On February 5, 2021, the Board approved a telework stipend policy to cover reasonable business-related expenses incurred by employees in the Office Clerical & Maintenance and the Technical & Enforcement bargaining units and non-represented employees who are teleworking under Directive No. 1b.

An agreement has been reached with South Coast Air Quality Management District Professional Employees Association (SC-PEA) to apply the same terms and conditions

of the previously approved telework stipend policy to employees in the Professional Unit bargaining group.

Proposal

This action is to request approval of a proposal to pay a stipend of \$45 per month, beginning January 1, 2021, to cover business-related expenses for employees in the Professional Unit bargaining group teleworking under the Executive Officer’s directive related to COVID-19 safety measures, pursuant to an agreement reached with SC-PEA. The proposed policy also provides employees a one-time payment of \$450 for teleworking expenses incurred in 2020 and addresses impacts of teleworking under Directive No. 1b in relation to South Coast AQMD’s Rideshare Program. The terms and conditions of the proposed teleworking stipend policy are shown in Attachment A, in a strikeout/underline format of the previously approved policy.

Resource Impacts

There is sufficient funding available for this proposal in the FY 2020-21 Budget. If necessary, additional funding will be requested in the 2021-22 fiscal year budget.

Attachment

Attachment A – Proposed Revision to Telework Stipend Policy

ATTACHMENT A

PROPOSAL FOR TELEWORK STIPEND FOR EMPLOYEES IN OC&M AND T&E BARGAINING UNITS, EMPLOYEES IN PROFESSIONAL UNIT, AND NON-REPRESENTED EMPLOYEES TELEWORKING PURSUANT TO THE EXECUTIVE OFFICER'S COVID-19 SAFETY DIRECTIVE

On March 19, 2020, the Executive Officer issued COVID-19 Directive No. 1b, as part of the implementation of the Continuity Of Operations plan to address the COVID-19 pandemic, which directed teleworking for South Coast AQMD employees to the greatest extent possible while still maintaining business operations. This proposal establishes a telework stipend policy to cover reasonable business-related expenses incurred by employees in the Office Clerical & Maintenance and the Technical & Enforcement bargaining units, employees in the Professional Unit bargaining group, and non-represented employees (referred to collectively, as "employees") who are teleworking under Directive No. 1b.

1. Employees teleworking under Directive No. 1b shall receive a one-time payment of \$450 to cover business-related expenses incurred through December 31, 2020.
2. Beginning January 1, 2021, employees who are teleworking under Directive No. 1b shall receive a payment of \$45 per month to cover business-related expenses.
3. The teleworking stipend of \$45 per month shall cease at the end of the month in which Directive No. 1b is no longer in effect.
4. The following job classifications are not eligible for the one-time payment or the monthly teleworking stipend: Stock Clerk, District Storekeeper, Mail/Subscription Services Clerk, Fleet Services Worker I/II, Offset Press Operator, Printshop Duplicator, and General Maintenance Worker.
5. Employees who are participants in, or applied to be, in the South Coast AQMD Rideshare Program before October 1, 2020 are not eligible to receive the one-time payment or the monthly teleworking stipend. Participants in South Coast AQMD's Rideshare Program receive credit toward their monthly Rideshare Program incentive for teleworking.
 - a. Employees who are participants in, or applied to be in, the South Coast AQMD Rideshare Program as of October 1, 2020 will continue receiving incentive credit for teleworking under the Rideshare Program while Directive No. 1b is in effect, as a means to cover business-related expenses incurred.
 - i. If an employee who was a participant in the Rideshare Program as of October 1, 2020 subsequently leaves the Rideshare Program, then they will be eligible to receive the monthly teleworking stipend.
 - ii. Employees shall not receive both the teleworking stipend and the incentive credit for teleworking under the Rideshare Program for any given month.
 - b. Employees who were participants in the Rideshare Program as of October 1, 2020, and did not submit a claim for the Rideshare Program incentive between March 2020 and December 2020, may seek reimbursement for business-related expenses incurred, in the amount of \$45 for each month they did not submit a claim for the Rideshare Program incentive.
 - c. Employees who join the Rideshare Program after October 1, 2020 *cannot* claim credit toward their monthly incentive for teleworking under the Rideshare Program while Directive No. 1b is in place. They are eligible for the monthly telework stipend.

BOARD MEETING DATE: April 2, 2021

AGENDA NO. 9

PROPOSAL: Approve Modification of Program and Reallocation of Funds, and Approve Awards as Approved by MSRC

SYNOPSIS: The Mobile Source Air Pollution Reduction Review Committee (MSRC) approved a modification to, and a reallocation from, their Voucher Incentive Program Plus Up Program partnership with South Coast AQMD for near-zero trucks. The MSRC also approved multiple awards under their RFPs for Zero and Near-Zero Emission Trucking and Cargo Handling in Riverside and San Bernardino Counties. The MSRC seeks Board approval of the contract awards, program modification, and reallocation, as part of the FYs 2018-21 Work Program.

COMMITTEE: Mobile Source Air Pollution Reduction Review, March 18, 2021; Recommended for Approval

RECOMMENDED ACTIONS:

1. Approve increasing the maximum combined incentive for Class 8 trucks to \$125,000, and reallocation of \$2,500,000 from partnership with South Coast AQMD on implementation of Voucher Incentive Plus Up Program to the unallocated AB 2766 Discretionary Fund balance, as part of approval of the FYs 2018-21 Work Program, as described in this letter;
2. Approve five contract awards totaling \$8,537,775 under the Zero and Near-Zero Emission Cargo Handling Equipment at Warehouse, Distribution and Intermodal Facilities in Riverside and San Bernardino Counties RFP, using \$6,000,000 of funds previously allocated and \$2,537,775 of funds previously unallocated, as part of approval of the FYs 2018-21 Work Program, as described in this letter and as follows:
 - a. A contract with Penske Truck Leasing Co., L.P. in an amount not to exceed \$1,160,000 to procure and deploy up to five zero-emission electric yard tractors and associated charging infrastructure;
 - b. A contract with CMA CGM (America), LLC in an amount not to exceed \$3,000,000 to procure and deploy up to two zero-emission electric rubber tire gantry cranes, up to two zero-emission electric empty container handlers, and up to 10 zero-emission electric yard trucks;

- c. A contract with ITS Technologies & Logistics, LLC d/b/a ITS ConGlobal, in an amount not to exceed \$3,000,000 to procure and deploy up to 12 zero-emission electric yard tractors and associated charging infrastructure;
 - d. A contract with MHX, LLC in an amount not to exceed \$569,275 to procure and deploy one zero-emission electric overhead crane; and
 - e. A contract with RDS Logistics Group in an amount not to exceed \$808,500 to procure and deploy up to three zero-emission electric yard tractors and associated charging infrastructure;
3. Approve 10 contract awards totaling \$28,704,189 under the Zero and Near-Zero Emission Trucking to Warehouse, Distribution and Intermodal Facilities in Riverside and San Bernardino Counties RFP, using \$14,000,000 of funds previously allocated and \$14,704,189 of funds previously unallocated, as part of approval of the FYs 2018-21 Work Program, as described in this letter and as follows:
- a. A contract with Amazon Logistics, Inc. in an amount not to exceed \$4,157,710 to procure and deploy up to ten zero-emission electric and up to 100 near-zero emission natural gas Class 8 semi-tractors;
 - b. A contract with 4 Gen Logistics, Inc. in an amount not to exceed \$7,000,000 to procure and deploy up to 40 zero emission electric Class 8 semi-tractors and associated charging infrastructure;
 - c. A contract with Green Fleet Systems, LLC in an amount not to exceed \$500,000 to procure and deploy up to five near-zero emission natural gas Class 8 semi-tractors;
 - d. A contract with Premium Transportation Services, Inc. in an amount not to exceed \$1,500,000 to procure and deploy up to 15 near-zero emission natural gas Class 8 semi-tractors;
 - e. A contract with Ryder Systems, Inc. in an amount not to exceed \$3,169,746 to purchase and install up to two integrated power centers and up to four mega chargers;
 - f. A contract with MHX, LLC in an amount not to exceed \$1,900,000 to procure and deploy up to 10 zero emission electric Class 8 semi-tractors and associated charging infrastructure;
 - g. A contract with Pac Anchor Transportation, Inc. in an amount not to exceed \$2,300,000 to procure and deploy up to 23 near-zero emission natural gas Class 8 semi-tractors;
 - h. A contract with Volvo Financial Services in an amount not to exceed \$3,930,270 to lease up to 14 zero emission electric Class 8 semi-tractors and provide associated charging infrastructure to host fleet Quality Custom Distribution;
 - i. A contract with Sea Logix, LLC in an amount not to exceed \$2,300,000 to procure and deploy up to 23 near-zero emission natural gas Class 8 semi-tractors; and
 - j. A contract with CMA CGM (America) in an amount not to exceed \$1,946,463 to procure and deploy up to 13 near-zero emission natural gas Class 8 semi-tractors;

4. Authorize MSRC to adjust contract awards up to five percent, as necessary and previously granted in prior work programs; and
5. Authorize the Chairman of the Board to execute the new contracts under the FYs 2018-21 Work Program, as described above and in this letter.

Larry McCallon
Chair, MSRC

MMM:CR

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 subvented 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.

Outreach

South Coast AQMD has been successfully implementing VIP for many years. The modified VIP Plus Up Incentive would be promoted in collaboration with existing outreach efforts. Information would be placed on the South Coast AQMD and MSRC websites along with information distributed to the approved VIP Dealers who are the frontline points of contact to interested program participants.

In accordance with South Coast AQMD's Procurement Policy and Procedure, public notices advertising the Zero and Near-Zero Emission Cargo Handling Equipment at Warehouse, Distribution and Intermodal Facilities in Riverside and San Bernardino Counties RFP and the Zero and Near-Zero Emission Trucking to Warehouse, Distribution and Intermodal Facilities in Riverside and San Bernardino Counties RFP were published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside County's Press Enterprise to leverage the most cost-effective method of outreach to the South Coast Basin. In addition, the RFPs were advertised in the Desert Sun newspaper for expanded outreach in the Coachella Valley.

Additionally, potential bidders may have been notified utilizing South Coast AQMD's own electronic listing of certified minority vendors. Notice of the RFPs was e-mailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations, and placed on South Coast AQMD's website (<http://www.aqmd.gov>). Further, the RFPs were posted on the MSRC's website

at <http://www.cleantransportationfunding.org> and electronic notifications were sent to those subscribing to this website's notification service.

Proposal

At its March 18, 2021 meeting, the MSRC considered recommendations from its MSRC Technical Advisory Committee (MSRC-TAC) and approved the following:

Voucher Incentive Program (VIP) Plus Up Incentive Program

Using funds provided by CARB, South Coast AQMD implements the VIP to encourage the replacement of older, higher-polluting vehicles with newer, lower-emission vehicles which meet the 0.20 g/bhp-hr NO_x standard. The program features a rapid response time and is limited to small fleets of 10 or fewer vehicles. In April 2020, the MSRC approved an allocation of \$5,000,000 to partner with South Coast AQMD to offer an increased incentive to fleets procuring technologies certified at 0.02 g/bhp-hr NO_x or cleaner. Maximum incentive amounts inclusive of the original vouchers are currently \$60,000 for Class 5 vehicles, \$80,000 for Class 6 vehicles and \$100,000 for Class 7 and 8 vehicles.

There was slow uptake for the VIP Plus Up during the 2020. There was later than usual release of CARB VIP Guidelines, and fleet operators may have been cautious about embracing new fuel types during the uncertain times of the pandemic. For Class 8 vehicles, particularly, with the average cost of a qualifying new vehicle in the \$180,000 range, it seemed that the incentive amount might not be sufficient to overcome the cost differential and fleet concerns. It was considered that increasing the maximum combined incentive amount for Class 8 vehicles from \$100,000 to \$125,000 would revive interest in the Program. Simultaneously, a portion of the previously allocated funding could be redeployed to address immediate MSRC funding needs. The MSRC approved increasing the maximum incentive amount for Class 8 vehicles to \$125,000 and reallocating \$2,500,000 from the VIP Plus Up Program to the unallocated AB 2766 Discretionary Fund balance.

Inland Ports Zero and Near-Zero Emission Cargo Handling and Trucking

In November 2020, the MSRC approved 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.

Released in December 2020, RFP #P2021-08 sought proposals to reduce emissions from cargo handling equipment. The MSRC set a targeted funding amount of \$6,000,000 for this RFP, which established competitive scoring based on cost effectiveness and project readiness. The deadline for proposal submission was 11:59 p.m. on January 15, 2021. Six proposals were received prior to the submission deadline. The MSRC approved five awards totaling \$8,537,775, using \$6,000,000 of funds previously allocated and \$2,537,775 of funds previously unallocated, as part of approval of the FYs 2018-21 Work Program, as follows:

- a. A contract with Penske Truck Leasing Co., L.P. in an amount not to exceed \$1,160,000 to procure and deploy up to five zero-emission electric yard tractors and associated charging infrastructure;
- b. A contract with CMA CGM (America), LLC in an amount not to exceed \$3,000,000 to procure and deploy up to two zero-emission electric rubber tire gantry cranes, up to two zero-emission electric empty container handlers, and up to 10 zero-emission electric yard trucks;
- c. A contract with ITS Technologies & Logistics, LLC d/b/a ITS ConGlobal, in an amount not to exceed \$3,000,000 to procure and deploy up to 12 zero-emission electric yard tractors and associated charging infrastructure;
- d. A contract with MHX, LLC in an amount not to exceed \$569,275 to procure and deploy one zero-emission electric overhead crane; and
- e. A contract with RDS Logistics Group in an amount not to exceed \$808,500 to procure and deploy up to three zero-emission electric yard tractors and associated charging infrastructure.

Also released in December 2020, RFP #P2021-07 sought 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 \$14,000,000 for this RFP, which established competitive scoring based on cost effectiveness, project readiness, and percentage of truck trips that serve the Inland Empire. The deadline for proposal submission was 11:59 p.m. on January 15, 2021. Eleven proposals were received prior to the submission deadline, and 10 were found to meet the requirements of the RFP. The MSRC approved 10 awards totaling \$28,704,189, using \$14,000,000 of funds previously allocated and \$14,704,189 of funds previously unallocated, as part of approval of the FYs 2018-21 Work Program, as follows:

- f. A contract with Amazon Logistics, Inc. in an amount not to exceed \$4,157,710 to procure and deploy up to 10 zero-emission electric and up to 100 near-zero emission natural gas Class 8 semi-tractors;
- g. A contract with 4 Gen Logistics, Inc. in an amount not to exceed \$7,000,000 to procure and deploy up to 40 zero emission electric Class 8 semi-tractors and associated charging infrastructure;
- h. A contract with Green Fleet Systems, LLC in an amount not to exceed \$500,000 to procure and deploy up to five near-zero emission natural gas Class 8 semi-tractors;
- i. A contract with Premium Transportation Services, Inc. in an amount not to exceed \$1,500,000 to procure and deploy up to 15 near-zero emission natural gas Class 8 semi-tractors;
- j. A contract with Ryder Systems, Inc. in an amount not to exceed \$3,169,746 to purchase and install up to two integrated power centers and up to four mega chargers;
- k. A contract with MHX, LLC in an amount not to exceed \$1,900,000 to procure and deploy up to 10 zero emission electric Class 8 semi-tractors and associated charging infrastructure;

- l. A contract with Pac Anchor Transportation, Inc. in an amount not to exceed \$2,300,000 to procure and deploy up to 23 near-zero emission natural gas Class 8 semi-tractors;
- m. A contract with Volvo Financial Services in an amount not to exceed \$3,930,270 to lease up to 14 zero emission electric Class 8 semi-tractors and provide associated charging infrastructure to host fleet Quality Custom Distribution;
- n. A contract with Sea Logix, LLC in an amount not to exceed \$2,300,000 to procure and deploy up to 23 near-zero emission natural gas Class 8 semi-tractors; and
- o. A contract with CMA CGM (America) in an amount not to exceed \$1,946,463 to procure and deploy up to 13 near-zero emission natural gas Class 8 semi-tractors.

The MSRC requests the South Coast AQMD Board approve the contract awards, program modifications and reallocation as part of approval of the FYs 2018-21 AB 2766 Discretionary Fund Work Program as outlined above. The MSRC also requests the Board authorize the South Coast AQMD Board Chairman to execute all agreements described in this letter. The MSRC further requests authority to adjust the funds allocated to each project specified in this Board letter by up to five percent of the project's recommended funding. The Board has granted this authority to the MSRC for all past Work Programs.

Resource Impacts

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.

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BOARD MEETING DATE: April 2, 2021

AGENDA NO. 10

REPORT: Legislative, Public Affairs and Media Report

SYNOPSIS: This report highlights the February 2021 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:kv:ar

BACKGROUND

This report summarizes the activities of the Legislative, Public Affairs and Media Office for February. The report includes: Major Events; Community Events/Public Meetings; Environmental Justice Update; AB 617; 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 jurisdiction 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 February 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 February events and meetings:

San Bernardino County Transportation Authority (SBCTA)

On February 4, staff represented South Coast AQMD at the SBCTA Virtual Technical Advisory Committee for county and city managers. Staff shared information on Prop 1B, Mobile Source Air Pollution Reduction Review Committee, and the Emergency Order related to crematoriums.

South Pasadena Chamber of Commerce

On February 10, staff participated in the South Pasadena Chamber of Commerce Legislative Committee virtual meeting. Staff provided updates on South Coast AQMD programs, including the CLEANair Furnace Rebate program.

All American Asphalt

Staff hosted a virtual meeting on February 24 with representatives from the City of Irvine and University of California, Irvine researchers, to discuss air monitoring, data collection, analysis, and interpretation of data related to All American Asphalt.

Orange County Council of Governments (OCCOG) Board Meeting

Staff represented South Coast AQMD at the OCCOG meeting on February 25. Information was provided on the extension of South Coast AQMD's Emergency Order related to crematoriums, Why Healthy Air Matters (WHAM) High School Education program and Clean Air Program for Elementary Students (CAPES). Staff also provided information on the upcoming Cesar Chavez Day of Remembrance.

Harbor Association of Industry and Commerce (HAIC)

Staff participated in the HAIC Government Affairs Committee virtual meeting on February 25. Staff shared an update on South Coast AQMD's Indirect Source Rule schedule and provided weblinks for additional information.

ENVIRONMENTAL JUSTICE UPDATE

The following are key environmental justice related (EJ) activities in which staff participated during February. These events and meetings involve communities affected disproportionately from adverse air quality impacts.

Looking Ahead: A Roadmap for Healthy Air & Equitable Climate Action

Staff attended a webinar on February 4, hosted by the American Lung Association and American University's Center for Environmental Policy and Environmental Filmmaking. The panel explored ways the Administration could help deliver equitable and health-focused climate and environmental solutions.

Advancing Social Justice, Health Equity and Community

Staff participated in a Hastings Center's "*Advancing Social Justice, Health Equity and Community*" webinar on February 9. The webinar focused on bioethics and how the COVID-19 pandemic has brought the longstanding inequities of African Americans, Latin X and indigenous communities to the forefront.

Environmental Justice Community Partnership (EJCP) Inter-Agency Task Force

Staff hosted the EJCP Inter-Agency Task Force quarterly meeting on February 10. The group reviewed the goals for 2021 which include an inter-agency training, update to the Who to Call Guide, and collaboration with Los Angeles Department of Public Works to place agency resources on their on-line Service Locator. Staff led a discussion on the development and hosting of an Air Quality 101 webinar for public agency staff, community groups and students, that is tentatively scheduled for June 16, 2021.

North Verdemont Elementary School, San Bernardino

Staff met virtually with a North Verdemont Elementary School teacher regarding CAPES. This school previously participated in CAPES and expressed a continued interest in the program. This teacher is the head of the school's Clean Air Patrol Club for the fourth, fifth and sixth grades and approximately 400 students are expected to participate in CAPES by May 2021.

University of California, Riverside (UCR)

Staff attended a "The Salton Sea: Health Disparity Amid an Environmental Crisis" webinar on February 24. UCR faculty presented on health disparities near the Salton Sea, including the impacts of wind-blown dust on residents.

Environmental Justice Advisory Group (EJAG)

Staff held the quarterly EJAG virtual meeting on February 26. Staff presented on the 2020 EJAG Accomplishments, pending federal legislation, Quemetco, and the Environmental Justice Community Partnership. Members also shared updates from their communities.

CAPES Video Production

On February 27, staff participated in the production of three CAPES videos on Air Pollution 101, the Air Quality Index, and how students can do their part to clean the air and become a clean air hero.

AB 617 UPDATE

The following are key AB 617 related activities in which staff participated during February. 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).

San Bernardino County

Staff met virtually with San Bernardino County Department of Planning on February 5 to discuss the San Bernardino, Muscoy AB 617 CERP. Discussions focused on potential collaboration between South Coast AQMD and the County of San Bernardino to implement portions of the CERP to improve air quality for residents.

WHAM and AB 617

Staff presented WHAM virtually to two ninth grade classes at San Bernardino High School on February 9 and 11. The presentations included an introduction to South Coast AQMD, an overview of air quality issues and a question and answer session.

Wilmington, Carson, West Long Beach (WCWLB) CSC

Staff held the first quarterly AB 617 WCWLB CSC meeting on February 11 with approximately 100 participants. Updates were provided on implementation of the CERP and CAMP. The meeting featured an Incentives Budgeting Workshop, updates on Rule 1180 - Refinery Fenceline and Community Air Monitoring, and CARB's Commercial Harbor Craft Regulation.

What's Up with the Air in South LA?

On February 16, approximately 130 participants attended a virtual conference co-hosted by South Coast AQMD, Physicians for Social Responsibility – Los Angeles, Strategic Concepts in Organizing and Policy Education, and CARB. Staff participated on a panel on AB 617 and presented on community engagement. CSC representatives from Year 1 and shared their experiences with the AB 617 program.

Eastern Coachella Valley (ECV) Inter-agency Coordination

Staff met virtually to discuss AB 617 issues with the State Departments of Water Resources and Fish and Wildlife Inland Deserts Region, and Natural Resources Agency on February 17. Topics of discussion included windblown dust, dust suppression cost estimates, and the development of air monitoring plans for the northern Salton Sea.

Long Beach Unified School District (LBUSD)

Staff participated in a webinar hosted by the Long Beach Alliance for Children with Asthma and the Children's Clinic Family Health on February 17 as part of an AB 617 WCWLB community partnership. Topics included an update on asthma guidelines, an overview of environmental health and community education programs, and an introduction to air pollution control and exposure reduction in schools. There were 85 LBUSD medical assistants and school nurses in attendance.

Coachella Valley EJ Enforcement Task Force Meeting

On February 24, staff participated in a virtual Coachella Valley EJ Enforcement Task Force meeting. Staff announced the upcoming AB 617 ECV CSC meeting.

East LA/Boyle Heights/West Commerce (ELABHWC) CSC

Approximately 50 attendees participated in the fourth quarterly AB 617 ELABHWC CSC meeting on February 25. Staff provided updates on the implementation of the CERP and CAMP. An Incentive Budgeting Workshop engaged CSC members in discussion on funding community priorities as identified in the CERP. Topics included funding program to reduce emissions from chrome plating facilities and a compliance update. The air monitoring update included a presentation on conducting air monitoring using mobile sensors to map the community.

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.

Whittier College

On February 3, staff gave a presentation to students at Whittier College students and led a discussion on the progress made with air quality and environmental justice efforts. These students are enrolled in a course titled, "Toxic Tours: Environmental Justice in SoCal," which focuses on the inequitable distribution of toxics and pollution in an urban environment.

EXP’s Women in STEM Virtual Career Day

As part of an AB 617 WCWLB community partnership, staff participated in this virtual Career Day on February 24. Some of our staff presented on their academic and professional experience as a woman in STEM and answered questions from students. Staff also provided information about various South Coast AQMD resources, as well as internship and career opportunities.

COMMUNICATION CENTER STATISTICS

The Communication Center handles calls on South Coast AQMD’s main line, the 1-800-CUT-SMOG® line, the Spanish line, and after-hours calls to each of those lines. Total calls received in the month of February were:

Calls to South Coast AQMD’s Main Line and 1-800-CUT-SMOG® Line	2,127
Calls to South Coast AQMD’s Spanish-language Line	41
Clean Air Connections	1
Total Calls	2,169

PUBLIC INFORMATION CENTER STATISTICS

The Public Information Center (PIC) handles phone calls for general information. The PIC did not take walk-in requests in February because of the COVID pandemic. Email advisories provided information on upcoming meetings and events, program announcements and alerts on time sensitive issues. Information for the month of February is summarized below:

Calls Received by PIC Staff	6
Calls to Automated System	463
Total Calls	469

Email Advisories Sent	89,342
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SMALL 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 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 February.

- Provided permit application assistance to 179 companies;
- Processed 62 Air Quality Permit Checklists; and
- Provided assistance in filing 1 variance request.

Types of businesses assisted:

Architecture Firms	Engineering Firms	Restaurants
Auto Body Shops	Gas Stations	Retail Operations
Auto Repair Centers	Manufacturing	Warehouses
Construction Firms	Facilities	
Dry Cleaners	Plating 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. The February reports are listed below:

Major Media Interactions	154
Press Releases	22
News Carousel	2

- Major Media Topics: Chevron Refinery Odor Event: Manhattan Beach Patch submitted questions regarding an odor event. Written responses were provided.
- Extension/Expansion of Emergency Order for Crematoriums: The Press-Enterprise and BuzzFeed News inquired about expansions/extensions in the Emergency Order, and LA Times submitted two inquiries for updates to the list of crematoriums applying for relief under the Emergency Order. A freelance reporter requested the list of crematoriums and information on air quality impacts. WSVN in Miami submitted questions regarding the Emergency Order. Written responses were provided.
- World Oil Permit: Capital and Main inquired whether World Oil had re-submitted a permit application. A response was provided.
- Agricultural Burning: CalMatters emailed questions on South Coast

- AQMD's agricultural burning rule. Responses were provided.
- Exide: The Guardian requested information on NOV's issued to Exide. The reporter was provided the information via the F.I.N.D. tool.
 - Philips 66 Refinery: The Guardian and the Daily Breeze requested a response to a claim by Earthjustice regarding enforcement at Phillips 66 refinery. A statement was provided.
 - Petroleum Storage: Inside Climate News inquired about NOV's related to an inquiry on bulk petroleum storage practices. Referred the reporter to F.I.N.D.
 - All American Asphalt: Voice of OC requested a list of speakers for the March 3 meeting on AAA, and information on permitting and complaints related to AAA. Written responses and the meeting agenda were provided.
 - Prop 1B: A reporter inquired about funding for Prop 1B. Written responses were provided.
 - Ports and Air Quality: Random Length News sent questions regarding efforts at the ports as well as ongoing actions to reach federal attainment standards. Responses were provided.
 - Chevron NOV: Pitches were sent to news outlets announcing the issuance of an NOV due to odors caused by a hydrogen sulfide release, resulting in print and radio coverage.
 - No-Burn Day Alerts: Pitches were sent to local media for No-Burn days on February 7-10 resulting in radio, print and television coverage.
 - Rex Richardson Joins Board: Pitches were sent to local media outlets announcing Vice Mayor Richardson joining the South Coast AQMD Board resulting in print coverage.
 - Windblown Dust Advisory: Pitches were sent to news outlets for dust advisories on February 12, 24 and 26, resulting in radio, print and television coverage.
 - Ports Op-Ed: Pitched an Op-Ed written by Vice Mayor Richardson on Black History Month and air quality in the communities and at the ports. Op-Ed was picked up by So Cal News Group.
 - Extension of Crematorium Emergency Order Press Release: Pitches were sent to news outlets announcing the extension of the Emergency Order and expansion to Riverside County resulting in local radio and newspaper coverage.
 - Special Advisory: Pitches were sent to local news on the special advisory due to the industrial fire in Compton resulting in radio and online coverage.

News Releases:

- Emergency Order for Crematoriums Expanded to Riverside County - February 3, 2021 (English and Spanish): Informed residents of the expansion/extension of the Emergency Order regarding crematoriums.
- South Coast AQMD issues violation to Chevron Refinery in El Segundo for hydrogen sulfide release, causing odors – February 4, 2021 (English and Spanish): Notified residents of the NOV issued to Chevron Refinery.
- No-Burn Day - Mandatory Wood-Burning Ban in Effect for Residents of The South Coast Air Basin - February 7-10, 2021 (English and Spanish): Informed residents of the No Burn day advisory.
- Long Beach Vice Mayor Rex Richardson Joins South Coast AQMD Governing Board - February 9, 2021 (English and Spanish): Announced Rex Richardson as the newest member of the Board.
- South Coast AQMD Issues Windblown Dust Advisory - February 12, 24 and 26, 2021 (English & Spanish): Informed residents about windblown dust conditions.
- South Coast AQMD Issues Special Air Quality Advisory due to an Industrial Fire in Compton – February 26, 2021 (English and Spanish): Informed residents about the industrial fire in Compton.

Social Media Notable posts:

- Check Before You Burn (2/8): 11,906 Twitter Impressions
- Prop 1B Funding (2/12): 3,432 Twitter Impressions
- AQ Forecast (2/23): 8,176 Twitter Impressions

News Carousel:

- **Wildfire Smoke and Ash Health and Safety Tips:** Provided link to the Wildfire Tips page.
- **Emergency Order for Crematoriums Extended – February 16, 2021:** Provided information on the Emergency Order extension for Los Angeles, Orange and Riverside counties through February 22.
- **Emergency Order for Crematoriums Extended – February 23, 2021:** Provided information on the Emergency Order extension.

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

Due to COVID-19, outreach was conducted virtually in February, utilizing web based and other technologies to communicate with elected officials or staff from the following cities:

Alhambra	Grand Terrace	Pomona
Anaheim	Highland	Rancho Cucamonga
Arcadia	Huntington Beach	Redlands
Avalon	Industry	Redondo Beach
Azusa	Irvine	Rialto
Baldwin Park	Irwindale	Rosemead
Big Bear Lake	La Cañada Flintridge	San Bernardino
Bradbury	La Habra	San Dimas
Brea	La Puente	San Fernando
Buena Park	La Verne	San Gabriel
Burbank	Laguna Nigel	San Marino
Calimesa	Lake Forest	Santa Ana
Canyon Lake	Los Angeles	Santa Clarita
Carson	Manhattan Beach	Sierra Madre
Chino	Maywood	Signal Hill
Chino Hills	Mission Viejo	South El Monte
Claremont	Monrovia	South Pasadena
Coachella	Montclair	Stanton
Covina	Montebello	Temple City
Culver City	Monterey Park	Tustin
Diamond Bar	Moreno Valley	Walnut
Duarte	Newport Beach	West Covina
El Monte	Ontario	Westminster
Fontana	Palm Desert	Whittier
Fullerton	Palm Springs	Yorba Linda
Garden Grove	Pasadena	Yucaipa
Glendale	Perris	
Glendora	Placentia	

Communication conducted in February with elected officials and/or staff from the following state and federal offices:

- U.S. Senator Dianne Feinstein
- U.S. Senator Alex Padilla
- U.S. Representative Nanette Barragán
- U.S. Representative Mike Levin
- U.S. Representative Ted Lieu
- U.S. Representative Katie Porter
- Senator Ben Allen
- Senator Lena Gonzalez
- Senator Dave Min
- Senator Tom Umberg
- Assembly Member Autumn Burke
- Assembly Member Laurie Davie
- Assembly Member Cristina Garcia
- Assembly Majority Leader Eloise Gomez Reyes
- Assembly Member Sydney Kamlager
- Assembly Member Al Muratsuchi
- Assembly Member Patrick O'Donnell
- Assembly Member Cottie Petrie-Norris
- Assembly Speaker Anthony Rendon

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

Alhambra Chamber of Commerce
Association of California Cities, Orange County
Bay Area AQMD
Baldwin Hills Community Advisory Panel
Big Bear Chamber of Commerce
Burbank Fire Department
California Department of Fish and Wildlife, Inland Desert
California Department of General Services
California Department of Water Resources
California Transportation Commission
CAPCOA
CARB
Clean Cities Coalition Network
Coachella Valley Association of Governments
DTSC
Gateway Cities Council of Governments
Harbor Association of Industry and Commerce
Healthy Communities, San Bernardino
Imperial Irrigation District
Industry Business Council, Los Angeles
Inland Action
Inland Valley Development Agency

Irvine Ranch Water District
Irwindale Chamber of Commerce
LA Metro
Las Virgenes-Malibu Council of Governments
League of California Cities
Los Angeles Chamber of Commerce
Los Angeles County Board of Supervisors
Manhattan Beach Chamber of Commerce
Mountain Transit
National Oceanic Atmospheric Administration
Natural Gas Vehicle America
Newport Beach Chamber of Commerce
Omnitrans
Ontario International Airport
Orange County Black Chamber of Commerce
Orange County Board of Supervisors
Orange County Business Council
Orange County Council of Governments
Orange County Transportation Authority
Pasadena Chamber of Commerce
Port of Long Beach
Port of Los Angeles
Riverside County Board of Supervisors
Riverside Transit Agency
San Bernardino County Board of Supervisors
San Bernardino County Transportation Authority
San Bernardino International Airport
San Fernando Valley Council of Governments
San Gabriel Valley Council of Governments
San Gabriel Valley Economic Partnership
San Joaquin Valley APCD
San Manuel Band of Mission Indians
Santa Ana Chamber of Commerce
South Bay Association of Chambers of Commerce
South Bay Cities Council of Governments
South Pasadena Chamber of Commerce
Southern California Association of Governments
Southern California Edison
Southern California Gas
Sunline Transit
Torrance Area Chamber of Commerce
U.S. Chamber of Commerce
Upper San Gabriel Valley Municipal Water District
Valley Industry and Commerce Association

Western Community Energy
Western Riverside Council of Governments
Westside Cities Council of Governments

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

California State University, Los Angeles
Chino Hills High School
Clean Air Coalition of North Whittier and Avocado Heights
Clean Healthy Air, Clean Healthy Altadena
Coalition for Clean Air
East Yard Communities for Environmental Justice
Esteban Torres High School, Los Angeles
EXP Educational Nonprofit
Ganesha High School, Pomona
Long Beach Alliance for Children with Asthma
Long Beach Unified School District
North Verdemont Elementary School, San Bernardino
Rescue Our Waterfront
San Bernardino High School
Santa Ana College
Sierra Club
University of California, Irvine
University of California, Riverside

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BOARD MEETING DATE: April 2, 2021

AGENDA NO. 11

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of February 1 through February 28, 2021.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Julie Prussack
Chairman of Hearing Board

ft

Two summaries are attached: **February 2021 Hearing Board Cases and Rules From Which Variances and Orders for Abatement Were Requested in 2021**. An index of South Coast AQMD Rules is also attached.

There were no appeals filed during the period of February 1 to February 28, 2021.

Report of February 2021 Hearing Board Cases

Case Name and Case No. (South Coast AQMD Attorney)	Rules	Reason for Petition/Hearing	South Coast AQMD Position/Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
1. Ace Dry Cleaners Case No. 6196-1 (S. Hanizavareh)	1421	Petitioner sought extension of time to continue using its Perc dry cleaning machine.	Opposed/Denied	RV denied.	N/A
2. Air Liquide Large Industries U.S. LP Case No. 5705-10 (S. Hanizavareh)	203(b) 2004(f)(1) 3002(c)(1)	Relief sought to investigate the cause of periodic CO emission exceedances from its heater.	Not Opposed/Granted	RV granted commencing 2/18/21 and continuing through 8/30/21, the final compliance date.	CO concentration: TBD by 8/15/21
3. Bonded Cleaners & Laundry Case No. 6206-1 (M. Reichert)	1421	Petitioner sought extension of time to continue using its Perc dry cleaning machine.	Not Opposed/Granted	RV granted commencing 2/3/21 and continuing through 4/30/21, or upon installation of a 1421-compliant machine, whichever occurs first.	Perc: .22 lb/day
4. Doak's Cleaners Case No. 6200-1 (S. Pruitt)	1421	Petitioner sought extension of time to continue using its Perc dry cleaning machine.	Opposed/Denied	RV denied	.N/A

Case Name and Case No. (South Coast AQMD Attorney)	Rules	Reason for Petition/Hearing	South Coast AQMD Position/Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
5. Elegante Cleaners Case No. 6204-1 (M. Reichert)	1421	Petitioner sought extension of time to continue using its Perc dry cleaning machine.	Opposed/Denied	RV denied.	N/A
6. Lido Cleaners Case No. 6209-1 (D. Hsu)	1421	Petitioner sought extension of time to continue using its Perc dry cleaning machine.	Not Opposed/Granted	RV granted commencing 2/10/21 and continuing through 6/30/21, or upon installation of a 1421-compliant machine, whichever occurs first.	Perc: .22 lb/day
7. New Indy Ontario, LLC Case No. 6162-2 (M. Reichert)	203(b) 2004(f)(1) 3002(c)(1)	Relief sought from NOx and CO limits due to unexpected breakdown of air pollution control equipment for combined heat and power system.	Not Opposed/Granted	IV granted commencing 2/16/21 and continuing until a SV can be held, currently scheduled for 3/18/21, but in no event longer than 90 days.	NOx: 40.79 lb/day CO: 24.8 lb/day
8. Oak Knoll Cleaners Case No. 6202-1 (M. Reichert)	1421	Petitioner sought extension of time to continue using its Perc dry cleaning machine.	Not Opposed/Granted	RV granted commencing 2/3/21 and continuing through 6/30/21, or upon installation of a 1421-compliant machine, whichever occurs first.	Perc: .22 lb/day

Case Name and Case No. (South Coast AQMD Attorney)	Rules	Reason for Petition/Hearing	South Coast AQMD Position/Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
9. OC Waste & Recycling, Frank R. Bowerman Landfill Case No. 5710-5 (S. Pruitt)	203(b) 1150.1(e)(1) 3002(c)(1)	Modification of conditions requested to remove any additional return date and limit variance scope.	No Position/Granted	MFCD/EXT granted commencing 2/17/21 and continuing through 6/30/21, or upon final compliance, whichever occurs first.	Landfill Gas: TBD by 6/15/21
10. South Coast AQMD vs. Ralphs Grocery Company Case No. 6166-1 (K. Roberts)	2004(f)(1)	Requested a further extension of the interim compliance date, due to unforeseen issues with the City approvals.	Stipulated/Issued	Mod. O/A issued commencing 2/23/21 and continuing through 6/30/21. The Board shall retain jurisdiction over this matter until June 30, 2021.	N/A

Acronyms

CO: Carbon Monoxide
EV: Emergency Variance
EXT: Extension
IV: Interim Variance
MFCD: Modification Final Compliance Date
N/A: Not Applicable
NH₃: Ammonia
NO_x: Oxides of Nitrogen
O/A: Order for Abatement
Perc: Perchloroethylene
PM: Particulate Matter
SCR: Selective Catalytic Reduction
SV: Short Variance
TBD: To Be Determined
VCU: Vapor Combustion Unit

Rules from which Variances and Orders for Abatement were Requested in 2021

Rules	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Actions
203(b)	2	3											5
1150.1(e)(1)		1											1
1421	9	6											15
1469	1												1
2004(f)(1)		3											3
3002(cc)(1)	1	3											4

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX
FOR 2021 HEARING BOARD CASES AS OF FEBRUARY 28, 2021**

REGULATION II – PERMITS

Rule 203 Permit to Operate

REGULATION XI - TOXICS AND OTHER NON-CRITERIA POLLUTANTS

Rule 1150.1 Control of Gaseous Emissions from Municipal Solid Waste Landfills

REGULATION XIV - TOXICS AND OTHER NON-CRITERIA POLLUTANTS

Rule 1421 Control of Perchloroethylene Emissions from Dry Cleaning Systems

Rule 1469 Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations

Rule 3002 Requirements

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BOARD MEETING DATE: April 2, 2021

AGENDA NO. 12

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This reports the monthly penalties from February 1, 2021 through February 28, 2021, and legal actions filed by the General Counsel's Office from February 1 through February 28, 2021. An Index of South Coast AQMD Rules is attached with the penalty report.

COMMITTEE: Stationary Source, March 19, 2021, Reviewed

RECOMMENDED ACTION:
Receive and file.

Bayron T. Gilchrist
General Counsel

BTG:ew

There were no Civil Filings for February 2021.

Attachments

February 2021 Penalty Report

Index of South Coast AQMD Rules and Regulations

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

Settlement Penalty Report (02/01/2021 - 02/28/2021)

Total Penalties

Civil Settlement: \$18,900.00
Hearing Board Settlement: \$25,000.00

Total Cash Settlements: \$43,900.00

Fiscal Year through 02/28/2021 Cash Total: \$3,705,777.59

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
Civil						
173290	MEDICLEAN	2004, 2012 Appendix A	02/23/2021	DH	P66919	\$10,000.00
800409	NORTHROP GRUMMAN SYSTEMS CORPORATION	2004	02/11/2021	BT	P66914	\$2,300.00
800417	PLAINS WEST COAST TERMINALS LLC	3002(c)(1)	02/11/2021	MR	P67924	\$500.00
172840	R & R DEMO & GRADING CORPORATION	1403	02/19/2021	SH	P66406	\$1,000.00
160259	THE IRVINE COMPANY	1403, 40 CFR 61.145	02/19/2021	BT	P65510	\$5,100.00
Total Civil Settlements: \$18,900.00						
Hearing Board						
104234	SCAQMD v. Mission Foods	202, 203(b), 1153.1, 1303	02/19/2021	KCM	5400-4	\$25,000.00
Total Hearing Board Settlements: \$25,000.00						

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX
FEBRUARY 2021 PENALTY REPORT**

REGULATION II - PERMITS

Rule 202 Temporary Permit to Operate
Rule 203 Permit to Operate

REGULATION XI - SOURCE SPECIFIC STANDARDS

Rule 1153.1 Emissions of Oxides of Nitrogen from Commercial Food Ovens

REGULATION XIII - NEW SOURCE REVIEW

Rule 1303 Requirements

REGULATION XIV - TOXICS

Rule 1403 Asbestos Emissions from Demolition/Renovation Activities

REGULATION XX REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

Rule 2004 Requirements (*Amended 5/11/01*)
Appendix A Protocol for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions
Rule 2012

REGULATION XXX - TITLE V PERMITS

Rule 3002 Requirements for Title V Permits

CODE OF FEDERAL REGULATIONS

40 CFR 61.145 Standard for demolition and renovation

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BOARD MEETING DATE: April 2, 2021

AGENDA NO. 13

REPORT: Lead Agency Projects and Environmental Documents Received

SYNOPSIS: This report provides a listing of CEQA documents received by the South Coast AQMD between February 1, 2021 and February 28, 2021, and those projects for which the South Coast AQMD is acting as lead agency pursuant to CEQA.

COMMITTEE: Mobile Source, March 19, 2021, Reviewed

RECOMMENDED ACTION:
Receive and file.

Wayne Nastri
Executive Officer

SR: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 February 1, 2021 to February 28, 2021 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 December reporting period is included as Attachment B. A total of 54 CEQA documents were received during this reporting period and 15 comment letters were sent.

The Intergovernmental Review function, which consists of reviewing and commenting on the adequacy of the air quality analysis in CEQA documents prepared by other lead agencies, is consistent with the Board's 1997 Environmental Justice Guiding Principles and Environmental Justice Initiative #4. As required by the Environmental Justice Program Enhancements for FY 2002-03, approved by the Board in October 2002, each attachment notes proposed projects where the South Coast AQMD has been contacted regarding potential air quality-related environmental justice concerns. The South Coast AQMD has established an internal central contact to receive information on projects with potential air quality-related environmental justice concerns. The public may

contact the South Coast AQMD about projects of concern by the following means: in writing via fax, email, or standard letters; through telephone communication; and as part of oral comments at South Coast AQMD meetings or other meetings where South Coast AQMD staff is present. The attachments also identify, for each project, the dates of the public comment period and the public hearing date, if applicable. Interested parties should rely on the lead agencies themselves for definitive information regarding public comment periods and hearings as these dates are occasionally modified by the lead agency.

At the January 6, 2006 Board meeting, the Board approved the Workplan for the Chairman's Clean Port Initiatives. One action item of the Chairman's Initiatives was to prepare a monthly report describing CEQA documents for projects related to goods movement and to make full use of the process to ensure the air quality impacts of such projects are thoroughly mitigated. In response to describing goods movement, CEQA documents (Attachments A and B) are organized to group projects of interest into the following categories: goods movement projects; schools; landfills and wastewater projects; airports; general land use projects, etc. In response to the mitigation component, guidance information on mitigation measures was compiled into a series of tables relative to: off-road engines; on-road engines; harbor craft; ocean-going vessels; locomotives; fugitive dust; and greenhouse gases. These mitigation measure tables are on the CEQA webpages portion of the South Coast AQMD's website at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies>. Staff will continue compiling tables of mitigation measures for other emission sources.

Staff focuses on reviewing and preparing comments for projects: where the South Coast AQMD is a responsible agency; that may have significant adverse regional air quality impacts (e.g. special event centers, landfills, goods movement); that may have localized or toxic air quality impacts (e.g. warehouse and distribution centers); where environmental justice concerns have been raised; and which a lead or responsible agency has specifically requested South Coast AQMD review. If staff provided written comments to the lead agency as noted in the column "Comment Status," there is a link to the "South Coast AQMD Letter" under the Project Description. In addition, if staff testified at a hearing for the proposed project, a notation is provided under the "Comment Status." If there is no notation, then staff did not provide testimony at a hearing for the proposed project.

During the period of February 1, 2021 to February 28, 2021, the South Coast AQMD received 54 CEQA documents. Of the 67 documents listed in Attachments A and B:

- 15 comment letters were sent;
- 17 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
- 5 documents were screened without additional review.

(The above statistics are from February 1, 2021 to February 28, 2021 and may not include the most recent “Comment Status” updates in Attachments A and B.)

Copies of all comment letters sent to lead agencies can be found on the South Coast AQMD’s CEQA webpage at the following internet address:

<http://www.aqmd.gov/home/regulations/ceqa/commenting-agency>.

South Coast AQMD Lead Agency Projects (Attachment C) – Pursuant to CEQA, the South Coast AQMD periodically acts as lead agency for stationary source permit projects. Under CEQA, the lead agency is responsible for determining the type of CEQA document to be prepared if the proposal for action is considered to be a “project” as defined by CEQA. For example, an Environmental Impact Report (EIR) is prepared when the South Coast AQMD, as lead agency, finds substantial evidence that the project may have significant adverse effects on the environment. Similarly, a Negative Declaration (ND) or Mitigated Negative Declaration (MND) may be prepared if the South Coast AQMD determines that the project will not generate significant adverse environmental impacts, or the impacts can be mitigated to less than significance. The ND and MND are written statements describing the reasons why projects will not have a significant adverse effect on the environment and, therefore, do not require the preparation of an EIR.

Attachment C to this report summarizes the active projects for which the South Coast AQMD is lead agency and is currently preparing or has prepared environmental documentation. As noted in Attachment C, the South Coast AQMD continued working on the CEQA documents for three active projects during February.

Attachments

- A. Incoming CEQA Documents Log
- B. Ongoing Active Projects for Which South Coast AQMD Has or Will Conduct a CEQA Review
- C. Active South Coast AQMD Lead Agency Projects

ATTACHMENT A*
INCOMING CEQA DOCUMENTS LOG
February 1, 2021 to February 28, 2021

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
Warehouse & Distribution Centers LAC210217-02 5175 Vincent Avenue Project	The project consists of construction of a 545,735-square-foot warehouse on 26.05 acres. The project is located on the southwest corner of Arrow Highway and Vincent Avenue. Reference LAC200304-08 and LAC190104-01 Comment Period: 2/17/2021 - 4/2/2021 Public Hearing: N/A	Notice of Availability of a Draft Environmental Impact Report	City of Irwindale	Under review, may submit written comments
Warehouse & Distribution Centers LAC210217-03 2555 West 190th Street Industrial Warehouse Project	The project consists of demolition of a 160,000-square-foot office building and construction of a 305,550-square-foot warehouse on 13.29 acres. The project is located near the northeast corner of West 190th Street and Crenshaw Boulevard. Comment Period: 2/12/2021 - 3/15/2021 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Torrance	Document reviewed - No comments sent for this document received
Warehouse & Distribution Centers RVC210204-02 Sunset Crossroads Specific Plan	The project consists of construction of 5.5 million square feet of warehouses, 295,000 square feet of commercial uses, and 68.7 acres of open space on 532.7 acres. The project is located on the southwest corner of Interstate 10 and Sunset Avenue. http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/march/RVC210204-02.pdf Comment Period: 2/2/2021 - 3/3/2021 Public Hearing: 2/18/2021	Notice of Preparation	City of Banning	South Coast AQMD staff commented on 3/2/2021
Warehouse & Distribution Centers RVC210204-04 Potrero Logistics	The project consists of construction of a 577,920-square-foot warehouse on 32.02 acres. The project is located on the northwest corner of Fourth Street and Potrero Boulevard. Reference RVC201028-01 and RVC200603-01 Comment Period: 2/2/2021 - 2/25/2021 Public Hearing: 2/25/2021	Site Plan	City of Beaumont	Document reviewed - No comments sent for this document received

*Sorted by Land Use Type (in order of land uses most commonly associated with air quality impacts), followed by County, then date received.

- Project has potential environmental justice concerns due to the nature and/or location of the project.

Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

**ATTACHMENT A
INCOMING CEQA DOCUMENTS LOG
February 1, 2021 to February 28, 2021**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Waste and Water-related</i> ORC210209-07 Placentia (Van Buren and Orangethorpe)	The project consists of development of cleanup activities to excavate, treat, and dispose soil contaminated with lead and total petroleum hydrocarbons on 5.56 acres. The project is located near the southwest corner of South Van Buren Street and East Orangethorpe Avenue in the City of Placentia. Comment Period: 2/11/2021 - 3/12/2021 Public Hearing: N/A	Draft Removal Action Workplan	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received
<i>Waste and Water-related</i> ORC210218-06 Lake Forest Zone B to C Pump Station Project	The project consists of demolition of an existing water pump station, and construction of a 1,791-square-foot water pump station with a capacity of 2,250 gallons per minute and a water management intertie system on 0.41 acres. The project is located near the southwest corner of Portola Parkway and Rancho Parkway in the City of Lake Forest. http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/march/ORC210218-06.pdf Comment Period: 2/18/2021 - 3/19/2021 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	Irvine Ranch Water District	South Coast AQMD staff commented on 3/16/2021
<i>Waste and Water-related</i> ORC210218-07 Ranch Water Filtration Plant Project	The project consists of construction of a wastewater treatment plant with a capacity from 1,000 acre-feet per year (AFY) to 5,000 AFY and 4,000 linear feet of wastewater pipelines 24 inches in diameter. The project is located near the northwest corner of Chiquita Canyon Drive and Esencia Drive in the community of Rancho Mission Viejo within Orange County. Comment Period: 2/16/2021 - 3/17/2021 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	Santa Margarita Water District	Document reviewed - No comments sent for this document received
<i>Waste and Water-related</i> ORC210224-01 Prado Basin Ecosystem Restoration and Water Conservation Study	Staff provided comments on the Draft Environmental Impact Report/Environmental Impact Statement for the project, which can be accessed at: http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2019/march/ORC190212-04.pdf . The project consists of development of strategies for flood risk management, water conservation, and ecosystem restoration on 2,225 square miles. The project is bounded by cities of Chino and Eastvale to the north, City of Norco to the east, State Route (SR) 91 to the south, and SR 71 to the west, and encompasses Orange, Riverside, and San Bernardino counties. Reference ORC190212-04 Comment Period: 2/18/2021 - 3/18/2021 Public Hearing: N/A	Final Environmental Impact Report/ Environmental Impact Statement	United States Army Corps of Engineers	Document reviewed - No comments sent for this document received

- Project has potential environmental justice concerns due to the nature and/or location of the project. Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

**ATTACHMENT C
ACTIVE SOUTH COAST AQMD LEAD AGENCY PROJECTS
THROUGH FEBRUARY 28, 2021**

PROJECT DESCRIPTION	PROPONENT	TYPE OF DOCUMENT	STATUS	CONSULTANT
<p>Matrix Oil is proposing to: 1) install one new flare with a maximum rating of 39 million British thermal units per hour (MMBtu/hr) at Site 3 of the Sansinena Oil Field; and 2) increase the throughput of the existing flare at Site 9 from the previous permit limit of 13.65 million standard cubic feet over a 30-day period (MMSCF/30 days) to the maximum rating of 39 MMBtu/hr which is equivalent to 25.39 MMSCF/30 days.</p>	Matrix Oil	Mitigated Negative Declaration	The consultant provided a preliminary draft Mitigated Negative Declaration which is undergoing South Coast AQMD staff review.	Yorke Engineering
<p>Quemetco is proposing to modify existing South Coast AQMD permits to allow the facility to recycle more batteries and to eliminate the existing daily idle time of the furnaces. The proposed project will increase the rotary feed drying furnace feed rate limit from 600 to 750 tons per day and increase the amount of total coke material allowed to be processed. In addition, the project will allow the use of petroleum coke in lieu of or in addition to calcined coke, and remove one existing emergency diesel-fueled internal combustion engine (ICE) and install two new emergency natural gas-fueled ICEs.</p>	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
<p>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.</p>	Sunshine Canyon Landfill	Subsequent Environmental Impact Report (SEIR)	South Coast AQMD staff reviewed and provided comments on the preliminary air quality analysis and health risk assessment (HRA), which are being addressed by the consultant.	SCS Engineers

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BOARD MEETING DATE: April 2, 2021

AGENDA NO. 14

REPORT: Rule and Control Measure Forecast

SYNOPSIS: This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2021.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Wayne Natri
Executive Officer

PMF:SN:SR:AK:ZS

2021 MASTER CALENDAR

The 2021 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 continues to move 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 of ambient air quality standards.*

This rulemaking is part of the transition of RECLAIM to a command-and-control regulatory structure.

The following table provides a list of changes since the previous Rule Forecast Report.

2305^{*+} 316	Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program Fees for Rule 2305
At the March Board Meeting, the Board voted to move the Public Hearing from April to May 2021 to allow additional time for staff to work on key issues with stakeholders.	
1109^{*+#} 1109.1^{*+#}	Emissions of Oxides of Nitrogen from Boilers and Process Heaters in Petroleum Refineries Reduction of Emissions of Oxides of Nitrogen from Refinery Equipment
Proposed Amended Rule 1109 and Proposed Rule 1109.1 are being moved from June to September 2021 to allow staff time to incorporate revised cost data, reassess proposed NOx limits and to work with stakeholders to resolve issues.	
429.1^{*+#}	Start-Up and Shutdown Exemption Provisions for Oxides of Nitrogen at Petroleum Refineries and Associated Facilities
Proposed Rule 429.1 will be considered for adoption at the Public Hearing for Proposed Rule 1109.1 which is being moved from June to September 2021.	
1304^{*+#}	Exemptions
Proposed Amended Rule 1304 will be considered for amendment at the Public Hearing for Proposed Rule 1109.1 which is being moved from June to September 2021.	
1466	Control of Particulate Emissions from Soils with Toxic Air Contaminants
Proposed Amended Rule 1466 is being moved from May to June 2021 to better distribute Public Hearing items.	
1100	Implementation Schedule for NOx Facilities
Proposed Amended Rule 1100 is being added to June 2021 to clarify implementation requirements for Rule 1146 units that are shutdown.	

* *Potentially significant hearing*

+ *Reduce criteria air contaminants and assist toward attainment of ambient air quality standards*

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

1147.1^{*+ #} 1147^{*+ #}	NOx Reductions for Equipment at Aggregate Facilities NOx Reductions from Miscellaneous Sources
Proposed Rules 1147.1 and 1147 are being moved from June to August 2021 to allow additional time to work with stakeholders to resolve key issues.	
1147.2^{*+ #} 1147^{*+ #}	NOx Reductions from Metal Melting and Heating Furnaces NOx Reductions from Miscellaneous Sources
Proposed Rules 1147.2 and 1147 are being moved from August to October 2021 to allow additional time to work with stakeholders to resolve key issues.	
1110.2	Emissions from Gaseous- and Liquid-Fueled Engines
Rule 1110.2 is being moved from August 2021 to To-Be-Determined. Provisions to address use of emergency standby engines at essential public services during Public Safety Prevention Shutoff events will be addressed under Proposed Rule 118.1 instead of Proposed Amended Rule 1110.2.	
118.1	Public Safety Provisions for Emergency Standby Engines
Proposed Amended Rule 118.1 is being moved from August to November 2021 to allow time to complete the CEQA process.	
1470	Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines
Proposed Amended Rule 1470 is being moved from August to November 2021 to allow time to complete the CEQA process.	
1134	Emissions of Oxides of Nitrogen from Stationary Gas Turbines
Proposed Amended Rule 1134 is being moved from September to August 2021 to better distribute Public Hearing items.	
1157.1	PM 10 Emission Reductions from Concrete and Asphalt Crushing and Grinding Operations
Proposed Rule 1157.1 is being moved from September to November 2021 due to staffing changes.	
219* 461 461.1	Equipment Not Requiring a Written Permit Pursuant to Regulation II Gasoline Transfer and Dispensing Mobile Refueling Gasoline Transfer and Dispensing
Proposed Amended Rule 461, Proposed Rule 461, and Proposed Amended Rule 219 are being moved from September to December 2021 to allow staff more time to develop proposals and to work with stakeholders.	
1147	NOx Reductions from Miscellaneous Sources
Proposed Amended Rule 1147 is being moved from October to December 2021 to allow staff to complete the BARCT assessment and work with stakeholders.	

* *Potentially significant hearing*

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

1111	Reduction of NO_x Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces
Proposed Amended Rule 1111 is being moved from To-Be-Determined to September 2021 to address upcoming implementation dates.	

* *Potentially significant hearing*

+ *Reduce criteria air contaminants and assist toward attainment of ambient air quality standards*

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

2021 MASTER CALENDAR

Month	Title and Description	Type of Rulemaking
May		
1469.1*	<p>Spraying Operations Using Coatings Containing Chromium Proposed Amended Rule 1469.1 will establish additional requirements to address hexavalent chromium emissions from spraying operations using chromate primers and coatings. <i>Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics/ AB 617 CERP
2305*+ 316	<p>Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program Fees for Rule 2305 Proposed Rule 2305 will both reduce emissions and facilitate local and regional emission reductions associated with warehouses and the mobile sources attracted to warehouses. Proposed Rule 316 will collect fees from facilities covered by PR 2305 to recover costs related to compliance activities. <i>Ian MacMillan 909.396.3244; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 CERP
Reg. III	<p>Fees This is a placeholder as staff may propose minor amendments to Regulation III as part of the annual budget process. <i>Ian MacMillan 909.396.3244; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
June		
445*	<p>Wood Burning Devices Proposed Amended Rule 445 will address additional U.S. EPA requirements for Best Available Control Measures and potentially address ozone contingency measure requirements for the Coachella Valley. <i>Tracy Goss 909.396.3106; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
1466	<p>Control of Particulate Emissions from Soils with Toxic Air Contaminants Proposed amendments to Rule 1466 will clarify existing provisions, update requirements for pre-approved monitors, and streamline implementation. <i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1100#	<p>Implementation Schedule for NOx Facilities Proposed Amended Rule 1100 will clarify implementation provisions for units subject to Rule 1146 that are shutting down. <i>Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT

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

2021 MASTER CALENDAR (Continued)

Month	Title and Description	Type of Rulemaking
August		
1134	<p>Emissions of Oxides of Nitrogen from Stationary Gas Turbines Proposed Amended Rule 1134 will revise startup, shutdown, and malfunction requirements and monitoring, reporting, and recordkeeping provisions to reflect amendments to rules regulating Continuous Emissions Monitoring Systems. Proposed amendments may also be needed to incorporate possible comments by U.S. EPA for approval into the SIP. <i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
1135	<p>Emissions of Oxides of Nitrogen from Electricity Generating Facilities Proposed Amended Rule 1135 will revise startup, shutdown, and malfunction requirements and monitoring, reporting, and recordkeeping provisions to reflect amendments to rules regulating Continuous Emissions Monitoring Systems. Proposed amendments may also be needed to incorporate possible comments by U.S. EPA for approval into the SIP. <i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
1147.1 ^{*+#}	<p>NOx Reductions for Equipment at Aggregate Facilities Proposed Rule 1147.1 will establish NOx emission limits to reflect Best Available Retrofit Control Technology for NOx equipment at aggregate facilities and will apply to RECLAIM and non-RECLAIM facilities.</p>	AQMP/ AB 617 BARCT
1147 ^{*+#}	<p>NOx Reductions from Miscellaneous Sources Proposed Amended Rule 1147 will remove equipment that will be regulated under Proposed Rule 1147.1. <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176 and Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
September		
429.1 ^{*+#}	<p>Start-Up and Shutdown Exemption Provisions for Oxides of Nitrogen at Petroleum Refineries and Associated Facilities Proposed Rule 429.1 will establish start-up and shutdown provisions for petroleum refineries and facilities with operations associated with petroleum refineries. <i>Mike Morris 909-396-3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1111	<p>Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces Proposed amendments are be needed to address upcoming implementation dates. <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP

* Potentially significant hearing

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

2021 MASTER CALENDAR (Continued)

Month	Title and Description	Type of Rulemaking
November		
118.1	<p>Public Safety Provisions for Emergency Standby Engines Proposed Rule 118.1 will address use of emergency standby engines for essential public services and other similar entities during specific local public safety situations. <i>Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1118*	<p>Control of Emissions from Refinery Flares Proposed Amended Rule 1118 will incorporate revisions to further reduce flaring at refineries, provisions for clean service flares, and facility thresholds. The AB 617 Community Emission Reduction Plan has an emission reduction target to reduce flaring by 50 percent, if feasible. <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 CERP
1157.1	<p>PM 10 Emission Reductions from Concrete and Asphalt Crushing and Grinding Operations Proposed Rule 1157.1 will establish requirements to minimize PM emissions from recycled concrete and asphalt crushing and grinding operations, including storage and transfer of materials. <i>Tracy Goss 909.396.3106; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1159.1	<p>Control of NOx Emissions from Nitric Acid Units Proposed Rule 1159.1 will establish requirements to reduce NOx emissions from nitric acid units that will apply to RECLAIM and non-RECLAIM facilities. <i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
1173	<p>Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants Proposed Amended Rule 1173 will further reduce emissions from petroleum and chemical plants by requiring early leak detection approaches consistent with AB 617 Community Emission Reduction Plan. <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other/ AB 617 CERP
1470	<p>Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines Proposed Amended Rule 1470 will address provisions for essential public services for testing engines and additional provisions, if needed, to ensure proposed amendments meet state requirements. <i>Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics

* Potentially significant hearing

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

2021 MASTER CALENDAR (Continued)

Month	Title and Description	Type of Rulemaking
November (Continued)		
Regulation XIII*#	<p>New Source Review Proposed Amended Regulation XIII will revise New Source Review provisions to address facilities that are transitioning from RECLAIM to a command-and-control regulatory structure. Staff may be proposing a new rule within Regulation XIII to address offsets for facilities that transition out of RECLAIM. <i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
December		
219* 461 461.1	<p>Equipment Not Requiring a Written Permit Pursuant to Regulation II Gasoline Transfer and Dispensing Mobile Refueling Gasoline Transfer and Dispensing Proposed Amended Rule 219 will modify permitting requirements for mobile fueling operations. Proposed Amended 461 will remove requirements for mobile refueling operations and Proposed Rule 461.1 will establish requirements for retail mobile refueling operations. <i>Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1146.2#	<p>Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters Proposed Amended Rule 1146.2 will update the NOx emission limit to reflect Best Available Retrofit Control Technology. <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
1147*+# 1100#	<p>NOx Reductions from Miscellaneous Sources Proposed Amended Rule 1147 will revise NOx emission limits to reflect Best Available Retrofit Control Technology for miscellaneous combustion sources and that will apply to RECLAIM and non-RECLAIM facilities.</p> <p>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. <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT

* Potentially significant hearing

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

2021 MASTER CALENDAR (Continued)

Month	Title and Description	Type of Rulemaking
December (Continued)		
1153.1	<p>Emissions of Oxides of Nitrogen from Commercial Food Ovens Proposed amendments to Rule 1153.1 may be needed to establish NO_x BARCT limits for the RECLAIM transition.</p> <p style="text-align: center;"><i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
1178	<p>Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities Proposed Amended Rule 1178 will incorporate the use of more advanced early leak detection methods and improve leak detection and repair programs for storage tanks to further reduce VOC emissions. Proposed amendments will implement one of the actions in the AB 617 Community Emission Reduction Plan.</p> <p style="text-align: center;"><i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 CERP
1426.1	<p>Control of Hexavalent Chromium Emissions from Metal Finishing Operations Proposed Rule 1426.1 will reduce hexavalent chromium emissions from chromium tanks used in metal finishing operations that do not have a chromium electroplating or chromic acid anodizing tank.</p> <p style="text-align: center;"><i>Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1435*	<p>Control of Emissions from Metal Heat Treating Processes Proposed Rule 1435 will establish requirements to reduce point source and fugitive toxic air contaminants including hexavalent chromium emissions from heat treating processes. Proposed Rule 1435 will also include monitoring, reporting, and recordkeeping requirements.</p> <p style="text-align: center;"><i>Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics/ AB 617 CERP
2306	<p>Emission Reductions from Indirect Sources at Railyards Proposed Rule 2306 will reduce emissions from indirect sources associated with railyards.</p> <p style="text-align: center;"><i>Ian MacMillan 909.396.3244; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 CERP

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

2021 To-Be-Determined

2021	Title and Description	Type of Rulemaking
102	<p>Definition of Terms Proposed amendments may be needed to update and add definitions, and potentially modify exemptions. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
103	<p>Definition of Geographical Areas Proposed amendments are needed to update geographic areas to be consistent with state and federal references to those geographic areas. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
209	<p>Transfer and Voiding of Permits Proposed amendments may be needed to clarify requirements for change of ownership and permits and the assessment of associated fees. <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
219	<p>Equipment Not Requiring a Written Permit Pursuant to Regulation II Proposed Amendments may be needed to address issues raised by U.S. EPA for approval in the State Implementation Plan. Proposed Amendments may also be needed to identify sources that are currently exempt from permitting. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
222	<p>Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II Proposed Amendments may be needed to require certain equipment that is currently not permitted to register the equipment to gather information and emissions data. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
223	<p>Emission Reduction Permits for Large Confined Animal Facilities Proposed Amended Rule 223 will seek additional ammonia emission reductions from large confined animal facilities by lowering the applicability threshold. Proposed amendments will implement BCM-04 in the 2016 AQMP. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
317	<p>Clean Air Act Non-Attainment Fees Proposed amendments may be needed to modify CAA Section 185 fees for non-attainment. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other

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

2021 To-Be-Determined (Continued)

2021	Title and Description	Type of Rulemaking
407 [#]	<p>Liquid and Gaseous Air Contaminants Proposed Amended Rule 407 will update SO_x emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT
410	<p>Odors from Transfer Stations and Material Recovery Facilities Proposed Amended Rule 410 will clarify existing provisions. Additional provisions may be needed to address activities associated with diversion of food waste to transfer stations or material recovery facilities. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
425	<p>Odors from Cannabis Processing Proposed Rule 425 will establish requirements for control of odors from cannabis processing. <i>Tracy Goss 909.396.3106; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
429	<p>Start-Up and Shutdown Exemption Provisions for Oxides of Nitrogen Proposed amendments to Rule 429 update start-up and shutdown provisions for combustion equipment at refineries and facilities with related operations to petroleum refineries. <i>Mike Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
431.1 [#]	<p>Sulfur Content of Gaseous Fuels Proposed Amended Rule 431.1 will assess exemptions, including RECLAIM, and update other provisions, if needed. <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT/ AB 617 CERP
431.2 [#]	<p>Sulfur Content of Liquid Fuels Proposed Amended Rule 431.2 will assess exemptions, including RECLAIM, and update other provisions, if needed. <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT/ AB 617 CERP
431.3 [#]	<p>Sulfur Content of Fossil Fuels Proposed Amended Rule 431.3 will assess exemptions, including RECLAIM, and update other provisions, if needed. <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT/ AB 617 CERP

* Potentially significant hearing

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

2021 To-Be-Determined (Continued)

2021	Title and Description	Type of Rulemaking
442.1 1107 1124 1136 1145 1171	<p>Usage of Solvent Coating of Metal Parts and Products Aerospace Assembly and Component Manufacturing Operations Wood Products Coatings Plastic, Rubber, Leather, and Glass Coatings Solvent Cleaning Operations</p> <p>Proposed amendments will prohibit the sale, distribution, and application of materials that do not meet the VOC limits specified in Regulation XI rules and possible provisions to prohibit circumvention of VOC limits. <i>Tracy Goss 909.396.3106; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
462	<p>Organic Liquid Loading</p> <p>Proposed Amended Rule 462 will incorporate the use of advanced techniques to detect fugitive emissions and Facility Vapor Leak. Other amendments may be needed to streamline implementation and add clarity. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
463	<p>Organic Liquid Storage</p> <p>Proposed Amended Rule 463 will address the current test method and improve the effectiveness, enforceability, and clarity of the rule. Proposed amendments may also be needed to ensure consistency with Rule 1178. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
468 [#]	<p>Sulfur Recovery Units</p> <p>Proposed Amended Rule 468 will update SO_x emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT
469 [#]	<p>Sulfuric Acid Units</p> <p>Proposed Amended Rule 469 will update SO_x emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT

* Potentially significant hearing

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

2021 To-Be-Determined (Continued)

2021	Title and Description	Type of Rulemaking
1101 [#]	<p>Secondary Lead Smelters/Sulfur Oxides Proposed Amended Rule 1101 will update SOx emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT
1105 [#]	<p>Fluid Catalytic Cracking Units SOx Proposed Amended Rule 1105 will update SOx emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT/ AB 617 CERP
1110.2 ^{*+##}	<p>Emissions from Gaseous- and Liquid-Fueled Engines Proposed amendments will address use of emergency standby engines at essential public services for Public Safety Power Shutoff programs. Proposed amendments may also be needed to incorporate possible comments by U.S. EPA for approval into the SIP and address monitoring provisions for new engines. <i>Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
1111.1	<p>Zero-Emission Residential Furnaces Proposed Rule 1111.1 may include provisions to encourage zero emission residential furnaces that goes beyond Rule 1111 for gas-fired furnaces. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
1113	<p>Architectural Coatings Proposed amendments may be needed to clarify applicability of the rule with respect to potential delisted compounds. <i>Dave DeBoer 909.396.2329; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1119 [#]	<p>Petroleum Coke Calcining Operations – Oxides of Sulfur Proposed Amended Rule 1119 will update SOx emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT/ AB 617 CERP
1121 [*]	<p>Control of Nitrogen Oxides from Residential Type, Natural-Gas-Fired Water Heaters Proposed amendments may be needed further reduce NOx emissions from water heaters. <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP

* Potentially significant hearing

+ Reduce criteria air contaminants and assist toward attainment of ambient air quality standards

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

2021 To-Be-Determined (Continued)

2021	Title and Description	Type of Rulemaking
1121.1	<p>Zero Emission Residential Water Heaters Proposed Rule 1121.1 may include provisions to encourage zero emission water heaters that goes beyond Rule 1121 for gas-fired water heaters.</p> <p align="center"><i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
1133.3	<p>Emission Reductions from Greenwaste Composting Operations Proposed Amended Rule 1133.3 will seek additional VOCs and ammonia emission reductions from greenwaste and foodwaste composting. Proposed amendments will implement BCM-10 in the 2016 AQMP.</p> <p align="center"><i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
1138	<p>Control of Emissions from Restaurant Operations Proposed Amended Rule 1138 will further reduce emissions from char boilers.</p> <p align="center"><i>Tracy Goss 909.396.3106; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
1142	<p>Marine Tank Vessel Operations Proposed Amended Rule 1142 will address VOC and hydrogen sulfide emissions from marine tank vessel operations, applicability, noticing requirements, and provide clarifications.</p> <p align="center"><i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1146	<p>Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters Proposed amendments to Rule 1146 may be needed to incorporate comments from U.S. EPA.</p> <p align="center"><i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1146.1 [#]	<p>Emissions of Oxides of Nitrogen from Small Industrial, 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.</p> <p align="center"><i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other

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

2021 To-Be-Determined (Continued)

2021	Title and Description	Type of Rulemaking
1148.1*	<p>Oil and Gas Production Wells Proposed Amendments to Rule 1148.1 may be needed to further reduce emissions from operations, implement early leak detection, odor minimization plans, and enhanced emissions and chemical reporting from oil and drilling sites consistent with the AB 617 Community Emission Reduction Plan. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other/ AB 617 CERP
1148.2	<p>Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers Proposed amendments to Rule 1148.2 may be needed to improve notifications of well working activities to the community and to address other issues. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other/ AB 617 CERP
1166	<p>Volatile Organic Compound Emissions from Decontamination of Soil Proposed Amended Rule 1166 will update requirements, specifically concerning notifications and usage of mitigation plans (site specific versus various locations). <i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1168	<p>Adhesive and Sealant Applications Staff is considering possible amendments for foam insulation applications. Other amendments may also be needed. <i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1176	<p>VOC Emissions from Wastewater Systems Proposed Amended Rule 1176 will clarify the applicability of the rule to include bulk terminals under definition of "Industrial Facilities," and streamline and clarify provisions. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other/ AB 617 CERP
1180	<p>Refinery Fenceline and Community Air Monitoring Amendments to Rule 1180 may be needed to provide additional clarity and if Proposed Rule 1180.1 is adopted, provisions may be needed to provide additional clarity. <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1180.1	<p>Fenceline and Community Monitoring Proposed Rule 1180.1 may establish fenceline and community monitoring requirements for non-petroleum refineries and facilities that are not currently included in Rule 1180 – Refinery Fenceline and Community Air Monitoring. <i>Michael Krause 909.396.2706; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other

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

2021 To-Be-Determined (Continued)

2021	Title and Description	Type of Rulemaking
1403*	<p>Asbestos Emissions from Demolition/Renovation Activities Proposed Amended Rule 1403 will enhance implementation, improve rule enforceability, update provisions, notifications, exemptions, 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.</p> <p align="center"><i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1404	<p>Hexavalent Chromium Emissions from Cooling Towers Amendments may be needed to provide additional clarifications to use of process water that is associated with sources that have the potential to contain chromium in cooling towers.</p> <p align="center"><i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1405	<p>Control of Ethylene Oxide and Chlorofluorocarbon Emissions from Sterilization or Fumigation Processes Amendments may be needed to address ethylene oxide emissions from sterilization of medical equipment.</p> <p align="center"><i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1415 1415.1	<p>Reduction of Refrigerant Emissions from Stationary Air 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.</p> <p align="center"><i>David De Boer 909.396.2329; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1420	<p>Emissions Standard for Lead Proposed Amended Rule 1420 will update requirements to address arsenic emissions to close a regulatory gap between Rule 1420 and Rule 1407 - Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Ferrous Metal Melting Operations. Other provisions may be needed to address storage and handling requirements, and revise closure requirements.</p> <p align="center"><i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics

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

2021 To-Be-Determined (Continued)

2021	Title and Description	Type of Rulemaking
1420.1	<p>Emission Standards for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recycling Facilities Proposed Amendments are needed to update applicable test methods and provide clarifications regarding submittal of a source-test protocol. Additional amendments may be needed to address monitoring and post closure requirements. <i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1420.2	<p>Emission Standards for Lead from Metal Melting Facilities 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. Additional amendments may be needed to address monitoring and post closure requirements. <i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1421	<p>Control of Perchloroethylene Emissions from Dry Cleaning Systems Proposed amendments may be needed to address implementation issues. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1450*	<p>Control of Methylene Chloride Emissions Proposed Rule 1450 will reduce methylene chloride emissions from furniture stripping and establish monitoring, reporting, and recordkeeping requirements. <i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; and Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1455	<p>Control of Hexavalent Chromium Emissions from Torch Cutting and Welding Proposed Rule 1455 will establish requirements to reduce hexavalent chromium emissions from torch cutting and welding of chromium alloys. <i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1460	<p>Control of Particulate Emissions from Metal Cutting and Shredding Operations Proposed Rule 1460 will establish housekeeping and best management practices to minimize fugitive particulate emissions from metal cutting and shredding operations. <i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other

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2021 To-Be-Determined (Continued)

2021	Title and Description	Type of Rulemaking
1466.1	<p>Control of Particulate Emissions from Demolition of Buildings and Structures with Equipment and Processes with Metal Toxic Air Contaminants</p> <p>Proposed Rule 1466.1 would establish requirements to minimize PM emissions during the demolition of buildings that housed equipment and processes with metal toxic air contaminants and pollution control equipment.</p> <p align="center"><i>TBD; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1472	<p>Requirements for Facilities with Multiple Stationary Emergency Standby Diesel-Fueled Internal Combustion Engines</p> <p>Proposed Amended Rule 1472 will remove provisions that are no longer applicable, update and streamline provisions to reflect the 2015 Health Risk Assessment Guidelines, and assess the need for a Compliance Plans.</p> <p align="center"><i>Michael Morris 909.396.3282; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1480	<p>Toxics Monitoring</p> <p>Proposed amendments to Rule 1480 may be needed to remove fee provisions if they are incorporated in Regulation III.</p> <p align="center"><i>Jillian Wong 909.396.3176; CEQA: Jillian Wong 909.396.3176 and Socio: Ian MacMillan 909.396.3244</i></p>	Toxics/ AB 617 CERP
2202*	<p>On-Road Motor Vehicle Mitigation Options</p> <p>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.</p> <p align="center"><i>Carol Gomez 909.396.3264; CEQA: Jillian Wong 909.396.3176; Socio: Ian MacMillan 909.396.3244</i></p>	Other
Regulation XXIII*+	<p>Facility-Based Mobile Sources</p> <p>Proposed rules within Regulation XXIII would reduce emissions from indirect sources (e.g., mobile sources that visit facilities).</p> <p align="center"><i>Ian MacMillan 909.396.3244; CEQA: Jillian Wong 909.396.3176 Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ Toxics/ AB 617 CERP

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2021 To-Be-Determined (Continued)

2021	Title and Description	Type of Rulemaking
Regulation II, III, IV, XIV, XI, XIX, XXIII, XXIV, XXX and XXXV	Various rule amendments may be needed to meet the requirements of state and federal laws, implement OEHHA’s 2015 revised risk assessment guidance, changes from OEHHA to new or revised toxic air contaminants or their risk values, address variance issues, emission limits, technology-forcing emission limits, conflicts with other agency requirements, to abate a substantial endangerment to public health, additional reductions to meet SIP short-term measure commitments, to address issues raised by U.S. EPA or CARB for the SIP, compliance issues that are raised by the Hearing Board, or regulatory amendments needed as a result of the COVID-19 pandemic. Amendments to existing rules may be needed to address use of materials that contain chemicals of concern. The associated rule development or amendments include, but are not limited to, South Coast AQMD existing, or new rules to implement the 2012 or 2016 AQMP measures. This includes measures in the 2016 AQMP to reduce toxic air contaminants or reduce exposure to air toxics from stationary, mobile, and area sources. Rule adoption or amendments may include updates to provide consistency with CARB Statewide Air Toxic Control Measures, or U.S. EPA’s National Emission Standards for Hazardous Air Pollutants. Rule adoption or amendments may be needed to implement AB 617 including but not limited to BARCT rules, Community Emission Reduction Plans prepared pursuant to AB 617, or new or amended rules to abate a public health issue identified through emissions testing or ambient monitoring.	Other/ AQMP/ Toxics/ AB 617 BARCT/ AB 617 CERP

* *Potentially significant hearing*

+ *Reduce criteria air contaminants and assist toward attainment of ambient air quality standards*

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

BOARD MEETING DATE: April 2, 2021

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 action is to provide the monthly status report on major automation contracts and planned projects.

COMMITTEE: Administrative, March 12, 2021, 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
April 2, 2021 Board Meeting
Status Report on Major Ongoing and Upcoming Projects for Information Management

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
Office 365 Implementation	Acquire and implement Office 365 for South Coast AQMD staff	\$350,000	<ul style="list-style-type: none"> • Pre-assessment evaluation and planning completed • Board approved funding on October 5, 2018 • Developed implementation and migration plan • Acquired Office 365 licenses • Implemented Office 365 email (Exchange) and migrated all users • Trained staff in Office 365 Pro Plus desktop software • Implemented Office 365 Pro Plus, Office Web, and OneDrive for Business 	<ul style="list-style-type: none"> • Implement Office 365 internal website (SharePoint) and migrate existing content
Cybersecurity Assessment	Perform a cybersecurity risk assessment that will identify any potential cybersecurity risks and recommend changes to align with industry standards and peer organizations.	\$100,000 (not included in FY 2020-21 Budget)		<ul style="list-style-type: none"> • Request Board Approval to Release RFP March 5, 2021 • Award Contract June 4, 2021 • Complete Cybersecurity Assessment September 30, 2021
Phone System Upgrade	Upgrade components of the agency Cisco Unified Communications System that are past end of support.	\$190,000 (not included in FY 2020-21 Budget)		<ul style="list-style-type: none"> • Request Board Approval to Release RFQ May 7, 2021 • Recommend Award August 6, 2021 • Award bid August 17, 2021 • Complete upgrade December 30, 2021

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
South Coast AQMD Mobile Application Enhancements	Enhancement of Mobile application to incorporate FIND	\$60,000	<ul style="list-style-type: none"> • Vision and scope completed 	<ul style="list-style-type: none"> • Task Order issuance
Permitting System Automation Phase 2	Enhanced Web application to automate filing of permit applications, Rule 222 equipment and registration for IC engines; implement electronic permit folder and workflow for internal South Coast AQMD users	\$525,000	<ul style="list-style-type: none"> • Board approved initial Phase 2 funding December 2017 • Board approved remaining Phase 2 funding October 5, 2018 • Completed report outlining recommendations for automation of Permitting Workflow • Developed application submittals and form filing for first nine of 32 400-E forms • Completed application submittals and form filing for 23 types of equipment under Rule 222 ready for User Testing • Deployed to production top three most frequently used Rule 222 forms: Negative Air Machines, Small Boilers, and Charbroilers • Completed requirements gathering for Phase II of the project (an additional 10 400-E-XX forms) • User Acceptance Testing and Deployment to production of Emergency IC Engines Form (EICE-RE) completed. • Development of Phase II additional 12 400-E-XX forms completed 	<ul style="list-style-type: none"> • Complete User Acceptance Testing and Deployment to Production of first ten (10) 400-E-XX forms • Complete User Acceptance Testing and Deployment to Production of remaining 22 Rule 222 forms • Complete User Acceptance Testing and Deployment to Production of Phase II additional twelve (12) 400-E-XX forms

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
AQ-SPEC Cloud Platform Phase II	Integrate separate data systems into the AQ-SPEC cloud-based platform to manage data and build interactive data visualizations and data dashboards for web-based viewing	\$313,350	<ul style="list-style-type: none"> • Project charter released • Task order issued, evaluated and awarded • Project kickoff completed 	<ul style="list-style-type: none"> • Requirement gathering
PeopleSoft Electronic Requisition	This will allow submittal of requisitions online, tracking multiple levels of approval, electronic archival, pre-encumbrance of budget, and streamlined workflow	\$75,800	<ul style="list-style-type: none"> • Project charter released • Task order issued, evaluated and awarded • Requirement gathering and system design completed • System setup and code development and user testing for Information Management completed • System setup and code development and User Acceptance Testing completed for Administrative and Human Resources completed • System setup for Technology Advancement Office completed 	<ul style="list-style-type: none"> • Deployment to IM and AHR Divisions • TAO training and Integrated User Testing for other divisions
Proposition 1B	Development of an online Grant Management System (GMS) portal for the Proposition 1B Program - Goods Movement Emission Reduction Program – Heavy-Duty Trucks	\$75,200	<ul style="list-style-type: none"> • Draft Charter Document issued • Project Initiation completed • Task order issued • Deployed Phase I to production – applicant/third party registration and application submission • Developed additional forms and customized GMS look and feel • User Acceptance Testing for additional forms completed 	<ul style="list-style-type: none"> • Development of AQMD staff evaluation module

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
Source Test Tracking System	Online Source Test Tracking System will keep track of timelines and quantify the number of test protocols and reports received. System will provide an external online portal to submit source testing protocols and reports, track the review process, and provide integration to all other business units. It will also provide an external dashboard to review the status of a submittal	\$250,000	<ul style="list-style-type: none"> • Project Charter approved • Project Initiation completed • Task Order issued • Project Kick-off completed • User requirements gathering for internal users Developed Full Business Process Model • Developed screens mock-ups • Reviewed proposed automation with EQUATE group completed • Proposal for system development approved • Completed Development of Sprint 1 of the Source Test Protocol and Report Tracking System • Stakeholder acceptance of user stories 2, 3, 4, and 6 completed 	<ul style="list-style-type: none"> • Development of Sprints 2 and 3 • Development of Sprints 4 and 5 • Stakeholder acceptance of user stories 7, 8, 9, 10, and 11
Renewal of HP Server Maintenance & Support	Purchase of maintenance and support services for servers and storage devices	\$140,000		<ul style="list-style-type: none"> • Request Board approval on March 5, 2021 • Execute contract April 30, 2021

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
VW Environmental Mitigation Action Plan Project	CARB has assigned South Coast AQMD to develop web applications for: 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	\$355,000	<ul style="list-style-type: none"> • Draft Charter Document issued • Project Initiation completed • Task order issued • Deployed Phase I to production • Phase II to production – Messaging, Evaluation, and Administration • Developed evaluation module and calculation module completed • Phase III - ZE Class 8 Application deployed to production • Developed Phase III – Ranking 	<ul style="list-style-type: none"> • User Acceptance Testing for Phase III – Ranking, Contracting, and Inspection
Renewal of OnBase Software Support	Authorize the sole source purchase of OnBase software subscription and support for one year	\$140,000		<ul style="list-style-type: none"> • Request Board approval May 7, 2021 • Execute contract July 15, 2021
Lower-Emission School Bus Program	Development of an online Grant Management System (GMS) portal for the Lower-Emission School Bus Incentive Program	\$110,500	<ul style="list-style-type: none"> • Draft Charter Document issued • Project Initiation completed • Task order issued • Phase I deployed to production – applicant/third party registration and application submission • Customize GMS look and feel • Phase II AQMD staff can create new application on-line for applications received by mail 	<ul style="list-style-type: none"> • Development of staff evaluation module • Phase II Calculation, Ranking, Messaging, and Contracting

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

Completed Projects

Project	Date Completed
AER enhancements for reporting year 2020	December 30, 2020
South Coast AQMD Mobile Application Enhancements – Gridded AQI	December 9, 2020
Lower Emission School Bus Online Application Filing and Grant Management	December 9, 2020
Rule 1180 Fence Line Monitoring Web Site Enhancements II	November 6, 2020
Proposition 1B Online Application Filing and Grant Management Portal	November 6, 2020
CLASS Database Software Licensing	October 16, 2020
Flare Event Notification – Rule 1118 Phase II	October 14, 2020
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

Budget and Economic Outlook Update

Board Meeting

April 2, 2021



Presentation Topics

- Economic Indicators
- Business Impacts
- South Coast AQMD Metrics and Economic Implications
- Summary Charts

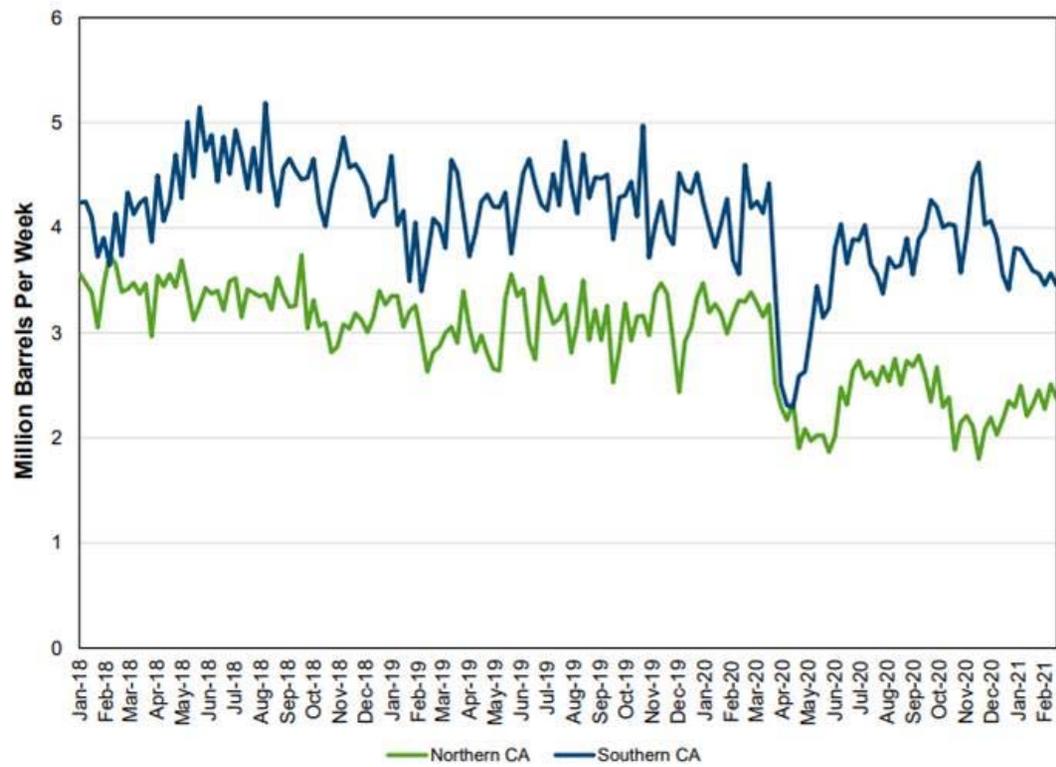
Summary of Metrics – Monthly

Metric			
State Economic Indicators	February 2020	February 2021	Notes
<i>Statewide Refinery Activity (Million Barrels Crude Oil Input)</i>	46.4	33.9	
<i>Port TEU Throughput (Million TEUs)</i>	1.1	1.6	
<i>Statewide Unemployment %</i>	4.3%	8.5%	
South Coast AQMD	March 2020	March 2021	
<i>Revenue</i>	\$15.2 million	\$16.6 million	03/26/21 preliminary data
<i>Expenditures</i>	\$13.2 million	\$12.3 million	03/26/21 preliminary data
<i>Vacancy Rate</i>	13.6%	17.3%	
<i>Permit Applications Received</i>	635	545	March 2021 preliminary data
<i>Expired Permits</i>	52	298	1 year to reinstate
<i>Fee Review Requests</i>	11	6	
<i>CEQA Activity</i>	56	44	

Summary of Metrics – Year to Date

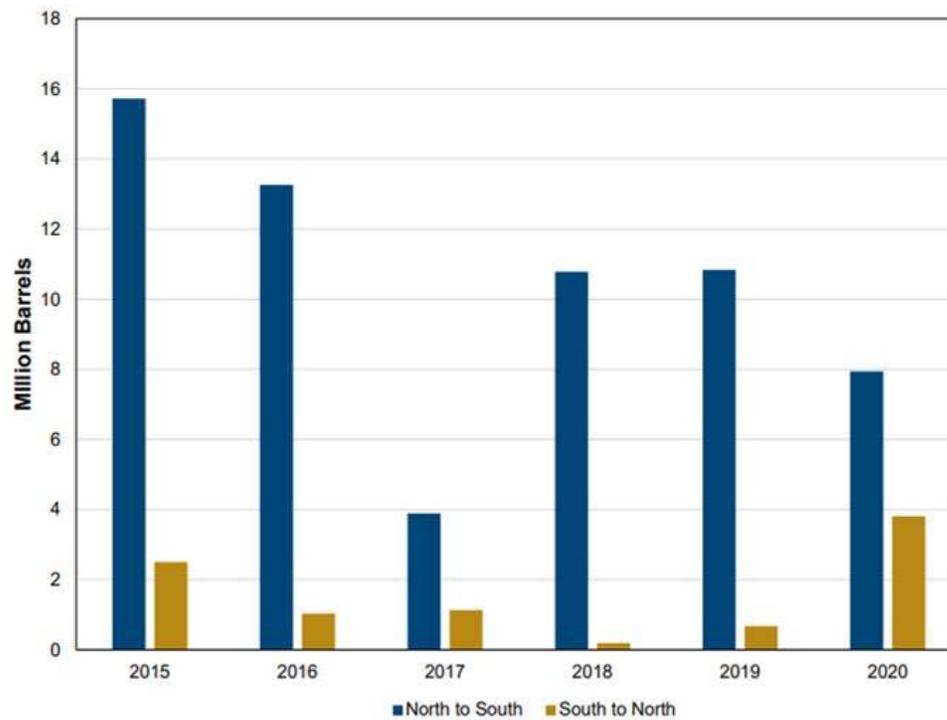
Metric			
State Economic Indicators	July 2019 – Feb 2020	July 2020 – Feb 2021	Notes
<i>Statewide Refinery Activity (Million Barrels Crude Oil Input)</i>	408	306	
<i>Port TEU Throughput (Million TEUs)</i>	11.3	13.3	
<i>Statewide Unemployment %</i>	4.2%	10.2%	
South Coast AQMD	July 2019 – March 2020	July 2020 – March 2021	
<i>Revenue</i>	\$132.8 million	\$127.3 million	03/26 preliminary data
<i>Expenditures</i>	\$122.4 million	\$117.8 million	03/26 preliminary data
<i>Permit Applications Received</i>	5,120	4,950	
<i>Expired Permits</i>	626	1,638	1 year to reinstate
<i>Fee Review Requests</i>	40	52	
<i>CEQA Activity</i>	533	455	

REFINERY GASOLINE PRODUCTION



Source: CEC analysis of Petroleum Industry Information Reporting Act (PIIRA) data

GASOLINE PRODUCT MOVEMENTS WITHIN CALIFORNIA



Source: CEC analysis of Port Import/Export Reporting Service (PIERS) and State Lands Commission (SLC) data

Note: 2020 does not include quarter four data

Impact of COVID-19 on Small Business

- Current Population Survey (CPS) Microdata from U.S. Census Bureau, national data
 - All small business, not just those regulated by South Coast AQMD
 - No distinction between temporary and permanent closures

Percent Change in Number of Active Business Owners

	Feb 2020 – June 2020
Black	-19
Latino	-10
Asian	-10
White	-5

Impacts on Small Business, cont'd.

Percent Change in Number of Active Business Owners

	Feb 2020 – June 2020
Manufacturing	-2
Construction	-8
Wholesale Trade	+5
Transportation	-1
Repair & Maintenance	-27

(CPS) Microdata from U.S. Census Bureau, national data

Impacts on Small Business, cont'd.

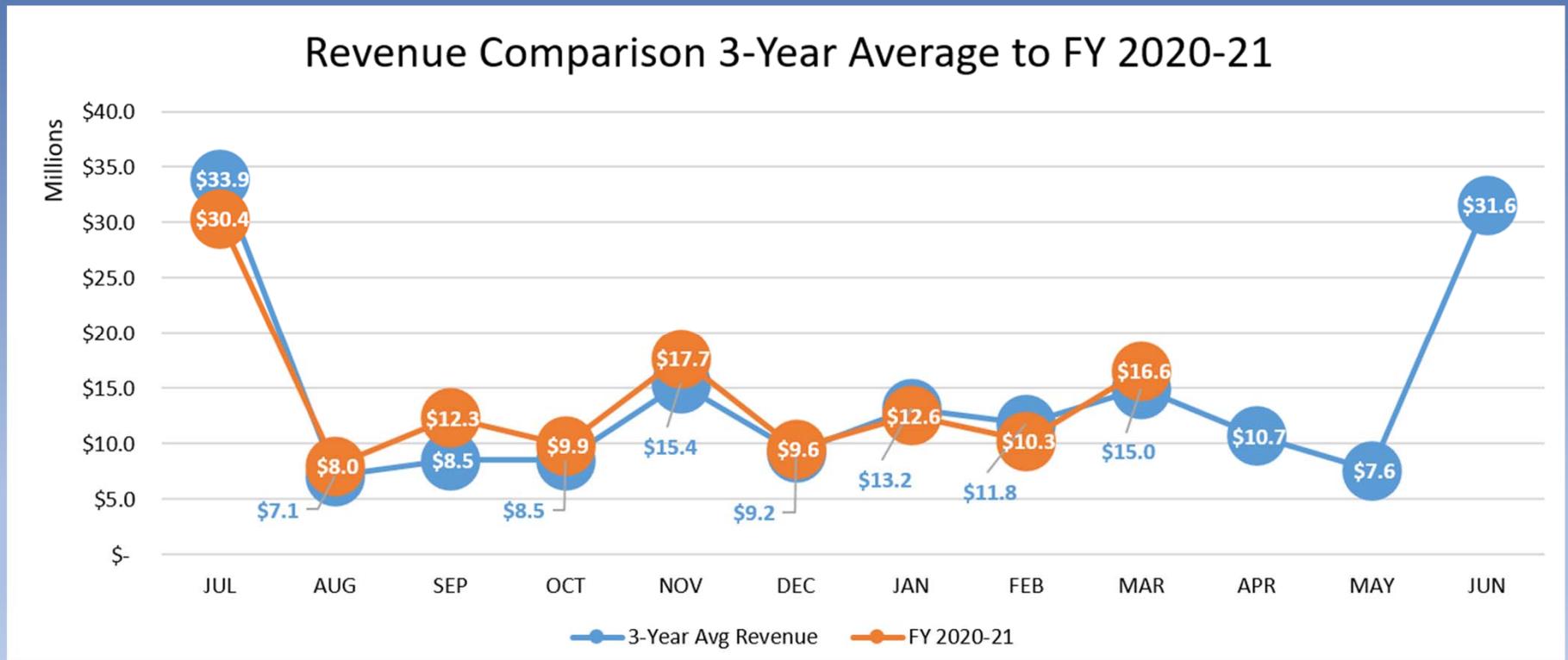
- U.S. Small Business Administration Office of Advocacy, March 2021
 - CPS and 2017 data re: Statistics of U.S. Businesses
- 12-month Percent Change in Self Employment
 - National
 - -20% in April 2020
 - -4% by November 2020
 - Los Angeles, Long Beach & Anaheim
 - -36% max in July 2020
 - -7% by November 2020

	April 2019 to April 2020
Black	-38
Latino	-26
Asian	-37
White	-17
Female	-22
Male	-19

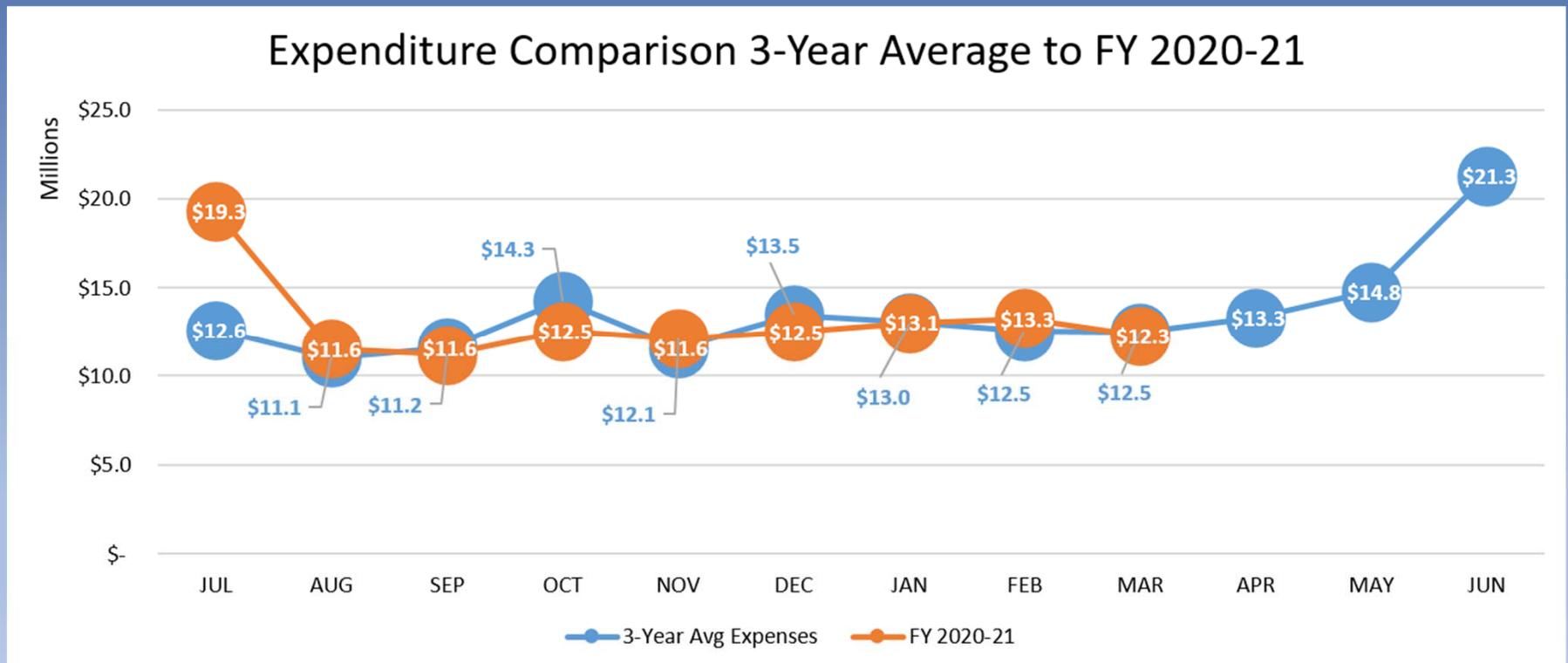
Black-Owned Business

- 19 industries analyzed: Two thirds in health care & social assistance; professional, scientific & technical services; administrative, support, waste management & remediation; retail trade; and other services
- Younger than most firms - nearly 50% in business 5 years or less compared to 36% of all firms
- Often sole proprietorships, tend to be small and primarily in sectors of the economy with lower pay and benefits

Revenue



Expenditures

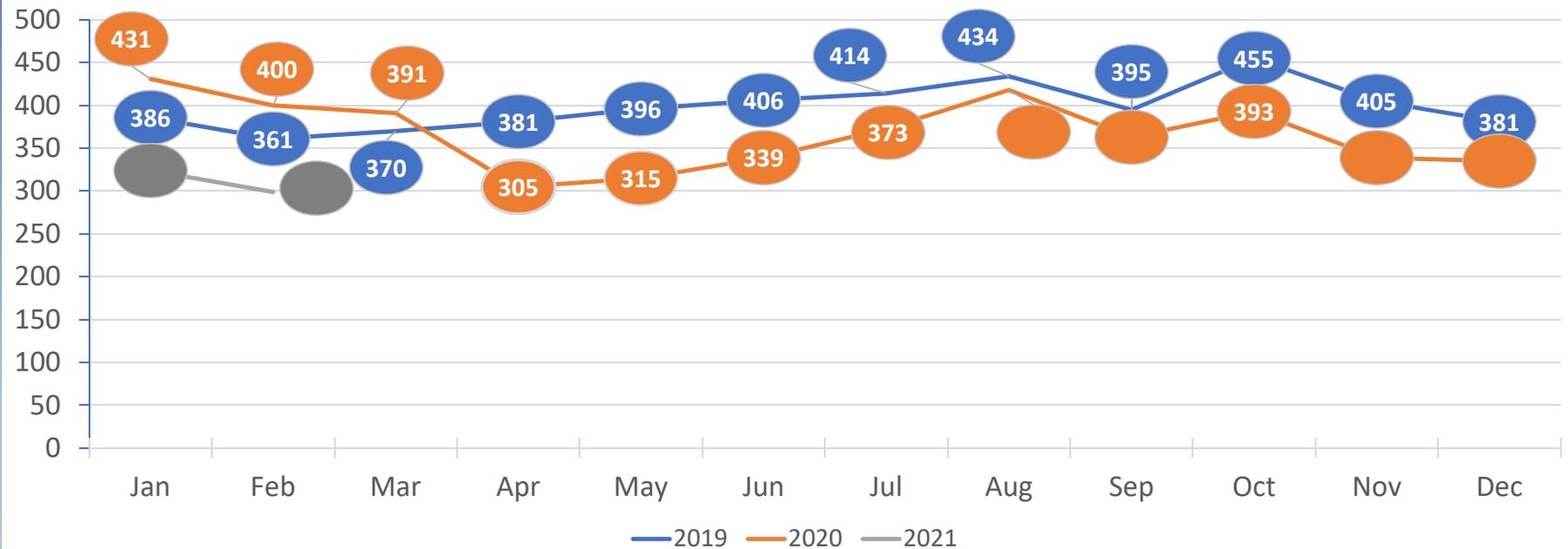


Staffing Levels as of March 30, 2021

- 949 budgeted FTEs
- 164 vacant positions
- 785 filled positions
- 17.3 % vacancy rate

Emission Trends

NOx Emissions, RECLAIM Major Sources (tons)

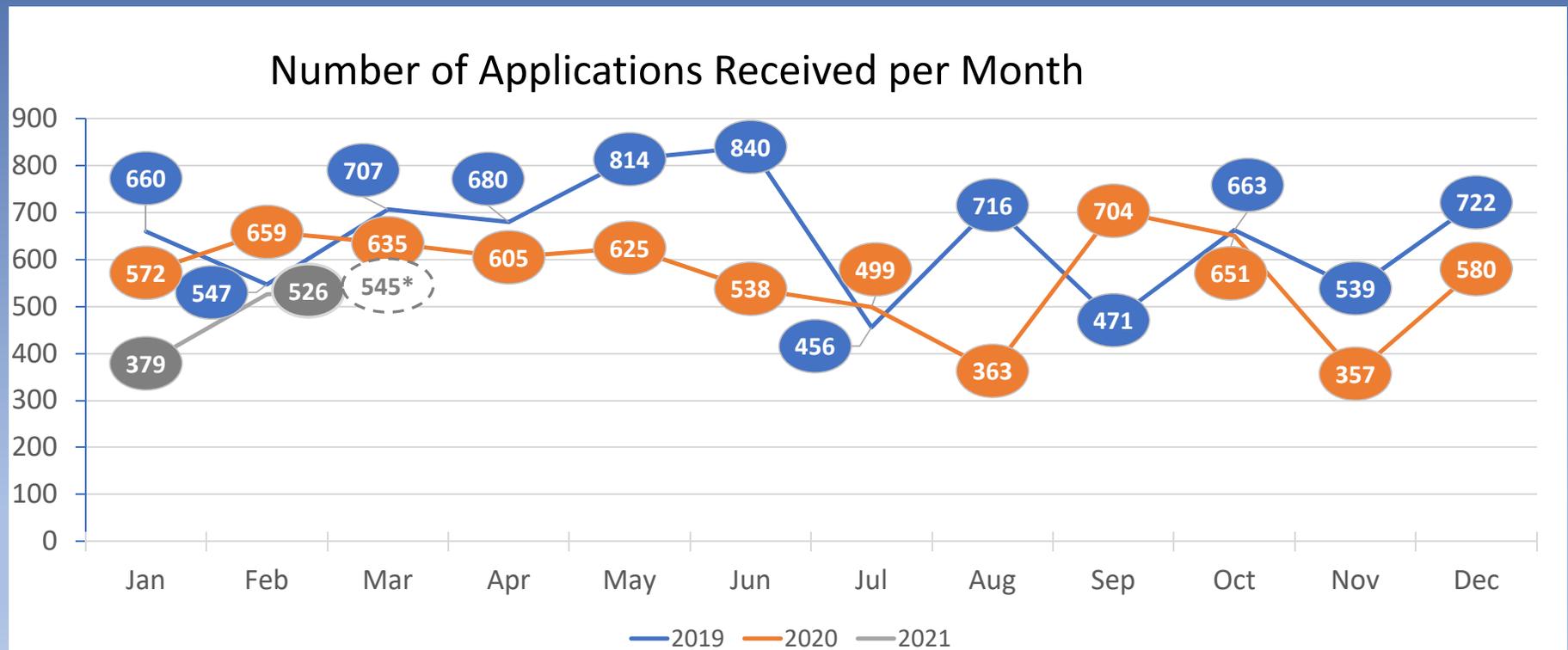


As of March 25, 2021

Annual Emissions Reporting

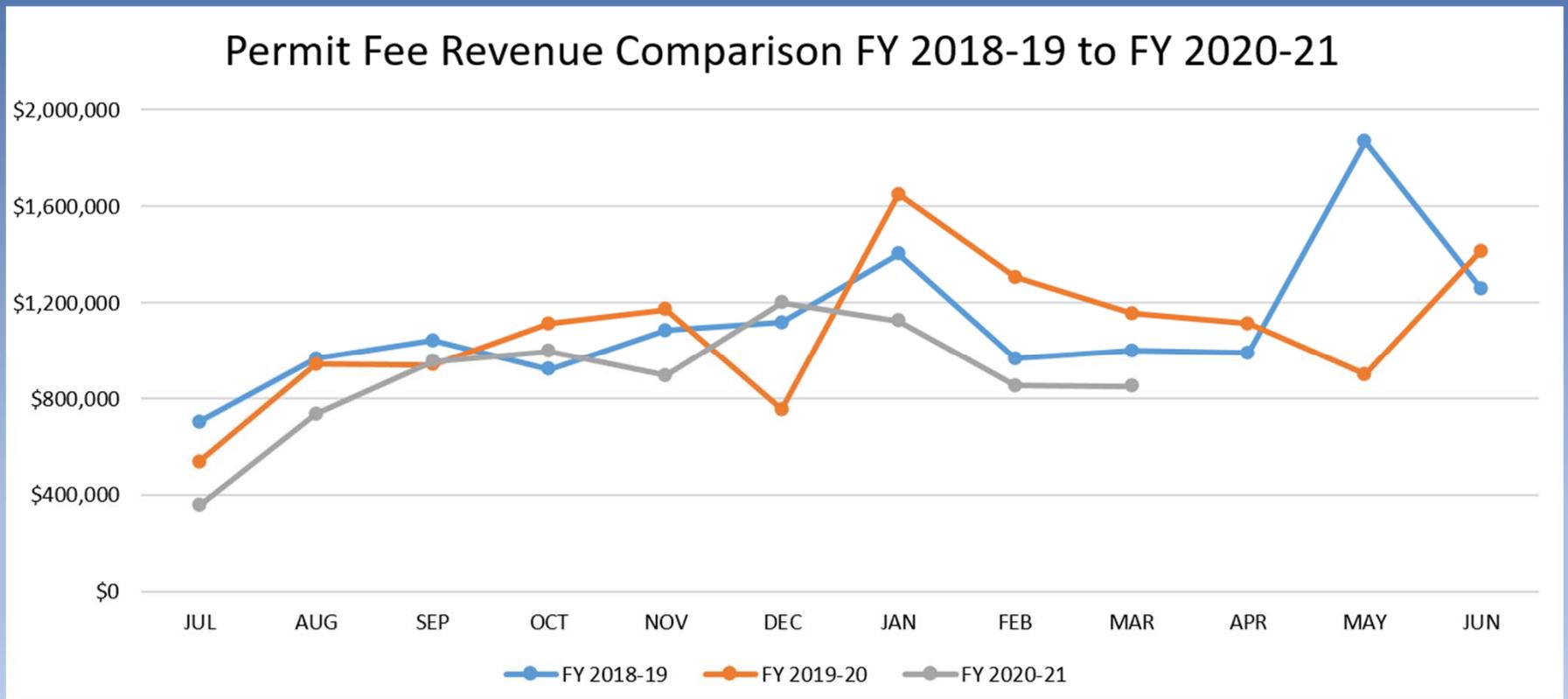
- Reports due March 17, 2021 for 2020 emissions
- Emissions fees down 16% compared to previous year
- Built into revenue projections for current budget

Permit Activity

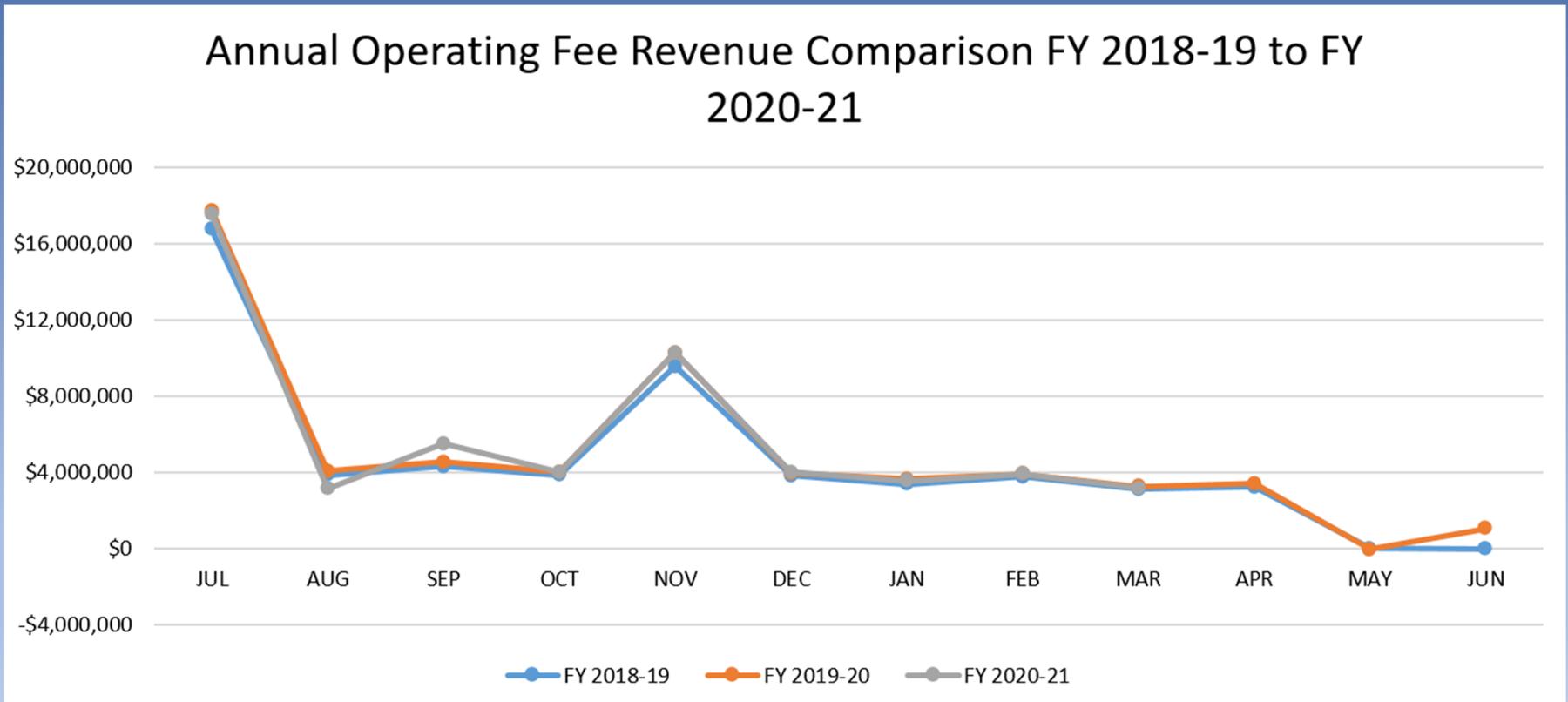


*Preliminary data as of March 30, 2021

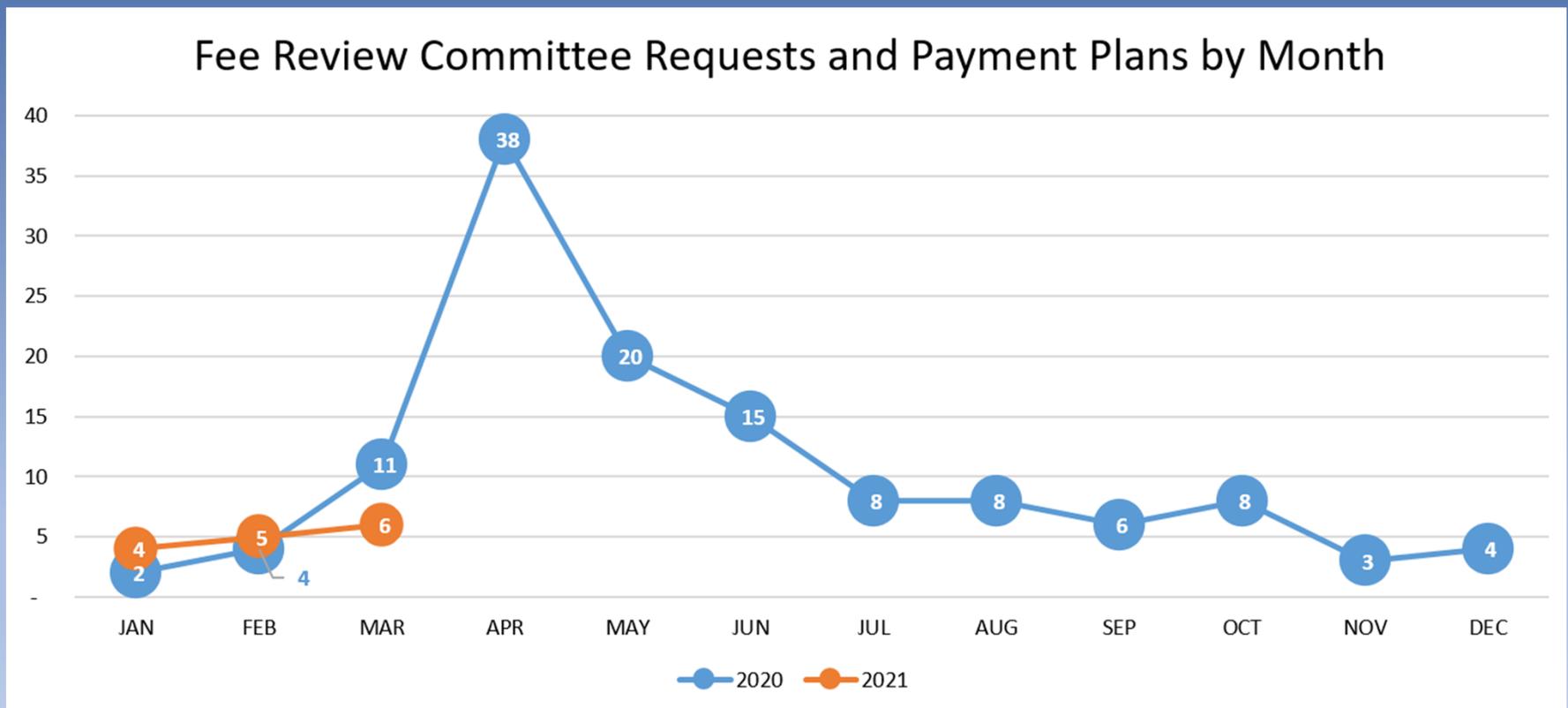
Permit Revenue



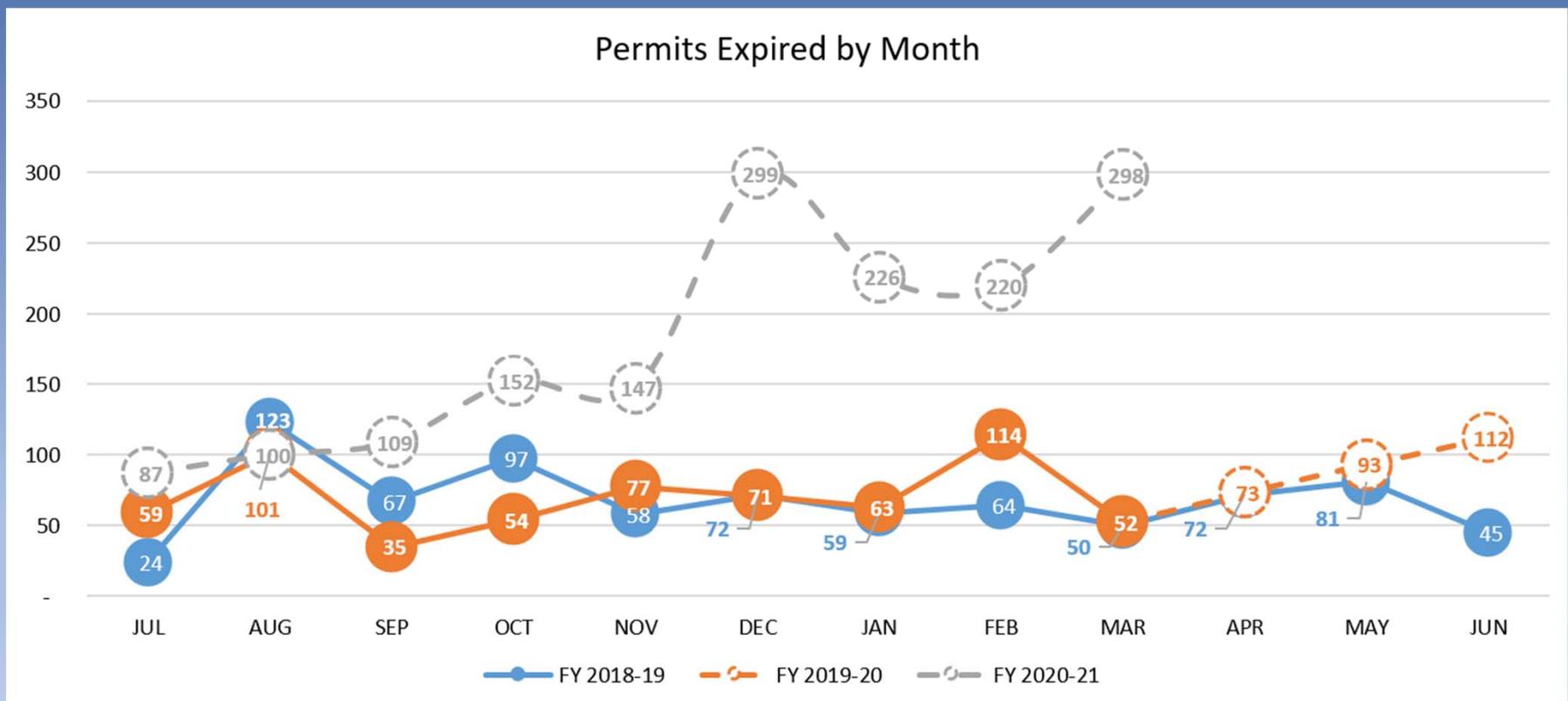
Annual Operating Fee Revenue



Fee Review Committee Requests



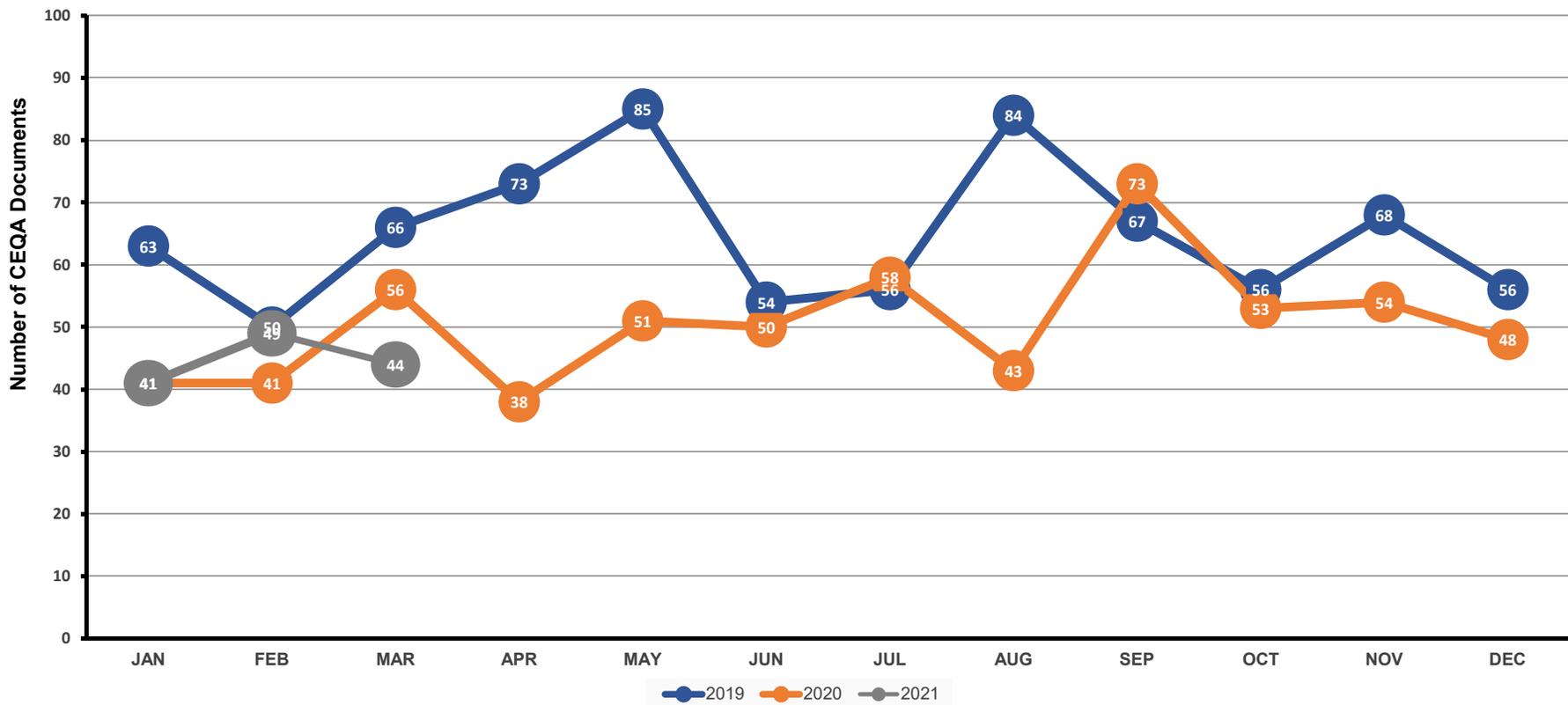
Permits - Expired and Potentially Expired



Dotted lines represent permits that have time to be reinstated

CEQA Activity

Number of CEQA Documents Received by Month



Summary of Metrics – Monthly

Metric			
State Economic Indicators	February 2020	February 2021	Notes
<i>Statewide Refinery Activity (Million Barrels Crude Oil Input)</i>	46.4	33.9	
<i>Port TEU Throughput (Million TEUs)</i>	1.1	1.6	
<i>Statewide Unemployment %</i>	4.3%	8.5%	
South Coast AQMD	March 2020	March 2021	
<i>Revenue</i>	\$15.2 million	\$16.6 million	03/26/21 preliminary data
<i>Expenditures</i>	\$13.2 million	\$12.3 million	03/26/21 preliminary data
<i>Vacancy Rate</i>	13.6%	17.3%	
<i>Permit Applications Received</i>	635	545	March 2021 preliminary data
<i>Expired Permits</i>	52	298	1 year to reinstate
<i>Fee Review Requests</i>	11	6	
<i>CEQA Activity</i>	56	44	

Summary of Metrics – Year to Date

Metric			
State Economic Indicators	July 2019 – Feb 2020	July 2020 – Feb 2021	Notes
<i>Statewide Refinery Activity (Million Barrels Crude Oil Input)</i>	408	306	
<i>Port TEU Throughput (Million TEUs)</i>	11.3	13.3	
<i>Statewide Unemployment %</i>	4.2%	10.2%	
South Coast AQMD	July 2019 – March 2020	July 2020 – March 2021	
<i>Revenue</i>	\$132.8 million	\$127.3 million	03/26 preliminary data
<i>Expenditures</i>	\$122.4 million	\$117.8 million	03/26 preliminary data
<i>Permit Applications Received</i>	5,120	4,950	
<i>Expired Permits</i>	626	1,638	1 year to reinstate
<i>Fee Review Requests</i>	40	52	
<i>CEQA Activity</i>	533	455	

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BOARD MEETING DATE: April 2, 2021

AGENDA NO. 17

REPORT: Administrative Committee

SYNOPSIS: The Administrative Committee held a meeting remotely, Friday, March 12, 2021. The following is a summary of the meeting.

RECOMMENDED ACTION:
Receive and file.

Dr. William A. Burke, Chair
Administrative Committee

drw

Committee Members

Present: Dr. William A. Burke, Chair (videoconference)
Mayor Pro Tem Ben Benoit/Vice Chair (videoconference)
Mayor Pro Tem Michael Cacciotti (videoconference)

Call to Order

Chairman Burke called the meeting to order at 10:00 a.m.

DISCUSSION ITEMS:

1. **Board Members' Concerns:** There were no concerns to report.
2. **Chairman's Report of Approved Travel:** There was no travel to report.
3. **Report of Approved Out-of-Country Travel:** There was no travel to report.
4. **Review April 2, 2021 Governing Board Agenda:** There were no comments to report.
5. **Approval of Compensation for Board Member Assistant(s)/ Consultant(s):** The contract for Vice Mayor Richardson's Board Consultant

Matthew Hamlett was amended as additional Board Committee assignments were given to Vice Mayor Richardson.

Moved by Benoit; seconded by Cacciotti, unanimously approved.

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

6. **Update on South Coast AQMD Inclusion, Diversity and Equity Efforts:** Anissa (Cessa) Heard-Johnson, Diversity, Equity & Inclusion Officer (DEIO), provided a summary of diversity, equity and inclusion efforts. Two events were held last month: a Lunar New Year Celebration which included 188 participants, and an African American Heritage Month Commemoration which included 255 participants. There will be an upcoming event, Nowruz-Persian New Year, with a date to be determined. Revisions will be made to the current Administrative Code in the following areas: location and accessibility of the document on the web, procedural updates and language issues within the document A strikeout/underline version will be provided for the May Administrative Committee and to the full Board at its June meeting.
7. **Budget and Economic Outlook Update:** Jill Whynot, Chief Operating Officer, reported that information on impacts of the pandemic on minority and small businesses will be presented at the next Board meeting. Permit applications continue to be lower. Dr. Burke commented that the new Stimulus package will have funds available to small businesses which may improve the number of permit applications received. Vice Chair Benoit added that the package also included money for local cities and special districts as well, and asked Mr. Nastri if he was aware of any federal funds available to the South Coast AQMD. Mr. Nastri responded that the South Coast AQMD is eligible under special districts and that our DC lobbyists are diligently working on this effort. The state would have to disperse the funds so we will have to make sure that we work with our state officials.
8. **Status Report on Major Ongoing and Upcoming Projects for Information Management:** Ron Moskowitz, Chief Information Officer/Information Management, reported the development of the electronic invoice payment system has been completed for the Replace Your Ride, EV charger and lawnmower incentive programs. The Affordable Care Act processing for Tax Year 2020 has been completed and the 1095-C forms were furnished to staff prior to the March 2, 2021 deadline. Our mobile appl has over 44,000 installations and the remaining projects are on track.

ACTION ITEMS:

9. **Transfer and Appropriate Funds and Execute Contracts for Short- and Long-Term Systems Development, Maintenance and Support Services:**

Mr. Moskowitz reported that this action is to transfer appropriate funds and execute contract for systems development, maintenance, and support services. The funds are available in the budget.

Moved by Benoit; seconded by Cacciotti, unanimously approved.

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

Supervisor Rutherford was appointed to the Administrative Committee at 10:18 a.m.

10. **Execute Contract for Biennial Audit of Motor Vehicle Registration Revenues for FYs 2017-18 and 2018-19:** Sujata Jain, Chief Financial Officer/Finance reported that this item is to execute a contract with the audit firm BC Watson Rice, CPA for the biennial audit of the DMV fees that we collect from motor vehicle registration. The two years under audit will be FYs 2017-18 and 2018-19 for a total cost not to exceed \$100,800 which will include local governments, MSRC and South Coast AQMD. Dr. Burke asked if they are the same auditors who have been used previously by South Coast AQMD. Ms. Jain responded yes, they are also our financial auditors.

Moved by Cacciotti; seconded by Benoit, unanimously approved.

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

WRITTEN REPORTS:

11. **Local Government & Small Business Assistance Advisory Group Minutes for the January 15, 2021:** The report was acknowledged and received.
12. **Environmental Justice Advisory Group Minutes for the October 23, 2020 Meeting:** The report was acknowledged and received.

OTHER MATTERS:

13. **Other Business:** There was no other business to report.
14. **Public Comment:** Mr. Ian Stewart, President of Rail Propulsion Systems, thanked Dr. Burke for his years of service on the Board. He suggested with the federal and state funding becoming available soon, that a team be established to address how to allocate those funds towards zero emissions

and near zero emissions locomotives. Mayor Pro Tem Cacciotti commented that he has seen the all electric locomotive powered by recycled Tesla batteries. He stated that reducing locomotive emissions is a top priority for many AB 617 Community Steering Committees. Mr. Harvey Eder referred to the history of batteries and their cost. Mr. Samuel Kang discussed his partnership with RPS and BYD, and they are finding alternatives methods to electrify and produce clean air for all switches and locomotives. Mr. Dan Mabe commended Dr. Burke on his work. He will send in a presentation in response to the interest expressed by Vice Chair Benoit regarding certification for the lawn and garden workforce. This item will be agendized for either the April Administrative Committee or Technology Committee.

15. **Next Meeting Date:** The next regular Administrative Committee meeting is scheduled for April 9, 2021 at 10:00 a.m.

Adjournment

The meeting adjourned at 10:40 a.m.

Attachments

Local Government & Small Business Assistance Advisory Group Minutes for January 15, 2021

Environmental Justice Advisory Group Minutes for the October 23, 2020



South Coast Air Quality Management District

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LOCAL GOVERNMENT & SMALL BUSINESS ASSISTANCE ADVISORY GROUP FRIDAY, JANUARY 15, 2021 MEETING MINUTES

MEMBERS PRESENT:

Mayor Pro Tempore Ben Benoit, LGSBA Chairman (Board Member)
Supervisor Janice Rutherford (Board Member)
Felipe Aguirre
Mayor Rachelle Arizmendi, City of Sierra Madre
Paul Avila, P.B.A. & Associates
Geoffrey Blake, Metal Finishers of Southern California
Todd Campbell, Clean Energy
John DeWitt, JE DeWitt, Inc.
Bill LaMarr, California Small Business Alliance
Rita Loof, RadTech International
Eddie Marquez, Roofing Contractors Association
David Rothbart, Los Angeles County Sanitation Districts

MEMBERS ABSENT:

LaVaughn Daniel, DancoEN

OTHERS PRESENT:

Ruthanne Taylor Berger, Board Member Consultant (*Benoit*)
Frank Cardenas, Board Member Consultant (*Cacciotti*)
Thomas Gross, Board Member Consultant (*Benoit*)
Debra Mendelsohn, Board Member Consultant (*Rutherford*)
Mark Taylor, Board Member Consultant (*Rutherford*)
Mark Abramowitz
Patty Senecal
Frank Forbes

SOUTH COAST AQMD STAFF:

Derrick Alatorre, Deputy Executive Officer
Naveen Berry, Assistant Deputy Executive Officer
Daphne Hsu, Senior Deputy District Counsel
Lisa Tanaka O'Malley, Senior Public Affairs Manager
Vicki White, Technology Implementation Manager
Scott Epstein, Ph.D., Program Supervisor
Anthony Tang, Information Technology Supervisor
Van Doan, Air Quality Specialist
Elaine-Joy Hills, Air Quality Specialist
Paul Wright, Senior Information Technology Specialist

Agenda Item #1 - Call to Order/Opening Remarks

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

Chair Benoit announced that the reappointment of LGSBA members was approved by the Administrative Committee.

Agenda Item #2 – Approval of December 11, 2020 Meeting Minutes/Review of Follow-Up/Action Items

Chair Benoit called for approval of the December 11, 2020 meeting minutes. The minutes were approved unanimously.

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

Mr. Alatorre provided a response to the action items from the previous meeting and indicated that Legal confirmed it is acceptable to provide information to the members and the requested information was provided on January 5, 2021. Engineering & Permitting (E&P) retrieved one policy memo regarding ultraviolet (UV) and electron beam (EB) coatings, which is publicly accessible through E&P's Permitting Policies webpage. South Coast Air Quality Management District (South Coast AQMD) currently has 108 active permits issued under permit unit codes that specifically identify UV drying. There are some limitations to the data as most codes used in E&P's database do not provide this level of detail regarding the coating materials used, and certain equipment using UV/EB under a certain amount may be exempt from a written permit. Mr. Alatorre stated that the Advisory Group may adopt formal recommendations for action by the Governing Board to be taken to the Administrative Committee. Such recommendations shall be placed on the Advisory Group's agenda and shall become effective upon a vote by no less than a quorum. The recommendation shall be presented to the Administrative Committee via a written memorandum or letter, or by presentation by an agreed upon representative of the Advisory Group.

Ms. Rita Loof asked for confirmation that an email regarding UV/EB coatings was sent on January 5, 2021. Mr. Alatorre replied yes.

Agenda Item #4 – Adoption of Local Government & Small Business Assistance Advisory Group 2020 Accomplishments and 2021 Goals & Objectives

Mr. Alatorre called for approval of the updated 2020 Accomplishments and 2021 Goals & Objectives. The item was approved unanimously.

Agenda Item #5 – Air Quality in 2020: Smog, Wildfire Smoke and Emission Changes from the COVID-19 Response

Dr. Scott Epstein provided information on the anomalous air quality measurements and evidence for the factors influencing poor air quality in 2020.

Ms. Loof referenced slide #26 regarding the 1-hour ozone standard and asked how South Coast AQMD plans to overcome this setback. Dr. Epstein indicated that the information was based on preliminary data and must wait for validation and that the question would be better answered by Dr. Philip Fine or Dr. Sarah Rees. Dr. Epstein suggested that staff provide a more comprehensive response later, to which Ms. Loof agreed.

Action item: Provide information on how South Coast AQMD plans to attain the 1-hour ozone standard.

Mr. Bill LaMarr stated that based on the presentation, nonattainment of one pollutant and problems with others were due to exceptional events. Mr. LaMarr indicated that events, such as the pandemic, droughts, and wildfire, are beyond the control of South Coast AQMD and asked if there is anything the business community could do to provide support. Dr. Epstein indicated that the Environmental Protection Agency (EPA) does not consider drought, abnormal weather and possibly the pandemic as exceptional events, but does consider wildfires. If the data for days which wildfires occurred were excluded, South Coast AQMD would still be in nonattainment with the 1-hour ozone standard; however, the 24-hour particulate matter (PM_{2.5}) standard could be attained. As for how the business community could help, public participation, feedback, and suggestions during demonstrations are beneficial. Mr. LaMarr commented on restaurant business operations during the pandemic. Dr. Epstein clarified that his previous response was to explain how the business community could help in demonstrating to EPA what data should be excluded due to exceptional events. During the public process of writing the events and making demonstrations to EPA that certain events are exceptional, the business or any community could help by participating and providing the strongest evidence that the events were exceptional and meet the EPA definition.

Mr. Geoffrey Blake indicated that there has been a reduction in vehicular traffic and fuel usage compared to previous years and asked how that impacts the overall picture. Dr. Epstein replied that there was an 80% reduction of light-duty vehicle traffic and 25% reduction of heavy-duty vehicle traffic resulting from the Safer-at-Home order in March. However, the reduction of heavy-duty vehicle traffic rapidly decreased to 10% and now it is back to normal. Nitrogen oxide (NO_x) levels impact ozone levels and light-duty vehicles account for 5% and on-road heavy-duty vehicles account for 35% of the overall NO_x emissions. The roads were empty of cars, but trucks were still operating; therefore, there wasn't a high reduction of NO_x as it appeared to be.

Mr. Todd Campbell commented that the 1-hour ozone standard may not be attained by 2022 and asked if South Coast AQMD would be faced with a Federal Implementation Plan (FIP) and other sanctions. Dr. Epstein deferred the question to Dr. Fine and indicated that it would trigger a plan requirement. Mr. Campbell asked if it could be fixed by an Air Quality Management Plan (AQMP) update. Dr. Epstein replied that there may be other actions needed and deferred the questions to Dr. Fine.

Chair Benoit suggested to invite Dr. Fine to the next meeting. Mr. Campbell agreed as he would also like clarification on the potential FIP requirement in 2023.

***Action item:** Invite Dr. Fine or staff to the next LGSBA meeting to address questions relating to Dr. Epstein's presentation on Air Quality in 2020: Smog, Wildfire Smoke and Emission Changes from the COVID-19 Response.*

Ms. Loof indicated that several members are on the AQMP Advisory Committee and the topic of 1-hour ozone standard were in other staff presentations and speculated that committee might be meeting soon to discuss. The industry is very concerned as one of the remedies includes stationary sources getting penalized for nonattainment.

Agenda Item #6 – Update on South Coast AQMD Incentive Programs

Ms. Vicki White presented an update on South Coast AQMD incentive programs.

Ms. Loof referenced slide #8 and asked if the Community Air Protection Program (CAPP) funding is restricted to mobile sources and for an update on Assembly Bill (AB) 74 and Senate Bill (SB) 856. Ms. White replied that this program is still in the developmental stage. In the first year, CAPP incentives funding was based on direction from legislators to be used for mobile source projects submitted under existing programs, including Proposition 1B and Carl Moyer Program. Before any AB 617 communities were identified, 80% of those funds had to be used in disadvantaged and low-income communities. In year two, under SB 856, California Air Resources Board (CARB) included additional categories and allowed for funding of school air filtration systems and hexavalent chromium emissions reductions from plating facilities. In year three, in addition to mobile sources and existing categories, CARB added community-identified projects and stationary sources. If an identified action is part of the Community Emissions Reduction Plan (CERP), but not part of an existing guideline, then a project plan needs to be developed with input from communities and submitted to CARB for approval.

Mr. Campbell mentioned that he doesn't think that South Coast AQMD is moving forward with any tax-related legislation and asked if South Coast AQMD is considering alternatives to increase its ability to address mobile sources. Mr. Alatorre replied that there is no plan to seek another legislation, but there has been discussion regarding a possible statewide ballot to address climate change, including incentivizing mobile sources. South Coast AQMD is not leading this and has not taken any position, but is continuing to actively seek funding from the state and federal government.

Mr. Campbell commented that nonattainment impacts everyone economically, in the form of a FIP or other measures. Mr. Campbell discussed Assembly member Rudy Salas letter to the Legislative Analyst's Office (LAO) regarding to the Governor's Executive Order phasing out the sale of passenger cars by 2035 and heavy-duty trucks by 2045. Mr. Alatorre indicated that South Coast AQMD consultants have provided comment to the Governor's Office regarding this topic.

Mr. David Rothbart mentioned South Coast AQMD is not pursuing legislation and funding is needed and stated that incentives funding was specified in the 2016 AQMP to achieve emissions reductions and asked if it would be a problem if that plan is not fulfilled. Mr. Alatorre stated that a plan was submitted to EPA in 2020 for approval.

Ms. Loof expressed support for incentives for manufacturing to remain in the South Coast AQMD region.

Agenda Item #7 –Monthly Report on Small Business Assistance Activities

No comments.

Agenda Item #8 - Other Business

Mr. John DeWitt asked for clarification when the LGSBA will meet in person. Mr. Alatorre replied that the earliest in-person meeting would likely be at the end of the summer, depending on when coronavirus disease (COVID-19) vaccines are available. In the future, it is possible that two meeting options would be available: in-person and Zoom webinar and teleconference.

Mr. Campbell thanked Chair Benoit for his service and for making a statement at a previous meeting.

Agenda Item #9- Public Comment

No comments.

Agenda Item #10 – Next Meeting Date

The next regular Local Government & Small Business Assistance Advisory Group meeting is scheduled for Friday, February 12, 2021 at 11:30 a.m.

Adjournment

The meeting adjourned at 1:00 p.m.



South Coast Air Quality Management District



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ENVIRONMENTAL JUSTICE ADVISORY GROUP FRIDAY, OCTOBER 23, 2020 MEETING MINUTES

MEMBERS PRESENT:

Council Member Ben Benoit, (Board Member)
Supervisor Janice Rutherford, EJAG Vice Chair (Board Member)
Manuel Arredondo, Coachella Valley School District, Retiree
Dr. Lawrence Beeson, Loma Linda University, School of Public Health
Kerry Doi, Pacific Asian Consortium in Employment
Dr. Afif El-Hasan, American Lung Association
Mary Figueroa, Riverside Community College
Dr. Monique Hernandez, California State University, Los Angeles
Dr. Jill Johnston, University of Southern California
Humberto Lugo, Community Member
Rafael Yanez, Community Member

MEMBERS ABSENT:

Senator Vanessa Delgado (Ret.), EJAG Chair (Board Member)
Rhetta Alexander, Valley Interfaith Council
Suzanne Bilodeau, Knott's Berry Farm
Paul Choe, Korean Drycleaners & Laundry Association
David McNeill, Baldwin Hills Conservancy
Daniel Morales, National Alliance for Human Rights
Evelyn Knight, Long Beach Economic Development Commission
Donald Smith, 136th Street Block Club

OTHERS PRESENT:

Mark Abramowitz
Tricia Almiron
Scott Andrews
Nazlee Ghannadi
Melanie Holden
Moses Huerta
Patricia Hyatt
Josephine Lee
Terry Manies
Debra Mendelsohn

SOUTH COAST AQMD STAFF:

Jill Whynot, Chief Operating Officer
Derrick Alatorre, Deputy Executive Officer/Public Advisor
Teresa Barrera, Principal Deputy District Counsel
Sarah Rees, Assistant Deputy Executive Officer
Victor Yip, Assistant Deputy Executive Officer
Philip Crabbe, Public Affairs Manager
Debra Ashby, Senior Public Information Specialist
Julie Franco, Senior Public Information Specialist
Pavan Rami, Staff Specialist
Ricardo Rivera, Senior Staff Specialist
Alicia Lizarraga, Senior Public Information Specialist
Jeanette N. Short, Senior Public Information Specialist
Lindsay McElwain, Senior Administrative Secretary
Aisha Reyes, Senior Administrative Secretary
Brandee Keith, Secretary
Danietra Brown, Career Development Intern

Agenda Item #1: Call to Order/Opening Remarks

Council Member Ben Benoit called the meeting to order at 12:00 pm. Ms. Jeanette Short read the housekeeping items for the virtual meeting and took roll call.

Agenda Item #2: Approval of August 28, 2020 Meeting Minutes

Approval of the minutes was temporarily delayed until additional members arrived to reach a quorum. With the arrival of Supervisor Janice Rutherford, a quorum was reached, and Council Member Benoit called for a motion on the August 28, 2020 meeting minutes. Dr. Lawrence Beeson moved to approve the minutes and Mr. Kerry Doi seconded the motion. The minutes were approved unanimously.

Agenda Item #3: Review of Follow-Up/Action Items

Ms. Alicia Lizarraga provided a response to the August 28, 2020 action items:

- **Action Item:** Staff to provide outreach efforts to facilities still using perchloroethylene, also known as PERC.
 - South Coast AQMD continues to reach out to the community on this issue. An email was sent to facilities, as well as a written letter, on September 4, 2020, and additional outreach continues.
- **Action Item:** Staff to request an update or presentation from the Compliance department regarding virtual inspections.
 - This item was presented at the EJAG meeting.

Agenda Item #4: Goals and Objectives for 2021

Ms. Lizarraga presented the 2021 Goals and Objectives. A quorum was not reached during this item and therefore approval was delayed until the arrival of Supervisor Rutherford.

Mr. Rafael Yanez requested that the issue of Exide be re-added to the 2021 Goals and Objectives. Dr. Jill Johnston requested Quemetco also be added. Mr. Yanez motioned to approve the 2021 Goals and Objectives with the stated additions. Council Member Benoit seconded the motion. The 2021 Goals and Objectives were approved, Dr. Afif El-Hassan voted by email.

Agenda Item #5: Update on AQMP Activities

Ms. Sarah Rees gave an update on South Coast AQMD's, Air Quality Management Plan (AQMP) Activities.

Mr. Yanez commented on the importance of factors such as wildfire smoke or windblown dust, and the related health effects, into the AQMP.

Mr. Mark Abramowitz asked how funding had been provided by South Coast AQMD. Ms. Rees replied that South Coast AQMD had provided some funding from its own budget but was still short and therefore turning to state and federal budgets to also provide funding.

Mr. Yanez asked for the three dates on which staff received irregular peak air quality readings, and Ms. Rees replied one had been in January 2017, while two were in late December of 2017.

Mr. Kerry Doi asked what the contributing factors might be regarding high particulate matter levels in Compton, and what contributes to the emissions inventory. Ms. Rees explained South Coast AQMD had not determined the cause of unique Compton data points in 2017.

Mr. Doi asked if the emissions inventory included potential factors such as fireworks, mobile sources, or wildfire incidents. Ms. Rees confirmed it did account for them. Mr. Doi asked if, moving forward, there would be any efforts to involve community education, and Ms. Rees confirmed there would be outreach and community engagement.

Mr. Moses Huerta from the public, asked if the monitors installed in Paramount might have detected air quality irregularities from Compton. Ms. Rees said she believed the Paramount monitors were designed to detect different air toxics, but not necessarily monitoring for fine particulate matter. She offered to review the data.

Mr. Yanez asked if road grinding and paving operations could affect air quality readings. Ms. Rees confirmed it could.

Mr. Yanez asked if South Coast AQMD included wildfire data in their report to California Environmental Protection Agency (EPA). Ms. Rees stated that to include wildfire data in the report to EPA, South Coast AQMD would have to submit an application to have such data considered as an "exceptional event," which EPA is unlikely to approve.

Dr. Lawrence Beeson asked what penalties were levied for illegal burning. Ms. Rees said activities violating South Coast AQMD regulations could be fined, but penalties levied by fire services were likely to be far steeper.

Mr. Huerta stated South Coast AQMD could work with other agencies for monitoring information during outstanding events. Ms. Rees confirmed we do currently work with other state agencies and even provide monitoring equipment to them.

Agenda Item #6: Virtual Inspections

Mr. Pavan Rami gave a presentation on virtual inspections.

Mr. Yanez asked when South Coast AQMD took over inspections for PERC program. Mr. Rami explained that South Coast AQMD performed the inspections but worked with California Air Resources Board to fully implement the program.

Agenda Item #7: Environmental Justice Community Partnership Update

Ms. Lizarraga provided an update on the Environmental Justice Community Partnership.

Mr. Huerta recommended the use of FaceTime to engage in community tours including monitoring sites and equipment.

Agenda Item #8: Member Updates

Ms. Mary Figueroa shared that a bus depot has been slated to be developed next to a residential community in the City of Riverside and near a new incoming elementary school. She recommended the group stay informed on the issue.

Agenda Item #9 - Other Business

There was no other business.

Agenda Item #10- Public Comment

There was no public comment.

Agenda Item #11: Next Meeting Date

The next regular EJAG meeting is on Friday, January 29, 2021 at 12:00 pm.

Adjournment

The meeting was adjourned at 1:57 pm.

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BOARD MEETING DATE: April 2, 2021

AGENDA NO. 18

REPORT: Legislative Committee

SYNOPSIS: The Legislative Committee held a meeting remotely on Friday, March 12, 2021. The following is a summary of the meeting.

Agenda Item	Recommendation/Action
AB 96 (O'Donnell) – California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program	Support
AB 1296 (Kamlager) – South Coast Air Quality Management District: District Board: Membership	No Position

RECOMMENDED ACTION:

Receive and file this report, and approve agenda item as specified in this letter.

Michael A. Cacciotti, Chair
Legislative Committee

DJA:LTO:PFC:DPG: sd:ar

Committee Members

Present: Mayor Pro Tem Michael A. Cacciotti/Chair
Council Member Joe Buscaino/Vice Chair
Senator Vanessa Delgado (Ret.)
Supervisor V. Manuel Perez
Supervisor Janice Rutherford

Absent: Dr. William A. Burke

Call to Order

Chair Cacciotti called the meeting to order at 9:00 a.m.

ACTION ITEMS:

1. Recommend Position on State Bills:

Derrick Alatorre, Deputy Executive Officer, Legislative, Public Affairs & Media, commented on AB 426 (Bauer-Kahan), sponsored by the Bay Area AQMD, which Committee Members had inquired about last month. Staff is working with Bay Area AQMD staff to resolve issues with the bill's language, and will be bringing the bill before this committee for consideration in April.

Supervisor Rutherford stated that this bill should have been on the agenda this month. Wayne Nastri, Executive Officer, explained that discussions took place with Bay Area AQMD and staff was looking to resolve those issues prior to bringing it before this committee. Mr. Nastri stated that the bill would be on the April Committee agenda.

AB 96 (O'Donnell) – California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program

Philip Crabbe, Public Affairs Manager, Legislative, Public Affairs & Media, summarized AB 96 (O'Donnell). The bill would extend, until December 31, 2026, the requirement that at least 20 percent of funding for the California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program (Clean Truck and Bus Program) be made available to support early commercial deployment of existing zero- and near-zero-emission heavy-duty truck technology.

Staff recommended the following amendments to the bill:

1. The bill's initial 20 percent funding for zero- and near-zero-emission heavy-duty truck technology should be spent in the most cost-effective manner;
2. The 20 percent funding to support deployment of near-zero-emission heavy-duty truck technology, should be increased to 50 percent; and,
3. Technical changes should be made to the definition of "near-zero-emission" established by the bill.

Chair Cacciotti inquired about the definition of zero-emission in the bill. Staff responded that the bill attempts to clarify the ambiguous definitions of zero and near-zero emission that exist in current law and added that CARB has put into some of their regulations a definition of near-zero emissions that conflicts with how South Coast AQMD defines near-zero.

Chair Cacciotti inquired as to whether lawn and garden equipment can be included in the Clean Truck and Bus Program as referenced in the bill. Staff can request an amendment to allow lawn and garden equipment to receive incentives.

Staff recommended a “SUPPORT” position on this bill.

Moved by Buscaino; seconded by Perez; unanimously approved

Ayes: Buscaino, Cacciotti, Delgado, Perez, Rutherford

Noes: None

Abstain: None

Absent: Burke

There was no public comment.

AB 1296 (Kamlager) – South Coast Air Quality Management District: District Board: Membership

Mr. Crabbe presented AB 1296 (Kamlager), which would add two environmental justice (EJ) appointees to the Board. One would be appointed by the Senate Rules Committee and one by the Assembly Speaker. Mr. Crabbe noted that a second bill, SB 342 (Gonzalez), is nearly identical to AB 1296 (Kamlager).

Senator Delgado inquired if South Coast AQMD was consulted on this bill. Staff indicated they received notice regarding the bills and had a meeting with Assemblymember Kamlager’s office to gather more information.

Chair Cacciotti inquired about changes to the San Diego County Air Pollution Control District Board. Mr. Nastri responded that a previous bill changed having that district under San Diego County’s authority and to a separate entity with a new Board structure.

Supervisor Rutherford stated that the bill infringes on local control and she recommends an oppose position on the bill. She also stated that weekly reports to Board members, specific to their South Coast AQMD committee assignments, would be helpful and informative. Mr. Nastri stated that weekly reports will be prepared and distributed to committee members moving forward.

Supervisor Perez inquired about the bill’s sponsor and the motivation behind the bill. He recommended that staff continue to track and investigate the bill .

Council Member Buscaino recommended no position with continued advocacy for local control. Chair Cacciotti recommended no position on the bill and to continue working with legislative staff on the bill.

No position was taken on this bill. The bill will be brought back to the committee on the April meeting agenda.

There was no public comment.

DISCUSSION ITEMS:

2. Update on Federal Legislative Issues

South Coast AQMD's federal legislative consultants (Cassidy & Associates, Kadesh & Associates, and Carmen Group) provided written reports on key Washington, D.C. issues.

Amelia Jenkins of Cassidy & Associates informed the committee that Michael Regan was confirmed by the Senate to serve as the U.S. EPA Administrator. The House Energy and Commerce Committee introduced the "Climate Leadership and Environmental Action for our Nation's (CLEAN) Future Act." It includes:

- \$500 million for electric vehicle infrastructure;
- \$2.5 million for a clean bus program;
- \$500 million for DERA; emission standards for locomotives; and additional language related to air monitoring.

The bill could be added to a second Budget Reconciliation package.

Mark Kadesh of Kadesh & Associates reported that the President signed the \$1.9 trillion "American Rescue Plan Act." The bill provides U.S. EPA funding of:

- \$50 million for air quality and other environmental programs impacting underserved communities;
- \$50 million for Clean Air Act Section 103 and 105 programs; and
- State and local government assistance including approximately \$24 billion for California.

Council Member Buscaino added that cities received approximately \$60 billion from the bill and the focus is now on the transportation and infrastructure bill.

Gary Hoistma of Carmen Group reported on the transportation and infrastructure bill. The House Transportation and Infrastructure Committee has held three hearings, including one on rail. The Senate Environment and Public Works Committee has held two hearings.

In mid-April the President is expected to give a State of the Union Address to outline priorities and release a budget. The Conference Committee will meet from September to the end of the year to work out differences between the House and Senate versions.

Chair Cacciotti asked about the Federal Transit Administration (FTA) “Low-No” transit grants. Mr. Hoitsma responded that the grants are largely awarded for the purchase of buses.

Chair Cacciotti requested staff investigate federal funding opportunities for South Coast AQMD and other agencies. Mr. Nastri confirmed the request to research grant opportunities, apply where possible, and share information with other agencies.

3. Update on State Legislative Issues

South Coast AQMD’s state legislative consultants (Joe A. Gonsalves & Son, Resolute, California Advisors, LLC) provided written reports on key issues in Sacramento.

Ross Buckley of California Advisors, LLC reported that Assemblymember Sydney Kamlager was elected to the State Senate and was sworn in to represent the 30th Senate District. The State Assembly now has a vacancy to fill. Also, Speaker Anthony Rendon appointed Veronica Padilla-Campos to replace Chairman Burke on the South Coast AQMD Board. Her term begins on June 1.

There was no public comment.

OTHER MATTERS:

4. Other Business

There was no public comment.

5. Public Comment Period

Ian Stewart commented on state and federal policies in relation to locomotives.

6. Next Meeting Date

The next regular Legislative Committee meeting is scheduled for Friday, April 9, 2021 at 9:00 a.m.

Adjournment

The meeting adjourned at 9:52 a.m.

Attachments

1. Attendance Record
2. Recommend Position on State Bills
3. Update on Federal Legislative Issues – Written Reports
4. Update on State Legislative Issues – Written Reports

ATTACHMENT 1

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT LEGISLATIVE COMMITTEE MEETING (VIA ZOOM) ATTENDANCE RECORD – March 12, 2021

Council Member, Joe Buscaino..... South Coast AQMD Board Member
Mayor Pro Tem Michael Cacciotti..... South Coast AQMD Board Member
Senator Vanessa Delgado..... South Coast AQMD Board Member
Supervisor V. Manuel Perez..... South Coast AQMD Board Member
Supervisor Janice Rutherford..... South Coast AQMD Board Member

Frank Cardenas..... Board Consultant (Cacciotti)
Guillermo Gonzalez Board Consultant (Perez)
Jacob Haik Board Consultant (Buscaino)
Debra Mendelsohn Board Consultant (Rutherford)
Mark Taylor..... Board Consultant (Rutherford)
Ben Wong..... Board Consultant (Cacciotti)
Ross Zelen Board Consultant (Kracov)

Ross Buckley California Advisors, LLC
Paul Gonsalves Joe A. Gonsalves & Son
Gary Hoitsma Carmen Group, Inc.
Amelia Jenkins Cassidy & Associates
Mark Kadesh Kadesh & Associates
Ben Miller Kadesh & Associates
David Quintana Resolute

Mark Abramowitz
Betsy Brien
Greg Busch
Curtis Coleman
Ramine Cromartie
Ken Dami
Kris Flaig
Barbara Graham
Otis Greer
Peter Herzog
Samuel Kang
Frances Keeler..... CCEEB
Bill LaMarr..... California Small Business Alliance
Barbara Lee
Adrieon Newman
David Rothbart
Patty Senecal
Chris Shimoda
Ian Stewart
Sarah Wiltfong

Derrick Alatorre	South Coast AQMD Staff
Debra Ashby.....	South Coast AQMD Staff
Jason Aspell.....	South Coast AQMD Staff
Barbara Baird	South Coast AQMD Staff
Philip Crabbe.....	South Coast AQMD Staff
Azar Dabiri.....	South Coast AQMD Staff
Stacy Day	South Coast AQMD Staff
Amir Dejbakhsh	South Coast AQMD Staff
Denise Gailey	South Coast AQMD Staff
Sheri Hanizavareh	South Coast AQMD Staff
Anissa Cessa Heard-Johnson.....	South Coast AQMD Staff
Nydia Ibarra.....	South Coast AQMD Staff
Sujata Jain	South Coast AQMD Staff
Jason Low.....	South Coast AQMD Staff
Matt Miyasato	South Coast AQMD Staff
Wayne Nastri.....	South Coast AQMD Staff
Stephano Padilla	South Coast AQMD Staff
Sarah Rees	South Coast AQMD Staff
Mary Reichert.....	South Coast AQMD Staff
Aisha Reyes.....	South Coast AQMD Staff
Angelica Reyes.....	South Coast AQMD Staff
Danielle Soto	South Coast AQMD Staff
Lisa Tanaka O'Malley.....	South Coast AQMD Staff
Jill Whynot.....	South Coast AQMD Staff
William Wong	South Coast AQMD Staff
Victor Yip.....	South Coast AQMD Staff

ATTACHMENT 2A

South Coast Air Quality Management District
Legislative Analysis Summary – AB 96 (O'Donnell)
Version: As Introduced – 12/7/2020
Analyst: PC

AB 96 (O'Donnell)

California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program.

Summary: This bill would extend, until December 31, 2026, the requirement that at least 20% of funding for the California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program (Clean Truck and Bus Program) be made available to support early commercial deployment of existing zero- and near-zero-emission heavy-duty truck technology. The bill would also require that at least 20% of that funding be allocated to existing near-zero-emission heavy-duty truck technology.

Background: California's heavy-duty vehicle fleet is a significant contributor to greenhouse gas (GHG) emissions and a major source of air pollution containing particulate matter, carbon monoxide, sulfur dioxide, and toxic air contaminants. These chemicals can lead to serious health consequences, including eye, throat, and lung irritation; exacerbation of asthma, allergies, and cardiovascular disease; neurological and reproductive disorders; cancer; and premature death. This pollution disproportionately affects disadvantaged communities, which are frequently located along major transportation corridors.

In 2014, SB 1204 (Lara) created the Clean Truck and Bus Program under California Air Resources Board (CARB). The Clean Truck and Bus Program, upon appropriation from the Greenhouse Gas Reduction Fund (GGRF), funds zero- and near-zero-emission truck, bus, and off-road vehicle and equipment technologies and related projects. The program provides that projects eligible for funding include, among others, technology development, demonstration, precommercial pilots, and early commercial deployments of zero- and near-zero-emission medium- and heavy-duty truck technology. In order to provide more immediate benefits, the Program requires, until December 31, 2021, no less than 20% of funding be made available for that purpose to support early commercial deployment of existing zero- and near-zero-emission heavy-duty truck technology. The program defines "zero- and near-zero-emission" for its purposes.

Status: 1/11/2021 - Referred to Coms. on TRANS. and NAT. RES.

Specific Provisions: Specifically, this bill would:

- 1) Extend, until December 31, 2026, the requirement that no less than 20% of funding for the Clean Truck and Bus Program be made available to support early commercial deployment of existing zero- and near-zero-emission heavy-duty truck technology;
- 2) Require that of the funding set aside to support early commercial deployment of existing zero- and near-zero-emission heavy-duty truck technology, at least 20% of that amount must be allocated to existing near-zero-emission heavy-duty truck technology;

- 3) Define “Near-zero-emission” to mean vehicles, fuels, and related technologies that reduce greenhouse gas emissions and improve air quality when compared with conventional or fully commercialized alternatives. Near-zero-emission vehicles shall include vehicles that meet or exceed a 0.02 grams per brake horsepower-hour (g/bhp-hr) low oxides of nitrogen emissions standard; and
- 4) Revise the definition of “Zero-emission” to mean vehicles, fuels, and related technologies that reduce greenhouse gas emissions and improve air quality when compared with conventional or fully commercialized alternatives, as defined by CARB in consultation with the State Energy Resources Conservation and Development Commission. “Zero-emission” may include, but is not limited to, zero-emission technology and enabling technologies that provide a pathway to emissions reductions.

Impacts on South Coast AQMD’s Mission, Operations or Initiatives: California has set GHG emissions reduction goals that the state must meet by 2030. In addition, the federal government has designated the South Coast region as a “nonattainment area” under federal air quality standards and looming attainment deadlines are in 2023 and 2031. Reducing emissions from heavy-duty vehicles will be critical in meeting these requirements.

While the Clean Truck and Bus Program has made progress towards the adoption of clean heavy-duty truck technology, the state faces a steep road ahead. To achieve short- and long-term emissions reduction requirements and bring clean air to communities that need it most, the state must continue to incentivize private industry to deploy clean truck technologies. The author argues that this effort must include near-zero-emission technologies that have the range to replace heavy-duty diesel trucks and are ready to deploy on our roads today. This will help achieve the maximum emissions reductions possible in the short term and facilitate attainment of fast-approaching state and federal air quality deadlines.

South Coast AQMD suggested amendments:

- 1) Suggest that the 20% set-aside of Clean Truck and Bus Program funding to support early commercial deployment of existing zero- and near-zero-emission heavy-duty truck technology, extended by this bill, be required to be spent in the most cost-effective manner possible;
- 2) Suggest that the 20% sub set-aside for funding to support early commercial deployment of existing near-zero-emission heavy-duty truck technology only, be increased to 50%;
- 3) Suggest changes to definition of “near-zero-emission” as follows: “Near-zero-emission *on-road* vehicles shall include vehicles that meet ~~or exceed~~ *or emit less than* a 0.02 grams per brake horsepower-hour (g/bhp-hr) low oxides of nitrogen emissions standard.”

Recommended Position: SUPPORT

Support:

California Natural Gas Vehicle Coalition (Sponsor)
Clean Energy

Oppose:

N/A

ATTACHMENT 2B

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 96

Introduced by Assembly Member O'Donnell

December 7, 2020

An act to amend Section 39719.2 of the Health and Safety Code, relating to greenhouse gases.

LEGISLATIVE COUNSEL'S DIGEST

AB 96, as introduced, O'Donnell. California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include in its regulation of emissions of greenhouse gases the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature.

The California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program, upon appropriation from the Greenhouse Gas Reduction Fund, funds zero- and near-zero-emission truck, bus, and off-road vehicle and equipment technologies and related projects. The program provides that projects eligible for funding include, among others, technology development, demonstration, precommercial pilots, and early commercial deployments of zero- and near-zero-emission medium- and heavy-duty truck technology, and requires, until December 31, 2021, no less than 20% of funding made

available for that purpose to support early commercial deployment of existing zero- and near-zero-emission heavy-duty truck technology. The program defines “zero- and near-zero-emission” for its purposes.

This bill would extend the requirement that 20% of funding be made available to support early commercial deployment of existing zero- and near-zero-emission heavy-duty truck technology until December 31, 2026. The bill would further require at least 20% of that funding support early commercial deployment of existing near-zero-emission heavy-duty truck technology. The bill would create a separate definition for “near-zero-emission” and revise the definition for “zero-emission,” as provided.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 39719.2 of the Health and Safety Code,
2 as amended by Section 1 of Chapter 100 of the Statutes of 2020,
3 is amended to read:

4 39719.2. (a) The California Clean Truck, Bus, and Off-Road
5 Vehicle and Equipment Technology Program is hereby created,
6 to be administered by the state board in conjunction with the State
7 Energy Resources Conservation and Development Commission.
8 The program, from moneys appropriated from the fund for the
9 purposes of the program, shall fund development, demonstration,
10 precommercial pilot, and early commercial deployment of zero-
11 and near-zero-emission truck, bus, and off-road vehicle and
12 equipment technologies. Priority shall be given to projects
13 benefiting disadvantaged communities pursuant to the requirements
14 of Sections 39711 and 39713.

15 (b) Projects eligible for funding pursuant to this section include,
16 but are not limited to, the following:

17 (1) (A) Technology development, demonstration,
18 precommercial pilots, and early commercial deployments of zero-
19 and near-zero-emission medium- and heavy-duty truck technology,
20 including projects that help to facilitate clean goods movement
21 corridors. ~~Until~~

22 (B) ~~Until~~ December 31, ~~2021~~, 2026, no less than 20 percent of
23 funding made available for purposes of this paragraph shall support
24 early commercial deployment of existing zero- and

1 near-zero-emission heavy-duty truck technology. *At least 20*
2 *percent of the funding described in this subparagraph shall support*
3 *early commercial deployment of existing near-zero-emission*
4 *heavy-duty truck technology.*

5 (2) Zero- and near-zero-emission bus technology development,
6 demonstration, precommercial pilots, and early commercial
7 deployments, including pilots of multiple vehicles at one site or
8 region.

9 (3) Zero- and near-zero-emission off-road vehicle and equipment
10 technology development, demonstration, precommercial pilots,
11 and early commercial deployments, including vehicles and
12 equipment in the port, agricultural, marine, construction, and rail
13 sectors.

14 (4) Purchase incentives, which may include point-of-sale, for
15 commercially available zero- and near-zero-emission truck, bus,
16 and off-road vehicle and equipment technologies and fueling
17 infrastructure to support early market deployments of alternative
18 technologies and to increase manufacturer volumes and accelerate
19 market acceptance.

20 (5) Projects that support greater commercial motor vehicle and
21 equipment freight efficiency and greenhouse gas emissions
22 reductions, including, but not limited to, advanced intelligent
23 transportation systems, autonomous vehicles, grid integration and
24 integrated storage solutions, charging management demonstration
25 and analytics, and other freight information and operations
26 technologies.

27 (c) The state board, in consultation with the State Energy
28 Resources Conservation and Development Commission, shall
29 develop guidance through the existing Air Quality Improvement
30 Program funding plan process for the implementation of this
31 section that is consistent with the California Global Warming
32 Solutions Act of 2006 (Division 25.5 (commencing with Section
33 38500)) and this chapter.

34 (d) The guidance developed pursuant to subdivision (c) shall
35 do all of the following:

36 (1) Outline performance criteria and metrics for deployment
37 incentives. The goal shall be to design a simple and predictable
38 structure that provides incentives for truck, bus, and off-road
39 vehicle and equipment technologies that provide significant
40 greenhouse gas reduction and air quality benefits.

1 (2) (A) Ensure that program investments are coordinated with
2 funding programs developed pursuant to the California Alternative
3 and Renewable Fuel, Vehicle Technology, Clean Air, and Carbon
4 Reduction Act of 2007 (Chapter 8.9 (commencing with Section
5 44270) of Part 5).

6 (B) The State Energy Resources Conservation and Development
7 Commission shall advise the state board on how to allocate money
8 for vehicle charging infrastructure consistent with the commission's
9 investment plan strategies on charging infrastructure.

10 (3) Promote projects that assist the state in reaching its climate
11 goals beyond 2030, consistent with Section 38566.

12 (4) Promote investments in medium- and heavy-duty trucking,
13 including, but not limited to, vocational trucks, short-haul and
14 long-haul trucks, buses, and off-road vehicles and equipment,
15 including, but not limited to, port equipment, agricultural
16 equipment, marine equipment, and rail equipment.

17 (5) Implement purchase incentives for eligible technologies to
18 increase the use of the cleanest vehicles in disadvantaged
19 communities.

20 (6) Allow for remanufactured and retrofitted vehicles to qualify
21 for purchase incentives if those vehicles meet warranty and
22 emissions requirements, as determined by the state board.

23 (7) Establish a competitive process for the allocation of moneys
24 for projects funded pursuant to this section.

25 (8) Leverage, to the maximum extent feasible, federal or private
26 funding.

27 (9) Ensure that the results of emissions reductions or benefits
28 can be measured or quantified.

29 (10) Ensure that activities undertaken pursuant to this section
30 complement, and do not interfere with, efforts to achieve and
31 maintain federal and state ambient air quality standards and to
32 reduce toxic air contaminants.

33 (e) In evaluating potential projects to be funded pursuant to this
34 section, the state board shall give priority to projects that
35 demonstrate one or more of the following characteristics:

36 (1) Benefit disadvantaged communities pursuant to Sections
37 39711 and 39713 or communities with a community emissions
38 reduction program implemented pursuant to Section 44391.2.

39 (2) The ability to leverage additional public and private funding.

40 (3) The potential for cobenefits or multiple-benefit attributes.

1 (4) The potential for the project to be replicated.

2 (5) Regional benefit, with focus on collaboration between
3 multiple entities.

4 (6) Support for technologies with broad market and emissions
5 reduction potential.

6 (7) Support for projects addressing technology and market
7 barriers not addressed by other programs.

8 (8) Support for enabling technologies that benefit multiple
9 technology pathways.

10 (f) In implementing this section, the state board, in consultation
11 with the State Energy Resources Conservation and Development
12 Commission, shall create an annual framework and plan. The
13 framework and plan shall be developed with public input and may
14 use existing investment plan processes and workshops as well as
15 existing state and third-party research and technology roadmaps.
16 The framework and plan shall do all of the following:

17 (1) Articulate an overarching vision for technology development,
18 demonstration, precommercial pilot, and early commercial
19 deployments, with a focus on moving technologies through the
20 commercialization process.

21 (2) Outline technology categories and performance criteria for
22 technologies and applications that may be considered for funding
23 pursuant to this section. This shall include technologies for
24 medium- and heavy-duty trucking, including, but not limited to,
25 vocational trucks, short-haul and long-haul trucks, buses, and
26 off-road vehicles and equipment, including, but not limited to, port
27 equipment, agricultural equipment, construction equipment, marine
28 equipment, and rail equipment.

29 (3) Describe the roles of the relevant agencies and the process
30 for coordination.

31 (g) For purposes of this section, ~~“zero- and near-zero-emission”~~
32 *the following definitions apply:*

33 (1) *“Near-zero-emission” means vehicles, fuels, and related*
34 *technologies that reduce greenhouse gas emissions and improve*
35 *air quality when compared with conventional or fully*
36 *commercialized alternatives. Near-zero-emission vehicles shall*
37 *include vehicles that meet or exceed a 0.02 grams per brake*
38 *horsepower-hour (g/bhp-hr) low oxides of nitrogen emissions*
39 *standard.*

1 (2) “Zero-emission” means vehicles, fuels, and related
2 technologies that reduce greenhouse gas emissions and improve
3 air quality when compared with conventional or fully
4 commercialized alternatives, as defined by the state board in
5 consultation with the State Energy Resources Conservation and
6 Development Commission. ~~“Zero—and near-zero-emission”~~
7 “Zero-emission” may include, but is not limited to, zero-emission
8 ~~technology,~~ *technology* and enabling technologies that provide a
9 pathway to emissions ~~reductions, advanced or alternative fuel~~
10 ~~engines for long-haul trucks, and hybrid or alternative fuel~~
11 ~~technologies for trucks and off-road equipment.~~ *reductions.*

12 (h) (1) In addition to the requirements of Section 44258.4,
13 commencing with the funding plan for the 2019–20 fiscal year of
14 the Air Quality Improvement Program (Article 3 (commencing
15 with Section 44274) of Chapter 8.9 of Part 5), the state board shall
16 include a three-year investment strategy that includes the immediate
17 fiscal year and a forecast of estimated funding needs for the
18 subsequent two fiscal years for zero- and near-zero-emission
19 heavy-duty vehicles and equipment commensurate with meeting
20 the goals of this chapter and the goals of the state.

21 (2) The three-year investment strategy shall do all of the
22 following:

23 (A) Describe the role of public investments in supporting the
24 demonstration and deployment of advanced technologies.

25 (B) Provide an assessment of available funding and the
26 investment needed.

27 (C) Provide a description of the state board’s portfolio of
28 investments.

29 (3) The state board, in consultation with the State Energy
30 Resources Conservation and Development Commission, shall
31 include in the investment strategy information related to milestones
32 achieved by the state’s schoolbus incentive programs and the
33 projected need for funding taking into consideration the state’s
34 schoolbus inventory, turnover, and useful life.

ATTACHMENT 2C

South Coast Air Quality Management District
Legislative Analysis Summary – AB 1296 (Kamlager)
Version: Introduced – 2/19/2021
Analyst: SD

AB 1296 (Kamlager)

South Coast Air Quality Management District: district board: membership.

Summary: This bill would increase the number of members of the South Coast AQMD Governing Board from 13 to 15 members by adding two environmental justice (EJ) appointees, one appointed by the Senate Rules Committee and one appointed by the Speaker of the Assembly.

Background: Existing law imposes various limitations on the emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law assigns the responsibility for controlling air pollution for sources other than vehicular sources to an air pollution control district or air quality management district. Existing law establishes the South Coast AQMD as the district with the responsibility for controlling air pollution from sources other than vehicular sources in the South Coast region.

Existing law establishes a district board consisting of 13 members to govern the South Coast AQMD. Existing law requires one member of the South Coast AQMD Governing Board to be appointed by the Senate Rules Committee and one member to be appointed by the Speaker of the Assembly.

Status: 3/4/2021 Referred to Com. on NAT. RES.

Specific Provisions: Specifically, this bill would:

- a) Increase the number of members on the South Coast AQMD district board from 13 to 15 appointed members;
- b) Add an additional board member to be appointed by the Senate Rules Committee;
- c) Add an additional board member to be appointed by the Speaker of the Assembly; and
- d) Require that both of these two new members be EJ appointees who are persons who work directly with communities in the South Coast district that are most significantly burdened by, and vulnerable to, high levels of pollution, including, but not limited to, communities with diverse racial and ethnic populations and communities with low-income populations.

Impacts on South Coast AQMD's Mission, Operations or Initiatives: Currently, there are three existing members of the South Coast AQMD Governing Board that are appointed by state authorities, i.e., by the Governor, Senate Rules Committee, and the Speaker of the Assembly. If signed into law, this bill would result in 1/3 of the Board being appointed by state authorities.

Recommended Position: NO STAFF RECOMMENDATION

ATTACHMENT 2D

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 1296

Introduced by Assembly Member Kamlager

February 19, 2021

An act to amend Section 40420 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 1296, as introduced, Kamlager. South Coast Air Quality Management District: district board: membership.

Existing law imposes various limitations on the emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law assigns the responsibility for controlling air pollution for sources other than vehicular sources to an air pollution control district or air quality management district. Existing law establishes the South Coast Air Quality Management District as the district with the responsibility for controlling air pollution from sources other than vehicular sources in the South Coast Air Basin. Existing law establishes a district board consisting of 13 members to govern the south coast district. Existing law requires one member of the district board to be appointed by the Senate Committee on Rules and one member to be appointed by the Speaker of the Assembly.

This bill would increase the number of members of the district board of the south coast district to 15 members by adding 2 environmental justice appointees, one appointed by the Senate Committee on Rules and one appointed by the Speaker of the Assembly.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 40420 of the Health and Safety Code is
2 amended to read:

3 40420. (a) The south coast district shall be governed by a
4 district board consisting of ~~13~~ 15 members appointed as follows:

5 (1) One member appointed by the Governor, with the advice
6 and consent of the Senate.

7 ~~One member~~ (A) Two members appointed by the Senate
8 Committee on Rules.

9 (B) *One of the members appointed under subparagraph (A)*
10 *shall be an environmental justice appointee who is a person who*
11 *works directly with communities in the south coast district that*
12 *are most significantly burdened by, and vulnerable to, high levels*
13 *of pollution, including, but not limited to, communities with diverse*
14 *racial and ethnic populations and communities with low-income*
15 *populations.*

16 (3) ~~One member~~ (A) Two members appointed by the Speaker
17 of the Assembly.

18 (B) *One of the members appointed under subparagraph (A)*
19 *shall be an environmental justice appointee who is a person who*
20 *works directly with communities in the south coast district that*
21 *are most significantly burdened by, and vulnerable to, high levels*
22 *of pollution, including, but not limited to, communities with diverse*
23 *racial and ethnic populations and communities with low-income*
24 *populations.*

25 (4) Four members appointed by the boards of supervisors of the
26 counties in the south coast district. Each board of supervisors shall
27 appoint one of these members, who shall be one of the following:

28 (A) A member of the board of supervisors of the county making
29 the appointment.

30 (B) A mayor or member of a city council from a city in the
31 portion of the county making the appointment that is included in
32 the south coast district.

33 (5) Three members appointed by cities in the south coast district.
34 The city selection committee of Orange, Riverside, and San
35 Bernardino Counties shall each appoint one of these members,
36 who shall be either a mayor or a member of the city council of a
37 city in the portion of the county included in the south coast district.

1 (6) A member appointed by the cities of the western region of
2 Los Angeles County, consisting of the Cities of Agoura Hills,
3 Artesia, Avalon, Bell, Bellflower, Bell Gardens, Beverly Hills,
4 Calabasas, Carson, Cerritos, Commerce, Compton, Cudahy, Culver
5 City, Downey, El Segundo, Gardena, Hawaiian Gardens,
6 Hawthorne, Hermosa Beach, Hidden Hills, Huntington Park,
7 Inglewood, La Habra Heights, La Mirada, Lakewood, Lawndale,
8 Lomita, Long Beach, Lynwood, Malibu, Manhattan Beach,
9 Maywood, Montebello, Norwalk, Palos Verdes Estates, Paramount,
10 Pico Rivera, Rancho Palos Verdes, Redondo Beach, Rolling Hills,
11 Rolling Hills Estates, Santa Fe Springs, Santa Monica, Signal Hill,
12 South Gate, Torrance, Vernon, West Hollywood, Westlake Village,
13 and Whittier. These cities shall organize as a city selection
14 committee for the purposes of subdivision (f), and shall be known
15 as the city selection committee of the western region of Los
16 Angeles County. The member appointed shall be either a mayor
17 or a member of the city council of a city in the western region.

18 (7) A member appointed by the cities of the eastern region of
19 Los Angeles County, consisting of the cities in Los Angeles County
20 that are not listed in paragraph (6) or (8), and excluding the Cities
21 of Lancaster, Los Angeles, and Palmdale. These cities shall
22 organize as a city selection committee for the purposes of
23 subdivision (f), and shall be known as the city selection committee
24 of the eastern region of Los Angeles County. The member
25 appointed shall be either a mayor or a member of the city council
26 of a city in the eastern region.

27 (8) A member appointed by the Mayor of the City of Los
28 Angeles from among the members of the Los Angeles City
29 Council.

30 (b) All members shall be appointed on the basis of their
31 demonstrated interest and proven ability in the field of air pollution
32 control and their understanding of the needs of the general public
33 in connection with air pollution problems of the South Coast Air
34 Basin.

35 (c) The member appointed by the Governor shall be either a
36 physician who has training and experience in the health effects of
37 air pollution, an environmental engineer, a chemist, a
38 meteorologist, or a specialist in air pollution control.

39 (d) Each member shall be appointed on the basis of ~~his or her~~
40 *the member's* ability to attend substantially all meetings of the

1 south coast district board, to discharge all duties and responsibilities
2 of a member of the south coast district board on a regular basis,
3 and to participate actively in the affairs of the south coast district.
4 No member may designate an alternate for any purpose or
5 otherwise be represented by another in ~~his or her~~ *their* capacity as
6 a member of the south coast district board.

7 (e) Each appointment by a board of supervisors shall be
8 considered and acted on at a duly noticed, regularly scheduled
9 hearing of the board of supervisors, which shall provide an
10 opportunity for testimony on the qualifications of the candidates
11 for appointment.

12 (f) The appointments by cities in the south coast district shall
13 be considered and acted on at a duly noticed meeting of the city
14 selection committee, which shall meet in a government building
15 and provide an opportunity for testimony on the qualifications of
16 the candidates for appointment. Each appointment shall be made
17 by not less than a majority of all the cities in the portion of the
18 county included in the south coast district having not less than a
19 majority of the population of all the cities in the portion of the
20 county included in the south coast district. Population shall be
21 determined on the basis of the most recent verifiable census data
22 developed by the Department of Finance. Persons residing in
23 unincorporated areas or areas of a county outside the south coast
24 district shall not be considered for the purposes of this subdivision.

25 (g) The members appointed by the Senate Committee on Rules
26 and the Speaker of the Assembly shall have one or more of the
27 qualifications specified in subdivision (c) or shall be a public
28 member. None of those appointed members may be a locally
29 elected official.

30 (h) All members shall be residents of the district.

31 (i) (1) The member who was serving on the district board as
32 of June 1, 2007, who had been appointed to represent the eastern
33 region of Los Angeles County shall be deemed on January 1, 2008,
34 to be the member appointed to represent the western region of Los
35 Angeles County pursuant to paragraph (6) of subdivision (a) and
36 shall serve from January 1, 2008, until the end of the term of office
37 for the member who had been appointed to represent the western
38 region of Los Angeles County. At the end of that term, the city
39 selection committee of the western region of Los Angeles County

1 shall make an appointment pursuant to paragraph (6) of subdivision
2 (a).

3 (2) The member who was serving on the district board as of
4 June 1, 2007, who had been appointed to represent the western
5 region of Los Angeles County shall be deemed on January 1, 2008,
6 to be the member appointed pursuant to paragraph (8) of
7 subdivision (a) until the end of that member's term. At the end of
8 that term, the Mayor of the City of Los Angeles shall make an
9 appointment pursuant to paragraph (8) of subdivision (a).

10 (3) On or after January 1, 2008, the city selection committee of
11 the eastern region of Los Angeles County shall convene promptly
12 to make an appointment pursuant to paragraph (7) of subdivision
13 (a).

O

ATTACHMENT 3A

KADESH & ASSOCIATES

South Coast AQMD Report for the March 2021
Legislative Meeting covering February 2021
Kadesh & Associates

February:

The House has rapidly advanced the President's COVID response proposal, now called the American Rescue Plan Act of 2021, through multiple committees and to the House floor. Key provisions in the legislation for the South Coast AQMD include a \$219.8 billion fund for states, tribes, and territories, and a \$130.2 billion fund for cities and counties; both of these accounts will allow funds to be transferred to special purpose units of government. The bill also includes \$50 million for environmental justice grants and activities, and \$50 million for grants and activities authorized in §103 and §105 of the Clean Air Act. The bill is expected to be considered on the House floor late the week of Feb 22, and considered quickly thereafter by the Senate once the parliamentarian has reviewed its provisions.

Several other priority pieces of legislation have been introduced in the House this month, as well. Rep. Nanette Barragán reintroduced the Climate Smart Ports Act, to fund the replacement of diesel-burning port harbor craft, drayage trucks, and other port equipment with zero emissions equipment. She has also reintroduced the Energy Resilient Communities Act, which would authorize \$1.5 billion in annual grants for clean energy microgrids, prioritized for environmental justice communities. Rep. Mike Thompson has reintroduced the GREEN Act, which creates a tax credit for zero-emission heavy vehicle and bus manufacturers, expands the credit for EV charging infrastructure, and increases the energy efficient commercial building tax deduction, among other provisions.

Senator Padilla has been named to the Environment and Public Works Committee, which has jurisdiction over air pollution programs, highways, ports, and environmental policy generally. This month the committee approved the nomination of Michael Regan as Administrator of the EPA, and Senator Padilla participated in a hearing setting the stage for the committee's work on surface transportation and infrastructure investment.

Kadesh & Associates Activity Summary-

- Working with South Coast AQMD staff to prioritize and submit timely programmatic funding requests to South Coast members of the Appropriations Committee, as we monitor the possible return of earmarks;
- Monitoring the progress of, and changes to, the American Rescue Plan; and
- Continue outreach to the California congressional delegation.

Contacts:

Contacts included staff and House Members throughout the CA delegation, especially the authors of priority legislation, new members of the South Coast House delegation, and members of key committees. We have also been in touch with administration staff.

###

ATTACHMENT 3B



Carmen Group
I N C O R P O R A T E D

To: South Coast AQMD Legislative Committee
From: Carmen Group
Date: February 25, 2021
Re: Federal Update -- Executive Branch

Update on Status of Cabinet Appointments

<u>The Cabinet</u>		<u>Senate Vote</u>
Vice President	Kamala Harris	N/A
Secretary of State	Antony Blinken	78-22
Secretary of the Treasury	Janet Yellen	84-15
Secretary of Defense	Lloyd Austin	93-2
Attorney General	Merrick Garland	
Secretary of the Interior	Deb Haaland	
Secretary of Agriculture	Tom Vilsack	92-7
Secretary of Labor	Marty Walsh	
Secretary of HHS	Xavier Becerra	
Secretary of HUD	Marcia Fudge	
Secretary of Transportation	Pete Buttigieg	86-13
Secretary of Energy	Jennifer Granholm	64-35
Secretary of Education	Miguel Cardona	
Secretary of VA	Denis McDonough	87-7
Secretary of DHS	Alejandro Mayorkas	56-43
Administrator of the EPA	Michael Regan	
Director of OMB	Neera Tanden	
Director of DNI	Avril Haines	84-10
US Trade Representative	Katherine Tai	
US Ambassador to the UN	Linda Thomas-Greenfield	78-20
Chair of Economic Advisors	Cecelia Rouse	
Administrator of the SBA	Isabel Guzman	
Presidential Science Advisor	Eric Lander	N/A
Chief of Staff	Ron Klain	N/A

Other Notable Appointments

David Turk, *Deputy Secretary of Energy, WH Energy and Jobs Team*
Int. Energy Agency, Obama DOE & NSC, Senate/House Staff

Julie Su, *Deputy Secretary of Labor, WH Energy and Jobs Team*
Sec., CA Labor/Workforce Dev. Agency; CA Labor Commissioner

Kiran Arjandas Ahuja, *Director, Office of Personnel Management*
Obama WH and OPM, National Asian Pacific Women's Forum

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Transportation and Infrastructure Update: Major transportation and infrastructure legislation (with the inclusion of key climate, environmental and environmental justice provisions) remains a high priority for the President, for Congress, and for leaders in both political parties. But the details and the political dynamics surrounding how this can or will get done remain clouded in some uncertainty. Much depends on the disposition of the President’s first legislative priority—the \$1.9 trillion “American Rescue Plan” (aka COVID Relief Bill) -- that appears on track to be passed in the House and the Senate, most likely without a single Republican vote in either body. Once this is done -- likely before mid-March -- higher focus will turn to the President’s next big legislative priority – the much anticipated multi-trillion-dollar “American Recovery Plan” (aka transportation / infrastructure / climate / jobs bill) -- likely starting with a State-of-the-Union-like address to Congress. Here are a few early markers of note:

- In mid-February the President met cordially and positively on infrastructure in the White House with the Senate Environment & Public Works (EPW) Committee’s Big Four (Senators Carper, Capito, Cardin, and Inhofe).
- In late February, the Senate EPW Committee held its first infrastructure hearing of the year.
- Senate Majority Leader Schumer said infrastructure legislation would move “soon” and “should have big infrastructure, it should be green, it should include communities that are left out, (and) it should deal with worker training.”
- Senator Bernie Sanders (I-VT), chair of the Senate Budget Committee, said he’s consulted with the White House and is prepared to pave the way for infrastructure to be passed in the Senate via the same 51-vote “reconciliation” process being used to pass the COVID bill.
- Meanwhile, Senator Shelly Moore Capito (R-WV), ranking member of the Senate EPW Committee, said her optimism about such a bill was tempered by fears that it would not be bipartisan and might sink as a result.
- Republican Leader McConnell said a partisan infrastructure bill would likely include major tax increases.

Earmarks Debate: Congressional Democrats are moving to reinstate rules to allow Congressionally directed project spending known as earmarks, which have been banned in recent years. Republicans are split on the issue, though mostly opposed. A possible outcome could be a reinstatement of the earmark practice in which most Democrats take part, and most –if not all -- Republicans do not.

Federal Agency Round-Up: Here are quick summaries of relevant activities of interest in key Federal agencies:

Environmental Protection Agency (*Notable Appointments*)

Alejandra Nunez, *Deputy Assistant Administrator for Mobile Sources, OAR*
Sierra Club Attorney; World Bank; S.J.D., LL.M., Harvard Law

Eunjung Kim, *Special Assistant, Office of Air and Radiation*
Biden, Warren Campaigns; U.S. Army Corps of Engineers
Carlton Waterhouse, *Deputy Asst. Administrator for Land & Emergency Mgt.*
Prof./Expert in Environmental Justice; Former EPA; Howard Univ. Law
Charles Frey, *Deputy Assistant Administrator for Science Policy, Office of R&D*
Prof., NC St. Univ.; EPA CASAC; Ph.D-Engineering, Carnegie Mellon U.

EPA Sees Decline in Power Plant Emissions: In February, the EPA released data showing a marked decline in 2020 power plant emissions of nitrogen oxides, sulfur dioxide, carbon dioxide and mercury, compared to 2019. It said the declines are largely due to changes in the mix of fuels used in electricity generation, including a decrease in coal generation and an increase in natural gas and renewable generation.

EPA Solicits Solutions for Indoor Air Pollution from Western Wildfires: In February, the EPA -- along with 10 other federal, state and local partners (including CARB) -- launched the Cleaner Indoor Air During Wildfires Challenge Competition. The goal is to solicit ideas for low-cost air cleaning technologies that reduce particulate air pollutants in homes during wildfires or other high pollution episodes. If their ideas are chosen, Challenge winners will receive prizes of up to \$10,000. Proposals will be accepted through May 17, 2021.

EPA Extends Deadline for Environmental Education Awards Nominations: In February, the EPA announced it will accept applications for the 2021 Presidential Environmental Youth Awards (PEYA) (K-12 youth) and Presidential Innovation Awards for Environmental Educators (PIAEE) (K-12 educators) through April 30, 2021.

EPA Penalizes California Company for Violating Clean Air Act: In February, the EPA announced a settlement with GreenGate Fresh, LLC, whose Salinas, CA, facility chills and stores produce-related products for the food storage industry. The company will pay a penalty of \$80,000 and restore its facility to compliance with federal law after it was found to have violated the Clean Air Act's chemical safety-related Risk Management Plan regulations.

Department of Transportation (Notable Appointments)

Andrew Wishnia, *Deputy Assistant Secretary for Climate Policy*
Senate EPW Staff; Sen. Carper (D-DE); Rep. Yarmouth (D-KY)
Arlando Teller, *Deputy Assistant Secretary for Tribal Affairs*
AZ St. Rep; Caltrans; Navajo Div. of Transportation
Tristan Brown, *Deputy Assistant Secretary, Pipeline & Hazardous Materials Safety Admin.*, Sen. Peters (D-MI); Sen. Klobuchar (D-MN); Obama EPA; Attorney

USDOT Announces Funds Available for INFRA Grants: In February, the Department of Transportation announced it is seeking applicants for \$889 million in funds available for the FY 21 round of INFRA grants to support transportation projects of national or regional significance. Among changes from previous rounds, the Biden Administration emphasizes it is seeking projects that address climate change and environmental justice, including projects that promote racial equity, reduce greenhouse gas emissions, deploy zero-emission vehicle infrastructure and/or encourage modal shifts

and a reduction in vehicle-miles-traveled. In addition, this year’s notice announces the creation of the “INFRA Extra” Program, which will identify competitive INFRA applicants who do not receive an award and authorize them to seek a TIFIA loan for up to 49 percent of their project cost. Applications are due by March 19, 2021.

FTA Announces Funds Available for “Low-No” Transit Grants: In February, the Federal Transit Administration announced it is seeking applicants for \$180 million in funds available for the FY 21 round of Low or No Emission (Low-No) grants to support projects that provide cleaner and more energy efficient transit operations. The Biden Administration says it is placing a priority on projects that will help improve air quality in non-attainment and maintenance areas and help prioritize the goals of environment justice and workforce development. Applications are due by April 12, 2021.

Department of Energy (Notable Appointments)

David Turk, *Deputy Secretary, WH Energy and Jobs Team*

Int. Energy Agency, Obama DOE & NSC, Senate/House Staff

Jeremiah Baumann, *Deputy Chief of Staff*

Energy Innovation; Bloomberg Philanthropies; Sen. Merkley (D-OR)

Luke Branscum, *Sp. Asst, Office of Congressional and Intergovernmental Affairs*

Biden Campaign; B.A., UCLA; Hails from CA Bay Area

Hanna Schanzer, *Special Assistant, Office of EERE*

Staff Analyst, California Energy Commission; B.A.-Washington Univ.

DOE Announces Funds Available for Clean Energy Solutions: In February, the Department of Energy announced it is seeking applicants for up to \$100 million for transformative clean energy technology research and development via its Advanced Research Projects Agency – Energy (ARPA-E) program. It says this is the first of billions of dollars of DOE R&D opportunities to be announced this year to foster “affordable, game-changing technologies that can help America achieve the President’s goal of net zero economy-wide emissions by 2050.” Concept papers are due by April 6, 2021.

The White House

National Climate Task Force Meeting: On February 11, the Biden Administration’s National Climate Task Force (as established by Executive Order on Jan. 27) held its first meeting. Chaired by National Climate Advisor Gina McCarthy, the Task Force includes representatives from 21 federal agencies and senior White House officials. The virtual inaugural meeting included a drop-by by Vice President Kamala Harris who emphasized the administration’s whole-of-government approach, making sure that every agency plays a role in the implementing the broad goals of tackling climate change, creating union jobs, and achieving environmental justice.

Climate Innovation Working Group: As part of the Climate Task Force, a new research working group was launched called the Climate Innovation Working Group designed to advance the President’s commitment to create an Advanced Research Projects Agency-Climate (ARPA-C), modeled after the Department of Energy’s ARPA-

E, created in 2009. According to the White House, through targeted research the Climate Innovation Working Group will help advance:

- Zero net carbon buildings at zero net cost, including carbon-neutral construction materials;
- Energy storage at one-tenth the cost of today’s alternatives;
- Advanced energy system management tools to plan for and operate a grid powered by zero carbon power plants;
- Very low-cost zero carbon on-road vehicles and transit systems;
- New, sustainable fuels for aircraft and ships, as well as improvements in broader aircraft and ship efficiency and transportation management;
- Affordable refrigeration, air conditioning, and heat pumps made without refrigerants that warm the planet;
- Carbon-free heat and industrial processes that capture emissions for making steel, concrete, chemicals, and other important industrial products;
- Carbon-free hydrogen at a lower cost than hydrogen made from polluting alternatives;
- Innovative soil management, plant biologies, and agricultural techniques to remove carbon dioxide from the air and store it in the ground;
- Direct air capture systems and retrofits to existing industrial and power plant exhausts to capture carbon dioxide and use it to make alternative products or permanently sequester it deep underground.

Executive Order on Securing Critical Supply Chains: On February 24, the President signed an Executive Order to help create more resilient and secure supply chains for critical and essential goods. This included direction for an immediate 100-day review across federal agencies to address vulnerabilities in the supply chains of four key products:

- Pharmaceuticals
- Critical Minerals
- Semiconductors
- Electric Vehicle Batteries

Outreach: Contacts included the offices of Sen. James Inhofe and the Senate Environment & Public Works Committee on infrastructure legislation; and NGVAmerica and other business groups on incentives for cleaner trucks and electric vehicles.

###

ATTACHMENT 3C



CASSIDY | ASSOCIATES

To: South Coast Air Quality Management District
From: Cassidy & Associates
Date: February 24, 2021
Re: February Report

HOUSE/SENATE

The House has finished marking up the Biden Administration's \$1.9 trillion "American Rescue Plan." The full package is slated for floor action the week of February 22 with votes possible through the weekend. President Biden wants it signed in to law by March 14.

Looking ahead at the month of March, the House will address H.R. 1, the For the People Act; The George Floyd Justice in Policing Act; Immigration Reform; and the Senate's amended reconciliation bill, if amended.

Budget Reconciliation FAQ:

What Is Reconciliation?

- A fast-track, budgetary tool used to implement policy changes into law. Legislation considered under reconciliation only requires 51 votes in the Senate for passage.
- Reconciliation is triggered by Congress adopting a concurrent budget resolution that includes reconciliation instructions.
- The instructions direct authorizing committees to report legislation that meets specified targets. While reconciliation is often used for deficit reduction, it can also be used to increase spending or reduce revenues.
- Although reconciliation is a powerful tool, it does have limits:
 - Can only be used to make changes to mandatory spending, revenue levels, and/or the debt limit.
 - A maximum of only three reconciliation bills are allowed for each fiscal year's budget resolution: one for mandatory spending, one for revenue, and one for the debt limit.
 - Limited by the Senate's Byrd Rule which prohibits "extraneous" provisions.

How Does Reconciliation Work?

Step 1: House and Senate agree to a budget resolution that includes reconciliation instructions.

Step 2: Authorizing committee(s) receiving reconciliation instructions and report legislation back to the Budget Committee that meets the target(s) set by the instructions.

Step 3: Budget Committee combines these measures, without substantive revision, and reports the reconciliation bill.

Step 4: Each Chamber considers the reconciliation bill.

- In the House, debate is typically governed by a rule reported by the Rules Committee.
- In the Senate, a reconciliation bill is a privileged measure with debate limited to 20 hours and only a simple majority vote required for passage (51 votes).

Step 5: Upon passage by both Chambers, the reconciliation bill is sent to the President for his signature.

How Many Times Can Reconciliation Be Used?

- Democrats could potentially use up to three budget resolutions to trigger reconciliation this Congress:
- Fiscal Year (FY) 2021 budget resolution – “shell” budget that the House will imminently vote on.
- FY 2022 budget resolution – likely considered this spring.
- FY 2023 budget resolution – potentially considered next year.

Past uses of reconciliation:

- Tax Cuts and Jobs Act (enacted December 2017)
- American Health Care Act (passed House May 2017)
- ACA Repeal (vetoed by President Obama January 2016)

Nominee Tracker:

Cabinet nominees include:

- Secretary of State: Antony Blinken (Confirmed)
- Treasury: Janet Yellen (Confirmed)
- Defense: Lloyd Austin (Confirmed)
- Attorney General: Merrick Garland (Nomination Hearings 2/22 & 2/23)
- Homeland Security: Alejandro Mayorkas (Confirmed)
- Veterans Affairs: Denis McDonough (Confirmed)
- Health and Human Services: Xavier Becerra (Nomination Hearing 2/23)
- Energy: Jennifer Granholm (Confirmation vote on 2/24)
- Interior: Deb Haaland (Nomination Hearing 2/23 & 2/24)
- Transportation: Pete Buttigieg (Confirmed)
- Commerce: Gina Raimondo (Waiting for vote)
- Labor: Marty Walsh (Waiting for vote)

- Agriculture: Tom Vilsack (Confirmed)
- Housing & Urban Dev: Marcia Fudge (Waiting for vote)
- Education: Miguel Cardona

Cabinet-level officials

- White House Chief of Staff: Ron Klain
- White House OMB Director: Neera Tanden (Waiting for vote)
- Office of Science & Tech Policy Director: Eric Lander
- EPA Administrator: Michael Regan (Waiting for vote)
- Director of National Intelligence: Avril Haines (Confirmed)
- USTR: Katherine Tai
- SBA Administrator: Isabel Guzman
- Ambassador to the UN: Linda Thomas-Greenfield (Nomination Cloture Vote 2/22)
- Special Presidential Envoy for Climate: John Kerry

The Biden Administration is expected to make the following changes to the Paycheck Protection Program (PPP) this week:

- Institute a 14-day period, starting Wednesday, during which only businesses with fewer than 20 employees can apply for relief through the program,
- Help sole proprietors, independent contractors, and self-employed individuals receive more financial support,
- Eliminate an exclusionary restriction that prevents small business owners with prior non-fraud felony convictions from obtaining relief through PPP,
- Eliminate an exclusionary restriction that prevents small business owners who are delinquent on their federal student loans from obtaining relief through PPP, and
- Ensure access for non-citizen small business owners who are lawful U.S. residents by clarifying that they may use Individual Taxpayer Identification Numbers (ITINs) to apply for relief.

Cassidy and Associates support in February:

- Ensure inclusion of language in House Oversight and Government Reform portion of the COVID relief bill that would allow state and local governments to transfer funds to South Coast AQMD.
- Informed relevant Senate staff of such language in House bill and advocated for inclusion in Senate bill.
- Collected intel on the Administration's and Congressional Leadership's plan for infrastructure legislation, which we expect to move in late spring or early summer.
- Participated in weekly strategy meetings with South Coast AQMD staff.

PANDEMIC RESPONSE PROGRAMS AND AUTHORITIES

On January 26, the FDA announced that it had placed all alcohol-based hand sanitizers from Mexico on a country-wide import alert. The FDA is continuing efforts to protect consumers from potentially dangerous or subpotent hand sanitizers, all alcohol-based hand sanitizers from Mexico are on a country-wide import alert to help stop products that appear to be in violation from entering the U.S. until the agency is able to review the products' safety.

Over the course of the ongoing pandemic, the agency has seen a sharp increase in hand sanitizer products from Mexico that were labeled to contain ethanol (also known as ethyl alcohol) but tested positive for methanol contamination. Methanol, or wood alcohol, is a substance that can be toxic when absorbed through the skin and life-threatening when ingested. Methanol is not an acceptable ingredient in hand sanitizer or other drugs.

The FDA has scheduled a meeting of its Vaccines and Related Biological Products Advisory Committee (VRBPAC) for February 26, to discuss the request for emergency use of authorization (EUA) for a COVID-19 vaccine from Janssen Biotech Inc. The FDA intends to make background materials available to the public, including the meeting agenda and committee roster, no later than two business days prior to the meeting. The FDA intends to livestream the VRBAC meeting on the agency's YouTube, Facebook, and Twitter channels; the meeting will also be webcast on the FDA website.

Since the beginning of the pandemic, the FDA has anticipated the possible emergence of COVID-19 variants. They have been actively assessing the impact of new strains on authorized products and continue to work with medical product sponsors and international partners to evaluate the impact that each variant may have on effectiveness or utility of authorized medical products. The FDA has already been communicating with individual medical product sponsors to provide information as they evaluate the impact of COVID-19 variants on their products. And as part of their commitment to a public and transparent process, the FDA is developing guidances for diagnostic, therapeutic and vaccine developers to help guide ongoing medical product development.

The FDA is revising the Letter of Authorization for COVID-19 convalescent plasma to limit the authorization to the use of high titer COVID-19 convalescent plasma only for the treatment of hospitalized patients with COVID-19 early in the disease course and for those hospitalized patients who have impaired humoral immunity and cannot produce an adequate antibody response. Plasma with low levels of antibodies have not been shown to be helpful in COVID-19.

The use of low titer COVID-19 convalescent plasma is no longer authorized under the EUA as additional data from clinical trials, including randomized, controlled trials, have not shown

evidence to demonstrate that low titer convalescent plasma may be effective in the treatment of hospitalized patients with COVID-19.

On February 5, the FDA approved Breyanzi (lisocabtagene maraleucel), a cell-based gene therapy to treat adult patients with certain types of large B-cell lymphoma who have not responded to, or who have relapsed after, at least two other types of systemic treatment. Breyanzi, a chimeric antigen receptor (CAR) T cell therapy, is the third gene therapy approved by the FDA for certain types of non-Hodgkin lymphoma, including diffuse large B-cell lymphoma (DLBCL). Breyanzi is not indicated for the treatment of patients with primary central nervous system lymphoma.

Reminders:

- FDA holds weekly Virtual Town Halls on COVID Diagnostics, every Wednesday – from 12:15 to 1:15 pm ET. For more information, click [here](#).
- FDA hosts regular webinars to share information and answer your questions about respirators and other personal protective equipment (PPE). The next webinar will be held on February 23 at 12:00 pm ET. For more information, click [here](#).
- [FDA's Coronavirus Disease 2019 \(COVID-19\)](#) webpage provides the latest news and information.
- FDA's COVID-19 Vaccines webpage at www.fda.gov/covid19vaccines highlights new information as it becomes available.
- For a Vaccine Development 101 click [here](#)
- Emergency Use Authorization for Vaccines Explained can be found [here](#)
- FDA Vaccine Facts - [The Path for a COVID-19 Vaccine from Research to Emergency Use Authorization](#)
- FDA's webpage - [A Closer Look at COVID-19 Diagnostic Testing](#) - provides health care providers and other public health professionals, including those who might purchase COVID-19 tests, with more technical information and resources.

End Date/Program

March 27, 2025

Special inspector General for Pandemic Recovery

Sept. 30, 2025

Pandemic Response Accountability Committee, Congressional Oversight Commission

AGENCY RESOURCES

USA.gov is cataloging all U.S. government activities related to coronavirus. From actions on health and safety to travel, immigration, and transportation to education, find pertinent actions [here](#). Each Federal Agency has also established a dedicated coronavirus website, where you can find important information and guidance. They include: Health and Human Services ([HHS](#)), Centers of Medicare and Medicaid ([CMS](#)), Food and Drug Administration ([FDA](#)), Department of Education ([DoED](#)), Department of Agriculture ([USDA](#)), Small Business Administration ([SBA](#)), Department of Labor ([DOL](#)), Department of Homeland Security ([DHS](#)), Department of State ([DOS](#)), Department of Veterans Affairs ([VA](#)), Environmental Protection Agency ([EPA](#)), Department of the Interior ([DOI](#)), Department of Energy ([DOE](#)), Department of Commerce ([DOC](#)), Department of Justice ([DOJ](#)), Department of Housing and Urban Development ([HUD](#)), Department of the Treasury ([USDT](#)), Office of the Director of National Intelligence ([ODNI](#)), and U.S. Election Assistance Commission ([EAC](#)).

Helpful Agency Contact Information:

U.S. Department of Health and Human Services – Darcie Johnston (Office – 202-853-0582 / Cell – 202-690-1058 / Email – darcie.johnston@hhs.gov)

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 – sean.poole@dot.gov)

ATTACHMENT 4A



Joe A. Gonsalves & Son

Anthony D. Gonsalves

Jason A. Gonsalves

Paul A. Gonsalves

PROFESSIONAL LEGISLATIVE REPRESENTATION

925 L ST. · SUITE 250 · SACRAMENTO, CA 95814-3766

916 441-0597 · FAX 916 441-5081

Email: gonsalves@gonsalvi.com

TO: South Coast Air Quality Management District

FROM: Anthony, Jason & Paul Gonsalves

SUBJECT: Legislative Update – February 2021

DATE: Thursday, February 25, 2021

February 19 marked the deadline for legislators to introduce bills for the 2021 legislative session. The Legislature's response to the pandemic seriously limited the number of bills it could pass in 2020. Despite this, the Legislature seems ready to pursue its normal workload and collectively introduced 2,373 bills, 1,560 in the Assembly and 813 in the Senate. We will continue to work with SCAQMD staff to identify bills that are of interest to the District.

It remains to be seen whether the Legislature will be able to work through anywhere near that number of bills. Social distancing measures in place in the Capitol have severely limited the number of hearings that each Committee can conduct, and at times slowed work on the Assembly and Senate floors. In an effort to avoid legislative traffic jams during deadline weeks, the Senate waived the requirement that introduced bills be in print for 30 days prior to the Legislature taking action. While this will allow bills to be set for hearing sooner, it also gives stakeholders, like SCAQMD, less time to review and engage on legislation.

Additionally, the Legislature passed and the Governor signed a \$7.6 billion Covid-19 economic relief package that includes a \$600 stimulus payment and \$2.1 billion for small businesses.

The following will provide you with updates of interest to the District:

BUDGET

On February 23, 2021, Governor Gavin Newsom signed into law a comprehensive package of budget actions that will speed needed relief to individuals, families and businesses suffering the most significant economic hardship due to COVID-19. The budget trailer bill package consists of AB 81, AB 82, AB 85, AB 87, AB 88 and SB 94.

The package, passed by the Legislature on February 22, 2021, builds on the initiatives in the Governor's January state budget proposal to provide cash relief to lower-income Californians, increase aid to small businesses and provide license renewal fee waivers to businesses impacted by the pandemic. In addition to these measures, these actions will commit additional resources for critical childcare services and fund emergency financial aid for community college students.

The following will provide you with a summary of the bills signed into law:

Direct Relief to Individuals and Families

Provides \$5.7 billion to incorporate the Governor's Golden State Stimulus plan to assist California households that have borne the disproportionate economic burden of the COVID-19 Recession – those with incomes below \$30,000, as well as those unfairly excluded from previous federal stimulus payments.

Provides \$600 in one-time relief to households receiving the California EITC for 2020. In addition, the agreement provides a \$600 one-time payment to taxpayers with Individual Tax Identification Numbers (ITINs) who were precluded from receiving the \$1,200 per person federal payments issued last spring and the more recent \$600 federal payments. The legislation also provides \$600 payments to households with ITINs and income below \$75,000. ITIN taxpayers who also qualify for the California EITC would receive a total of \$1,200. The payments will be provided to these households shortly after they file their 2020 tax returns.

Provides direct relief to additional lower-income Californians through a \$600 one-time grant to households enrolled in the CalWORKS program and recipients of SSI/SSP and Cash Assistance Program for Immigrants (CAPI). Grant payments for CalWORKS households are expected by mid-April; timing for the delivery of SSI/SSP and CAPI grants is currently under discussion with federal officials.

Immediate Relief for Small Businesses

Provides \$2.1 billion for grants up to \$25,000 for small businesses impacted by the pandemic, and allocates \$50 million of this total for non-profit cultural institutions.

Fee Waivers for Heavily Impacted Licensees

Provides two years of fee relief for roughly 59,000 restaurants and bars licensed through the state's Department of Alcoholic Beverage Control that can range annually from \$455 to \$1,235.

More Resources for Critical Childcare

Provides for over \$400 million in new federal funds to provide stipends of \$525 per enrolled child for all state-subsidized childcare and preschool providers. The new federal resources will extend care for children of essential workers through June 2022.

Additional Aid for Individuals and Families

Provides an additional \$24 million for financial assistance and services through Housing for the Harvest – a program providing support for agricultural workers who have to quarantine due to COVID-19. The effort also provides a combined \$35 million for food banks and diapers.

Emergency Financial Relief to Support Community College Students

Provides an additional \$100 million in emergency financial aid for qualifying low-income students carrying six or more units. In addition, the agreement provides \$20 million to reengage students who have either left their community college studies because of the pandemic or to engage students at risk of leaving.

CalFresh Student Outreach and Application Assistance

Provides roughly \$6 million to support outreach and application assistance to University of California, California State University and California Community College students made newly eligible for CalFresh. The agreement also provides \$12 million in state funds to support associated county administrative workload.

Restoration of Reductions

Restoration of the previously enacted reductions, effective July 1st, for the University of California, California State University, the Judicial Branch, Child Support Services and for moderate-income housing.

SPECIAL ELECTION

As we have reported in the past, Assemblymember Dr. Shirley Weber (San Diego) was appointed by Governor Newsom to fill the Secretary of State position that was vacated by the Governor's appointment of Senator Padilla to fill Vice-President Harris' US Senate seat.

Due to Dr. Weber's appointment, there is now a vacancy in the 79th Assembly District. Governor Gavin Newsom issued a proclamation declaring a special election for the 79th Assembly District of the State of California on June 8, 2021. The primary for the special election will be held on April 6, 2021.

CAP AND TRADE AUCTION RESULTS

The February 17, 2021 Cap and Trade auction was fully subscribed, marking the second quarter in a row where all allowances were sold, and generated \$650 million for the Greenhouse Gas Reduction Fund. All 54,773,607 current vintage allowances were offered for sale. Current

vintage allowances cleared at \$17.80, .09 cents above the floor price of \$17.71. This is .87 cents above the November 2020 settlement price of \$16.93.

All of the 8,306,250 future vintage allowances offered for sale sold, just as 100% sold in the previous auction. These allowances may not be used for compliance until 2024. Future vintage allowances sold at \$18.01, .30 cents above the floor price of \$17.71, and .66 cents above the \$17.35 settlement price from November 2020.

It should also be noted that there were just under 2 million more allowances offered in November compared to February, mainly due to the annual decline of the emissions cap. Because this is the second auction in a row to sell out of allowances, previously-unsold allowances such as those from the May and August 2020 auctions, can begin to be offered for sale again at the May 2021 auction. When allowances go unsold at auction, they are withheld from sale until two consecutive auctions sellout, after which they are slowly added back to the volume of allowances offered at subsequent auctions.

This first auction of 2021 is notable because it is the first sale reflecting the changes to the Program made in AB 398, the extension of the cap-and-trade program from 2017. Most notably, AB 398 directed CARB to add a ceiling price, above which no allowances would be sold at auction. AB 398 also required that any revenue raised from the sale of allowances at the price ceiling would be used to purchase emissions on at least a ton-for-ton basis. This ensures that the cap stays intact.

Additionally, AB 398 changed the usage limit and added new requirements for compliance obligation. Specifically, from 2021 to 2025 companies can only use offsets to meet 4% of their compliance obligation. This increases to 6% starting in 2026. Additionally, half of all offsets used must provide a “direct environmental benefit” to California.

There are 4 scheduled Cap and Trade auction in 2021; February 17, 2021, May 19, 2021, August 18, 2021, and November 17, 2021. We will continue to update you on the Cap and Trade program results.

2021 LEGISLATIVE CALENDAR

Feb. 19 - Last day for bills to be introduced.

Apr. 30 - Last day for policy committees to hear and report to Fiscal Committees fiscal bills introduced in their house.

May 7 - Last day for policy committees to hear and report to the Floor non-fiscal bills introduced in their house.

May 14 - Last day for policy committees to meet prior to June 7.

May 21 - Last day for fiscal committees to hear and report to the Floor bills introduced in their house. Last day for fiscal committees to meet prior to June 7th.

June 1-4 - Floor Session Only. No committee, other than Conference or Rules, may meet for any purpose.

June 4 - Last day for bills to be passed out of the house of origin.

June 7 - Committee meetings may resume.

June 15 - Budget bill must be passed by midnight.

July 14 - Last day for policy committees to meet and report bills.

Aug. 27 - Last day for fiscal committees to meet and report bills to the Floor.

Aug. 30-Sept. 10 - Floor Session only. No committees, other than conference committees and Rules Committee, may meet for any purpose.

Sept. 3 - Last day to amend bills on the Floor.

Sept. 10 - Last day for each house to pass bills. Interim Study Recess begins at end of this day's session.

South Coast Air Quality Management District Legislative and Regulatory Update – February 25, 2021

❖ Important Dates

- Mar. 10 – Last day for bills to be amended in the Senate.
- Mar. 25 – Spring Recess begins upon adjournment of the Legislature.
- Apr. 5 – Legislature reconvenes from Spring Recess.
- Apr. 30 – Last day for policy committees to meet and report to fiscal bills introduced in their house to the Appropriations Committee.
- May 7 – Last day for policy committees to meet and report to non-fiscal bills introduced in their house to the floor.
- May 14 – Last day for policy committees to meet until June 7.
- May 21 – Last day for Appropriations Committees to meet and report to non-fiscal bills introduced in their house to the floor.
- Jun 1-4 – Floor session only.
- Jun 4 – Last day for each house to pass bills introduced in that house.

❖ **RESOLUTE Actions on Behalf of South Coast AQMD.** RESOLUTE partners David Quintana and Jarrell Cook continued their representation of SCAQMD before the State's Legislative and the Executive branch. Selected highlights of our recent advocacy include:

- Set up a call between South Coast's team and Asm. Cristina Garcia (D-Bell Gardens) to discuss AB 617 funding allocations.
- Working with State Controller's Office to discuss South Coast's designation as an independent special district vs. a dependent special district.

❖ **Governor Newsom Signs Coronavirus Relief Package.** Governor Newsom signed into law a \$7.6 billion 'Golden State Stimulus' package that is focused on providing immediate relief to struggling Californians and small businesses. The legislation is a compromise on the proposal from the Governor's January budget proposal. The measure will provide cash relief to lower-income Californians, increase aid to small businesses and provide license renewal fee waivers to businesses impacted by the pandemic.

The stimulus package will provide \$600 for Californians received the Earned Income Tax Credit in 2020, as well as one-time \$600 grants to households enrolled in the CalWORKS program and recipients of SSI/SSP and Cash Assistance Program for Immigrants. \$2.1 billion will be distributed in grants of up to \$25,000 to small businesses impacted by the pandemic. Restaurants, bars, barbers, and cosmetologists will also be entitled to two years of relief from licensing fees.

The stimulus package also provides financial support for child care, community college students, food banks, and agricultural workers that have been forced to quarantine due to COVID-19. The bills signed as part of the Golden State Stimulus package include AB 81, AB 82, AB 85, SB 87, SB 88, and SB 94.

❖ **Cap-and-Trade Auction Generates \$647 Million.** The California Air Resources Board's [February 17 auction sold out of emissions allowances, raising \\$647 million for the state](#). The successful auction follows the uncharacteristically low revenue generated in May 2020 at the onset of the pandemic that had lawmakers and stakeholders concerned about the weaknesses and long-term stability in the program.

- ❖ **Senate Releases Schedule for Committee Hearings and Amendment Deadline.** The Senate has released its committee calendar detailing the scheduled meetings for its policy committees to hear bills through the Spring and Summer. Committee hearings will begin on March 8 and are scheduled through the end of April.

The Senate Rules Committee has also announced that all spot bill amendments must be submitted to the Committee by March 10. Requests for amendments to spot bills must be submitted to the Office of Legislative Counsel by Friday, February 26 to meet this deadline.

Senate Committee Schedule

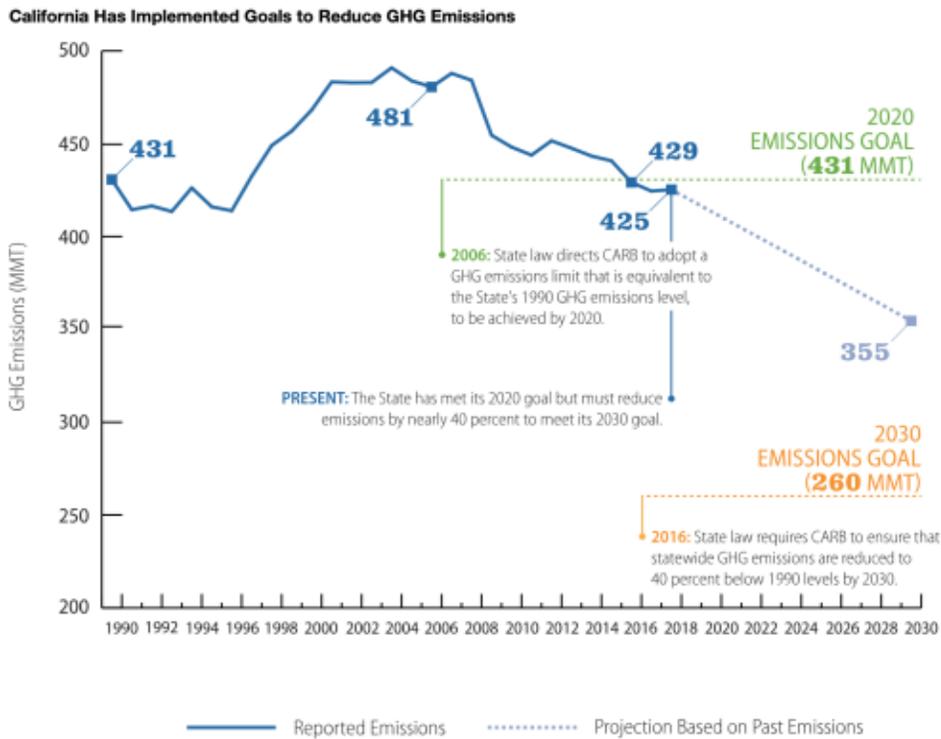
	Monday 3/8/2021	Tuesday 3/9/2021	Wednesday 3/10/2021	Thursday 3/11/2021	Friday 3/12/2021	Saturday 3/13/2021
AM	Business & Professions 9:00am-Noon (Senate Chamber)	Public Safety 9:00am-Noon (Rm 4203) Govt. Organization 9:00am-Noon (Senate Chamber)	Education 9:00am-Noon (Rm 4203) Banking & Finance 9:00am-Noon (Senate Chamber)	Senate Floor Session 9:00 AM Gov. & Finance Upon adjournment of Senate Session (Rm 4203)	No Cmtes Scheduled at this time	No Cmtes Scheduled at this time
PM	Senate Floor Session 2:00 PM Labor & PERS Upon adjournment of Senate Session (Rm 4203)	Judiciary 1:30pm-5:00pm (Senate Chamber) Human Services 1:30pm-5:00pm (Rm 4203)	Rules 1:30 PM (Rm 3191) Health 1:00pm-5:00pm (Senate Chamber)	Insurance Upon adjournment of Senate Session (Senate Chamber)	No Cmtes Scheduled at this time	No Cmtes Scheduled at this time

	Monday 3/15/2021	Tuesday 3/16/2021	Wednesday 3/17/2021	Thursday 3/18/2021	Friday 3/19/2021	Saturday 3/20/2021
AM	Elections 9:00am-Noon (Rm 3191) Environmental Quality 9:00am-Noon (Rm 4203)	Nat Resources 9:00am-Noon (Rm 4203) Transportation 9:00am-Noon (Senate Chamber)	Education 9:00am-Noon (Senate Chamber) Military & Vets Affairs 9:00am-Noon (Rm 4203)	Senate Floor Session 9:00am Agriculture Cmte Upon adjournment of Senate Session (Rm 4203)	No Cmtes Scheduled at this time	No Cmtes Scheduled at this time
PM	Senate Floor Session 2:00pm Energy, Utilities Cmte Upon adjourn of Senate Session (Senate Chamber)	Public Safety 1:30pm- 5:00pm (Rm 4203) Judiciary 1:30pm- 5:00pm (Senate Chamber)	Rules 1:30 PM (Rm 3191) Health 1:00pm- 5:00pm (Senate Chamber)	Housing Upon adjournment of Agriculture Cmte (Rm 4203)	No Cmtes Scheduled at this time	No Cmtes Scheduled at this time
	Monday 3/22/2021	Tuesday 3/23/2021	Wednesday 3/24/2021	Thursday 3/25/2021	Friday 3/26/2021	Saturday 3/27/2021
AM	Appropriations 9:00am -Noon (Rm 4203) Business & Professions Cmte 9:00am-Noon (Senate Chamber)	Public Safety 9:00am-Noon (Rm 4203) Govt. Organization Cmte 9:00am-Noon (Senate Chamber)	Education 9:00am-Noon (Rm 4203) Banking & Finance 9:00am-Noon (Senate Chamber)	Senate Floor Session 9:00am Gov.& Finance Upon adjournment of Senate Session (Rm 4203)	No Cmtes Scheduled at this time Spring Recess	No Cmtes Scheduled at this time
PM	Senate Floor Session 2:00pm Labor & PERS Upon adjournment of Senate Session (Rm 4203)	Judiciary 1:30pm- 5:00pm (Senate Chamber) Human Services 1:30pm- 5:00pm (Rm 4203)	Rules 1:30 PM (Rm 3191) Health 1:00pm- 5:00pm (Senate Chamber)	Insurance Upon adjournment Senate Session (Senate Chamber) Spring Recess Begins	Spring Recess	
	Monday 3/29/2021	Tuesday 3/30/2021	Wednesday 3/31/2021	Thursday 4/1/2021	Friday 4/2/2021	Saturday 4/3/2021
AM	Spring Recess	Spring Recess	Spring Recess	Spring Recess	Spring Recess	

	Monday 4/5/2021	Tuesday 4/6/2021	Wednesday 4/7/2021	Thursday 4/8/2021	Friday 4/9/2021	Saturday 4/10/2021
AM	Appropriations 9:00am-Noon (Rm 4203) Business & Professions Cmte 9:00am-Noon (Senate Chamber)	Public Safety 9:00am-Noon (Rm 4203) Govt. Organization Cmte 9:00am-Noon (Senate Chamber)	Education Cmte 9:00am-Noon (Rm 4203) Banking & Finance Cmte 9:00am-Noon (Senate Chamber)	Senate Floor Session 9:00am Gov. & Finance Upon Adjournment of Senate Session (Rm 4203)	No Cmtes Scheduled at this time	No Cmtes Scheduled at this time
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	Monday 4/12/2021	Tuesday 4/13/2021	Wednesday 4/14/2021	Thursday 4/15/2021	Friday 4/16/2021	Saturday 4/17/2021
AM	Elections 9:00am-Noon (Rm 3191) Environmental Quality 9:00am-Noon (Rm 4203)	Nat Resources 9:00am-Noon (Rm 4203) Transportation 9:00am-Noon (Senate Chamber)	Education 9:00am-Noon (Senate Chamber) Military & Vets Affairs Noon (Rm 4203)	Senate Floor Session 9:00am Agriculture Cmte Upon adjournment of Senate Session (Rm 4203)	No Cmtes Scheduled at this time	No Cmtes Scheduled at this time
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	Monday 4/19/2021	Tuesday 4/20/2021	Wednesday 4/21/2021	Thursday 4/22/2021	Friday 4/23/2021	Saturday 4/24/2021
AM	Appropriations 9:00am- 12:00pm (Rm 4203) Business & Professions Cmte 9:00am-Noon (Senate Chamber)	Public Safety 9:00am-Noon (Rm 4203) Govt. Organization Cmte 9:00am-Noon (Senate Chamber)	Education 9:00am-Noon (Rm 4203) Banking & Finance 9:00am-Noon (Senate Chamber)	Senate Floor Session 9:00am Gov.& Finance Upon adjournment of Senate Session (Rm 4203)	No Cmtes Scheduled at this time	No Cmtes Scheduled at this time
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	Monday 4/26/2021	Tuesday 4/27/2021	Wednesday 4/28/2021	Thursday 4/29/2021	Friday 4/30/2021	Saturday 4/31/2021
AM	Elections 9:00am-Noon (Rm 3191) Environmental Quality 9:00am-Noon (Rm 4203)	Natural Resources 9:00am-Noon (Rm 4203) Transportation 9:00am-Noon (Senate Chamber)	Education 9:00am-Noon (Senate Chamber) Military & Vets Affairs 9:00am-Noon (Rm 4203)	Senate Floor Session 9:00am Agriculture Upon adjournment of Senate Session (Rm 4203)	No Cmtes Scheduled at this time	No Cmtes Scheduled at this time
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- ❖ CARB Criticized by State Audit for Not Doing Enough to Help California Meet its Climate Goals. On February 23, the State Auditor Elaine Howle [released an assessment of the California Air Resources Board](#), as directed by the Joint Legislative Audit Committee. The Auditor warned that California is not on track to meet its goal to cut greenhouse gases by 40% by 2030.



The Auditor concluded that “CARB has not done enough to measure the GHG emissions reductions its individual transportation programs achieve . . . CARB has done little to measure the extent to which its incentive programs lead to emissions reductions by causing individuals and businesses to acquire clean vehicles that they otherwise would not . . . CARB has overstated the GHG emissions reductions its incentive programs have achieved.”

The Auditor made the following key recommendations:

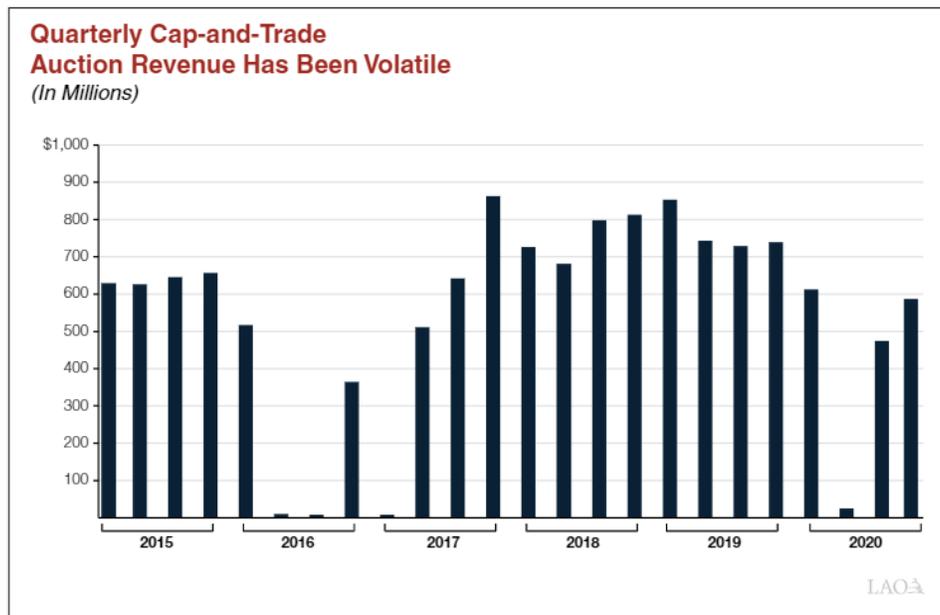
- To improve its ability to isolate each of its incentive programs’ GHG reductions, by February 2022 CARB should establish a process to formally identify its incentive programs’ overlap with other programs that share the same objectives.
- To improve its ability to identify the effectiveness of each of its incentive programs in reducing GHG emissions, by August 2021 CARB should develop a process to define, collect, and evaluate data on the behavioral changes that result from each of its incentive programs.
- To better assist the State in achieving its GHG goals, CARB should use the information we describe above to refine its GHG emissions estimates for its incentive programs in its annual reports to the Legislature, the funding plans approved by its board, and any longer-term planning documents or reports.
- To better demonstrate that its incentive programs are as effective as possible in achieving specific socioeconomic benefits, by February 2022 CARB should develop a process to define, collect, and evaluate data that will translate to metrics showing the socioeconomic benefits that result from each of the incentive programs.

- To provide transparency to the Legislature and other stakeholders, beginning in 2022 and using the metrics and data described above, CARB should make funding and design recommendations in its funding plans and annual reports based on which programs are effective in producing socioeconomic benefits and at what cost.

CARB, [in its response](#), has asserted that it has already implemented several of the Auditor’s recommendations, but that it would likely require additional time, staffing, and resources. The Auditor, reviewing CARB’s response, stuck by its recommendations and indicated that CARB’s statements were not fully responsive to its recommendations and its current and planned programs would not be sufficient to remedy the problems it identified.

Assemblymember Jim Cooper (D-Elk Grove), who has criticized CARB publicly in the past, stated that the audit’s findings “are unfortunately not surprising.” He added that CARB “continuously ignored the calls of Legislators and California taxpayers to look closely at how their incentive programs disproportionately left California’s struggling middle-class footing the bill for wealthy communities so that they could purchase electric vehicles.”

- ❖ **LAO Releases Analysis of the Governor’s Cap-and-Trade Expenditure Plan.** On February 10, the Legislative Analysts Office released [a report](#) analyzing the Governor’s cap-and-trade expenditure plan, which includes “early action” discretionary spending of \$624 million in 2020-21, as well as \$745 million in 2021-22.



The LAO found that Cap-and-Trade revenue has been volatile. The state has approximately \$1.5 billion in existing spending commitments; \$1885 million is spent on administrative costs and mandatory statutory allocations that backfill losses in revenue, like tax and fee exemptions. The remaining \$745 million is used to fund a variety of programs through discretionary spending. That is about half of the funding that was available in previous years.

Proposed Discretionary Spending		\$624	\$745
Forests			
Healthy and resilient forests (SB 901)	CalFire	\$125	\$200
Low Carbon Transportation			
Heavy-duty vehicle and off-road equipment	Air Resources Board	165	150
Transportation equity programs	Air Resources Board	74	76
Community Air Protection Program (AB 617)			
Local air district programs to reduce air pollution	Air Resources Board	\$125	\$140
Local air district administrative costs	Air Resources Board	— ^c	50
Technical assistance to community groups	Air Resources Board	—	10
Agriculture			
Agricultural diesel engine replacement	Air Resources Board	\$90	\$80
Healthy Soils	Food and Agriculture	15	15
Safe Drinking Water			
Safe Drinking Water Program ^d	State Water Board	\$30	\$24

Under the Governor’s proposal, the state will allocate \$190 million to the Air Resources Board support AB 617 programs developed by and administrative costs incurred by local air districts. CARB will also receive an additional \$226 million to support low carbon transportation programs focused on transportation equity and heavy-duty vehicle and off-road equipment. The LAO notes that the Governor’s plan does not include funding for the Clean Vehicle Rebate Project, Transformative Climate Communities, waste diversion, or methane emissions reductions.

- ❖ **Senate and Assembly Lawmakers Announce the Formation of a Bicameral, Bipartisan ‘Problem Solvers Caucus.’** Eight lawmakers [announced](#) on February 16 that they would form a group dedicated to “finding solutions and creating results” that would pursue and reward bipartisan solutions and compromises.



The legislators include Assemblymembers Adam Gray (D-Merced), Tom Lackey (R-Palmdale), Cottie Petrie Norris (D-Irvine), Chad Mayes (I-Rancho Mirage), Jordan Cunningham (R-San Luis Obispo), Suzette Valladares (R-Santa Clarita), as well as Senators Melissa Hurtado (D-Fresno) and Josh Newman (D-Brea). Among their priorities they list the following ideas:

- A non-partisan Attorney General and Secretary of State.
- Consolidation and reorganization of California’s more than 200 state agencies, departments and commissions with clear lines of accountability.

- A two-year budget cycle, where each even-numbered year the Legislature focuses on oversight of the executive branch and its vast array of departments.
 - A streamlined legislative process for bills with bipartisan support.
- ❖ **CARB Hosting a Workshop on its Proposed Advanced Clean Fleet Regulation.** The California Air Resources Board will be hosting two workshops to discuss its proposed Advanced Clean Fleets regulation on [March 2 at 5pm](#) and on [March 4 at 1pm](#). The regulation is part of CARB's strategy to achieve a zero-emission vehicle truck and bus fleet everywhere feasible in the state by 2045, and earlier where possible.

CARB has highlighted that the workshop will have a special focus on the requirements for public fleets, drayage trucks, private and federal fleets, and outsourcing for zero-emission transportation services.



CALIFORNIA ADVISORS, LLC

South Coast AQMD Report
California Advisors, LLC
March 12, 2021 Legislative Committee Hearing

General Update

February 19th marked the deadline for new bills to be introduced for the 2021 legislative session. Over the final days before the deadline, hundreds of new bills were introduced between the two houses. The Assembly has introduced 1,560 bills and the Senate has introduced 813 bills for a total of 2,373. These figures do not include constitutional amendments or resolutions. It should also be noted that policy committees can still introduce bills past the deadline and the Senate has already seen a small increase in bills introduced since the deadline because of new committee-introduced bills. A significant portion of the legislation introduced are “spot bills” which make technical, non-substantive changes to law and serve as placeholders until more details can be added to the bills.

The number of bills introduced for 2021 is consistent with prior years. Generally, the Legislature has introduced over 2000 bills per year and the first year of the 2-year session usually has a higher number of bill introductions. By way of comparison, the following are the bill introduction totals for the first year of the past two legislative sessions:

- Total 2019 bill introductions as of the deadline: 2,576
- Total 2017 bill introductions as of the deadline: 2,495

As we have previously reported there will continue to be caps on how many bills legislators can pass to the other house. Additionally, the number of bills will be further stressed by the capacity of policy committees to hear bills. We would expect that a number of these will have to wait until next year to be heard.

During the last week of February, the Legislature and Governor Gavin Newsom acted swiftly to enact a comprehensive bill package aimed at providing immediate relief to individuals, families, and businesses suffering from economic hardship due to COVID-19. The legislative package included the one-time stimulus payments of \$600 for 5.7 million Californians and grants for small businesses that have been impacted during the pandemic and provided more resources for childcare and support for community college students. Notably, these efforts are being funded by an unexpected budget surplus that California continues to enjoy.

These bills represent most of the \$9.57 billion economic stimulus deal that was announced earlier in the month. However, the Legislature held off on one proposed bill that would have created \$2 billion in tax breaks for businesses that got federal paycheck protection program loans. It is anticipated that that measure will be passed in the coming weeks.

Regulatory

The State Auditor Elaine Howle released a report titled *Improved Program Measurement Would Help California Work More Strategically to Meet Its Climate Change Goals*. The audit focuses on the California Air Resources Board's (CARB) transportation programs, which are intended to reduce greenhouse gas (GHG) emissions. Among the findings, it was concluded that CARB does not adequately measure the GHG emissions reductions its incentive programs achieve. As a result, the report contends that the agency has overstated the achieved GHG emissions reductions and obscured the cost effectiveness of its incentive programs.

The audit report also suggests that California may not meet its upcoming goal of reducing GHG emissions 40 percent by 2030. Specifically, the report states, "Although other sources of GHG emissions have been declining in recent years, emissions from transportation have increased since 2013, and GHG emissions from transportation accounted for 40 percent of all statewide emissions in 2018." Lastly, the report also found that CARB has not demonstrated that its programs achieve the socioeconomic benefits it claims.

CARB has agreed with the Auditor's recommendations in the report and indicated they will implement them.

[↑ Back to Agenda](#)

BOARD MEETING DATE: April 2, 2021

AGENDA NO. 19

REPORT: Special Legislative Committee

SYNOPSIS: The Legislative Committee held a special meeting remotely on Friday, March 19, 2021. The following is a summary of the meeting.

Agenda Item	Recommendation/Action
AB 426 (Bauer-Kahan) - Toxic air contaminants	Work With Author
AB 1547 (Reyes) - Air pollution: warehouse facilities	Work With Author
AB 1296 (Kamlager) - South Coast Air Quality Management District: District Board: Membership	Work With Author
SB 342 (Gonzalez) - South Coast Air Quality Management District: Board Membership	Work With Author

RECOMMENDED ACTION:

Receive and file this report, and approve agenda items as specified in this letter.

Michael A. Cacciotti, Chair
Legislative Committee

DJA:LTO:PFC:DPG:sd

Committee Members

Present: Mayor Pro Tem Michael A. Cacciotti/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 Cacciotti called the meeting to order at 8:00 a.m.

ACTION ITEMS:

1. Recommend Position on State Bills:

AB 426 (Bauer-Kahan) Toxic air contaminants

Philip Crabbe III, Public Affairs Manager, Legislative, Public Affairs & Media, presented AB 426 (Bauer-Kahan) . This bill would clarify that air districts statewide have the authority to adopt and implement regulations to require data regarding air pollution from new and existing indirect and areawide sources of air pollution, including mobile sources drawn by those sources, to enable the calculation of health risks from toxic air contaminants.

This bill would also add the reduction of health risks from toxic air contaminants to the responsibilities of air districts, as it relates to their authorized authority to conduct indirect source rulemaking. Finally, the bill would clarify that air districts' regulatory authority over indirect and areawide sources of pollution includes both new and existing sources.

However, air districts already have this authority with respect to indirect source rulemaking, and this bill could create confusion regarding air districts' existing authority.

Staff met with Bay Area AQMD staff and expressed concerns regarding the bill. Staff from the two agencies have been working together on changes to the bill to address these concerns.

Staff's recommendation is to take a "Work With Author" position and continue to seek the additional amendment. Supervisor Perez expressed support for staff's recommended approach.

Supervisor Rutherford inquired as to whether the bill's sponsor was supportive of the final amendment being requested. Staff confirmed that the sponsor supports the amendment.

Harvey Eder, Public Solar Power Coalition, provided public comment regarding indirect source authority and related case law.

Staff recommended a "WORK WITH AUTHOR" position on this bill.

Moved by Perez; seconded by Delgado

Ayes: Cacciotti, Delgado, Perez

Noes: Rutherford

Abstain: None

Absent: Burke, Buscaino

AB 1547 (Reyes) Air pollution: warehouse facilities

Mr. Crabbe presented AB 1547 (Reyes) . which is a spot (or placeholder) bill . As proposed to be amended, this bill would authorize CARB to regulate indirect sources throughout the state. The bill would also require local governments, before approving a warehouse development project, to take certain actions to identify and address the potential environmental impacts of the project and to ensure public participation in the consideration of the project by residents affected by it.

Supervisor Perez expressed concern about taking an oppose position and asked if staff had met with the author . Mr. Crabbe responded that staff met with Assembly Member Reyes briefly, and had meetings with her staff, and that the author expressed a willingness to work with the South Coast AQMD.

Senator Delgado stated that the author’s staff reached out to her to discuss the bill and that she does not want to oppose the bill at this time, but instead recommends that we work with the author.

Chair Cacciotti and Supervisor Perez agreed with this approach.

Chris Chavez with Coalition for Clean Air stated that he does not agree that this bill infringes on local control. Coalition for Clean Air supports the bill and encourages the South Coast AQMD to work with the author.

Mr. Eder provided comments on a Supreme Court case in California from 2012 and on solar equity and conversion.

Yassi Kavezade, Sierra Club, expressed support for the bill.

Todd Campbell, Clean Energy, expressed concern about meeting federal air quality deadlines and stated that Sacramento is not helping enough. He encourage South Coast AQMD to work with the author.

Supervisor Rutherford commented that this bill is an attempt to take land use authority away from local governments and the bill is not needed.

Staff initially recommended an “OPPOSE” position on this bill. **However, based on Committee discussion, a motion to take a “WORK WITH AUTHOR” position on this bill was considered by the Committee.**

Moved by Delgado; seconded by Perez

Ayes: Cacciotti, Delgado, Perez

Noes: Rutherford

Abstain: None

Absent: Burke, Buscaino

AB 1296 (Kamlager) South Coast Air Quality Management District: district board: membership and SB 342 (Gonzalez) South Coast Air Quality Management District: board membership

Mr. Crabbe presented AB 1296 (Kamlager) and SB 342 (Gonzalez). These bills would each increase the number of members of the South Coast AQMD Governing Board from 13 to 15 by adding two environmental justice (EJ) appointees, one appointed by the Senate Rules Committee and one by the Assembly Speaker.

SB 342 has two differences from AB 1296. SB 342 requires that the two EJ Boardmembers reside within environmental justice communities within the South Coast District. SB 342 makes technical adjustments relating to what constitutes a quorum.

Senator Delgado asked for a clarification on the definition of an environmental justice community within these bills. Staff will get information from the authors' offices regarding this inquiry.

Abigail Mejia of Senator Lena Gonzalez's office commented in support of SB 342 and offered to get clarification on the bill's definition of an environmental justice community and follow-up with South Coast AQMD staff.

Melissa Romero, California League of Conservation Voters, commented in support of SB 342.

Mr. Chavez commented in support of SB 342 and AB 1296.

David Pettit, NRDC, expressed support for SB 342.

Mr. Eder commented on the definition of environmental justice and a Supreme Court decision he believes clarifies the definition.

Supervisor Rutherford stated that this bill usurps local control. Supervisor Perez agreed and believes these bills need to be looked into further.

Senator Delgado stated that she would like to hear more about the intent of these bills and is open to more communication with the authors. In response to an inquiry from Chair Cacciotti, Mr. Nastri suggested a "Work With Author" approach on these two bills and stated that staff can continue to gather more information on these bills and report back at the next meeting.

Based on Committee discussion, a motion to take a "WORK WITH AUTHOR" position on these two bills was considered by the Committee.

Moved by Delgado; seconded by Perez
Ayes: Cacciotti, Delgado, Perez
Noes: Rutherford
Abstain: None
Absent: Burke, Buscaino

WRITTEN REPORTS:

2. Legislative Committee State Bill Activity Report

Mr. Alatorre explained that the committee had asked for staff to provide a report on important legislative bills, which staff will prepare and submit to committee members on a weekly basis.

There was no public comment.

3. Legislative Committee Federal Bill Activity Report

There was no public comment.

OTHER MATTERS:

4. Public Comment Period

There was no public comment.

5. Next Meeting Date

The next regular Legislative Committee meeting is scheduled for Friday, April 9, 2021 at 9:00 a.m.

Adjournment

The meeting adjourned at 8:49 a.m.

Attachments

1. Attendance Record
2. Recommend Position on State Bills
3. Potential State Legislative Bills of Interest – Written List
4. Potential Federal Legislative Bills of Interest – Written List

ATTACHMENT 1

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT SPECIAL LEGISLATIVE COMMITTEE MEETING (VIA ZOOM) ATTENDANCE RECORD – March 19, 2021

Mayor Pro Tem Michael Cacciotti.....	South Coast AQMD Board Member
Senator Vanessa Delgado	South Coast AQMD Board Member
Supervisor V. Manuel Perez	South Coast AQMD Board Member
Supervisor Janice Rutherford.....	South Coast AQMD Board Member
Frank Cardenas	Board Consultant (Cacciotti)
Guillermo Gonzalez	Board Consultant (Perez)
Debra Mendelsohn	Board Consultant (Rutherford)
Ben Wong	Board Consultant (Cacciotti)
Ross Zelen.....	Board Consultant (Kracov)
Ross Buckley	California Advisors, LLC
Paul Gonsalves	Joe A. Gonsalves & Son
David Quintana	Resolute
Alan Abbs	Bay Area AQMD
Mark Abramowitz	
Angie Balderas	Sierra Club
Stephanie Bream	CCEEB
Betsy Brien	PBF Energy
Greg Busch	Marathon Petroleum
Todd Campbell.....	Clean Energy
Chris Chavez	Coalition for Clean Air
Ramine Cromartie	Western States Petroleum Association
Ken Dami	
Carlo De La Cruz	
Peter Herzog	
Regina Hsu.....	Earth Justice
Inland Empire Economic Partnership	
Dawid Jasper	
Yassi Kavezade	Sierra Club
Frances Keeler	CCEEB
Matt Klink	
Bill LaMarr	California Small Business Alliance
Zachary Leary	
Loraine Ludquist	
Bruce Marsh	
Erick Martell	Port of Los Angeles
Adrian Martinez	Earth Justice
Dan McGivney.....	So Cal Gas
Abilgail Mejia	Senator Lena Gonzalez’s Office
Peter Okurowski	
Daniel Peeden	
Felipe Perez	
David Pettit	NRDC
Melissa Romero	California League of Conservation Voters
David Rothbart	Los Angeles County Sanitation Districts
Patty Senecal	Western States Petroleum Association

Brissa Sotelo-Vargas	Valero
Madeline Stone	Bay Area AQMD
Andrea Vidaurre	
Barry Wallerstein	
Janet Whittick	CCEEB
Peter Whittingham	Whittingham Public Affairs Advisors
Sarah Wiltfong	
Francis Yang	Sierra Club
Derrick Alatorre	South Coast AQMD Staff
Jason Aspell	South Coast AQMD Staff
Barbara Baird.....	South Coast AQMD Staff
Maria Castro.....	South Coast AQMD Staff
Philip Crabbe	South Coast AQMD Staff
Stacy Day	South Coast AQMD Staff
Bayron Gilchrist.....	South Coast AQMD Staff
Kathryn Higgins.....	South Coast AQMD Staff
Anissa Cessa Heard-Johnson	South Coast AQMD Staff
Mark Henninger	South Coast AQMD Staff
Sujata Jain	South Coast AQMD Staff
Ricky Lai.....	South Coast AQMD Staff
Jason Low	South Coast AQMD Staff
Ian MacMillan.....	South Coast AQMD Staff
Matt Miyasato	South Coast AQMD Staff
Ron Moskowitz.....	South Coast AQMD Staff
Wayne Natri	South Coast AQMD Staff
Denise Peralta-Gailey	South Coast AQMD Staff
Sarah Rees.....	South Coast AQMD Staff
Jeanette Short.....	South Coast AQMD Staff
Lisa Tanaka O'Malley	South Coast AQMD Staff
Anthony Tang	South Coast AQMD Staff
Veera Tyagi.....	South Coast AQMD Staff
Jill Whynot.....	South Coast AQMD Staff
Paul Wright.....	South Coast AQMD Staff
Victor Yip	South Coast AQMD Staff
Priscilla Yuen.....	South Coast AQMD Staff

ATTACHMENT 2A

South Coast Air Quality Management District
Legislative Analysis Summary – AB 426 (Bauer-Kahan)
Version: Introduced – 2/4/2021
Analyst: PC

AB 426 (Bauer-Kahan) Toxic air contaminants

Summary: This bill would clarify that air pollution control districts (APCDs) and air quality management districts (AQMDs) statewide have the authority to adopt and implement regulations to require data regarding air pollution within the district’s jurisdiction from new and existing areawide stationary sources of air pollution, including mobile sources drawn by those stationary sources, to enable the calculation of health risks from toxic air contaminants created by the stationary sources.

This bill would also add the reduction of health risks from toxic air contaminants to the responsibilities of air districts, as it relates to their authorized authority to conduct indirect source rulemaking.

Background: Existing law authorizes local APCDs and AQMDs, in carrying out their responsibilities with respect to the attainment of state ambient air quality standards, to adopt and implement regulations that accomplish certain objectives. Existing law allows APCDs and AQMDs to adopt and implement regulations to reduce or mitigate emissions from indirect and areawide sources of air pollution to achieve attainment of state ambient air quality standards.

Diesel trucks emit more particulate matter than all of the state’s power plants combined. The author claims that an issue has arisen because air districts do not have enough information regarding “indirect sources” of pollution, which includes facilities that attract truck traffic and other “mobile” sources of pollution. Indirect sources of pollution include warehouses, distribution centers, ports, shopping centers, and event centers. In order to adequately address diesel pollution to protect the public’s health, air districts need the ability to gather information and work with local jurisdictions to mitigate negative health impacts on residents from diesel pollution.

People who live near indirect sources that attract truck traffic and other mobile sources that emit fine particulate and other pollutants are at high risk for exposure to health-threatening air pollutants emitted by these medium and heavy-duty vehicles. Further, communities near freeways and busy roadways have compounded health impacts due to near-constant exposure to air pollutants.

Status: 2/12/2021 - Referred to Asm. Comms. on NAT. RES. and TRANS.

Specific Provisions: Specifically, this bill would:

1. Add the reduction of health risks from toxic air contaminants to the responsibilities of air districts, as it relates to their authorized authority to conduct indirect source rulemaking;
2. Clarify that air districts' regulatory authority over indirect sources of pollution includes both new sources as well as existing sources; and
3. Allow air districts to require data regarding air pollution within the district's jurisdiction from new and existing areawide stationary sources of air pollution, including mobile sources drawn by those stationary sources, to enable the calculation of health risks from toxic air contaminants.

Impacts on South Coast AQMD's Mission, Operations or Initiatives: This bill, as written, would seek to clarify air districts' authority to gather more data regarding local indirect sources of air pollution that contribute significantly to negative community health impacts and to take actions to reduce toxic risk. It also seeks to clarify that air districts' indirect source rule authority applies to both new and existing facilities. However, air districts already have these aspects of authority with respect to indirect source rulemaking. An indirect source rule that seeks to help attain the state ambient air quality standards may have co-benefits of reducing toxic emissions. And there is nothing in the statutes that limit air district authority to new indirect sources or precludes regulation of existing indirect sources. This bill, as written, could create confusion regarding the existing authority of air districts. The bill could be used by opponents of our proposed warehouse rule to argue that air district authority is not currently sufficient to adopt rules relating to existing indirect sources. Staff's view is that clarification is not necessary because there is currently no statutory support for the opponents' arguments. South Coast AQMD staff has met with Bay Area AQMD staff and expressed these concerns regarding the bill. Bay Area AQMD and South Coast AQMD staff have been working together on possible proposed amendments to the bill to address these concerns.

South Coast AQMD Amendment Proposal: Add language to and/or alter existing language in the bill to properly acknowledge the existing authority of air districts, such as South Coast AQMD, to promulgate indirect source regulations with respect to both new and existing facilities and require data to facilitate those regulations. In addition to the attached draft amendments, South Coast AQMD staff has requested language be added that would provide that these amendments do not constitute a change in, but rather are declaratory of existing law. **(PLEASE SEE CORRESPONDING DRAFT AMENDMENTS TO AB 426 (BAUER-KAHAN) SUBMITTED BY THE BAY AREA AQMD IN RESPONSE TO SOUTH COAST AQMD STAFF CONCERNS.)**

Recommended Position: WORK WITH AUTHOR

South Coast Air Quality Management District
Legislative Analysis Summary – AB 426 (Bauer-Kahan)
Version: Introduced – 2/4/2021
Analyst: PC

Support:

Bay Area Air Quality Management District (Sponsor)

Opposition:

N/A

Introduced by Assembly Member Bauer-Kahan

February 4, 2021

An act to amend Section 40716 of the Health and Safety Code, relating to stationary air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 426, as introduced, Bauer-Kahan. Toxic air contaminants.

Existing law authorizes local air pollution control districts and air quality management districts, in carrying out their responsibilities with respect to the attainment of state ambient air quality standards, to adopt and implement regulations that accomplish certain objectives.

This bill would additionally authorize the districts to adopt and implement regulations to require data regarding air pollution within the district's jurisdiction from areawide stationary sources of air pollution, including mobile sources drawn by those stationary sources, to enable the calculation of health risks from toxic air contaminants. This bill would additionally authorize the districts to adopt and implement regulations to accomplish these objectives in carrying out their responsibilities with respect to the reduction of health risks from toxic air contaminants.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

1 (a) Existing law imposes various limitations on emissions of
2 air contaminants for the control of air pollution from vehicular and
3 nonvehicular sources. Existing law generally designates the State
4 Air Resources Board as the state agency with the primary
5 responsibility for the control of vehicular air pollution, and the air
6 pollution control districts or the air quality management districts
7 with the primary responsibility for the control of air pollution from
8 all sources other than vehicular sources, including stationary
9 sources. Existing law allows air pollution control districts and air
10 quality management districts to adopt and implement regulations
11 to reduce or mitigate emissions from indirect and areawide sources
12 of air pollution to achieve attainment of state ambient air quality
13 standards.

14 (b) The people of California have a right to know when
15 industrial or commercial operations result in emission of toxic air
16 contaminants that may pose a significant health risk to the people
17 exposed to those emissions.

18 (c) Diesel-fueled trucks are responsible for 33 percent of
19 statewide oxides of nitrogen emissions annually. These same trucks
20 emit more particulate matter than all of the state's powerplants.

21 (d) People who live near stationary sources that attract truck
22 traffic are at high risk for exposure to these health-threatening air
23 pollutants emitted by these medium- and heavy-duty vehicles, and
24 communities near freeways and busy roadways have compounded
25 health risk due to near-constant exposure to criteria air pollutants.

26 (e) In 1998, the State Air Resources Board identified diesel
27 particulate matter as a toxic air contaminant based on published
28 evidence of a relationship between diesel exhaust exposure and
29 lung cancer.

30 (f) Diesel particulate matter also contributes to noncancer health
31 effects, such as premature death, hospitalizations, and emergency
32 department visits for exacerbated chronic heart and lung diseases,
33 including asthma, increased respiratory symptoms, and decreased
34 lung function in children.

35 (g) Children are particularly vulnerable to the negative effect
36 of diesel particulate matter because they have higher respiratory
37 rates than adults and this can increase their exposure to air
38 pollutants relative to their body weight.

1 (h) Increased respiratory symptoms, such as coughing, wheezing,
2 runny nose, and doctor-diagnosed asthma, have been linked to
3 traffic exposure.

4 (i) Reducing emissions of these pollutants can have an
5 immediate beneficial impact on air quality and public health.

6 (j) Existing law does not provide local air pollution control
7 districts and air quality management districts sufficient data
8 collection and enforcement authority to reduce health risks
9 associated with toxic air contaminants, such as diesel particulate
10 matter. This authority would also allow air pollution control
11 districts and air quality management districts to adopt and
12 implement regulations requiring local and areawide stationary
13 sources to provide data on vehicular traffic drawn by stationary
14 sources and other operational data to better calculate local health
15 risks created by the stationary sources.

16 (k) The state should therefore move swiftly to provide this
17 authority to local air pollution control districts and air quality
18 management districts to encourage air districts to provide incentives
19 to stationary sources to transition to cleaner vehicle fleets, change
20 operations, or take other actions that would reduce the health risk
21 to residents from toxic air contaminants.

22 SEC. 2. Section 40716 of the Health and Safety Code is
23 amended to read:

24 40716. (a) In carrying out its responsibilities pursuant to this
25 division with respect to the attainment of state ambient air quality
26 ~~standards~~, *standards or the reduction of health risks from toxic air*
27 *contaminants*, a district may adopt and implement regulations to
28 accomplish ~~both~~ *any* of the following:

29 (1) Reduce or mitigate emissions from *new and existing* indirect
30 and areawide sources of air pollution.

31 (2) Encourage or require the use of measures which reduce the
32 number or length of vehicle trips.

33 (3) *Require data regarding air pollution within the district's*
34 *jurisdiction from new and existing areawide stationary sources of*
35 *air pollution, including mobile sources drawn by those stationary*
36 *sources, to enable the calculation of health risks from toxic air*
37 *contaminants.*

38 (b) Nothing in this section constitutes an infringement on the
39 existing authority of counties and cities to plan or control land use,

- 1 and nothing in this section provides or transfers new authority over
- 2 such land use to a district.

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AMENDMENTS TO ASSEMBLY BILL NO. 426

Amendment 1

In the title, in line 2, strike out “stationary”

Amendment 2

On page 2, in line 21, strike out “stationary” and insert:

indirect

Amendment 3

On page 3, in lines 7 and 8, strike out “data collection and enforcement” and
insert:

regulatory

Amendment 4

On page 3, in line 10, strike out “matter.” and insert:

matter, if actions taken pursuant to that authority do not assist in attaining state ambient air quality standards.

Amendment 5

On page 3, in line 10, strike out “authority” and insert:

act

Amendment 6

On page 3, in line 10, strike out “also allow” and insert:

clarify the existing authority of

Amendment 7

On page 3, in line 12, strike out “local” and insert:

indirect

Amendment 8

On page 3, in line 12, strike out “stationary”

Amendment 9

On page 3, in line 13, strike out “stationary” and insert:

these

Amendment 10

On page 3, in line 15, strike out “the stationary sources.” and insert:

them. This act would also clarify the existing authority of air pollution control districts to reduce or mitigate emissions from both new and existing indirect and areawide sources of air pollution.

Amendment 11

On page 3, in line 19, strike out “stationary” and insert:

indirect

Amendment 12

On page 3, in line 34, after “existing” insert:

indirect and

Amendment 13

On page 3, in line 34, strike out “stationary”

Amendment 14

On page 3, in line 35, strike out “stationary”

LEGISLATIVE COUNSEL' SDIGEST

AB 426, as amended, Bauer-Kahan. Toxic air contaminants.

Existing law authorizes local air pollution control districts and air quality management districts, in carrying out their responsibilities with respect to the attainment of state ambient air quality standards, to adopt and implement regulations that accomplish certain objectives.

This bill would additionally authorize the districts to adopt and implement regulations to require data regarding air pollution within the district' s jurisdiction from indirect and areawide stationary sources of air pollution, including mobile sources drawn by those ~~stationary~~ sources, to enable the calculation of health risks from toxic air contaminants. This bill would additionally authorize the districts to adopt and implement regulations to accomplish these objectives in carrying out their responsibilities with respect to the reduction of health risks from toxic air contaminants.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

[AMENDED IN...]

california legislature—2021-22 regular session

ASSEMBLY BILL

No. 426

Introduced by Assembly Member Bauer-Kahan

[Date introduced]

[Title will go here]

legislative counsel's digest

AB 426, as introduced, Bauer-Kahan. Toxic air contaminants.
[Text of Legislative Counsel's Digest will go here]

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

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Prepared By	_____
Approved By	_____
Digest Change	Yes <input type="checkbox"/> No <input type="checkbox"/>

PROPOSED AMENDMENTS TO ASSEMBLY BILL NO. 426

california legislature—2021–22 regular session

ASSEMBLY BILL

No. 426

1 **Introduced by Assembly Member Bauer-Kahan**

February 4, 2021

1 An act to amend Section 40716 of the Health and Safety Code,
 2 relating to ~~stationary~~ air pollution.

Amendment 1

legislative counsel's digest

AB 426, as introduced, Bauer-Kahan. Toxic air contaminants.

Existing law authorizes local air pollution control districts and air quality management districts, in carrying out their responsibilities with respect to the attainment of state ambient air quality standards, to adopt and implement regulations that accomplish certain objectives.

RN 21 10508 04

This bill would additionally authorize the districts to adopt and implement regulations to require data regarding air pollution within the district’s jurisdiction from *indirect and* areawide ~~stationary~~ sources of air pollution, including mobile sources drawn by those ~~stationary~~ sources, to enable the calculation of health risks from toxic air contaminants. This bill would additionally authorize the districts to adopt and implement regulations to accomplish these objectives in carrying out their responsibilities with respect to the reduction of health risks from toxic air contaminants.

Vote: majority. Appropriation: no. Fiscal committee: no.
 State-mandated local program: no.

The people of the State of California do enact as follows:

Page 1 1 SECTION 1. The Legislature finds and declares all of the
 2 following:

Page 2 1 (a) Existing law imposes various limitations on emissions of
 2 air contaminants for the control of air pollution from vehicular and
 3 nonvehicular sources. Existing law generally designates the State
 4 Air Resources Board as the state agency with the primary
 5 responsibility for the control of vehicular air pollution, and the air

RN 21 10508 04

6 pollution control districts or the air quality management districts
 7 with the primary responsibility for the control of air pollution from
 8 all sources other than vehicular sources, including stationary
 9 sources. Existing law allows air pollution control districts and air
 10 quality management districts to adopt and implement regulations
 11 to reduce or mitigate emissions from indirect and areawide sources
 12 of air pollution to achieve attainment of state ambient air quality
 13 standards.

14 (b) The people of California have a right to know when
 15 industrial or commercial operations result in emission of toxic air
 16 contaminants that may pose a significant health risk to the people
 17 exposed to those emissions.

18 (c) Diesel-fueled trucks are responsible for 33 percent of
 19 statewide oxides of nitrogen emissions annually. These same trucks
 20 emit more particulate matter than all of the state’s powerplants.

21 (d) People who live near ~~stationary~~*indirect* sources that attract
 truck
 22 traffic are at high risk for exposure to these health-threatening air
 23 pollutants emitted by these medium- and heavy-duty vehicles, and
 24 communities near freeways and busy roadways have compounded

Amendment 2

RN 21 10508 04

25 health risk due to near-constant exposure to criteria air pollutants.

26 (e) In 1998, the State Air Resources Board identified diesel
27 particulate matter as a toxic air contaminant based on published
28 evidence of a relationship between diesel exhaust exposure and
29 lung cancer.

30 (f) Diesel particulate matter also contributes to noncancer health
31 effects, such as premature death, hospitalizations, and emergency
32 department visits for exacerbated chronic heart and lung diseases,
33 including asthma, increased respiratory symptoms, and decreased
34 lung function in children.

35 (g) Children are particularly vulnerable to the negative effect
36 of diesel particulate matter because they have higher respiratory
37 rates than adults and this can increase their exposure to air
38 pollutants relative to their body weight.

Page 3 1 (h) Increased respiratory symptoms, such as coughing, wheezing,
2 runny nose, and doctor-diagnosed asthma, have been linked to
3 traffic exposure.

4 (i) Reducing emissions of these pollutants can have an
5 immediate beneficial impact on air quality and public health.

6 (j) Existing law does not provide local air pollution control

RN 21 10508 04

SUBSTANTIVE

Amendment 3

7 districts and air quality management districts sufficient ~~data~~
8 ~~collection and enforcement~~ *regulatory* authority to reduce health
risks

9 associated with toxic air contaminants, such as diesel particulate
10 ~~matter.~~ *matter, if actions taken pursuant to that authority do not*
assist in attaining state ambient air quality standards. This
~~authority act~~ *would also allow clarify the existing authority of air*
pollution control

Amendments 4, 5 & 6

11 districts and air quality management districts to adopt and
12 implement regulations requiring ~~local~~ *indirect* and areawide
~~stationary~~

Amendments 7 & 8

13 sources to provide data on vehicular traffic drawn by ~~stationary~~
these

Amendment 9

14 sources and other operational data to better calculate local health
15 risks created by ~~the stationary sources.~~ *them. This act would also*
clarify the existing authority of air pollution control districts to
reduce or mitigate emissions from both new and existing indirect
and areawide sources of air pollution.

Amendment 10

16 (k) The state should therefore move swiftly to provide this
17 authority to local air pollution control districts and air quality

RN 21 10508 04

18 management districts to encourage air districts to provide incentives
 19 to ~~stationary~~*indirect* sources to transition to cleaner vehicle fleets,
 change
 20 operations, or take other actions that would reduce the health risk
 21 to residents from toxic air contaminants.

Amendment 11

22 SEC. 2. Section 40716 of the Health and Safety Code is
 23 amended to read:

24 40716. (a) In carrying out its responsibilities pursuant to this
 25 division with respect to the attainment of state ambient air quality
 26 standards or the reduction of health risks from toxic air
 27 contaminants, a district may adopt and implement regulations to
 28 accomplish any of the following:

29 (1) Reduce or mitigate emissions from new and existing indirect
 30 and areawide sources of air pollution.

31 (2) Encourage or require the use of measures which reduce the
 32 number or length of vehicle trips.

33 (3) Require data regarding air pollution within the district's
 34 jurisdiction from new and existing *indirect and areawide* ~~stationary~~
 sources of

Amendments 12 & 13

35 air pollution, including mobile sources drawn by those ~~stationary~~

Amendment 14

RN 21 10508 04

36 sources, to enable the calculation of health risks from toxic air
37 contaminants.

38 (b) Nothing in this section constitutes an infringement on the
39 existing authority of counties and cities to plan or control land use,
Page 4 1 and nothing in this section provides or transfers new authority over
2 such land use to a district.

(Amended by Stats. 1996, Ch. 777, Sec. 2. Effective January 1,
1997. | CODE COMPARE) [PU Amended by Stats. 1996, Ch.
777, Sec. 2. Effective January 1, 1997.] [PU Amended by Stats.
1996, Ch. 777, Sec. 2. Effective January 1, 1997. | CODE
COMPARE]

(PU 20190AB 321199INT)

(PU RN20192343505)

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RN 21 10508 04

ATTACHMENT 2C

South Coast Air Quality Management District
Legislative Analysis Summary – AB 1547 (Reyes)
Version: Introduced – 2/19/2021 (TO BE AMENDED)
Analyst: PC

AB 1547 (Reyes)

Air pollution: warehouse facilities.

-- CONTENT OF ANALYSIS BASED ON PROPOSED AMENDMENTS RECEIVED
FROM AUTHOR'S OFFICE --

Summary: This bill would authorize CARB to regulate indirect sources. This bill would also require local governments, before approving a warehouse development project, to take certain actions to identify and address the potential environmental impacts of the project and to ensure public participation on the consideration of the project by residents affected by it.

Background: Existing law regulates the emissions of air pollution. Existing law designates air pollution control districts and air quality management districts as having the primary responsibility for the control of air pollution from all sources other than vehicular sources, subject to the powers and duties of CARB. Existing law designates CARB as having the primary responsibility for the control of air pollution from vehicular sources.

Existing law, the Planning and Zoning Law, sets forth various requirements relating to the review of development project permit applications and the issuance of development permits for particular specified classes of development projects. Existing law, the California Environmental Quality Act (CEQA), requires a lead agency to prepare, or cause to be prepared by contract, and certify the completion of, an environmental impact report on a project, that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect.

The trucks and trains that carry freight to be warehoused and trucks idling engines at or near warehouse sites pollute by emitting small toxic particles. Particulate emissions from diesel vehicles and equipment contribute to health problems that include cardiovascular problems, cancer, asthma, decreased lung function and capacity, reproductive health problems, and premature death. Warehousing facilities increase air pollution and threaten the health of residents living and working near busy roads and logistics facilities. Beyond health threats from the transportation of freight, warehouses are also associated with negative impacts on residents' quality of life. Warehouse centers also deprive local communities of land that could be used for future green space, schools and public buildings, and new residential, retail, and commercial centers. While trucks may represent only a small share of the traffic in urban areas, they generate more than one-half of overall emissions for specific contaminants. One approach to contend with these issues is to promote the use of new cleaner technologies and alternative fuel pathways.

Status: 2/22/2021 - Read first time.

Specific Provisions: Specifically, this bill would:

1. Authorize CARB to regulate indirect sources.
2. Require local governments, before approving a warehouse development project, to take certain actions to identify and address the potential environmental impacts of the project and to ensure public participation on the consideration of the project by residents affected by the project. These actions include, but are not limited to:
 - a. Ensure that the design of the warehouse development project provides for at least a 3,000-yard buffer zone between the boundary of the project site and sensitive land use;
 - b. Conduct a cumulative analysis of the air quality impacts of the warehouse development project, taking into consideration air quality impacts from other nearby sources of pollution and air quality impacts of reasonably foreseeable future projects;
 - c. Require all onsite equipment used at the warehouse to be powered by electricity;
 - d. Require all offroad construction equipment used for the warehouse development project to meet the Tier 4 emission standards set forth in Article 4 (commencing with Section 2420) of Chapter 9 of Division 3 of Title 13 of the California Code of Regulations; and
 - e. Require the project applicant to hold a series of community meetings with affected residents to obtain community inputs and incorporate consideration of those community inputs into the project design.
3. Include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

Impacts on South Coast AQMD’s Mission, Operations or Initiatives: While this bill is well intentioned and attempts to address an important air pollution issue, it is a clear infringement on local control and authority. These issues are best addressed at the local level, through air district rulemaking, by local leaders that have a close and detailed knowledge of what the issues are that need to be addressed within a specific air district with respect to indirect source rules involving warehouses, and what the best approaches are to affectively addressing those issues.

Recommended Position: OPPOSE

Support:

N/A

Opposition:

N/A

ATTACHMENT 2D

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 1547

Introduced by Assembly Member Reyes

February 19, 2021

An act relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 1547, as introduced, Reyes. Air pollution: warehouse facilities.

Existing law regulates the emissions of air pollution. Existing law designates air pollution control districts and air quality management districts as having the primary responsibility for the control of air pollution from all sources other than vehicular sources, subject to the powers and duties of the State Air Resources Board. Existing law designates the state board as having the primary responsibility for the control of air pollution from vehicular sources.

This bill would state the intent of the Legislature to enact subsequent legislation relating to air pollution at warehouse facilities.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. It is the intent of the Legislature to enact
2 subsequent legislation relating to air pollution at warehouse
3 facilities.

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AMENDMENTS TO ASSEMBLY BILL NO. 1547

Amendment 1

In the title, in line 1, after “act” insert:

to add Chapter 2.8 (commencing with Section 65098) to Division 1 of Title 7 of the Government Code, and to amend Section 39602.5 of the Health and Safety Code,

Amendment 2

On page 1, before line 1, insert:

SECTION 1. (a) The Legislature finds and declares all of the following:

- (1) Logistics includes the process of planning, implementing, and controlling procedures for the efficient and effective transportation and storage of goods.
- (2) For communities already struggling with some of the worst air quality in the nation, the expansion of the logistics industry presents a serious air quality and environmental justice challenge.
- (3) Environmental pollution and emissions of greenhouse gases have a harmful impact on human health and ecosystem quality.
- (4) For example, in the last decade, more than 150 million square feet of industrial space, the vast majority of it warehouses, has been built in the Inland Empire.
- (5) The Counties of San Bernardino and Riverside are at the top of the most ozone-polluted counties.
- (6) The use of diesel trucks in the logistics industry, especially those that come and go from warehouses, are adding to what has become an intractable problem.
- (7) The trucks and trains that carry freight to be warehoused and trucks idling engines at or near warehouse sites pollute by emitting small toxic particles.
 - (A) These particles are of varying sizes and toxicity.
 - (B) Particulate emissions from diesel vehicles and equipment contribute to health problems that include cardiovascular problems, cancer, asthma, decreased lung function and capacity, reproductive health problems, and premature death.
- (8) Warehousing facilities threaten the health of residents living and working near busy roads and logistics facilities.
- (9) Beyond health threats from the transportation of freight, warehouses are also associated with negative impacts on residents' quality of life.
- (10) Warehouse centers also deprive local communities of land that could be used for future green space, schools and public buildings, and new residential, retail, and commercial centers.
- (11) While trucks may represent only a small share of the traffic in urban areas, they generate more than one-half of overall emissions for specific contaminants.
- (12) One of the approaches to contend with these issues is to promote the use of new technologies and alternative fuel pathways.
 - (b) It is the intent of the Legislature to encourage the continued development and deployment of zero-emission medium- and heavy-duty vehicles in the goods movement sector.



SEC. 2. Chapter 2.8 (commencing with Section 65098) is added to Division 1 of Title 7 of the Government Code, to read:

Chapter 2.8. Warehouse Facilities

65098. (a) For purposes of this section, the following definitions apply:

(1) "Public agency" means a city, county, and city and county, and subdivisions of those entities, including any agencies of the city, county, or city and county.

(2) "Threshold language" means a language for the geographical area in which a warehouse development project is located as identified by the State Department of Health Care Services in its most recent determination required pursuant to subdivision (b) of Section 14029.91 of the Welfare and Institution Code.

(b) Before approving a warehouse development project, a public agency shall do all of the following:

(1) Ensure that the design of the warehouse development project provides for at least a 3,000-yard buffer zone between the boundary of the project site and sensitive land use.

(2) Conduct a cumulative analysis of the air quality impacts of the warehouse development project, taking into consideration air quality impacts from other nearby sources of pollution and air quality impacts of reasonably foreseeable future projects.

(3) Require all onsite equipment used at the warehouse to be powered by electricity.

(4) Require all offroad construction equipment used for the warehouse development project to meet the Tier 4 emission standards set forth in Article 4 (commencing with Section 2420) of Chapter 9 of Division 3 of Title 13 of the California Code of Regulations.

(5) Require loading and unloading docks and trailer spaces for cold storage warehouses to provide electrical connections to provide electrical power to trucks.

(6) Require the project applicant to hold a series of community meetings with affected residents to obtain community inputs and incorporate consideration of those community inputs into the project design.

(7) Require the project applicant to post a prominent notice on the project site that contains a brief description of the warehouse development project and directions on obtaining information posted pursuant to paragraph (1) of subdivision (c).

(c) Upon receipt of an application for a warehouse development project, a public agency shall do all of the following:

(1) Post information on its internet website that is easily accessible and easily understandable by the public regarding both of the following:

(A) The project, including a complete and accurate project description, maps, and drawings of the project design.

(B) The process by which interested members of the public can provide comments and input regarding the project.

(2) Mail or deliver a notice with a brief description of the warehouse development project and directions on obtaining information posted pursuant to paragraph (1) to both of the following:

(A) All owners and occupants of properties located within 3,000 yards of the project site.

(B) All schools located within two miles of the project site.

(3) Provide the information and notices required pursuant to this subdivision in English and all threshold languages.

(d) (1) (A) The lead agency shall conduct at least one scoping meeting at a location within one mile of the project site.

(B) If, after making a good faith effort, the lead agency is unable to secure a location for the scoping meeting within one mile of the project site, the lead agency may hold the meeting at another location that meets both of the following requirements:

(i) The meeting location is readily accessible to residents of disadvantaged communities located within one-half mile of the project site.

(ii) The meeting location is located within one-half mile of a transit stop, if feasible.

(2) If the scoping meeting is held on a weekday, the scoping meeting shall be held between the hours of 5 p.m. and 8 p.m.

(3) At the scoping meeting, the lead agency shall do both of the following:

(A) Provide a description of the project and any information known about the project's potential environmental impacts.

(B) Take public comments regarding potential environmental impacts of the project, including any social and economic impacts related to a direct or indirect physical change caused by the project, project alternatives, and mitigation measures that would avoid or reduce any potentially significant environmental impacts.

(e) In a meeting in which a warehouse development project is being considered, the public agency, upon request, shall provide translation services in a requested threshold language.

SEC. 3. Section 39602.5 of the Health and Safety Code is amended to read:

39602.5. (a) The state board shall adopt rules and regulations pursuant to Section 43013 that, in conjunction with other measures adopted by the state board, the districts, and the United States Environmental Protection Agency, will achieve ambient air quality standards required by the federal Clean Air Act (42 U.S.C. Sec. 7401 et seq.) in all areas of the state by the applicable attainment date, and to maintain these standards thereafter. The state board shall adopt these measures if they are necessary, technologically feasible, and cost effective, consistent with Section 43013.

(b) If necessary to carry out its duties under this section, the state board shall adopt and enforce rules and regulations that anticipate the development of new technologies or the improvement of existing technologies. The rules and regulations shall require standards that the state board finds and determines can likely be achieved by the compliance date set forth in the rule.

(c) The state board may adopt and enforce rules and regulations applicable to indirect sources, as defined in Section 7410 of Title 42 of the United States Code.

SEC. 4. The Legislature finds and declares that the regulation of warehouse development projects to identify and address the potential environmental impacts and ensure public participation by residents affected by projects is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, Section 2 of this act adding Chapter 2.8

(commencing with Section 65098) to Division 1 of Title 7 of the Government Code applies to all cities, including charter cities.

SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

Amendment 3

On page 1, strike out lines 1 to 3, includi

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PROPOSED AMENDMENTS TO ASSEMBLY BILL NO. 1547

california legislature—2021–22 regular session

ASSEMBLY BILL

No. 1547

Introduced by Assembly Member Reyes

February 19, 2021

An act to add Chapter 2.8 (commencing with Section 65098) to Division 1 of Title 7 of the Government Code, and to amend Section 39602.5 of the Health and Safety Code, relating to air pollution.

legislative counsel's digest

AB 1547, as introduced, Reyes. Air pollution: warehouse facilities.

Existing law regulates the emissions of air pollution. Existing law designates air pollution control districts and air quality management districts as having the primary responsibility for the control of air pollution from all sources other than vehicular sources, subject to the powers and duties of the State Air Resources Board. Existing law designates the state board as having the primary responsibility for the control of air pollution from vehicular sources.

This bill would authorize the State Air Resources Board to regulate indirect sources, as defined.

Existing law, the Planning and Zoning Law, sets forth various requirements relating to the review of development project permit applications and the issuance of development permits for particular specified classes of development projects. Existing law, the California Environmental Quality Act (CEQA), requires a lead agency to prepare, or cause to be prepared by contract, and certify the completion of, an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the



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Amendment 1

AB 1547

— 2 —

environment, or to adopt a negative declaration if it finds that the project will not have that effect.

This bill would require local governments, before approving a warehouse development project, to take certain actions to identify and address the potential environmental impacts of the project and to ensure public participation by residents affected by the project on the consideration of the project, as provided. By imposing additional duties on local governments, this bill would impose a state-mandated local program.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

~~This bill would state the intent of the Legislature to enact subsequent legislation relating to air pollution at warehouse facilities.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~yes.
State-mandated local program: ~~no~~yes.

The people of the State of California do enact as follows:

- + SECTION 1. (a) The Legislature finds and declares all of the
- + following:
- + (1) Logistics includes the process of planning, implementing,
- + and controlling procedures for the efficient and effective
- + transportation and storage of goods.
- + (2) For communities already struggling with some of the worst
- + air quality in the nation, the expansion of the logistics industry
- + presents a serious air quality and environmental justice challenge.
- + (3) Environmental pollution and emissions of greenhouse gases
- + have a harmful impact on human health and ecosystem quality.
- + (4) For example, in the last decade, more than 150 million
- + square feet of industrial space, the vast majority of it warehouses,
- + has been built in the Inland Empire.
- + (5) The Counties of San Bernardino and Riverside are at the
- + top of the most ozone-polluted counties.

Amendment 2

+ (6) *The use of diesel trucks in the logistics industry, especially those that come and go from warehouses, are adding to what has become an intractable problem.*

+ (7) *The trucks and trains that carry freight to be warehoused and trucks idling engines at or near warehouse sites pollute by emitting small toxic particles.*

+ (A) *These particles are of varying sizes and toxicity.*

+ (B) *Particulate emissions from diesel vehicles and equipment contribute to health problems that include cardiovascular problems, cancer, asthma, decreased lung function and capacity, reproductive health problems, and premature death.*

+ (8) *Warehousing facilities threaten the health of residents living and working near busy roads and logistics facilities.*

+ (9) *Beyond health threats from the transportation of freight, warehouses are also associated with negative impacts on residents' quality of life.*

+ (10) *Warehouse centers also deprive local communities of land that could be used for future green space, schools and public buildings, and new residential, retail, and commercial centers.*

+ (11) *While trucks may represent only a small share of the traffic in urban areas, they generate more than one-half of overall emissions for specific contaminants.*

+ (12) *One of the approaches to contend with these issues is to promote the use of new technologies and alternative fuel pathways.*

+ (b) *It is the intent of the Legislature to encourage the continued development and deployment of zero-emission medium- and heavy-duty vehicles in the goods movement sector.*

+ SEC. 2. *Chapter 2.8 (commencing with Section 65098) is added to Division 1 of Title 7 of the Government Code, to read:*

+ Chapter 2.8. *Warehouse Facilities*

+ 65098. (a) *For purposes of this section, the following definitions apply:*

+ (1) *“Public agency” means a city, county, and city and county, and subdivisions of those entities, including any agencies of the city, county, or city and county.*

+ (2) *“Threshold language” means a language for the geographical area in which a warehouse development project is located as identified by the State Department of Health Care*

- + *Services in its most recent determination required pursuant to*
- + *subdivision (b) of Section 14029.91 of the Welfare and Institution*
- + *Code.*
- + *(b) Before approving a warehouse development project, a public*
- + *agency shall do all of the following:*
- + *(1) Ensure that the design of the warehouse development project*
- + *provides for at least a 3,000-yard buffer zone between the boundary*
- + *of the project site and sensitive land use.*
- + *(2) Conduct a cumulative analysis of the air quality impacts of*
- + *the warehouse development project, taking into consideration air*
- + *quality impacts from other nearby sources of pollution and air*
- + *quality impacts of reasonably foreseeable future projects.*
- + *(3) Require all onsite equipment used at the warehouse to be*
- + *powered by electricity.*
- + *(4) Require all offroad construction equipment used for the*
- + *warehouse development project to meet the Tier 4 emission*
- + *standards set forth in Article 4 (commencing with Section 2420)*
- + *of Chapter 9 of Division 3 of Title 13 of the California Code of*
- + *Regulations.*
- + *(5) Require loading and unloading docks and trailer spaces for*
- + *cold storage warehouses to provide electrical connections to*
- + *provide electrical power to trucks.*
- + *(6) Require the project applicant to hold a series of community*
- + *meetings with affected residents to obtain community inputs and*
- + *incorporate consideration of those community inputs into the*
- + *project design.*
- + *(7) Require the project applicant to post a prominent notice on*
- + *the project site that contains a brief description of the warehouse*
- + *development project and directions on obtaining information*
- + *posted pursuant to paragraph (1) of subdivision (c).*
- + *(c) Upon receipt of an application for a warehouse development*
- + *project, a public agency shall do all of the following:*
- + *(1) Post information on its internet website that is easily*
- + *accessible and easily understandable by the public regarding both*
- + *of the following:*
- + *(A) The project, including a complete and accurate project*
- + *description, maps, and drawings of the project design.*
- + *(B) The process by which interested members of the public can*
- + *provide comments and input regarding the project.*

- + (2) Mail or deliver a notice with a brief description of the warehouse development project and directions on obtaining information posted pursuant to paragraph (1) to both of the following:
- + (A) All owners and occupants of properties located within 3,000 yards of the project site.
- + (B) All schools located within two miles of the project site.
- + (3) Provide the information and notices required pursuant to this subdivision in English and all threshold languages.
- + (d) (1) (A) The lead agency shall conduct at least one scoping meeting at a location within one mile of the project site.
- + (B) If, after making a good faith effort, the lead agency is unable to secure a location for the scoping meeting within one mile of the project site, the lead agency may hold the meeting at another location that meets both of the following requirements:
- + (i) The meeting location is readily accessible to residents of disadvantaged communities located within one-half mile of the project site.
- + (ii) The meeting location is located within one-half mile of a transit stop, if feasible.
- + (2) If the scoping meeting is held on a weekday, the scoping meeting shall be held between the hours of 5 p.m. and 8 p.m.
- + (3) At the scoping meeting, the lead agency shall do both of the following:
- + (A) Provide a description of the project and any information known about the project’s potential environmental impacts.
- + (B) Take public comments regarding potential environmental impacts of the project, including any social and economic impacts related to a direct or indirect physical change caused by the project, project alternatives, and mitigation measures that would avoid or reduce any potentially significant environmental impacts.
- + (e) In a meeting in which a warehouse development project is being considered, the public agency, upon request, shall provide translation services in a requested threshold language.
- + SEC. 3. Section 39602.5 of the Health and Safety Code is amended to read:
- + 39602.5. (a) The state board shall adopt rules and regulations pursuant to Section 43013 that, in conjunction with other measures adopted by the state board, the districts, and the United States Environmental Protection Agency, will achieve ambient air quality

+ standards required by the federal Clean Air Act (42 U.S.C. Sec.
+ 7401 et seq.) in all areas of the state by the applicable attainment
+ date, and to maintain these standards thereafter. The state board
+ shall adopt these measures if they are necessary, technologically
+ feasible, and cost effective, consistent with Section 43013.

+ (b) If necessary to carry out its duties under this section, the
+ state board shall adopt and enforce rules and regulations that
+ anticipate the development of new technologies or the improvement
+ of existing technologies. The rules and regulations shall require
+ standards that the state board finds and determines can likely be
+ achieved by the compliance date set forth in the rule.

+ (c) *The state board may adopt and enforce rules and regulations
+ applicable to indirect sources, as defined in Section 7410 of Title
+ 42 of the United States Code.*

+ *SEC. 4. The Legislature finds and declares that the regulation
+ of warehouse development projects to identify and address the
+ potential environmental impacts and ensure public participation
+ by residents affected by projects is a matter of statewide concern
+ and is not a municipal affair as that term is used in Section 5 of
+ Article XI of the California Constitution. Therefore, Section 2 of
+ this act adding Chapter 2.8 (commencing with Section 65098) to
+ Division 1 of Title 7 of the Government Code applies to all cities,
+ including charter cities.*

+ *SEC. 5. No reimbursement is required by this act pursuant to
+ Section 6 of Article XIII B of the California Constitution because
+ a local agency or school district has the authority to levy service
+ charges, fees, or assessments sufficient to pay for the program or
+ level of service mandated by this act, within the meaning of Section
+ 17556 of the Government Code.*

1 ~~SECTION 1. It is the intent of the Legislature to enact~~
2 ~~subsequent legislation relating to air pollution at warehouse~~
3 ~~facilities.~~

Amendment 3

Page 1

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ATTACHMENT 2E

South Coast Air Quality Management District
Legislative Analysis Summary – AB 1296 (Kamlager)
Version: Introduced – 2/19/2021
Analyst: SD

AB 1296 (Kamlager)

South Coast Air Quality Management District: district board: membership.

Summary: This bill would increase the number of members of the South Coast AQMD Governing Board from 13 to 15 members by adding two environmental justice (EJ) appointees, one appointed by the Senate Rules Committee and one appointed by the Speaker of the Assembly.

Background: Existing law imposes various limitations on the emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law assigns the responsibility for controlling air pollution for sources other than vehicular sources to an air pollution control district or air quality management district. Existing law establishes the South Coast AQMD as the district with the responsibility for controlling air pollution from sources other than vehicular sources in the South Coast region.

Existing law establishes a district board consisting of 13 members to govern the South Coast AQMD. Existing law requires one member of the South Coast AQMD Governing Board to be appointed by the Senate Rules Committee and one member to be appointed by the Speaker of the Assembly.

Status: 3/4/2021 - Referred to Asm. Comm. on NAT. RES.

Specific Provisions: Specifically, this bill would:

- a) Increase the number of members on the South Coast AQMD Governing Board from 13 to 15 appointed members;
- b) Add an additional board member to be appointed by the Senate Rules Committee;
- c) Add an additional board member to be appointed by the Speaker of the Assembly; and
- d) Require that both of these two new members be EJ appointees who are persons who work directly with communities in the South Coast district that are most significantly burdened by, and vulnerable to, high levels of pollution, including, but not limited to, communities with diverse racial and ethnic populations and communities with low-income populations.

Impacts on South Coast AQMD's Mission, Operations or Initiatives: Currently, there are three existing members of the South Coast AQMD Governing Board that are appointed by state authorities, i.e., by the Governor, Senate Rules Committee, and the Speaker of the Assembly. If signed into law, this bill would result in 1/3 of the Board being appointed by state authorities.

Recommended Position: NO STAFF RECOMMENDATION

ATTACHMENT 2F

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 1296

Introduced by Assembly Member Kamlager

February 19, 2021

An act to amend Section 40420 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 1296, as introduced, Kamlager. South Coast Air Quality Management District: district board: membership.

Existing law imposes various limitations on the emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law assigns the responsibility for controlling air pollution for sources other than vehicular sources to an air pollution control district or air quality management district. Existing law establishes the South Coast Air Quality Management District as the district with the responsibility for controlling air pollution from sources other than vehicular sources in the South Coast Air Basin. Existing law establishes a district board consisting of 13 members to govern the south coast district. Existing law requires one member of the district board to be appointed by the Senate Committee on Rules and one member to be appointed by the Speaker of the Assembly.

This bill would increase the number of members of the district board of the south coast district to 15 members by adding 2 environmental justice appointees, one appointed by the Senate Committee on Rules and one appointed by the Speaker of the Assembly.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 40420 of the Health and Safety Code is
2 amended to read:

3 40420. (a) The south coast district shall be governed by a
4 district board consisting of ~~13~~ 15 members appointed as follows:

5 (1) One member appointed by the Governor, with the advice
6 and consent of the Senate.

7 ~~One member~~ (A) Two members appointed by the Senate
8 Committee on Rules.

9 (B) *One of the members appointed under subparagraph (A)*
10 *shall be an environmental justice appointee who is a person who*
11 *works directly with communities in the south coast district that*
12 *are most significantly burdened by, and vulnerable to, high levels*
13 *of pollution, including, but not limited to, communities with diverse*
14 *racial and ethnic populations and communities with low-income*
15 *populations.*

16 (3) ~~One member~~ (A) Two members appointed by the Speaker
17 of the Assembly.

18 (B) *One of the members appointed under subparagraph (A)*
19 *shall be an environmental justice appointee who is a person who*
20 *works directly with communities in the south coast district that*
21 *are most significantly burdened by, and vulnerable to, high levels*
22 *of pollution, including, but not limited to, communities with diverse*
23 *racial and ethnic populations and communities with low-income*
24 *populations.*

25 (4) Four members appointed by the boards of supervisors of the
26 counties in the south coast district. Each board of supervisors shall
27 appoint one of these members, who shall be one of the following:

28 (A) A member of the board of supervisors of the county making
29 the appointment.

30 (B) A mayor or member of a city council from a city in the
31 portion of the county making the appointment that is included in
32 the south coast district.

33 (5) Three members appointed by cities in the south coast district.
34 The city selection committee of Orange, Riverside, and San
35 Bernardino Counties shall each appoint one of these members,
36 who shall be either a mayor or a member of the city council of a
37 city in the portion of the county included in the south coast district.

1 (6) A member appointed by the cities of the western region of
2 Los Angeles County, consisting of the Cities of Agoura Hills,
3 Artesia, Avalon, Bell, Bellflower, Bell Gardens, Beverly Hills,
4 Calabasas, Carson, Cerritos, Commerce, Compton, Cudahy, Culver
5 City, Downey, El Segundo, Gardena, Hawaiian Gardens,
6 Hawthorne, Hermosa Beach, Hidden Hills, Huntington Park,
7 Inglewood, La Habra Heights, La Mirada, Lakewood, Lawndale,
8 Lomita, Long Beach, Lynwood, Malibu, Manhattan Beach,
9 Maywood, Montebello, Norwalk, Palos Verdes Estates, Paramount,
10 Pico Rivera, Rancho Palos Verdes, Redondo Beach, Rolling Hills,
11 Rolling Hills Estates, Santa Fe Springs, Santa Monica, Signal Hill,
12 South Gate, Torrance, Vernon, West Hollywood, Westlake Village,
13 and Whittier. These cities shall organize as a city selection
14 committee for the purposes of subdivision (f), and shall be known
15 as the city selection committee of the western region of Los
16 Angeles County. The member appointed shall be either a mayor
17 or a member of the city council of a city in the western region.

18 (7) A member appointed by the cities of the eastern region of
19 Los Angeles County, consisting of the cities in Los Angeles County
20 that are not listed in paragraph (6) or (8), and excluding the Cities
21 of Lancaster, Los Angeles, and Palmdale. These cities shall
22 organize as a city selection committee for the purposes of
23 subdivision (f), and shall be known as the city selection committee
24 of the eastern region of Los Angeles County. The member
25 appointed shall be either a mayor or a member of the city council
26 of a city in the eastern region.

27 (8) A member appointed by the Mayor of the City of Los
28 Angeles from among the members of the Los Angeles City
29 Council.

30 (b) All members shall be appointed on the basis of their
31 demonstrated interest and proven ability in the field of air pollution
32 control and their understanding of the needs of the general public
33 in connection with air pollution problems of the South Coast Air
34 Basin.

35 (c) The member appointed by the Governor shall be either a
36 physician who has training and experience in the health effects of
37 air pollution, an environmental engineer, a chemist, a
38 meteorologist, or a specialist in air pollution control.

39 (d) Each member shall be appointed on the basis of ~~his or her~~
40 *the member's* ability to attend substantially all meetings of the

1 south coast district board, to discharge all duties and responsibilities
 2 of a member of the south coast district board on a regular basis,
 3 and to participate actively in the affairs of the south coast district.
 4 No member may designate an alternate for any purpose or
 5 otherwise be represented by another in ~~his or her~~ *their* capacity as
 6 a member of the south coast district board.

7 (e) Each appointment by a board of supervisors shall be
 8 considered and acted on at a duly noticed, regularly scheduled
 9 hearing of the board of supervisors, which shall provide an
 10 opportunity for testimony on the qualifications of the candidates
 11 for appointment.

12 (f) The appointments by cities in the south coast district shall
 13 be considered and acted on at a duly noticed meeting of the city
 14 selection committee, which shall meet in a government building
 15 and provide an opportunity for testimony on the qualifications of
 16 the candidates for appointment. Each appointment shall be made
 17 by not less than a majority of all the cities in the portion of the
 18 county included in the south coast district having not less than a
 19 majority of the population of all the cities in the portion of the
 20 county included in the south coast district. Population shall be
 21 determined on the basis of the most recent verifiable census data
 22 developed by the Department of Finance. Persons residing in
 23 unincorporated areas or areas of a county outside the south coast
 24 district shall not be considered for the purposes of this subdivision.

25 (g) The members appointed by the Senate Committee on Rules
 26 and the Speaker of the Assembly shall have one or more of the
 27 qualifications specified in subdivision (c) or shall be a public
 28 member. None of those appointed members may be a locally
 29 elected official.

30 (h) All members shall be residents of the district.

31 (i) (1) The member who was serving on the district board as
 32 of June 1, 2007, who had been appointed to represent the eastern
 33 region of Los Angeles County shall be deemed on January 1, 2008,
 34 to be the member appointed to represent the western region of Los
 35 Angeles County pursuant to paragraph (6) of subdivision (a) and
 36 shall serve from January 1, 2008, until the end of the term of office
 37 for the member who had been appointed to represent the western
 38 region of Los Angeles County. At the end of that term, the city
 39 selection committee of the western region of Los Angeles County

1 shall make an appointment pursuant to paragraph (6) of subdivision
2 (a).

3 (2) The member who was serving on the district board as of
4 June 1, 2007, who had been appointed to represent the western
5 region of Los Angeles County shall be deemed on January 1, 2008,
6 to be the member appointed pursuant to paragraph (8) of
7 subdivision (a) until the end of that member's term. At the end of
8 that term, the Mayor of the City of Los Angeles shall make an
9 appointment pursuant to paragraph (8) of subdivision (a).

10 (3) On or after January 1, 2008, the city selection committee of
11 the eastern region of Los Angeles County shall convene promptly
12 to make an appointment pursuant to paragraph (7) of subdivision
13 (a).

ATTACHMENT 2G

South Coast Air Quality Management District
Legislative Analysis Summary – SB 342 (Gonzalez)
Version: Amended – 3/10/2021
Analyst: DPG/PC

SB 342 (Gonzalez)

South Coast Air Quality Management District: board membership.

Summary: This bill would increase the number of members of the South Coast AQMD Governing Board from 13 to 15 members by adding two environmental justice (EJ) appointees, one appointed by the Senate Rules Committee and one appointed by the Speaker of the Assembly.

Background: Existing law imposes various limitations on the emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law assigns the responsibility for controlling air pollution for sources other than vehicular sources to an air pollution control district or air quality management district. Existing law establishes the South Coast AQMD as the district with the responsibility for controlling air pollution from sources other than vehicular sources in the South Coast region.

Existing law establishes a district board consisting of 13 members to govern the South Coast AQMD. Existing law requires one member of the South Coast AQMD Governing Board to be appointed by the Senate Rules Committee and one member to be appointed by the Speaker of the Assembly.

Status: 3/10/2021 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

Specific Provisions: Specifically, this bill would:

- a) Increase the number of members on the South Coast AQMD Governing Board from 13 to 15 appointed members;
- b) Add an additional board member to be appointed by the Senate Rules Committee;
- c) Add an additional board member to be appointed by the Speaker of the Assembly;
- d) Require that both of these two new members be EJ appointees who shall reside in and work directly with communities in the South Coast Air Basin that are disproportionately burdened by and vulnerable to high levels of pollution and issues of environmental justice, including, but not limited to, communities with diverse racial and ethnic populations and communities with low-income populations.
- e) Require that eight members, rather than seven, of the South Coast AQMD Governing Board constitute a quorum; unless, there are two or more vacancies on the Board, in which case seven members, rather than six, shall constitute a quorum and the two vacant positions shall not be counted toward the majority required for official action by the Board.

Impacts on South Coast AQMD’s Mission, Operations or Initiatives: Currently, there are three existing members of the South Coast AQMD Governing Board that are appointed by state authorities, i.e., by the Governor, Senate Rules Committee, and the Speaker of the Assembly. If signed into law, this bill would result in 1/3 of the Board being appointed by state authorities.

Recommended Position: NO STAFF RECOMMENDATION

ATTACHMENT 2H

AMENDED IN SENATE MARCH 10, 2021

SENATE BILL

No. 342

Introduced by Senator Gonzalez

February 9, 2021

An act relating to environmental justice; to amend Sections 40420 and 40424 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

SB 342, as amended, Gonzalez. ~~Environmental justice. South Coast Air Quality Management District: board membership.~~

Existing law establishes the South Coast Air Quality Management District vested with the authority to regulate air emissions from stationary sources located in the South Coast Air Basin and establishes a district board, consisting of 13 members.

This bill would add 2 members to the district board, appointed by the Senate Committee on Rules and the Speaker of the Assembly. The bill would require the 2 additional members to reside in and work directly with communities in the South Coast Air Basin that are disproportionately burdened by and vulnerable to high levels of pollution and issues of environmental justice.

~~Existing law requires the Secretary for Environmental Protection to convene a Working Group on Environmental Justice composed of various representatives, as specified, to assist the California Environmental Protection Agency in developing an agencywide environmental justice strategy.~~

~~This bill would state the intent of the Legislature to enact subsequent legislation to increase environmental justice representation at a local level.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
 State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 40420 of the Health and Safety Code is
 2 amended to read:
 3 40420. (a) The south coast district shall be governed by a
 4 district board consisting of ~~13~~ 15 members appointed as follows:
 5 (1) One member appointed by the Governor, with the advice
 6 and consent of the Senate.
 7 (2) ~~One member~~-(A) Two members appointed by the Senate
 8 Committee on Rules.
 9 (B) One member appointed pursuant to this paragraph shall
 10 reside in and work directly with communities in the South Coast
 11 Air Basin that are disproportionately burdened by and vulnerable
 12 to high levels of pollution and issues of environmental justice,
 13 including, but not limited to, communities with diverse racial and
 14 ethnic populations and communities with low-income populations.
 15 (3) ~~One member~~-(A) Two members appointed by the Speaker
 16 of the Assembly.
 17 (B) One member appointed pursuant to this paragraph shall
 18 reside in and work directly with communities in the South Coast
 19 Air Basin that are disproportionately burdened by and vulnerable
 20 to high levels of pollution and issues of environmental justice,
 21 including, but not limited to, communities with diverse racial and
 22 ethnic populations and communities with low-income populations.
 23 (4) Four members appointed by the boards of supervisors of the
 24 counties in the south coast district. Each board of supervisors shall
 25 appoint one of these members, who shall be one of the following:
 26 (A) A member of the board of supervisors of the county making
 27 the appointment.
 28 (B) A mayor or member of a city council from a city in the
 29 portion of the county making the appointment that is included in
 30 the south coast district.
 31 (5) Three members appointed by cities in the south coast district.
 32 The city selection committee of Orange, Riverside, and San
 33 Bernardino Counties shall each appoint one of these members,
 34 who shall be either a mayor or a member of the city council of a
 35 city in the portion of the county included in the south coast district.

1 (6) A member appointed by the cities of the western region of
2 Los Angeles County, consisting of the Cities of Agoura Hills,
3 Artesia, Avalon, Bell, Bellflower, Bell Gardens, Beverly Hills,
4 Calabasas, Carson, Cerritos, Commerce, Compton, Cudahy, Culver
5 City, Downey, El Segundo, Gardena, Hawaiian Gardens,
6 Hawthorne, Hermosa Beach, Hidden Hills, Huntington Park,
7 Inglewood, La Habra Heights, La Mirada, Lakewood, Lawndale,
8 Lomita, Long Beach, Lynwood, Malibu, Manhattan Beach,
9 Maywood, Montebello, Norwalk, Palos Verdes Estates, Paramount,
10 Pico Rivera, Rancho Palos Verdes, Redondo Beach, Rolling Hills,
11 Rolling Hills Estates, Santa Fe Springs, Santa Monica, Signal Hill,
12 South Gate, Torrance, Vernon, West Hollywood, Westlake Village,
13 and Whittier. These cities shall organize as a city selection
14 committee for the purposes of subdivision (f), and shall be known
15 as the city selection committee of the western region of Los
16 Angeles County. The member appointed shall be either a mayor
17 or a member of the city council of a city in the western region.

18 (7) A member appointed by the cities of the eastern region of
19 Los Angeles County, consisting of the cities in Los Angeles County
20 that are not listed in paragraph (6) or (8), and excluding the Cities
21 of Lancaster, Los Angeles, and Palmdale. These cities shall
22 organize as a city selection committee for the purposes of
23 subdivision (f), and shall be known as the city selection committee
24 of the eastern region of Los Angeles County. The member
25 appointed shall be either a mayor or a member of the city council
26 of a city in the eastern region.

27 (8) A member appointed by the Mayor of the City of Los
28 Angeles from among the members of the Los Angeles City
29 Council.

30 (b) All members shall be appointed on the basis of their
31 demonstrated interest and proven ability in the field of air pollution
32 control and their understanding of the needs of the general public
33 in connection with air pollution problems of the South Coast Air
34 Basin.

35 (c) The member appointed by the Governor shall be either a
36 physician who has training and experience in the health effects of
37 air pollution, an environmental engineer, a chemist, a
38 meteorologist, or a specialist in air pollution control.

39 (d) Each member shall be appointed on the basis of ~~his or her~~
40 *their* ability to attend substantially all meetings of the south coast

1 district board, to discharge all duties and responsibilities of a
2 member of the south coast district board on a regular basis, and to
3 participate actively in the affairs of the south coast district. ~~No A~~
4 member ~~may~~ *shall not* designate an alternate for any purpose or
5 otherwise be represented by another in ~~his or her~~ *their* capacity as
6 a member of the south coast district board.

7 (e) Each appointment by a board of supervisors shall be
8 considered and acted on at a duly noticed, regularly scheduled
9 hearing of the board of supervisors, which shall provide an
10 opportunity for testimony on the qualifications of the candidates
11 for appointment.

12 (f) The appointments by cities in the south coast district shall
13 be considered and acted on at a duly noticed meeting of the city
14 selection committee, which shall meet in a government building
15 and provide an opportunity for testimony on the qualifications of
16 the candidates for appointment. Each appointment shall be made
17 by not less than a majority of all the cities in the portion of the
18 county included in the south coast district having not less than a
19 majority of the population of all the cities in the portion of the
20 county included in the south coast district. Population shall be
21 determined on the basis of the most recent verifiable census data
22 developed by the Department of Finance. Persons residing in
23 unincorporated areas or areas of a county outside the south coast
24 district shall not be considered for the purposes of this subdivision.

25 (g) The members appointed by the Senate Committee on Rules
26 and the Speaker of the Assembly shall have one or more of the
27 qualifications specified in subdivision (c) or shall be a public
28 member. None of those appointed members may be a locally
29 elected official.

30 (h) All members shall be residents of the district.

31 (i) (1) The member who was serving on the district board as
32 of June 1, 2007, who had been appointed to represent the eastern
33 region of Los Angeles County shall be deemed on January 1, 2008,
34 to be the member appointed to represent the western region of Los
35 Angeles County pursuant to paragraph (6) of subdivision (a) and
36 shall serve from January 1, 2008, until the end of the term of office
37 for the member who had been appointed to represent the western
38 region of Los Angeles County. At the end of that term, the city
39 selection committee of the western region of Los Angeles County

1 shall make an appointment pursuant to paragraph (6) of subdivision
2 (a).

3 (2) The member who was serving on the district board as of
4 June 1, 2007, who had been appointed to represent the western
5 region of Los Angeles County shall be deemed on January 1, 2008,
6 to be the member appointed pursuant to paragraph (8) of
7 subdivision (a) until the end of that member’s term. At the end of
8 that term, the Mayor of the City of Los Angeles shall make an
9 appointment pursuant to paragraph (8) of subdivision (a).

10 (3) On or after January 1, 2008, the city selection committee of
11 the eastern region of Los Angeles County shall convene promptly
12 to make an appointment pursuant to paragraph (7) of subdivision
13 (a).

14 *SEC. 2. Section 40424 of the Health and Safety Code is*
15 *amended to read:*

16 40424. (a) Except as provided in subdivision (b), ~~seven~~ *eight*
17 members of the south coast district board shall constitute a quorum,
18 and no official action shall be taken by the south coast district
19 board except in the presence of a quorum and upon the affirmative
20 votes of a majority of the members of the south coast district board.

21 (b) Notwithstanding subdivision (a), whenever there are two
22 or more vacancies on the south coast district board, ~~six~~ *seven*
23 members shall constitute a quorum, and the two vacant positions
24 shall not be counted toward the majority required for official action
25 by the south coast district board. Thereafter, whenever at least one
26 of those vacancies is filled, the quorum and voting requirements
27 of subdivision (a) shall apply.

28 ~~SECTION 1. It is intent of the Legislature to enact subsequent~~
29 ~~legislation to increase environmental justice representation at a~~
30 ~~local level.~~

ATTACHMENT 3

State Legislation of Potential Interest to South Coast AQMD

Week of 3-16-21

Bill Number	Author	Subject Matter	Why Important to South Coast AQMD Staff	Why Governing Board Considering	Potential Recommended Position	What We Are Seeking (Brief Info on Potential Amendments)
AB 363	Medina	Carl Moyer Memorial Air Quality Standards Attainment Program	Bill is problematic. South Coast and other large air districts already utilize online Moyer application systems and proposing a one-size fits all statewide system is duplicative, expensive and creates problems. CARB lacks experience administering local program and does not know local issues at play. This would hurt the autonomy of local air districts. Further, there is a need to update Carl Moyer funding guidelines. Prohibiting regulatory changes to Moyer until 2023 would be detrimental to this need.	Current version of bill detrimental to South Coast AQMD policy priorities. However, with amends. this bill might instead help air quality priorities.	OPPOSE (However, amends expected that may change recommendation)	Staff has had discussions with the sponsors of the bill. Amendments are expected that delete online application program and make other changes
AB 426	Bauer-Kahan	Toxic air contaminants.	This bill restates existing air district ISR authority, but also expands that authority as it relates to toxics. This bill must not interfere with existing ISR activity by South Coast AQMD, e.g. relating to warehouses.	If worded properly, this bill could possibly expand air district's ISR authority, as desired by BAAQMD. However, wording must be right so that it doesn't interfere with South Coast ISR efforts.	SUPPORT IF AMENDED	South Coast AQMD staff is working with BAAQD (sponsor) to secure amends that would prevent bill from interfering with South Coast ISR efforts.

Bill Number	Author	Subject Matter	Why Important to South Coast AQMD Staff	Why Governing Board Considering	Potential Recommended Position	What We Are Seeking (Brief Info on Potential Amendments)
AB 680	Burke	Greenhouse Gas Reduction Fund: California Just Transition Act.	This bill impacts how grant funding provided through the Greenhouse Gas Reduction Fund (e.g. AB 617 incentive funding) is awarded and dispersed.	This bill might impact the funding of air quality projects within the South Coast region.	No current recommended position	Monitor bill for now. Potentially engage to provide technical input.
AB 833	Quirk-Silva	State government: grants: administrative costs.	This bill limits the amount of admin. costs a local government/agency is allowed to receive with regard to a state grant and provides that no more than 5 percent of grant funds may be used for admin. costs.	This bill might impact South Coast AQMD's ability to fund air quality projects within the South Coast region.	No current recommended position	Monitor bill for now. Potentially engage to provide technical input.
AB 905	Quirk	Mobile fueling on-demand tank vehicles: performance standards.	This bill removes local air districts' authority to regulate mobile fueling on-demand tank ("ODT") vehicles and would instead require CARB to regulate mobile fueling ODT vehicles as a mobile source, adopt regulations to control emissions attributable to mobile fueling ODT vehicles and certify equipment for those vehicles.	This bill undermines local control of air districts and would result in reduced enforcement and increased emissions with respect to mobile fueling activity within the South Coast region.	OPPOSE	Staff would recommend that efforts be made to oppose this bill, to allow local air districts to retain their existing authority to properly regulate mobile fueling activity to prevent a detrimental increase in emissions within the South Coast region.

Bill Number	Author	Subject Matter	Why Important to South Coast AQMD Staff	Why Governing Board Considering	Potential Recommended Position	What We Are Seeking (Brief Info on Potential Amendments)
AB 1205	Frazier	State Air Resources Board: elections.	This bill states the intent of the Legislature to enact legislation requiring that all members of the CARB Board be elected, rather than appointed.	This bill could impact South Coast AQMD Board Members and the agency's representation on the CARB Board.	No current recommended position	Monitor bill for now.
AB 1296	Kamlager	South Coast Air Quality Management District: district board: membership.	This bill increases number of South Coast AQMD Governing Board Members from 13 to 15 by adding two environmental justice appointees, one appointed by the Senate Rules Committee and one by the Assembly Speaker.	This bill directly impacts the South Coast AQMD Governing Board and the number of state appointed members on the Board.	No current recommended position	Monitor bill for now.
SB 342	Gonzalez	South Coast Air Quality Management District: board membership.	This bill increases number of South Coast AQMD Governing Board Members from 13 to 15 by adding two environmental justice appointees, one appointed by the Senate Rules Committee and one by the Assembly Speaker.	This bill directly impacts the South Coast AQMD Governing Board and the number of state appointed members on the Board.	No current recommended position	Monitor bill for now.
**AB 1346	Berman	TBD	South Coast AQMD staff was informed that bill will be gutted and amended to require CARB to ban sale of small internal combustion lawn and garden equipment by 2024 + incentive package.	TBD	No current recommended position	Monitor bill in anticipation of new amended bill content.

Bill Number	Author	Subject Matter	Why Important to South Coast AQMD Staff	Why Governing Board Considering	Potential Recommended Position	What We Are Seeking (Brief Info on Potential Amendments)
AB 1523	Gallagher	Greenhouse gases.	This bill revises the California Global Warming Solutions Act of 2006 by designating each air district with the responsibility of regulating all sources, other than vehicular sources, of GHG emissions within its jurisdiction.	This bill could expand the authority and responsibilities of the South Coast AQMD.	No current recommended position	Monitor bill for now.
**AB 1547	Reyes	Air pollution: warehouse facilities.	South Coast AQMD staff was informed that this bill will be a vehicle for new Indirect Source Rule authority for CARB.	TBD	No current recommended position	Monitor bill in anticipation of new amended bill content.
SB 596	Becker	Greenhouse gases: cement and concrete production.	This bill requires that one or more communities located adjacent to a cement plant be selected for a community emissions reductions program pursuant to the AB 617 program.	This bill could impact air districts' local authority and autonomy to select and recommend future communities of need for the AB 617 program.	OPPOSE UNLESS AMENDED	Work to have the requirement in the bill that one or more communities located adjacent to a cement plant be selected for an AB 617 community be deleted from the bill.

ATTACHMENT 4

Federal Legislation of Potential Interest to South Coast AQMD

Week of 3-16-21

Bill Number	Author	Subject Matter	Why Important to South Coast AQMD Staff	Why Governing Board Considering	Potential Recommended Position	What We Are Seeking (Brief Info on Potential Amendments)
HR 1512	Pallone (D-NJ), Tonko (D-NY), Rush (D-IL)	Climate Leadership and Environmental Action for Our Nation's (CLEAN) Future Act -- To build a clean and prosperous future by addressing the climate crisis, protecting the health and welfare of all Americans, and putting eht Nation on the path to a net-zero greenhouse gas economy by 2050, and for other purposes.	HR 1512 includes four bills with Governing Board positions related to electrification of Ports, clean microgrids, clean school buses, and air monitoring. Other provisions related to air quality.	This bill includes programs and policies that would help address federal sources of air pollution; provide funding opportunities for South Coast AQMD either directly or create programs to assist residents, especially within environmental justices communities and businesses; and seek to address workforce transition and labor issues in relation to technological changes. The 2023 AQMP includes residential and commercial building efficiencies as well as seeks to reduce emissions from mobile sources to reach attainment.	Work with Authors	In general, amendments will seek: * Add criteria air pollutants where appropriate throughout the bill. * Ensure federal policies and regulations do not over-reach local and State authority. * Ensure federal government takes responsibility for their assigned sources of air pollution and does not penalize local regions for attainment issues not within their control. * Request adequate levels of funding authorizations for programs.

Bill Number	Author	Subject Matter	Why Important to South Coast AQMD Staff	Why Governing Board Considering	Potential Recommended Position	What We Are Seeking (Brief Info on Potential Amendments)
HR 848	Thompson (D-CA) and 37 original co-sponsors	GREEN Act -- To amend the Internal Revenue Code of 1986 to provide incentives for renewable energy and energy efficiency, and for other purposes.	The bill includes tax credits for residential and commercial buildings and a 10% tax credit for manufacturers of zero-emission medium- and heavy-duty vehicles per vehicle sold (after rebates and other incentives are deducted and not to exceed \$100K).	This bill would help incentivize the purchase of zero-emission medium-and heavy-duty trucks. It also would renew and extend tax credits to help residents and businesses improve home and building efficiencies and utilize renewable sources of energy.	Work with Authors	At this point in time, there are no specific amendment requests. This bill is limited in scope and staff have been told that the discussion on point-of-sale incentives for fleet and independent owner, operators would be considered separately as will the federal excise tax issues.

Bill Number	Author	Subject Matter	Why Important to South Coast AQMD Staff	Why Governing Board Considering	Potential Recommended Position	What We Are Seeking (Brief Info on Potential Amendments)
TBD	Grijalva (AZ-D) and 39 cosponsors	Ocean-Based Climate Solutions Act of 2020 - it is expected that this bill will be reintroduced in the 117th Congress. To direct the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to provide for ocean-based climate solutions to reduce carbon emissions and global warming; to make coastal communities more resilient; and to provide for the conservation and restoration of ocean and coastal habitats, biodiversity, and marine mammal and fish populations; and for other purposes.	This bill includes language regarding vessel speed reduction for marine mammal protection and to reduce both air pollutants and greenhouse gas emissions.	This bill could help address NOx emissions from ocean-going vessels (OGV) and spur greater investment and research into cleaner ocean-going vessels.	Work with Authors	Bill is under review and three sections have been identified for potential amendments: * Section 802 - focuses on seasonal vessel speed reductions to protect marine mammals; * Section 1401 - requires monitoring, reporting, and verification for vessels of 5,000 gross tons or more calling at, leaving, or transiting between, or at berth at, in the US, regardless of flag. Reporting metrics focus on CO2 and collect data such as amount of bunker fuel, periodic stock takes of fuel tanks and flowmeters for applicable combustion processes. Potential amendment would include air monitoring for NOx & particulate matter and other data collection that would assist with criteria air pollutants and other issues. * Section 1402 - would create a voluntary vessel speed reduction program for OGVs of a certain size. Potential amendments would expand OGV participation to increase emissions reductions, ensure the air pollution control technological capabilities of OGVs are viable at engine loads below 25%, and seek NOAA, EPA & Coast Guard to study the issue of air pollution control for OGVs and lower engine loads.

Bill Number	Author	Subject Matter	Why Important to South Coast AQMD Staff	Why Governing Board Considering	Potential Recommended Position	What We Are Seeking (Brief Info on Potential Amendments)
TBD	Grijalva (AZ-D) and 77 cosponsors	Environmental Justice for All -- It is expected that this bill will be reintroduced in the 117th Congress. Some of the provisions of this bill were included in the House CLEAN Future Act. To restore, reaffirm, and reconcile environmental justice and civil rights, provide for the establishment of the Interagency Working Group on Environmental Justice Compliance and Enforcement, and for other purposes.	This bill is package to assist environmental justice. Provisions include a federal Environmental Justice Advisory Council including local representation from the public and government; small grants, training, a clearinghouse to provide program and grant information; and transition assistance for workers and communities dependent on fossil fuels.	This bill could assist South Coast AQMD environmental justice efforts by elevating the dialogue, authorizing small grants that could be potentially utilized by AB 617 and other communities, and providing more resources and training to build capacity.	Work with Authors	Bill is under review and the following sections have been identified: * Section 7 - consideration of cumulative impacts/persistent violations in certain permitting decisions * Section 8 - Interagency Working Group on EJ * Section 14 - protections for environmental justice communities against harmful Federal actions * Section 16 - grants * Section 18 - National Environmental Justice Advisory Council * Section 19 - Clearinghouse * Section 20 - public meetings * Section 21 - projects for communities * Section 27 - health research * Section 28 - just transition assistance * Section 29 - economic revitalization for just transition assistance

[↑ Back to Agenda](#)

BOARD MEETING DATE: April 2, 2021

AGENDA NO. 20

REPORT: Mobile Source Committee

SYNOPSIS: The Mobile Source Committee held a meeting remotely on Friday, March 19, 2021. The following is a summary of the meeting.

RECOMMENDED ACTION:
Receive and file.

Dr. William A. Burke, Chair
Mobile Source Committee

SLR:ak

Committee Members

Present: Dr. William A. Burke/Chair
Supervisor Sheila Kuehl/Vice Chair
Supervisor Lisa Bartlett
Mayor Pro Tem Larry McCallon
Supervisor V. Manuel Perez
Mayor Pro Tem Carlos Rodriguez

Absent: None

Call to Order

Chair Burke called the meeting to order at 9:00 a.m.

INFORMATIONAL ITEM:

This item was taken out of order:

2. Proposed Rule 2305 – Warehouse Indirect Source Rule (ISR) – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program and Proposed Rule 316 – Fees for Rule 2305

Ian MacMillan, Planning and Rules Manager, presented an update on Proposed Rule (PR) 2305. Supervisor Kuehl commented that industry and advocates were on opposite sides of the issue and South Coast AQMD is tasked with finding the

appropriate solution. She pointed out the totality of the impact meant balancing the range of jobs, costs, health benefits and impacts. Supervisor Kuehl stated she would like a stronger stringency of 0.005 as it was supported by the socioeconomic data, and asked for additional detail of the range of potential public health benefits in future drafts of the socioeconomic impact assessment.

Mayor Pro Tem McCallon inquired if the 10-15 percent NO_x reduction in the analysis accounted for reductions from CARB regulations. Mr. MacMillan responded that emission reduction estimates for PR 2305 already accounted for any potential overlapping reductions from CARB regulations were in the Draft Staff Report. Mayor Pro Tem McCallon expressed concern that the funds generated from a mitigation fee were being used to accelerate CARB rules and not for warehouse use. Mr. MacMillan responded that the mitigation fees would be used to achieve near term emission reductions, including from near zero emissions (NZE) technology which CARB has not included in its regulations.

The following commenters provided testimony in support of PR 2305, focusing on poor air quality due to trucks going to warehouses, with some commenters advocating for a stronger stringency of at least 0.005, and/or encouraging greater emphasis on zero emissions (ZE) options: Anzor Komak, Michelle Ghafar (Earthjustice), Elliott Gonzalez, Sandra Sanchez, Emily Spokes, Jessica Craven and Amy Francis (NELA Climate Collective), Jesse Parks, Elise Kalfayan, Rosario Calderon, Resa Barrios, Kelsey Bass, Francis Yang and Carlo De La Cruz (Sierra Club), Roxana Barrera, Darby, Shomari Davis (IBEW), Matt Abularach (AB 617 Community Steering Committee Member), Steven Jimenez (American Lung Association), Jack Symington (LACI), Dominick Falzone, MacKenzie Nelson, Alejandro Montes, Mallory Warhurst, Kareem Gangora, Ivette Torres, Chris Chavez (Coalition for Clean Air), Sari Fordham (Riverside 350), Jen Simmons, Dafne Gokcen, Angie Balderas (Sierra Club/AB 617 CSC member), Shawn Martinez (Teamsters), Yassi Kavezade, and Daisy Lopez (Warehouse Worker Resource Center).

The following commenters provided testimony in opposition of PR 2305 expressing concerns about increased costs to industry, the availability of ZE trucks, the ability of warehouses to control trucks, the mitigation fee being imposed represented a tax, and questioning the emission reductions resulting from the proposed rule: Patricia Bruno (LAACC), Peter Herzog (NAIOP), Sarah Wiltfong (LA County BizFed), Kay Cole (warehouse operator), Mike Williams (California Chapter of the International Warehouse Logistics Association), and Al Portillo (Inland Empire Economic Partnership).

Additional comments were provided by George Miller (BYD) stating that BYD has 150 ZE trucks deployed, including 94 yard trucks, in applications working 2-3 shifts,

and their use provides overall usage savings. Joe Sullivan (IBEW) supported the warehouse ISR and commented that ZE infrastructure creates skilled and trained careers. Dawn Anaiscourt (SCE) supported the warehouse ISR and stated that the rule is feasible, and that SCE is committed to helping their customers transition to ZE.

Tom Swenson (Cummins) supported the warehouse ISR and commented that Cummins manufactures NZE engines for on-road trucks and yard trucks, and they did not have any limits in how many they can currently produce. Brett Barry (Clean Energy), Ben Granholm (Western Propane Gas Association), Todd Campbell (California Natural Gas Coalition) supported the warehouse ISR but commented that NZE yard trucks and NZE fueling infrastructure should be included in the WAIRE Menu, and NZE trucks should get 90 percent of the WAIRE Points to match the emission reductions.

Mark Abramowitz supported a strong warehouse ISR but expressed concern over the inclusion of air filter systems in the WAIRE Menu as they are not SIP creditable. Harvey Eder stated that CARB has not considered the big picture and the need for less fossil fuel. John Wiegel commented on the hazards of battery disposal and mentioned the former battery storage facility, Exide Technologies. Andrea Vidaurre (People's Collective for Environmental Justice) commented on the success of ZE yard trucks and stated that Exide Technologies had problems due to mismanagement.

Following public testimony, Mayor Pro Tem Rodriguez asked about the implications on jobs of the warehouse ISR and requested clarification about whether incentivized trucks could earn WAIRE Points. Mr. MacMillan responded that jobs impacts have been analyzed in the Draft Socioeconomic Assessment and clarified how PR 2305 could work with incentives. He further stated that any NZE or ZE truck visiting a warehouse could earn WAIRE Points, even if it received incentive funding. However, most incentive programs have restrictions that would prevent trucks from being funded if they were acquired to earn WAIRE Points.

Supervisor Bartlett and Mayor Pro Tem McCallon inquired why NZE yard trucks were excluded from the WAIRE Menu. Mr. MacMillan responded that ZE yard trucks were further along in development than ZE on-road tractors, and that they have been identified as a beachhead technology to introduce ZE trucks early into the market due to their particular duty cycle and use. Additionally, the analysis presented to the Board would include the flexibility for them to include NZE yard trucks in their consideration of PR 2305. Supervisor Bartlett suggested allowing NZE yard trucks as they reduce emissions.

1. Photochemical Modeling Analysis of the COVID-19 Shelter-In-Place Period and Implications on Ozone Attainment Strategy for South Coast Air Basin

Dr. Sang-Mi Lee, Program Supervisor, presented the results of staff's numerical modeling analysis for high ozone episodes observed during the early shelter-in-place period due to COVID-19 as well as the implications on the NOx reduction strategy to attain federal ozone national ambient air quality standards.

Mayor Pro Tem McCallon inquired about biogenic emissions. Dr. Lee responded that emissions from trees and vegetations are dominant biogenic emissions in the Basin. Regarding VOC emissions from the increased use of disinfectants and sanitizers due to COVID, she confirmed that these additional emissions were estimated in collaboration with CARB's staff and included in the analysis. Dr. Lee clarified that ozone levels shown in the presentation are 8-hour average concentrations.

Mayor Pro Tem McCallon asked why 2018 and 2019 were selected for this analysis to compare with 2020, since 2017 would have been a better year than 2020. Dr. Lee responded that 2018 and 2019 were selected to provide contrast to 2020; 2018 was close to climatological average and 2019 was wet and cold. Dr. Lee added that the analysis could be expanded to include 2017. Mayor Pro Tem McCallon inquired about the background ozone level in the Basin. Dr. Lee responded the background ozone level is around 40-45 ppb and indicated that staff will continue to study this area for the latest available scientific data and methodologies.

WRITTEN REPORTS:

3. Rule 2202 Activity Report: Rule 2202 Summary Status Report

This item was received and filed.

4. Monthly Report on Environmental Justice Initiatives: CEQA Document Commenting Update

This item was received and filed.

OTHER MATTERS:

5. Other Business

There was no other business.

6. Public Comment Period

There were no public comments.

7. Next Meeting Date

The next regular Mobile Source Committee meeting is scheduled for Friday, April 16, 2021.

Adjournment

The meeting adjourned at 11:24 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 – March 19, 2021

Dr. William Burke	South Coast AQMD Board Member
Supervisor Lisa Bartlett.....	South Coast AQMD Board Member
Supervisor Sheila Kuehl.....	South Coast AQMD Board Member
Mayor Pro Tem Larry McCallon.....	South Coast AQMD Board Member
Supervisor V. Manuel Perez.....	South Coast AQMD Board Member
Mayor Pro Tem Carlos Rodriguez	South Coast AQMD Board Member
James Dinwiddie	Board Consultant (Bartlett)
Guillermo Gonzalez.....	Board Consultant (Perez)
Matt Holder	Board Consultant (Rodriguez)
Lorraine Lundquist.....	Board Consultant (Kuehl)
Debra Mendelsohn.....	Board Consultant (Rutherford)
Kana Miyamoto	Board Consultant (Burke)
Ross Zelen	Board Consultant (Kracov)
Mark Abramowitz	Community Environmental Services
Matt Abularach.....	Public Member
Dawn Anaiscourt.....	So Cal Edison
Angie Balderas	Sierra Club
Roxana Barrera.....	Public Member
Resa Barrios.....	Public Member
Brett Barry	Clean Energy
Kelsey Bass	Public Member
Stephanie Bream.....	California Council for Environmental and Economic Balance
Patricia Bruno.....	LAACC
Rosario Calderon.....	Public Member
Todd Campbell.....	California Natural Gas Coalition
Chris Chavez	Coalition for Clean Air
Kay Cole.....	Public Member
Curtis Coleman.....	Southern CA Air Quality Alliance
Jessica Craven	NELA Climate Collective
Darby	Public Member
Shomari Davis	IBEW
Monica Desiderio	California Certified Interpreters
Dominick Falzone	Public Member
Carlo De La Cruz.....	Sierra Club
Harvey Eder.....	Public Solar Power Coalition
Sari Fordham	Riverside 350
Alejandro Franco	California Certified Interpreters
Amy Francis	NELA Climate Collective
Michelle Ghafar.....	Earthjustice
Dafne Gokcen.....	Public Member
Kareem Gongora	Public Member
Elliott Gonzalez.....	Public Member
Ben Granholm	Western Propane Gas Association
Peter Herzog.....	NAIOP
Steven Jimenez	American Lung Association
Elise Kalfayan	Glendale Environmental Coalition
Yassi Kavezade	Public Member

Anzor Komok.....	Public Member
Daisy Lopez.....	Warehouse Worker Resource Center
Bill La Marr.....	California Small Business Alliance
Shawn Martinez.....	Teamster
George Miller.....	BYD
Alejandro Montes.....	Public Member
MacKenzie Nelson.....	Public Member
Jesse Parks.....	Public Member
David Pettit.....	Natural Resources Defense Council
Al Portillo.....	Inland Empire Economic Partnership
Sandra Sanchez.....	Public Member
Patty Senecal.....	Western States Petroleum Association
Jen Simmons.....	Public Member
Emily Spokes.....	NELA Climate Collective
Joe Sullivan.....	IBEW
Tom Swenson.....	Cummins
Jack Symington.....	LACI
Ivette Torres.....	Public Member
Andrea Vidaurre.....	People’s Collective for Environmental Justice
Mallory Warhurst.....	Public Member
Peter Whittingham.....	Whittingham Public Affairs Advisors
John Wiegel.....	Public Member
Mike Williams.....	International Warehouse Logistics Association
Sarah Wiltfong.....	Bizfed
Francis Yang.....	Sierra Club

Derrick Alatorre.....	South Coast AQMD Staff
Jason Aspell.....	South Coast AQMD Staff
Barbara Baird.....	South Coast AQMD Staff
Jo Kay Ghosh.....	South Coast AQMD Staff
Bay Gilchrist.....	South Coast AQMD Staff
Carol Gomez.....	South Coast AQMD Staff
De Groeneveld.....	South Coast AQMD Staff
Sheri Hanizavareh.....	South Coast AQMD Staff
Anissa Heard-Johnson.....	South Coast AQMD Staff
Mark Henninger.....	South Coast AQMD Staff
Kathryn Higgins.....	South Coast AQMD Staff
Sujata Jain.....	South Coast AQMD Staff
Victor Juan.....	South Coast AQMD Staff
Angela Kim.....	South Coast AQMD Staff
Sang Mi Lee.....	South Coast AQMD Staff
Jason Low.....	South Coast AQMD Staff
Nahal Mogharabi.....	South Coast AQMD Staff
Ian MacMillan.....	South Coast AQMD Staff
Matt Miyasato.....	South Coast AQMD Staff
Ron Moskowitz.....	South Coast AQMD Staff
Wayne Nastri.....	South Coast AQMD Staff
Zorik Pirveysian.....	South Coast AQMD Staff
Sarah Rees.....	South Coast AQMD Staff
Zafiro Sanchez.....	South Coast AQMD Staff
Lisa Tanaka O’Malley.....	South Coast AQMD Staff
Anthony Tang.....	South Coast AQMD Staff
Veera Tyagi.....	South Coast AQMD Staff
Jill Whynot.....	South Coast AQMD Staff
Jillian Wong.....	South Coast AQMD Staff
Paul Wright.....	South Coast AQMD Staff
Victor Yip.....	South Coast AQMD Staff



South Coast Air Quality Management District

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(909) 396-2000 • www.aqmd.gov

Rule 2202 Summary Status Report

Activity for January 1, 2021 – February 28, 2021

Employee Commute Reduction Program (ECRP)	
# of Submittals:	94

Emission Reduction Strategies (ERS)	
# of Submittals:	45

Air Quality Investment Program (AQIP) Exclusively		
County	# of Facilities	\$ Amount
Los Angeles	2	\$ 8,552
Orange	0	\$ 0
Riverside	0	\$ 0
San Bernardino	0	\$ 0
TOTAL:	2	\$ 8,552

ECRP w/AQIP Combination		
County	# of Facilities	\$ Amount
Los Angeles	0	\$ 0
Orange	0	\$ 0
Riverside	0	\$ 0
San Bernardino	0	\$ 0
TOTAL:	0	\$ 0

Total Active Sites as of February 28, 2021

ECRP (AVR Surveys)			TOTAL Submittals w/Surveys	AQIP	ERS	TOTAL
ECRP ¹	AQIP ²	ERS ³				
504	11	170	685	102	532	1,319
38.21%	0.83%	12.89%	51.93%	7.73%	40.34%	100% ⁴

Total Peak Window Employees as of February 28, 2021

ECRP (AVR Surveys)			TOTAL Submittals w/Surveys	AQIP	ERS	TOTAL
ECRP ¹	AQIP ²	ERS ³				
385,016	2,964	73,784	461,764	14,538	206,420	682,722
56.40%	0.43%	10.81%	67.64%	2.13%	30.23%	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.

BOARD MEETING DATE: April 2, 2021

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 February 1, 2021 and February 28, 2021, and those projects for which the South Coast AQMD is acting as lead agency pursuant to CEQA.

COMMITTEE: Mobile Source, March 19, 2021, Reviewed

RECOMMENDED ACTION:
Receive and file.

Wayne Natri
Executive Officer

SR: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 February 1, 2021 to February 28, 2021 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 December reporting period is included as Attachment B. A total of 54 CEQA documents were received during this reporting period and 15 comment letters were sent.

The Intergovernmental Review function, which consists of reviewing and commenting on the adequacy of the air quality analysis in CEQA documents prepared by other lead agencies, is consistent with the Board's 1997 Environmental Justice Guiding Principles and Environmental Justice Initiative #4. As required by the Environmental Justice Program Enhancements for FY 2002-03, approved by the Board in October 2002, each attachment notes proposed projects where the South Coast AQMD has been contacted regarding potential air quality-related environmental justice concerns. The South Coast AQMD has established an internal central contact to receive information on projects with potential air quality-related environmental justice concerns. The public may

contact the South Coast AQMD about projects of concern by the following means: in writing via fax, email, or standard letters; through telephone communication; and as part of oral comments at South Coast AQMD meetings or other meetings where South Coast AQMD staff is present. The attachments also identify, for each project, the dates of the public comment period and the public hearing date, if applicable. Interested parties should rely on the lead agencies themselves for definitive information regarding public comment periods and hearings as these dates are occasionally modified by the lead agency.

At the January 6, 2006 Board meeting, the Board approved the Workplan for the Chairman's Clean Port Initiatives. One action item of the Chairman's Initiatives was to prepare a monthly report describing CEQA documents for projects related to goods movement and to make full use of the process to ensure the air quality impacts of such projects are thoroughly mitigated. In response to describing goods movement, CEQA documents (Attachments A and B) are organized to group projects of interest into the following categories: goods movement projects; schools; landfills and wastewater projects; airports; general land use projects, etc. In response to the mitigation component, guidance information on mitigation measures was compiled into a series of tables relative to: off-road engines; on-road engines; harbor craft; ocean-going vessels; locomotives; fugitive dust; and greenhouse gases. These mitigation measure tables are on the CEQA webpages portion of the South Coast AQMD's website at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies>. Staff will continue compiling tables of mitigation measures for other emission sources.

Staff focuses on reviewing and preparing comments for projects: where the South Coast AQMD is a responsible agency; that may have significant adverse regional air quality impacts (e.g. special event centers, landfills, goods movement); that may have localized or toxic air quality impacts (e.g. warehouse and distribution centers); where environmental justice concerns have been raised; and which a lead or responsible agency has specifically requested South Coast AQMD review. If staff provided written comments to the lead agency as noted in the column "Comment Status," there is a link to the "South Coast AQMD Letter" under the Project Description. In addition, if staff testified at a hearing for the proposed project, a notation is provided under the "Comment Status." If there is no notation, then staff did not provide testimony at a hearing for the proposed project.

During the period of February 1, 2021 to February 28, 2021, the South Coast AQMD received 54 CEQA documents. Of the 67 documents listed in Attachments A and B:

- 15 comment letters were sent;
- 17 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
- 5 documents were screened without additional review.

(The above statistics are from February 1, 2021 to February 28, 2021 and may not include the most recent “Comment Status” updates in Attachments A and B.)

Copies of all comment letters sent to lead agencies can be found on the South Coast AQMD’s CEQA webpage at the following internet address:

<http://www.aqmd.gov/home/regulations/ceqa/commenting-agency>.

South Coast AQMD Lead Agency Projects (Attachment C) – Pursuant to CEQA, the South Coast AQMD periodically acts as lead agency for stationary source permit projects. Under CEQA, the lead agency is responsible for determining the type of CEQA document to be prepared if the proposal for action is considered to be a “project” as defined by CEQA. For example, an Environmental Impact Report (EIR) is prepared when the South Coast AQMD, as lead agency, finds substantial evidence that the project may have significant adverse effects on the environment. Similarly, a Negative Declaration (ND) or Mitigated Negative Declaration (MND) may be prepared if the South Coast AQMD determines that the project will not generate significant adverse environmental impacts, or the impacts can be mitigated to less than significance. The ND and MND are written statements describing the reasons why projects will not have a significant adverse effect on the environment and, therefore, do not require the preparation of an EIR.

Attachment C to this report summarizes the active projects for which the South Coast AQMD is lead agency and is currently preparing or has prepared environmental documentation. As noted in Attachment C, the South Coast AQMD continued working on the CEQA documents for three active projects during February.

Attachments

- A. Incoming CEQA Documents Log
- B. Ongoing Active Projects for Which South Coast AQMD Has or Will Conduct a CEQA Review
- C. Active South Coast AQMD Lead Agency Projects

ATTACHMENT A*
INCOMING CEQA DOCUMENTS LOG
February 1, 2021 to February 28, 2021

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Warehouse & Distribution Centers</i> LAC210217-02 5175 Vincent Avenue Project	The project consists of construction of a 545,735-square-foot warehouse on 26.05 acres. The project is located on the southwest corner of Arrow Highway and Vincent Avenue. Reference LAC200304-08 and LAC190104-01 Comment Period: 2/17/2021 - 4/2/2021 Public Hearing: N/A	Notice of Availability of a Draft Environmental Impact Report	City of Irwindale	** Under review, may submit written comments
<i>Warehouse & Distribution Centers</i> LAC210217-03 2555 West 190th Street Industrial Warehouse Project	The project consists of demolition of a 160,000-square-foot office building and construction of a 305,550-square-foot warehouse on 13.29 acres. The project is located near the northeast corner of West 190th Street and Crenshaw Boulevard. Comment Period: 2/12/2021 - 3/15/2021 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Torrance	** Under review, may submit written comments
<i>Warehouse & Distribution Centers</i> RVC210204-02 Sunset Crossroads Specific Plan	The project consists of construction of 5.5 million square feet of warehouses, 295,000 square feet of commercial uses, and 68.7 acres of open space on 532.7 acres. The project is located on the southwest corner of Interstate 10 and Sunset Avenue. Comment Period: 2/2/2021 - 3/3/2021 Public Hearing: 2/18/2021	Notice of Preparation	City of Banning	** Under review, may submit written comments
<i>Warehouse & Distribution Centers</i> RVC210204-04 Potrero Logistics	The project consists of construction of a 577,920-square-foot warehouse on 32.02 acres. The project is located on the northwest corner of Fourth Street and Potrero Boulevard. Reference RVC201028-01 and RVC200603-01 Comment Period: 2/2/2021 - 2/25/2021 Public Hearing: 2/25/2021	Site Plan	City of Beaumont	Document reviewed - No comments sent for this document received

*Sorted by Land Use Type (in order of land uses most commonly associated with air quality impacts), followed by County, then date received.

- Project has potential environmental justice concerns due to the nature and/or location of the project.

** Disposition may change prior to Governing Board Meeting

Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

A-1

ATTACHMENT A
INCOMING CEQA DOCUMENTS LOG
February 1, 2021 to February 28, 2021

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Warehouse & Distribution Centers</i> RVC210209-01 Freedom Business Park	The project consists of construction of five warehouses totaling 283,165 square feet on 17 acres. The project is located on the northeast corner of Scott Road and Haun Road. Comment Period: 2/8/2021 - 3/3/2021 Public Hearing: 3/2/2021	Site Plan	City of Menifee	** Under review, may submit written comments
<i>Warehouse & Distribution Centers</i> RVC210217-04 Westmont Village Industrial Warehouse Project	The project consists of construction of four warehouses totaling 1,203,769 square feet on 83.58 acres. The project is located near the southwest corner of Van Buren Boulevard and Village West Drive in Riverside County. Comment Period: 1/13/2021 - 3/6/2021 Public Hearing: 2/4/2021	Notice of Preparation	March Joint Powers Authority	** Under review, may submit written comments
<i>Warehouse & Distribution Centers</i> RVC210223-03 SPA2021-0001	The project consists of construction of a 150,000-square-foot warehouse on 66 acres. The project is located on the northwest corner of Temescal Canyon Road and Tom Barnes Street. Comment Period: 2/16/2021 - 3/4/2021 Public Hearing: 3/4/2021	Site Plan	City of Corona	** Under review, may submit written comments
<i>Warehouse & Distribution Centers</i> RVC210224-04 PLAN2021-0577	The project consists of construction of a 158,880-square-foot warehouse on 11.18 acres. The project is located near the southwest corner of State Route 60 and Potrero Boulevard. Comment Period: 2/24/2021 - 3/11/2021 Public Hearing: 3/11/2021	Site Plan	City of Beaumont	** Under review, may submit written comments

- Project has potential environmental justice concerns due to the nature and/or location of the project.

** Disposition may change prior to Governing Board Meeting

Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

A-2

**ATTACHMENT A
INCOMING CEQA DOCUMENTS LOG
February 1, 2021 to February 28, 2021**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Utilities</i> ORC210202-01 Bay Bridge Pump Station and Force Mains Replacement Project	Staff provided comments on the Recirculated Draft Environmental Impact Report for the project, which can be accessed at: http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/ORC200811-03.pdf . 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 ORC200811-03, ORC190703-02, ORC170621-05, ORC170224-04, and ORC161110-08 Comment Period: N/A Public Hearing: 2/24/2021	Final Environmental Impact Report	Orange County Sanitation District	Document reviewed - No comments sent for this document received
<i>Utilities</i> RVC210224-03 Terra-Gen Beaumont Energy Storage Project	The project consists of construction of a 100-megawatt lithium-ion battery energy storage facility on 6.9 acres. The project is located at 248 Veile Avenue near the southeast corner of West Fourth Street and Veile Avenue. Reference RVC201202-01 Comment Period: 2/24/2021 - 3/11/2021 Public Hearing: 3/11/2021	Site Plan	City of Beaumont	Document reviewed - No comments sent for this document received
<i>Transportation</i> LAC210216-02 Metro C Line (Green) Extension to Torrance Project	The project consists of construction of a 4.6-mile light rail transit (LRT) system with two stations. The project is located between the Redondo Beach Green LRT station at 5251 Marine Avenue near the northwest corner of Marine Avenue and Hindry Avenue in the City of Redondo Beach and the Torrance Regional Transit Center station at 20500 Madrona Avenue near the southeast corner of Madrona Avenue and Del Amo Boulevard in the City of Torrance. Comment Period: 1/29/2021 - 3/15/2021 Public Hearing: 2/23/2021	Revised Notice of Preparation	Los Angeles County Metropolitan Transportation Authority	** Under review, may submit written comments
<i>Institutional (schools, government, etc.)</i> LAC210203-03 Crescenta Valley High School Field Improvement Project	The project consists of construction of bleachers with 3,442 seats and 2,794 square feet of ancillary facilities on 4.37 acres. The project is located at 2900 Community Avenue on the southwest corner of Community Avenue and Glenwood Avenue in the community of La Crescenta. Reference LAC200303-11 Comment Period: 1/21/2021 - 3/8/2021 Public Hearing: 2/17/2021	Notice of Availability of a Draft Environmental Impact Report	Glendale Unified School District	Document reviewed - No comments sent for this document received

- Project has potential environmental justice concerns due to the nature and/or location of the project.
** Disposition may change prior to Governing Board Meeting
Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.
A-7

**ATTACHMENT A
INCOMING CEQA DOCUMENTS LOG
February 1, 2021 to February 28, 2021**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Institutional (schools, government, etc.)</i> LAC210218-05 Wedgeworth K-8 School and Residential Development Project	This document includes additional environmental analyses for recreation, transportation, and alternatives for the project. The project consists of demolition of existing school facilities, and construction of an 82,998-square-foot elementary school to accommodate an increase in enrollment capacity from 600 students to 1,200 students and 160 residential units on 20 acres. The project is located at 16494 Wedgeworth Drive on the northwest corner of Wedgeworth Drive and Ridge Park Drive in the community of Hacienda Heights within Los Angeles County. Reference LAC191206-02 and LAC190801-12 Comment Period: 2/19/2021 - 4/5/2021 Public Hearing: 5/6/2021	Recirculated Draft Environmental Impact Report	Hacienda La Puente Unified School District	Document reviewed - No comments sent for this document received
<i>Waste and Water-related</i> SBC210205-01 Patton State Hospital Waterline Replacement Project	The project consists of construction of 1,730 linear feet of stormwater pipelines 14 inches in diameter. The project is located at 3102 East Highland Avenue near the northwest corner of East Highland Avenue and North Orange Street in the community of Patton within San Bernardino County. http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/february/SBC210205-01.pdf Comment Period: N/A Public Hearing: N/A	Site Plan	California Department of State Hospitals	South Coast AQMD staff commented on 2/9/2021
<i>Retail</i> LAC210210-02 Rendon Hotel Project	The project consists of construction of a 67,615-square-foot hotel with 103 rooms with subterranean parking on 0.26 acres. The project is located on the northwest corner of South Santa Fe Avenue and East Seventh Street in the community of Central City North near the boundary of the designated AB 617 East Los Angeles, Boyle Heights, West Commerce community. Comment Period: 2/11/2021 - 3/3/2021 Public Hearing: N/A	Mitigated Negative Declaration	City of Los Angeles	Document reviewed - No comments sent for this document received
<i>Retail</i> LAC210218-04 Iwatani Hydrogen Fueling Station	The project consists of construction of a 1,472-square-foot storage facility, two hydrogen fuel dispensers, and a 968-square-foot fueling canopy on 1.93 acres. The project is located at 13550 South Beach Boulevard on the southeast corner of South Beach Boulevard and Hillsborough Drive. http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/february/LAC210218-04.pdf Comment Period: 2/8/2021 - 2/16/2021 Public Hearing: N/A	Site Plan (received after close of comment period)	City of La Mirada	South Coast AQMD staff commented on 2/23/2021

- Project has potential environmental justice concerns due to the nature and/or location of the project.
** Disposition may change prior to Governing Board Meeting
Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.
A-8

**ATTACHMENT A
INCOMING CEQA DOCUMENTS LOG
February 1, 2021 to February 28, 2021**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
Retail RVC210202-02 Riverside and Lincoln Commercial Project	The project consists of construction of a 4,650-square-foot convenience store, a 3,979-square-foot car wash facility, a 4,456-square-foot restaurant, a 38,016-square-foot self-storage facility, a gasoline service station with 16 pumps, and a 4,291-square-foot fueling canopy on a 6.36-acre portion of 15.38 acres. The project is located on the northwest corner of Riverside Drive and Lincoln Street. http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/february/RVC210202-02.pdf	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Lake Elsinore	South Coast AQMD staff commented on 2/24/2021
	Comment Period: 1/27/2021 - 2/26/2021 Public Hearing: 3/16/2021			
Retail RVC210223-05 Shops at Jurupa Valley (MA20035)	The project consists of construction of a 3,500-square-foot convenience store, a 4,800-square-foot car wash facility, a 26,000-square-foot hotel with 60 rooms, 151,300 square feet of retail uses, 18,400 square feet of restaurant uses, 46,000 square feet of office uses, and a gasoline service station with 12 pumps on 32 acres. The project is located on the northeast corner of Mission Boulevard and Pyrite Street.	Site Plan	City of Jurupa Valley	** Under review, may submit written comments
	Comment Period: 2/22/2021 - 3/9/2021 Public Hearing: N/A			
Retail RVC210225-04 Shops at Jurupa Valley (MA20035)	The project consists of construction of a 3,500-square-foot convenience store, a 4,800-square-foot car wash facility, a 26,000-square-foot hotel with 60 rooms, 151,300 square feet of retail uses, 18,400 square feet of restaurant uses, 46,000 square feet of office uses, and a gasoline service station with 12 pumps on 33 acres. The project is located on the northeast corner of Mission Boulevard and Pyrite Street. Reference RVC210223-05	Notice of Availability of a Draft Environmental Impact Report	City of Jurupa Valley	** Under review, may submit written comments
	Comment Period: 2/22/2021 - 4/7/2021 Public Hearing: N/A			
General Land Use (residential, etc.) LAC210216-04 Third and Fairfax Mixed-Use Project	The project consists of demolition of 151,048 square feet of existing structures and construction of a 490,682-square-foot building with 331 residential units on 327,121 square feet. The project is located on the southwest corner of Fairfax Avenue and West Third Street in the community of Wilshire. Reference LAC190221-02	Notice of Availability of a Draft Environmental Impact Report	City of Los Angeles	Document reviewed - No comments sent for this document received
	Comment Period: 2/11/2021 - 3/29/2021 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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**ATTACHMENT A
INCOMING CEQA DOCUMENTS LOG
February 1, 2021 to February 28, 2021**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
General Land Use (residential, etc.) LAC210225-01 Long Beach RiverPark Residential Project	The project consists of construction of 227 residential units and five acres of open space on 20 acres. The project is located on the northwest corner of West Wardlow Road and Golden Avenue in the designated AB 617 Wilmington, Carson, West Long Beach community.	Notice of Preparation	City of Long Beach	** Under review, may submit written comments
	Comment Period: 2/25/2021 - 3/29/2021 Public Hearing: 3/24/2021			
General Land Use (residential, etc.) LAC210225-02 Pacific Coast Commons Specific Plan	The project consists of demolition of existing structures, and construction of 263 residential units and 11,252 square feet of commercial uses on 6.38 acres. The project is located on the northwest corner of North Pacific Coast Highway and East Holly Avenue. Reference LAC200602-07	Notice of Availability of a Draft Environmental Impact Report	City of El Segundo	** Under review, may submit written comments
	Comment Period: 2/25/2021 - 4/12/2021 Public Hearing: N/A			
General Land Use (residential, etc.) RVC210204-06 Vernola Marketplace Apartment (MA21046)	The project consists of subdivision of 8.2 acres for future development of 200 residential units. The project is located on the northwest corner of Limonite Avenue and Pats Ranch Road. http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/february/RVC210204-06.pdf	Site Plan	City of Jurupa Valley	South Coast AQMD staff commented on 2/16/2021
	Comment Period: 2/4/2021 - 2/18/2021 Public Hearing: N/A			
General Land Use (residential, etc.) RVC210217-01 MA16045	The project consists of subdivision of 917.3 acres for future development of 1,697 residential units, 18.4 acres of recreational uses, a 13.4-acre school, and 515.1 acres of open space. The project is located on the northeast corner of Muriel Drive and Paramount Drive. Reference RVC190212-07, RVC181205-06, RVC180605-11, RVC170705-16, and RVC160422-03	Site Plan	City of Jurupa Valley	** Under review, may submit written comments
	Comment Period: 2/17/2021 - 3/10/2021 Public Hearing: N/A			
General Land Use (residential, etc.) RVC210218-02 Coral Mountain Resort	The project consists of construction of 600 residential units, a hotel with 150 rooms, 117,000 square feet of commercial uses, and 23.6 acres of recreational uses on 385.9 acres. The project is located on the southwest corner of 58th Avenue and Madison Street.	Notice of Preparation	City of La Quinta	** Under review, may submit written comments
	Comment Period: 2/17/2021 - 3/19/2021 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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ATTACHMENT B*
ONGOING ACTIVE PROJECTS FOR WHICH SOUTH COAST AQMD HAS
OR IS CONTINUING TO CONDUCT A CEQA REVIEW

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
Airports LAC201029-01 Los Angeles International Airport (LAX) Airfield and Terminal Modernization Project	The project consists of construction of an automated people mover station, a pedestrian bridge, an 11-gate concourse facility, and a 12-gate terminal. The project will also include westerly extension of one taxiway, reconfiguration of runway exits, and removal of remote gates. The project is located in the north and south airfields within the Los Angeles International Airport. The north airfield is located near the northeast corner of Pershing Drive and Sepulveda Boulevard. The south airfield is located at Taxiway C between Sepulveda Boulevard and Aviation Boulevard. Reference LAC190619-11 and LAC190404-01 Comment Period: 10/29/2020 - 3/15/2021 Public Hearing: 12/1/2020	Draft Environmental Impact Report	Los Angeles World Airports	**Under review, may submit written comments
General Land Use (residential, etc.) LAC210114-03 Angels Landing Project	The project consists of construction of two buildings totaling 1,269,150 square feet with 432 residential units, 515 hotel rooms, and subterranean parking on 2.24 acres. The project is located at 361 South Hill Street on the northwest corner of Hill Street and Fourth Street in the community of Central City. Reference LAC190404-02 Comment Period: 1/14/2021 - 3/1/2021 Public Hearing: N/A	Draft Environmental Impact Report	City of Los Angeles	**Under review, may submit written comments
Plans and Regulations LAC210114-05 2019 Facilities Master Plan Update to the 2015 Facilities Master Plan	The project consists of development of standards, policies, and programs to guide future development of school facilities and services with a planning horizon of 2025. The project encompasses three campuses: 1) the Verdugo Campus at 1500 North Verdugo Road on the northeast corner of North Verdugo Road and East Mountain Street in the City of Glendale; 2) the Garfield Campus at 1122 East Garfield Avenue on the southeast corner of East Garfield Avenue and South Adams Street in the City of Glendale; and 3) Montrose Campus at 2340 Honolulu Avenue near the southeast corner of Honolulu Avenue and Wickham Way in the community of Montrose within Los Angeles County. Comment Period: 1/14/2021 - 3/1/2021 Public Hearing: N/A	Notice of Availability of a Draft Supplemental Environmental Impact Report	Glendale Community College District	**Under review, may submit written comments
Industrial and Commercial LAC210119-02 Beverly Hills Creative Offices Specific Plan Project	The project consists of construction of 11 office buildings totaling 128,282 square feet with subterranean parking on 2.49 acres. The project is located on the northeast corner of Alpine Drive and North Santa Monica Boulevard. http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/february/LAC210119-02.pdf Comment Period: 1/15/2021 - 2/19/2021 Public Hearing: 2/4/2021	Notice of Preparation	City of Beverly Hills	South Coast AQMD staff commented on 2/16/2021

*Sorted by Comment Status, followed by Land Use, then County, then date received.

- Project has potential environmental justice concerns due to the nature and/or location of the project.

** Disposition may change prior to Governing Board Meeting

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ATTACHMENT B
ONGOING ACTIVE PROJECTS FOR WHICH SOUTH COAST AQMD HAS
OR IS CONTINUING TO CONDUCT A CEQA REVIEW

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
Industrial and Commercial SBC210105-04 Mission Boulevard and Ramona Avenue Business Park Project	The project consists of demolition of existing structures and construction of 514,269 square feet of industrial uses on 27.74 acres. The project is located on the northwest corner of Mission Boulevard and Ramona Avenue. http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/february/SBC210105-04.pdf Comment Period: 1/4/2021 - 2/3/2021 Public Hearing: 1/13/2021	Notice of Preparation	City of Montclair	South Coast AQMD staff commented on 2/2/2021
Waste and Water-related LAC201215-04 DeMenno-Kerdoon	The project consists of modifications to an existing hazardous waste facility permit to install an ancillary heat exchanger to a waste oil tank. The project is located at 2000 North Alameda Street on the southeast corner of North Alameda Street and East Pine Street in the City of Compton. Reference LAC201117-11, LAC200623-08, and LAC190924-05 http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/february/LAC201215-04.pdf Comment Period: N/A Public Hearing: N/A	Permit Modification	Department of Toxic Substances Control	South Coast AQMD staff commented on 2/9/2021
Retail RVC210126-05 76 Gas Station C-Store/Q.S.R. and Retail	The project consists of construction of 13,960 square feet of retail uses, a gasoline service station with 12 pumps, and a 3,960-square-foot fueling canopy on 1.2 acres. The project is located at 41480 Sanborn Avenue on the southeast corner of Sanborn Avenue and Jefferson Avenue. http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/february/RVC210126-05.pdf Comment Period: 1/19/2021 - 2/16/2021 Public Hearing: 2/18/2021	Site Plan	City of Temecula	South Coast AQMD staff commented on 2/9/2021
General Land Use (residential, etc.) LAC210114-06 Imperial Avalon Mixed-Use Project	The project consists of demolition of existing structures and construction of 1,213 residential units totaling 1,530,894 square feet, 7,152 square feet of commercial uses, and 647,027 square feet of parking uses on 27.31 acres. The project is located at 21207 South Avalon Boulevard near the northwest corner of South Avalon Boulevard and East 213th Street in the designated AB 617 Wilmington, Carson, West Long Beach community. http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/february/LAC210114-06.pdf Comment Period: 1/13/2021 - 2/12/2021 Public Hearing: 1/28/2021	Notice of Preparation	City of Carson	South Coast AQMD staff commented on 2/9/2021
General Land Use (residential, etc.) LAC210121-03 One San Pedro Specific Plan	The project consists of demolition of an existing residential building with 478 units and construction of 1,390 residential units, 85,000 square feet of amenities, and 45,000 square feet of retail uses on 21 acres. The project is located at 275 West First Street on the southeast corner of West First Street and North Centre Street in the community of San Pedro. http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/february/LAC210121-03.pdf Comment Period: 1/13/2021 - 2/12/2021 Public Hearing: 2/6/2021	Notice of Preparation	City of Los Angeles Housing Authority	South Coast AQMD staff commented on 2/9/2021

- Project has potential environmental justice concerns due to the nature and/or location of the project.

** Disposition may change prior to Governing Board Meeting

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**ATTACHMENT B
ONGOING ACTIVE PROJECTS FOR WHICH SOUTH COAST AQMD HAS
OR IS CONTINUING TO CONDUCT A CEQA REVIEW**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
General Land Use (residential, etc.) RVC210112-05 Ventana Specific Plan	The project consists of construction of 103 residential units totaling 1,967,605 square feet on 45.17 acres. The project is located near the northeast corner of Madison Street and Avenue 50. http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/february/RVC210112-05.pdf Comment Period: 1/7/2021 - 2/8/2021 Public Hearing: N/A	Notice of Preparation	City of Indio	South Coast AQMD staff commented on 2/2/2021
General Land Use (residential, etc.) SBC210105-08 Rancho del Prado Specific Plan	The project consists of construction of 350 residential units totaling 3,537,072 square feet and 121.7 acres of open space on 209.4 acres. The project is located near the northeast corner of Reche Canyon Road and Scotch Lane. http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/february/SBC210105-08.pdf Comment Period: 1/5/2021 - 2/3/2021 Public Hearing: 1/13/2021	Notice of Preparation	City of Colton	South Coast AQMD staff commented on 2/2/2021
Plans and Regulations LAC210105-03 County of Los Angeles Housing Element Update	The project consists of updates to the County's General Plan Housing Element to assess housing needs, densities, and development standards. The project encompasses 4,083 square miles and is bounded by Ventura County to the north, counties of Riverside and San Bernardino to the east, Orange County to the south, and the Pacific Ocean to the west. The project includes three designated AB 617 communities: 1) East Los Angeles, Boyle Heights, West Commerce, 2) Southeast Los Angeles, and 3) Wilmington, Carson, West Long Beach. http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/february/LAC210105-03.pdf Comment Period: 1/5/2021 - 2/4/2021 Public Hearing: 1/23/2021	Notice of Preparation	County of Los Angeles	South Coast AQMD staff commented on 2/2/2021
Plans and Regulations LAC210121-02 Citywide Housing Element 2021-2029 Update and Safety Element Update	The project consists of development of policies, goals, and programs to comply with state, regional, and local housing and safety policies and guidelines with a planning horizon of 2029. The project encompasses 468.67 square miles and is bounded by City of Santa Clarita to the north, City of Burbank to the east, State Route 1 to the south, and City of Calabasas to the west. http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/february/LAC210121-02.pdf Comment Period: 1/13/2021 - 2/15/2021 Public Hearing: N/A	Notice of Preparation	City of Los Angeles	South Coast AQMD staff commented on 2/9/2021

- Project has potential environmental justice concerns due to the nature and/or location of the project.
** Disposition may change prior to Governing Board Meeting

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**ATTACHMENT C
ACTIVE SOUTH COAST AQMD LEAD AGENCY PROJECTS
THROUGH FEBRUARY 28, 2021**

PROJECT DESCRIPTION	PROPONENT	TYPE OF DOCUMENT	STATUS	CONSULTANT
Matrix Oil is proposing to: 1) install one new flare with a maximum rating of 39 million British thermal units per hour (MMBtu/hr) at Site 3 of the Sansinena Oil Field; and 2) increase the throughput of the existing flare at Site 9 from the previous permit limit of 13.65 million standard cubic feet over a 30-day period (MMSCF/30 days) to the maximum rating of 39 MMBtu/hr which is equivalent to 25.39 MMSCF/30 days.	Matrix Oil	Mitigated Negative Declaration	The consultant provided a preliminary draft Mitigated Negative Declaration which is undergoing South Coast AQMD staff review.	Yorke Engineering
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)	South Coast AQMD staff reviewed and provided comments on the preliminary air quality analysis and health risk assessment (HRA), which are being addressed by the consultant.	SCS Engineers

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BOARD MEETING DATE: April 2, 2021

AGENDA NO. 21

REPORT: Stationary Source Committee

SYNOPSIS: The Stationary Source Committee held a meeting remotely on Friday, March 19, 2021. The following is a summary of the meeting.

RECOMMENDED ACTION:
Receive and file.

Ben Benoit, Chair
Stationary Source Committee

JA:cr

Committee Members

Present: Mayor Pro Tem Ben Benoit (Chair)
Supervisor Sheila Kuehl (Vice Chair)
Senator Vanessa Delgado (Ret.)
Board Member Gideon Kracov
Vice Mayor Rex Richardson
Supervisor Janice Rutherford

Absent: None

Call to Order

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

ACTION ITEM:

- 1. Authorize the Executive Officer to Execute Agreement, Establish Special Revenue Fund, Recognize Revenue, Transfer Funds, Issue RFP and Execute Contract(s) to Develop a Real-Time Air Monitoring Network and Symptom and Incident Reporting System and Reimburse General Fund for Administrative Costs**

Dr. Andrea Polidori, Atmospheric Measurements Manager, provided an update on the Aliso Canyon Supplemental Environmental Project pertaining to the development and implementation of a real-time air monitoring network and symptom and incident reporting system in Porter Ranch and the communities

surrounding the SoCalGas Aliso Canyon natural gas storage facility. There were no committee member or public comments.

Moved by Kuehl; seconded by Rutherford; unanimously approved.

Ayes: Benoit, Delgado, Kracov, Kuehl, Richardson, Rutherford

Noes: None

Absent: None

INFORMATIONAL ITEMS:

2. Update on the Development of Proposed Rule 1109.1

Susan Nakamura, Assistant Deputy Executive Officer/Planning, Rule Development and Area Sources, presented an update on the development of Proposed Rule (PR) 1109.1 which establishes NO_x BARCT limits for combustion equipment at refineries and associated facilities, and highlighted key remaining issues.

Board Member Kracov asked for an explanation on the proposed b-Plan if the emission baselines were higher than the slide, and asked for confirmation that some units have more NO_x emissions than others and it was not size dependent.

Ms. Nakamura confirmed that the baselines are higher than the information on the slides, and that emissions are dependent on the amount of use, and capacity utilization of the equipment.

Supervisor Rutherford emphasized her request that a third-party conduct an independent economic analysis because the cost data provided by staff and the refineries differ substantially. Ms. Nakamura responded that staff will be using the revised cost data provided by the refineries. She explained that for units where refineries did not provide cost data, staff will incorporate the cost data provided by the refineries into the U.S. EPA Cost Estimator, along with Los Angeles labor costs, to estimate the cost for the units. All the cost data provided by the refineries will be used as input to Regional Economic Model by EPA (REMI).

Board Member Kracov inquired whether staff evaluates and vets the cost data provided by refineries to investigate its integrity. Ms. Nakamura stated that neither staff nor the third-party consultant will challenge whether the cost number provided is reasonable or not, and the third-party reviewer will assess whether the data includes extraneous costs.

Board Member Kracov asked about the different NO_x levels that selective catalytic reduction (SCR) units could achieve that result in the different “Alternative NO_x BARCT Limits” in the b-Plan. Ms. Nakamura responded that the difference is the NO_x concentration at the inlet to the control equipment from different units. She

added that some boilers and heaters will have challenges with ultra-low NOx burners due to spacing, age of units, and safety concerns.

Board Member Kracov inquired about the meetings with the regulated entities, whether staff received the necessary information and if September 2021 is a reasonable date for the public hearing. Ms. Nakamura confirmed that all five major refineries have submitted revised cost data.

Supervisor Kuehl stated that she has found the analyses provided by South Coast AQMD staff and the third-party analysts to be unbiased and impartial. She expressed support for the two new implementation approaches.

Chris Chavez, Coalition for Clean Air, Jan Victor Andasan, East Yard Communities for Environmental Justice, Byron Chan, Earthjustice, Julia May, Communities for a Better Environment, and Al Sattler, Sierra Club, expressed the need for a refinery rule that establishes a 2 ppm NOx limit, minimizes averaging times and stressed the importance of adopting and implementing PR 1109.1 for the communities around these facilities.

Mr. Chavez stated that state law requires BARCT by December 31, 2023 and disagreed with the concept of a facility-wide emissions budget.

Ms. May expressed concern that the alternative compliance plan will be established after rule adoption and emphasized that all units need basic and modern control technologies to be installed.

Michael Carroll, Latham & Watkins, commented that he appreciates that staff collected revised cost data, recommends that staff ask refineries if there are questions with the data, and encourages staff to take the time to conduct the necessary analyses. He commented that RECLAIM is SIP approved and already provides a mechanism to demonstrate BARCT which will satisfy the December 31, 2023 requirement. Mr. Carroll stated that according to U.S. EPA, RECLAIM will need to be in place until rules are fully implemented, so staff should not feel rushed.

Curt Coleman, Southern California Air Quality Alliance, and Mr. Carroll commented that they support alternative implementation approaches to achieve the NOx emission limits. Mr. Coleman expressed concern about localized impacts of PM from ammonia slip.

Board Member Kracov asked staff about the AB 617 BARCT schedule required and implementation date of December 31, 2023. Barbara Baird, Chief Deputy Counsel, explained that AB 617 requires implementation as soon as feasible but not later than December 31, 2023. Ms. Baird stated the schedule was already adopted

by the deadline as required, but if BARCT cannot be achieved by December 31, 2023, achieving the reductions as soon as feasible complies with the legislative intent.

Senator Delgado expressed support for staff's efforts to craft a rule that can be implemented and adopted.

3. Summary of Proposed Amended Rule 1469.1

Dr. Jillian Wong, Planning and Rules Manager, presented a summary of Proposed Amended Rule (PAR) 1469.1 – Spraying Operations Using Coatings Containing Chromium.

Bill Pearce, The Boeing Company, thanked staff for listening and addressing their comments.

There was a question from a public commenter on affected facilities. In response, staff will identify affected facilities on a map in the staff report.

Mr. Sattler supported the rule and stated that facilities should be conducting housekeeping provisions, and be penalized if they are not.

In response to comments regarding monitoring from Board Member Kracov, Dr. Wong explained that PAR 1469.1 requires parameter monitoring of the spray booth and that operators maintain records of parameter monitoring results. She clarified that fence-line monitoring is not part of the proposed amendments but is addressed in Rule 1480.

4. Summary of Proposed Amended Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants

Uyen-Uyen Vo, Program Supervisor, presented a summary of Proposed Amended Rule (PAR) 1466 – Control of Particulate Emissions from Soil with Toxic Air Contaminants.

Bill LaMarr, California Small Business Alliance, asked staff who is responsible for the monitoring requirements and if there are provisions that ensure the responsible party understands the monitoring requirements. Ms. Vo and Ms.

Nakamura responded that the owner, operator, or contractor conducting the earth-moving activities is responsible for conducting the monitoring requirements.

Mr. Sattler commented that dust monitoring might not be sufficient for controlling toxic air contaminants and when there are high winds there should be extra efforts for dust suppression. Ms. Vo responded that PAR 1466 requires earth-moving activities to stop when wind speeds reach a certain level.

Mr. Pearce thanked staff for listening and addressing their comments and concerns in the proposed rule language.

Council Member Benoit asked staff if schools districts were involved in the rulemaking. Ms. Vo responded that the school districts were invited and participated in the rulemaking process.

WRITTEN REPORTS:

5. Monthly Update of Staff's Work with U.S. EPA and CARB 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.

6. Notice of Violation Penalty Summary

The report was acknowledged by the committee.

OTHER MATTERS:

7. Other Business

There was no other business.

8. Public Comment Period

Harvey Eder, Public Solar Power Coalition, commented that according to the Centers for Disease Control (CDC), 40 percent of school ventilation systems need replacing and recommended that this be done by South Coast AQMD. He commented on difficulties he experienced retrieving copies of legal documents that were submitted to EPA Region 9. He expressed concerns about the public comment period being at the end of the committee meeting and the three-minute speaker limit.

9. Next Meeting Date

The next Stationary Source Committee meeting is scheduled for Friday, April 16, 2021 at 10:30 a.m.

Adjournment

The meeting was adjourned at 11:55 a.m.

Attachments

1. Attendance Record
2. Monthly Update of Staff's Work with U.S. EPA and CARB on New Source Review Issues for the Transition of RECLAIM Facilities to a Command and Control Regulatory Program
3. Notice of Violation Penalty Summary

ATTACHMENT 1

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT STATIONARY SOURCE COMMITTEE

Attendance –March 19, 2021

Mayor Pro Tem Ben Benoit	South Coast AQMD Board Member
Senator Vanessa Delgado (Ret.)	South Coast AQMD Board Member
Board Member Gideon Kracov	South Coast AQMD Board Member
Supervisor Sheila Kuehl	South Coast AQMD Board Member
Vice Mayor Rex Richardson	South Coast AQMD Board Member
Supervisor Janice Rutherford.....	South Coast AQMD Board Member
Tricia Almiron	Board Consultant (Benoit)
Ruthanne Taylor Berger.....	Board Consultant (Benoit)
Thomas Gross	Board Consultant (Benoit)
Matthew Hamlett	Board Consultant (Richardson)
Loraine Lundquist.....	Board Consultant (Kuehl)
Debra Mendelsohn	Board Consultant (Rutherford)
Ross Zelen.....	Board Consultant (Kracov)
Whitney Amaya	East Yard Communities for Environmental Justice
Jan Victor Andasan.....	East Yard Communities for Environmental Justice
Erin Berger.....	Southern California Gas Co
Greg Busch.....	Marathon Petroleum Corporation
Michael Carroll	Latham & Watkins
Byron Chan	Earthjustice
Chris Chavez.....	Coalition for Clean Air
Curtis Coleman	Southern California Air Quality Alliance
Jerry Desmond	Metal Finishing Association of Southern California
Harvey Eder	Public Solar Power Coalition
Frances Keeler	CCEEB
Bill LaMarr	California Small Business Alliance
Julia May.....	Communities for a Better Environment
Dan McGivney.....	Southern California Gas Co
Bill Pearce.....	The Boeing Company
David Petit	Natural Resources Defense Council
David Rothbart.....	SCAP
Patty Senecal.....	WSPA
Al Sattler	Sierra Club
Marshall Waller	Phillips 66 Company
Scott Weaver.....	Ramboll
Peter Whittingham	Whittingham Public Affairs Advisors
Jason Aspell	South Coast AQMD staff
Barbara Baird.....	South Coast AQMD staff
Bayron Gilchrist.....	South Coast AQMD staff
Sheri Hanizavareh.....	South Coast AQMD staff
Anissa Heard-Johnson	South Coast AQMD staff

ATTACHMENT 1

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
STATIONARY SOURCE COMMITTEE**

Attendance –March 19, 2021

Mark Henninger South Coast AQMD staff
Jason Low South Coast AQMD staff
Terrence Mann South Coast AQMD staff
Matt Miyasato South Coast AQMD staff
Ron Moskowitz South Coast AQMD staff
Susan Nakamura South Coast AQMD staff
Wayne Nastro South Coast AQMD staff
Andrea Polidori South Coast AQMD staff
Sarah Rees South Coast AQMD staff
Nicholas Sanchez South Coast AQMD staff
Anthony Tang South Coast AQMD staff
Uyen-Uyen Vo 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

February 2021 Update on Work with U.S. EPA and California Air Resources Board 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 with U.S. EPA and California Air Resources Board (CARB) since the last report.

Item	Discussion
Video Conference with U.S. EPA and CARB – March 11, 2021	<ul style="list-style-type: none">• Reviewed presentations for the March RECLAIM and Regulation XIII Working Group Meetings
RECLAIM and Regulation XIII (New Source Review) Working Group Meeting – March 18, 2021	<ul style="list-style-type: none">• Staff responded to stakeholder comment letters regarding the Transition Plan

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

Settlement Penalty Report (02/01/2021 - 02/28/2021)

Total Penalties

Civil Settlement: \$18,900.00
Hearing Board Settlement: \$25,000.00

Total Cash Settlements: \$43,900.00

Fiscal Year through 02/28/2021 Cash Total: \$3,705,777.59

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
Civil						
173290	MEDICLEAN	2004, 2012 Appendix A	02/23/2021	DH	P66919	\$10,000.00
800409	NORTHROP GRUMMAN SYSTEMS CORPORATION	2004	02/11/2021	BT	P66914	\$2,300.00
800417	PLAINS WEST COAST TERMINALS LLC	3002(c)(1)	02/11/2021	MR	P67924	\$500.00
172840	R & R DEMO & GRADING CORPORATION	1403	02/19/2021	SH	P66406	\$1,000.00
160259	THE IRVINE COMPANY	1403, 40 CFR 61.145	02/19/2021	BT	P65510	\$5,100.00
Total Civil Settlements: \$18,900.00						
Hearing Board						
104234	SCAQMD v. Mission Foods	202, 203(b), 1153.1, 1303	02/19/2021	KCM	5400-4	\$25,000.00
Total Hearing Board Settlements: \$25,000.00						

**SOUTH COAST AQMD'S RULES AND REGULATIONS INDEX
FOR FEBRUARY 2021 PENALTY REPORT**

REGULATION II - PERMITS

Rule 202 Temporary Permit to Operate
Rule 203 Permit to Operate

REGULATION XI - SOURCE SPECIFIC STANDARDS

Rule 1153.1 Emissions of Oxides of Nitrogen from Commercial Food Ovens

REGULATION XIII - NEW SOURCE REVIEW

Rule 1303 Requirements

REGULATION XIV - TOXICS

Rule 1403 Asbestos Emissions from Demolition/Renovation Activities

REGULATION XX REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

Rule 2004 Requirements (*Amended 5/11/01*)
Appendix A Protocol for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO_x) Emissions
Rule 2012

REGULATION XXX - TITLE V PERMITS

Rule 3002 Requirements for Title V Permits

CODE OF FEDERAL REGULATIONS

40 CFR 61.145 Standard for demolition and renovation

[↑ Back to Agenda](#)

BOARD MEETING DATE: April 2, 2021

AGENDA NO. 22

REPORT: Technology Committee

SYNOPSIS: The Technology Committee held a meeting remotely on Friday, March 19, 2021. The following is a summary of the meeting.

RECOMMENDED ACTION:
Receive and file.

Joe Buscaino, Chair
Technology Committee

MMM:psc

Committee Members

Present: Council Member Joe Buscaino/Chair
Supervisor Lisa Bartlett
Board Member Gideon Kracov
Mayor Pro Tem Larry McCallon
Vice Mayor Rex Richardson
Mayor Pro Tem Carlos Rodriguez

Call to Order

Chair Buscaino called the meeting to order at 12:00 p.m.

ACTION ITEMS:

1. Issue RFQ for Technical Assistance to Support South Coast AQMD's Technology Advancement Activities and Implementation Efforts

South Coast AQMD administers and manages both the implementation of incentive programs as well as the pre-commercial research, development, demonstration, and deployment of low and zero emission technologies. This action is to issue an RFQ to solicit proposals from qualified consultants and consulting firms capable of providing technical expertise and experience to assist staff with the evaluation and implementation of these programs. It is anticipated that multiple awards will be made from this solicitation.

Mayor Pro Tem Rodriguez asked if this RFQ is a standard practice or new approach to supporting technology advancement activities and implementation efforts. Staff responded this is a standard RFQ released every 2-3 years for consultant expertise that is needed in the different areas of technology advancement, however we are short in staffing resources for the incentive funding programs which have experienced increased funding and applications in recent years.

Moved by Rodriguez; seconded by McCallon; unanimously approved.

Ayes: Bartlett, Buscaino, Kracov, McCallon, Richardson, Rodriguez
Noes: None
Absent: None

2. Amend Contract for Development of Battery Powered Locomotive Project

In June 2016, the Board approved a contract with VeRail Technologies (VeRail) to develop a natural gas locomotive using U.S. EPA Clean Air Technology Initiative (CATI) funds. VeRail has since dissolved leaving \$90,825 in CATI funds unused. Subsequently, in 2017, the Board approved \$210,000 in CATI funds for a project with Rail Propulsion Systems (RPS) to develop a battery powered switcher locomotive. The U.S. EPA has since approved the reallocation of unused funds towards further enhancements to the RPS project. This action is to amend the contract with RPS to further the development of a battery electric switcher locomotive in an amount not to exceed \$90,825 of unused U.S. EPA CATI funds from the Clean Fuels Program Fund (31).

Mayor Pro Tem McCallon asked if the locomotive developed under this project can operate in any freight services application. Staff responded that it could operate in a freight application.

Ranji George, a member of the public, requested staff considers the end use of batteries and the need for contractors to include a recycling plan in their proposals.

Ian Stewart, RPS, also affirmed that the locomotive that would receive funding through this Board item will be capable of operating in any freight yard in the South Coast.

Mayor Pro Tem Rodriguez inquired about staff plans to include battery disposal in research contracts. Staff responded that they can add a requirement to the contract to include a recycling plan or proper disposal of batteries.

Harvey Eder, a member of the public, expressed concerns regarding hydrogen contributing to climate change and states that all approaches are necessary to reduce air pollution.

Moved by McCallon; seconded by Bartlett; unanimously approved.

Ayes: Bartlett, Buscaino, Kracov, McCallon, Richardson, Rodriguez

Noes: None

Absent: None

OTHER MATTERS:

3. Other Business

There was no other business.

4. Public Comment Period

Mr. George commented on concerns about battery recycling and urged the Board to continue to follow this issue.

Matthew Tasooji, Home Grown Technology, commented that he is working on the development of a new generation lithium-ion battery.

Mr. Eder commented about the history of environmental policy changes.

Mr. Stewart announced that RPS has partnered with BYD to improve and modernize commuter rail with battery electric locomotives.

Sam Kang, BYD, expressed support of the partnership with RPS to find the best solution for electrifying locomotives.

5. Next Meeting Date

The next regular Technology Committee meeting is scheduled for Friday, April 16, 2021 at noon.

Adjournment

The meeting adjourned at 12:37 p.m.

Attachment

Attendance Record

ATTACHMENT

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
TECHNOLOGY COMMITTEE MEETING
Attendance Record – March 19, 2021**

Supervisor Lisa Bartlett	South Coast AQMD Board Member
Council Member Joe Buscaino	South Coast AQMD Board Member
Mayor Pro Tem Carlos Rodriguez	South Coast AQMD Board Member
Mayor Pro Tem Larry McCallon	South Coast AQMD Board Member
Vice Mayor Rex Richardson.....	South Coast AQMD Board Member
Council Member Michael Cacciotti	South Coast AQMD Board Member (observer)
James Dinwiddie	Board Consultant (Bartlett)
Jacob Haik.....	Board Consultant (Buscaino)
Matthew Hamlett.....	Board Consultant (Richardson)
Matt Holder	Board Consultant (Rodriguez)
Lorraine Lundquist	Board Consultant (Kuehl)
Debra Mendelsohn	Board Consultant (Rutherford)
Ross Zelen.....	Board Consultant (Kracov)
Mark Abramowitz	Public Member
Todd Campbell.....	Clean Energy Fuels
Ramine Cromartie	Public Member
Harvey Eder	Public Member
Ranji George	Public Member
Sam Kane	BYD
Patty Senecal	WSPA
Ian Stewart	RPS
Matthew Tasooji.....	Home Grown Technology
Derrick Alatorre	South Coast AQMD Staff
Laurence Brown	South Coast AQMD Staff
Bayron Gilchrist	South Coast AQMD Staff
Sheri Hanizavareh	South Coast AQMD Staff
Anissa (Cessa) Heard-Johnson	South Coast AQMD Staff
Joseph Impullitti.....	South Coast AQMD Staff
Joseph Lopat	South Coast AQMD Staff
Ron Moskowitz	South Coast AQMD Staff
Wayne Nastri.....	South Coast AQMD Staff
Arnold Peneda.....	South Coast AQMD Staff
Matt Miyasato	South Coast AQMD Staff

Penny Shaw Cedillo South Coast AQMD Staff
Walter Shen..... South Coast AQMD Staff
Lisa Tanaka..... South Coast AQMD Staff
Veera Tyagi..... South Coast AQMD Staff
Alejandra Vega..... South Coast AQMD Staff
Vicki White..... South Coast AQMD Staff
Jill Whynot..... South Coast AQMD Staff
Paul Wright..... South Coast AQMD Staff
Victor Yip South Coast AQMD Staff

BOARD MEETING DATE: April 2, 2021

AGENDA NO. 23

REPORT: Mobile Source Air Pollution Reduction Review Committee

SYNOPSIS: The Mobile Source Air Pollution Reduction Review Committee held a meeting remotely on Thursday, March 18, 2021. The following is a summary of the meeting.

RECOMMENDED ACTION:
Receive and file.

Ben Benoit
South Coast AQMD Representative
to MSRC

MMM:CR:av

Meeting Minutes Approved

The MSRC approved the minutes of the October 15 and November 19, 2020 meetings. The approved minutes are attached (*Attachments 1-2*).

FYs 2016-18 Work Program

Hydrogen Infrastructure Partnership Program

As an element of their FYs 2016-18 Work Program, the MSRC allocated \$3,000,000 for the implementation of hydrogen refueling stations within South Coast AQMD's jurisdiction. A Program Opportunity Notice was released on April 6, 2018, which has a closing date of April 9, 2021. The PON encourages partnerships with regulatory agencies such as the California Energy Commission, South Coast AQMD and CARB, but also allows participation by other public and private stakeholders. A geographic funding minimum of \$500,000 per county has been established, and \$1,000,000 has been awarded to date. Project concepts have been received from California State University Los Angeles Auxiliary Services (CSULA) and San Bernardino County Transportation Authority (SBCTA). The MSRC considered the recommendations of its MSRC-TAC and seeks the submission of full proposals from CSULA and SBCTA for further consideration.

FYs 2018-21 Work Programs

Voucher Incentive Program (VIP) Plus Up Incentive Program

Using funds provided by CARB, South Coast AQMD implements the VIP to encourage the replacement of older, higher-polluting vehicles with newer, lower-emission vehicles which meet the 0.20 g/bhp-hr NO_x standard. The program features a rapid response time and is limited to small fleets of 10 or fewer vehicles. In April 2020, the MSRC approved an allocation of \$5,000,000 to partner with South Coast AQMD to offer an increased incentive to fleets procuring technologies certified at 0.02 g/bhp-hr NO_x or cleaner. Maximum incentive amounts inclusive of the original vouchers are currently \$60,000 for Class 5 vehicles, \$80,000 for Class 6 vehicles, and \$100,000 for Class 7 and 8 vehicles.

There was slow uptake for the VIP Plus Up during 2020. There was later than usual release of CARB VIP Guidelines, and fleets may have been cautious about embracing new fuel types during the uncertain times of the pandemic. For Class 8 vehicles, particularly, with the average cost of a qualifying new vehicle in the \$180,000 range, it seemed that the incentive amount might not be sufficient to overcome the cost differential and fleet concerns. It was considered that increasing the maximum combined incentive amount for Class 8 vehicles from \$100,000 to \$125,000 would revive interest in the Program. Simultaneously, a portion of the previously allocated funding could be redeployed to address immediate MSRC funding needs. The MSRC approved increasing the maximum incentive amount for Class 8 vehicles to \$125,000 and reallocating \$2,500,000 from the VIP Plus Up Program to the unallocated AB 2766 Discretionary Fund balance.

Inland Ports Zero and Near-Zero Emission Cargo Handling and Trucking

In November 2020, the MSRC approved 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.

Released in December 2020, RFP #P2021-08 sought proposals to reduce emissions from cargo handling equipment. The MSRC set a targeted funding amount of \$6,000,000 for this RFP, which established competitive scoring based on cost effectiveness and project readiness. The deadline for proposal submission was 11:59 p.m. on January 15, 2021. Six proposals were received prior to the submission deadline. The MSRC approved five awards totaling \$8,537,775, using \$6,000,000 of funds previously allocated and \$2,537,775 of funds previously unallocated, as part of approval of the FYs 2018-21 Work Program, as follows:

- a. A contract with Penske Truck Leasing Co., L.P. in an amount not to exceed \$1,160,000 to procure and deploy up to five zero-emission electric yard tractors and associated charging infrastructure;

- b. A contract with CMA CGM (America), LLC in an amount not to exceed \$3,000,000 to procure and deploy up to two zero-emission electric rubber tire gantry cranes, up to two zero-emission electric empty container handlers, and up to 10 zero-emission electric yard trucks;
- c. A contract with ITS Technologies & Logistics, LLC d/b/a ITS ConGlobal, in an amount not to exceed \$3,000,000 to procure and deploy up to 12 zero-emission electric yard tractors and associated charging infrastructure;
- d. A contract with MHX, LLC in an amount not to exceed \$569,275 to procure and deploy one zero-emission electric overhead crane; and
- e. A contract with RDS Logistics Group in an amount not to exceed \$808,500 to procure and deploy up to three zero-emission electric yard tractors and associated charging infrastructure.

Released in December 2020, RFP #P2021-07 sought 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 \$14,000,000 for this RFP, which established competitive scoring based on cost effectiveness, project readiness, and percentage of truck trips that serve the Inland Empire. The deadline for proposal submission was 11:59 p.m. on January 15, 2021. Eleven proposals were received prior to the submission deadline, and 10 were found to meet the requirements of the RFP. The MSRC approved 10 awards totaling \$28,704,189, using \$14,000,000 of funds previously allocated and \$14,704,189 of funds previously unallocated, as part of approval of the FYs 2018-21 Work Program, as follows:

- f. A contract with Amazon Logistics, Inc. in an amount not to exceed \$4,157,710 to procure and deploy up to 10 zero-emission electric and up to 100 near-zero emission natural gas Class 8 semi-tractors;
- g. A contract with 4 Gen Logistics, Inc. in an amount not to exceed \$7,000,000 to procure and deploy up to 40 zero emission electric Class 8 semi-tractors and associated charging infrastructure;
- h. A contract with Green Fleet Systems, LLC in an amount not to exceed \$500,000 to procure and deploy up to five near-zero emission natural gas Class 8 semi-tractors;
- i. A contract with Premium Transportation Services, Inc. in an amount not to exceed \$1,500,000 to procure and deploy up to 15 near-zero emission natural gas Class 8 semi-tractors;
- j. A contract with Ryder Systems, Inc. in an amount not to exceed \$3,169,746 to purchase and install up to two integrated power centers and up to four mega chargers;
- k. A contract with MHX, LLC in an amount not to exceed \$1,900,000 to procure and deploy up to 10 zero emission electric Class 8 semi-tractors and associated charging infrastructure;

- l. A contract with Pac Anchor Transportation, Inc. in an amount not to exceed \$2,300,000 to procure and deploy up to 23 near-zero emission natural gas Class 8 semi-tractors;
- m. A contract with Volvo Financial Services in an amount not to exceed \$3,930,270 to lease up to 14 zero emission electric Class 8 semi-tractors and provide associated charging infrastructure to host fleet Quality Custom Distribution;
- n. A contract with Sea Logix, LLC in an amount not to exceed \$2,300,000 to procure and deploy up to 23 near-zero emission natural gas Class 8 semi-tractors; and
- o. A contract with CMA CGM (America) in an amount not to exceed \$1,946,463 to procure and deploy up to 13 near-zero emission natural gas Class 8 semi-tractors.

2021-TBD Work Program

Consideration of Partnership Opportunities to Participate in California Energy Commission Program

The MSRC received two unsolicited proposals seeking to establish a partnership in pursuit of funding from the California Energy Commission (CEC) under the Research Hub for Electric Technologies in Truck Applications (RHETTA) Program. The Los Angeles Cleantech Incubator (LACI), with project partner the Transportation Electrification Partnership (TEP), requested \$2.0M in MSRC co-funding for a project focused on building a regional network of advanced technology chargers along the I-710 and major freight arteries into the Inland Empire. The University of California Riverside (UCR) requested \$1.5M in MSRC co-funding for a project focused on demonstrating improved charging efficiency and cost-effectiveness, as well as developing a new high-power charger prototype. The MSRC considered various options and elected to defer any action at this time, but revisit a potential partnership once the CEC award is known.

Contracts Administrator's Report

The MSRC AB 2766 Contracts Administrator's report provides a written status report on all open contracts from FY 2007-08 to the present. The Contracts Administrator's Report for January 28, 2021 through March 3, 2021 is attached (*Attachment 3*).

Attachments

Attachment 1 – Approved October 15, 2020 Meeting Minutes

Attachment 2 – Approved November 19, 2020 Meeting Minutes

Attachment 3 – January 28, 2021 through March 3, 2021 Contracts Administrator's Report



**MOBILE SOURCE AIR POLLUTION REDUCTION REVIEW COMMITTEE
THURSDAY, OCTOBER 15, 2020 MEETING MINUTES**
21865 Copley Drive, Diamond, Bar, CA 91765 – Remote Meeting

**All participants attended the meeting remotely pursuant to
Executive Orders N-25-20 and N-29-20**

MEMBERS PRESENT:

(Chair) Larry McCallon, representing San Bernardino County Transportation Authority (SBCTA)
(Vice-Chair) Brian Berkson, representing Riverside County Transportation Commission (RCTC)
Ben Benoit, representing South Coast AQMD
Michael Carter (Alt.), representing California Air Resources Board (CARB)
John Dutrey, representing Regional Rideshare Agency
Jed Leano (Alt.), representing Southern California Association of Governments (SCAG)
Ray Marquez (Alt.), representing Regional Rideshare Agency
Meghan Sahli-Wells, representing Southern California Association of Governments (SCAG)
Mark Yamarone (Alt.), representing Los Angeles County Metropolitan Transportation Authority (Metro)

MEMBERS ABSENT:

Tim Shaw, representing Orange County Transportation Authority (OCTA)
Steve Veres, representing Los Angeles County Metropolitan Transportation Authority (Metro)

MSRC-TAC MEMBERS PRESENT:

MSRC-TAC Chair AJ Marquez, representing Orange County Board of Supervisors
MSRC-TAC Vice Chair Jenny Chan, representing RCTC
Rongsheng Luo, representing SCAG
Steven Lee, representing Metro
David Lor, representing Metro
Kelly Lynn, representing SBCTA
Nicole Soto, representing Regional Rideshare Agency
Derek Winters, representing CARB

OTHERS PRESENT:

Mark Abramowitz

Manny Alacron

Tricia Almiron

Ruben Aronin, Better World Group

Lauren Dunlap

Sam Emmerson, Better World Group

Lex Frazier

Rick Sikes

Charlies Williams

Alex Van Houghton

SOUTH COAST AQMD STAFF & CONTRACTORS

Leah Alfaro, MSRC Contracts Assistant

Naveen Berry, Asst. Deputy Executive Officer

Penny Shaw Cedillo, MSRC Administrative Liaison

Ray Gorski, MSRC Technical Advisor-Contractor

Joseph Impullitti, Technology Demonstration Manager

Daphne Hsu, Senior Deputy District Counsel

John Kampa, Financial Analyst

Josephine Lee, Senior Deputy District Counsel

Matt MacKenzie, MSRC Contracts Assistant

Cynthia Ravenstein, MSRC Contracts Administrator

Paul Wright, Information Technology Specialist

CALL TO ORDER

- Call to Order

MSRC Chair Larry McCallon called the meeting to order at 2:01 p.m.

Roll call was taken at the start of the meeting. The following members and alternates were present: DUTREY, CARTER, MCCALLON, SAHLI-WELLS, YAMARONE.

- Opening Comments

Naveen Berry, Asst. Deputy Executive Officer, commented that Joseph Impullitti from our Technology Demonstration staff will be giving a brief overview of a potential project that we are thinking about submitting in response to an anticipated CARB and California Energy Commission (CEC) solicitation.

- STATUS REPORT

Cynthia Ravenstein, MSRC Contracts Administrator, reported this edition focused strictly on legislative developments, which covered bills that were signed by the Governor that are related to MSRC interests. Due to events that have been going on this year, the activity has not been that great.

[MSRC Members Ben Benoit and Brian Berkson arrived during the discussion of this item]

Member Meghan Sahli-Wells stated for the record that for Agenda Item #7, she does not have any financial interest, but is required to identify that she is a Regional Council Member for Southern California Association of Governments, which is involved in this item.

MSRC Alternate Mark Yamarone stated for the record that for Agenda Items #5 and #7, he does not have any financial interest, but is required to identify that he is an employee of the Los Angeles County Metropolitan Transportation Authority, which is involved in these items.

MSRC Chair Larry McCallon stated for the record that for Agenda Item #7, he does not have any financial interest, but is required to identify that he is a Governing Board Member for the South Coast AQMD and a Regional Council Member for Southern California Association of Governments, which is involved in these items.

MSRC Member Ben Benoit stated for the record that for Agenda Items #7, he does not have any financial interest, but is required to identify that he is Vice Chair on the South Coast AQMD Governing Board and a Regional Council Member for Southern California Association of Governments, which is involved in these items.

MSRC Alternate Michael Carter stated for the record that for Agenda Item #6, he does not have any financial interest, but is required to identify that he is an employee of the California Air Resources Board, which is involved in this item.

CONSENT CALENDAR (Items 1 through 3)

Informational Only – Receive and Approve Items

Agenda Item #1 – MSRC Contracts Administrator’s Report

The MSRC AB 2766 Contracts Administrator’s Report for August 27 through September 23, 2020 was included in the agenda package.

ON MOTION BY MSRC MEMBER BEN BENOIT, AND SECONDED BY MSRC MEMBER MEGHAN SAHLI-WELLS, UNDER APPROVAL OF CONSENT CALENDAR ITEMS #1 THROUGH #3, THE MSRC UNANIMOUSLY VOTED TO RECEIVE AND FILE THE CONTRACTS ADMINISTRATOR’S REPORT FOR AUGUST 27 THROUGH SEPTEMBER 23, 2020.

AYES: BENOIT, BERKSON, CARTER, DUTREY, MCCALLON, SAHLI-WELLS, YAMARONE.

NOES: NONE.

ACTION: Staff will include the MSRC Contracts Administrator’s Report in the MSRC Committee Report for the November 6, 2020 South Coast AQMD Board meeting.

Agenda Item #2 – Financial Report on AB 2766 Discretionary Fund

A financial report on the AB 2766 Discretionary Fund for September 2020 was included in the agenda package.

ON MOTION BY MSRC MEMBER BEN BENOIT, AND SECONDED BY MSRC MEMBER MEGHAN SAHLI WELLS, UNDER APPROVAL OF CONSENT CALENDAR ITEMS #1 THROUGH #3, THE MSRC

UNANIMOUSLY VOTED TO RECEIVE AND FILE THE FINANCIAL REPORT FOR THE PERIOD ENDING SEPTEMBER 2020.

AYES: BENOIT, BERKSON, CARTER, DUTREY, MCCALLON, SAHLI-WELLS, YAMARONE.

NOES: NONE.

ACTION: No further action is required.

For Approval – As Recommended

Agenda Item #3 – Consider Substitution of 40 Public Access Charging Ports for 32 Public Access Charging Stations, Substitution of 10 Limited Access Charging Ports for 7 Limited Access Stations, Location Changes, Reallocation of Funds Between Tasks, and 19-Month Term Extension by City of Santa Monica, Contract #ML18080 (\$121,500 – Install EV Charging Stations)

In order to better serve the needs of their residents, the City requests to change some locations and use multi-port charging stations in some cases, substituting the installation of 40 total public access Level II charging ports for the installation of 32 Level II charging stations and substituting the installation of 10 limited access charging ports for 7 limited access stations. The City further requests to reallocate \$944 which was originally budgeted for limited access stations to the public access charging ports. Lastly, due to unforeseen project delays associated with budget and staff cuts and shifted City priorities due to COVID-19, the City requests a 19-month term extension.

ON MOTION BY MSRC MEMBER BEN BENOIT, AND SECONDED BY MSRC MEMBER MEGHAN SAHLI WELLS, UNDER APPROVAL OF CONSENT CALENDAR ITEMS #1 THROUGH #3, MSRC UNANIMOUSLY VOTED TO APPROVE THE SUBSTITUTION OF 40 PUBLIC ACCESS CHARGING PORTS FOR 32 PUBLIC ACCESS CHARGING STATIONS, SUBSTITUTION OF 10 LIMITED ACCESS CHARGING PORTS FOR 7 LIMITED ACCESS STATIONS, LOCATION CHANGES, REALLOCATION OF FUNDS BETWEEN TASKS, AND 19-MONTH TERM EXTENSION BY CITY OF SANTA MONICA, CONTRACT #ML18080.

AYES: BENOIT, BERKSON, CARTER, DUTREY, MCCALLON, SAHLI-WELLS, YAMARONE.

NOES: NONE.

ACTION: This item will be considered by the South Coast AQMD Board at its meeting on November 6, 2020.

ACTION CALENDAR (Item 4 through 7)**Agenda Item #4 – Consider Four-Month Term Extension for Los Angeles County Metropolitan Transportation Commission (Metro), Contract #MS16090 (\$2,500,000 – Expansion of the Willowbrook/Rosa Parks Transit Station)**

Cynthia Ravenstein, MSRC Contracts Administrator, reported this request comes from Metro. They were awarded \$2.5 million under the MSRC FYs 2014-16 Transportation Control Measure Partnership Program to do some expansion of the Willowbrook/Rosa Parks Transit Station. There were greater than anticipated coordination and design requirements with Union Pacific Railroad and the County of Los Angeles. While dealing with that, they had to open a temporary entry area to allow the station to open, now that is going to have to be shut down. They requested four months to enable them to wrap up the construction. When the MSRC-TAC considered the request, there was some uncertainty as to whether Metro had allowed enough time for completing all of the reporting requirements as well as the construction. The MSRC-TAC recommended to extend the contract term for 12 months to allow for sufficient time. This recommendation is to extend for longer than what the contractor had requested.

ON MOTION BY MSRC MEMBER BEN BENOIT, AND SECONDED BY MSRC MEMBER MEGHAN SAHLI-WELLS, MSRC UNANIMOUSLY VOTED TO APPROVE A ONE-YEAR TERM EXTENSION FOR LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION COMMISSION (METRO), CONTRACT #MS16090.

AYES: BENOIT, BERKSON, CARTER, DUTREY, MCCALLON, SAHLI-WELLS, YAMARONE.

NOES: NONE.

ACTION: MSRC Staff will amend the above contract accordingly.

FYs 2018-21 WORK PROGRAM**Agenda Item #5 – Consider RFP for Zero and Near-Zero Trucking to the Warehouse, Distribution, and Intermodal Facilities in Riverside & San Bernardino Counties and RFP for Zero and Near-Zero Cargo Handling Equipment at Warehouse, Distribution and Intermodal Facilities in Riverside & San Bernardino Counties**

MSRC-TAC Member Tim Olson reported, we have gone through extensive discussions amongst the subcommittee and the MSRC-TAC. Funds were divided for two RFPs: \$14 million for on-road distribution, either vehicles or infrastructure for zero, near zero, hydrogen, all electric and renewable natural gas low NOx engines and \$6 million for the off-road segments of the same areas. Both RFPs are being proposed for public release in

early November, with proposals due in mid-January. The MSRC conducted a Program Opportunity Notice (PON) back in the late winter and solicited concept papers, we received 11 proposals from several different trucking fleets and OEMs. Several of them proposed fleets in the range of 50 to 100 vehicles. There were a couple of detailed proposals, but most of them were one and two pages. There were proposals for \$60 million in MSRC money, matched with \$89 million from various sources. We felt we did not have sufficient information on all proposals to make decisions. Almost all of the matching funds were heavily dependent on CARB programs for vehicle buy down incentives. During the spring, the State budget process started identifying shortfalls in those funds. It is related to Cap and Trade, and Greenhouse Gas Reduction Funds and there was at that point in time a waitlist that went back to November 2019 with lots of vehicle applications. That system has not changed, and that shortfall of money still exists today.

One of the ideas was to select a couple of projects out of the PON and fund them, but when we saw this cratering of some of the matching money from the State, we felt it was worth exploring in a different manner. The other factor is that CEC and CARB has formed a joint alliance on the remaining money and is about to put out an RFP. There is going to be some overlap in common areas with these proposed RFPs. Potentially that State money could be part of the match of what is being proposed. The idea now is to go forward with these RFPs. The RFPs have a number of flexibility factors in them. There is geographic coverage for all four counties with a reserve of \$1.25 million for each county area. There is a cap on the size of the project. Also built in is the flexibility to add money into this if the demand is similar to what was seen with the PON. A Truck Cooperative workgroup was conducted and a proposal from LACI was presented to basically deploy some of the same money through them. Looking at this deployment, this will put the MSRC on the map as one of the key freight movement co-funding entities in the state of California. This total will equal what the state is doing in drayage trucks.

MSRC Chair Larry McCallon asked, on the RFP for the cargo handling equipment, is there geographic equity between Riverside and San Bernardino County? Mr. Olson replied, in those PON proposals, the cargo handling equipment requests came primarily from San Bernardino. I am aware of other material handling distribution centers in Moreno Valley and other parts of Riverside. Some of this is getting the word out and letting them know that we have this kind of solicitation. I also think that there are other projects in San Bernardino County that are not aware of MSRC funding.

MSRC Member Meghan Sahli-Wells asked, in Culver City, we are at renewable natural gas (RNG) and moving toward electrification. If we are investing money, why not go for the zero emission as opposed to the near-zero? Mr. McCallon replied, we are trying to get reductions in criteria pollutants as soon as possible. The Cummins .02-gram engine exists. If we can get that deployed in the near term until the zero emission vehicles become more ubiquitous, those will be introduced in the fleet also. I would still want us to be looking at near-zero emission engines, since we have invested so much money at

South Coast AQMD in developing them. MSRC Member Ben Benoit commented, reports seen through South Coast AQMD show that if we spend every dollar, we had on electrification it would only take a small chunk of the pie out. If the money is split, we get a much bigger piece of the overall NO_x and SO_x reductions that we really need to meet federal attainment that is right around the corner. Lean in both directions but lean into the wind as much as we can to get what we can that actually takes the NO_x and SO_x out of the air right now. Naveen Berry, Asst. Deputy Executive Officer commented, depending on the feedstock, RNG probably has the greatest impact in terms of a negative carbon intensity relative to even solar electricity.

Mr. Olson commented, I work in all of these areas. From a greenhouse gas standpoint, we are going to need contributions from everything, near-term and long-term just to reach these goals. From a State standpoint, there is a big reliance on the zero emission vehicle technologies but there is a maturity factor. For example, in the Volvo Lights project, that new truck is in the first stages of what Volvo described as a 10-stage effort to get a production line vehicle mass-manufactured. The typical time frame can be eight to ten years for that to happen. There was \$50 million dedicated for Volvo Lights. They are going to need a similar investment in almost every one of those stages. We are happy to be a contributor and support, but the reality is, especially for tailpipe emissions you need some near-term things. We need to get methane out of the environment. There is a huge effort in the State of California to capture methane, mainly from dairies, landfills, and wastewater treatment. The truck industry could be the first market, it could go into other sectors at some future point.

Ray Gorski commented that there is no geographic minimum between San Bernardino and Riverside counties in the cargo handling equipment RFP, but it certainly could be added. It does focus on the Inland Empire, but there is no set aside for one county in the Inland Empire as opposed to the other. Mr. McCallon commented, we will see what comes forward. We will see if there are others that are not aware of what is going on and we may get some more proposals, but if we get sufficient proposals out of both counties, it would be good to have geographic equity. Mr. Gorski commented that the RFPs are flexible enough to accommodate that.

Mr. McCallon asked, is there going to be a skin in the game requirement for the guys that propose? Mr. Gorski replied, yes, the primary evaluation criterion is going to be cost-effectiveness. To achieve cost-effective projects the expectation is that the majority of the funding will in fact be put in by sources other than the MSRC.

ON MOTION BY MSRC MEMBER JOHN DUTREY, AND SECONDED BY MSRC MEMBER BEN BENOIT, MSRC UNANIMOUSLY VOTED TO APPROVE THE RFP FOR ZERO AND NEAR-ZERO TRUCKING TO THE WAREHOUSE, DISTRIBUTION, AND INTERMODAL FACILITIES IN RIVERSIDE & SAN BERNARDINO COUNTIES AND THE RFP FOR ZERO AND NEAR-ZERO CARGO HANDLING

EQUIPMENT AT WAREHOUSE, DISTRIBUTION AND INTERMODAL FACILITIES IN RIVERSIDE & SAN BERNARDINO COUNTIES.

AYES: BENOIT, MCCALLON, SAHLI-WELLS, BERKSON, CARTER, DUTREY, YAMARONE.

NOES: NONE.

ACTION: This item will be considered by the South Coast AQMD Board at its meeting on November 6, 2020.

Agenda Item #6 – Receive Update on Proposed Partnership with South Coast AQMD and Regional Partners on Large-Scale Zero Emission Demonstration

Naveen Berry, Asst. Deputy Executive Officer, reported this is an information item only which will display what efforts we are making towards a true zero emission pathway. We are planning on proposing in response to a yet to be released solicitation by CARB and the CEC certainly lays that groundwork. Our Technology Demonstration Manager, Joseph Impullitti, will be giving a brief presentation on the concept that the South Coast AQMD is currently evaluating for this solicitation.

Joseph Impullitti, Technology Demonstration Manager reported that once a solicitation comes out and our proposal is fully developed, we will return to the committee with a more detailed and accurate presentation of what the project's going to be. NFI Industries and Schneider National are leaders in clean transportation and positioned to pilot the deployment of zero emission trucks at scale. Collectively, the fleets in partnership with the South Coast AQMD, will deploy 100 Class 8 commercially available electric tractors from both Daimler and Volvo. NFI's main campus is in Chino, which is located within San Bernardino County, and currently has a fleet of 65 vehicles, the majority of which are diesel. NFI hauls freight straight from both the Ports of Los Angeles and Long Beach to its Chino campus and then hauls an empty cargo container back to the Ports. Most NFI's customers are high-profile brand names. Schneider has made a sustainability a core focus of their business since 1978 with an emphasis on fuel efficiency, freight consolidation and energy conservation. They are in partnership with Daimler Trucks, North America, and their Electric Mobility Group. Along with them, Schneider's beginning the process of electrifying its fleet to become an early adopter of zero emission technology. Schneider is ranked as the fifth largest for-hire fleet nationwide and runs a fleet of 9,000 company-owned tractors. Most of the interstate travel for these 100 battery-electric trucks will occur on interstate I-710, which aligns this project with several other transportation electrification initiatives in the region. Nearly 100 percent of NFI's trips will involve the I-710 at some point along the route, for approximately 10 to 30 miles per route, and there are approximately two to three routes per day per truck. Schneider's trucks routes will include the I-710 at least 45 percent of the time and log between 787 and 2,300 zero emission miles per day, according to some early estimates. Combing these two fleet projects will significantly reduce emissions along the I-710. An accurate budget

will not be available until the solicitation is released. The solicitation will have CARB and CEC each putting up \$20 million. CARB's funding will go towards vehicles and CEC's funding towards infrastructure. Fleets have committed to cash and in-kind funding, as well as South Coast AQMD pending Governing Board approval. South Coast AQMD will be the lead agency in this project.

Mr. Berry commented these two fleets have some experience with some of the early stage demonstration trucks already. To grow from those few, like 5 or 10 or even 15, into 50 and a goal of transitioning their full fleet to zero emission is very exciting. It will be a great template that could be followed in terms of infrastructure, trucks and the issues when transitioning diesel or even natural gas fleets over to fully electric.

MSRC Member Meghan Sahli-Wells asked, what is the timeline for deployment? Mr. Impullitti responded we have been waiting for several months for the solicitation. Now the latest expectation is by the end of this month or early November. It is going to take several months to develop that application. We are not expecting the results of the solicitation to come out until first quarter of next year. And if we receive an award, it is going to take at least six months for contracting with our partners, getting Governing Board approval, and executing the contracts with CEC and CARB. The beginning of the third quarter of next year, these projects should be launched, if awarded. Mr. Berry commented, the trucks will more than likely roll out in the 2022 to 2023 timeframe, before that infrastructure planning will be part of the process.

MSRC Member Brian Berkson asked, what happens with the old trucks that they get rid of? Will they be not allowed to be registered in the state or dismantled? We want to replace the old ones with new ones that have less emissions and we do not want the old ones back on the road somewhere else in the state. Would there be a time limit on how long these fleets must take possession of all the vehicles because we would not want it to drag on. Mr. Berry replied, we are waiting for the solicitation, but generally under CARB's incentive programs, those old trucks need to be scrapped. They would no longer be emitting in the South Coast Air Basin. South Coast AQMD has also been working on some alternative strategies, where depending on the age of the trucks those replaced trucks could go into the hands of smaller independent owner operators, then the oldest truck may be destroyed. CARB has funds that expire at a certain time frame. These trucks will have to be deployed by the 2023 timeframe to have the adequate amount of demonstration period and data that CARB will be looking for. Depending on the commercial readiness by then, and the production capabilities, that may be extended.

MSRC Member John Dutrey asked, if MSRC engages in this partnership are we looking at future FY revenues to do this? How much funding are we discussing? Mr. Berry replied, the budget for the project is \$80-some-odd million. \$40 million will be available from CEC and CARB combined. Without having the solicitation requirements, it is difficult to answer the question as to what the South Coast AQMD may ask the MSRC to contribute. For example, we do not know whether aspects such as solar and energy

storage will be eligible or not. As we get a better understanding of the requirements for the solicitation, we can refine our budget and we will be able to answer that specific request in subsequent meetings. Mr. Dutrey commented, it is a worthwhile demonstration to move forward with, at least the study portion of it. And then allow staff to do an analysis and eventually have it go through the TAC and come back this committee for further discussion.

ACTION: No further action is required.

Agenda Item #7 – Consider Options to Support Making the Current Suspension of Certain Requirements of the Brown Act Permanent

Ruben Aronin, Better Work Group reported that comments made at the end of the last MSRC meeting noted some of the benefits that the reaction to COVID-19 crisis has created for the MSRC, and possibly for other public agencies, because the Governor's Executive Order created the opportunity for digital meetings. The MSRC is having less challenge getting a quorum and robust participatory engagement by not having all of the members need to be in Diamond Bar. Additionally, the electronic meetings are allowing some members of the public to participate in meetings that otherwise would not be able to, either because of accessibility or the need to drive long distances. As noted, there is also an ancillary air quality benefit. Productivity gains have been seen from people being able to participate in virtual meetings and from saving a significant amount of time from not having to commute. There are some drawbacks to electronic meetings. They can restrict the public's ability to have direct in-person access in their interactions with board members, and meeting documents are not always available online in advance of meetings. Not all members of the public have access to computers or reliable internet access and remote participation can create a further hardship in some cases. Considering any further direction, there could be and most likely be push back from community-based organizations in under-resourced communities where the MSRC's Goods Movement investments may hopefully have significant impacts. There could be hybrid solutions to potentially retain some of the benefits of the electronic public meetings without restricting other forms of participation. The MSRC is unlikely to influence an outcome on its own. It may be worthwhile looking at whether other public agencies are looking at some of the opportunities and challenges of this new way of doing things and whether there could be an opportunity to support or participate in another public agency's efforts that leads to some recommendations. If the MSRC would like for the Better World Group to substantively explore this further on behalf of the MSRC, we suggest having us conduct outreach to local community organizations to really understand the concerns that they have about making modifications, and offer an in-person meeting location for members of the public that cannot participate remotely. We may want to engage with South Coast AQMD's legislative branch to explore if they are looking at or considering anything in this space as well. And for that matter, we may want to look at other agencies to see if there is some groundswell interest or momentum around efforts to make

modifications that could create or continue the benefits beyond the COVID crisis and to see where the MSRC may want to add support to any of these efforts.

MSRC Chair Larry McCallon commented, there are lots of benefits of having these kinds of meetings. I also agree that the public has probably better interaction with us in a public meeting. I would like not to have roll call requirements for these kinds of video meetings.

MSRC Member Meghan Sahli-Wells commented, I have also come upon the hybrid model as the ultimate solution because the goals are to maximize transparency, to provide maximum accessibility and maximum participation and the more options there are for people who want to serve on boards, for staff members and for members of the public. I have never seen more public participation in our City Council meetings than during the pandemic. I would love to see the MSRC pursue the recommendations from the Better World Group, understanding that on our own we are not going to make this change, but we could join with other organizations and write a letter to the Governor asking the Governor and the Legislature to consider these changes.

MSRC Member Ben Benoit commented, that is a great ambition, this is not the right body to lead this effort. The League of Cities and other advocacy groups have a letter going to the Governor, the MSRC could sign on to that. The MSRC does not need to spend staff time and resources to come up with and frame those efforts. At South Coast AQMD there is some talk about this too. I am encouraged by it and want to see the MSRC sign on when there is some movement in that direction. Ms. Sahli-Wells asked, how much time and resources would it take? Mr. McCallon commented, there are more pressing matters for the Better Word Group to work on. Mr. Aronin commented, we could limit our time engagement and work with MSRC staff. Ms. Sahli-Wells commented, the reason why I brought it up on in this committee is for the air quality impacts. Our job is here is to reduce those impacts. Two or three hours to check in with folks and write a letter would not be unreasonable given our goals. Mr. McCallon commented, it would have more impact coming from the League of Cities or SCAG.

MSRC Member Dutrey commented, this is not the right body to do it and it should come from bodies that are much better known. A hybrid concept will come out of the Legislature eventually. Obviously, we have got another wave of coronavirus coming in and that will be the focus. These type of meetings will continue and it definitely has to have an air quality benefit but it also has a quality of life benefit and gives the flexibility as a board member or the public, whether you want to be at the actual site or you can be on a Zoom. The leadership to revise the Brown Act should come from other organizations.

MSRC Alternate Mark Yamarone commented, this group has been doing hybrid meetings for the five years I've been participating and we have been able to satisfy the existing Brown Act requirements with a little responsibility for our staff to post the meeting

agendas at Metro. We have been hosting the meetings which are public meetings and we often get public members participating. Perhaps the hybrid meetings will continue without the need to modify the Brown Act, if other agencies wanted to also host remote sites or folks can take transit to various municipal locations to participate without having to drive into Diamond Bar. Mr. McCallon commented, we have been doing the hybrid meetings and the only impediment really to our meetings has been the requirement for the roll call vote because we are doing video. If we could get rid of the roll call vote requirement, it would certainly help the hybrid meetings get along a lot better and faster. The consensus is to not proceed with this item and let the League of Cities, South Coast AQMD, SCAG and others take it on. Mr. Benoit commented, this item should be tabled until other groups move forward and sign on and support their efforts.

ACTION: No further action is required.

Agenda Item #8 – Other Business

No other business was introduced.

PUBLIC COMMENT PERIOD

Public comments were allowed during the discussion of each agenda item. No comments were made on non-agenda items.

ADJOURNMENT

There being no further business, the MSRC meeting adjourned at 3:03 p.m.

NEXT MEETING

Thursday, November 19, 2020, at 2:00 p.m.

[Prepared by Penny Shaw Cedillo]



**MOBILE SOURCE AIR POLLUTION REDUCTION REVIEW COMMITTEE
THURSDAY, NOVEMBER 19, 2020 MEETING MINUTES**
21865 Copley Drive, Diamond, Bar, CA 91765 – Remote Meeting

**All participants attended the meeting remotely pursuant to
Executive Orders N-25-20 and N-29-20**

MEMBERS PRESENT:

(Chair) Larry McCallon, representing San Bernardino County Transportation Authority (SBCTA)
Ben Benoit, representing South Coast AQMD
John Dutrey, representing Regional Rideshare Agency
Michael Carter (Alt.), representing California Air Resources Board (CARB)
Jed Leano (Alt.), representing Southern California Association of Governments (SCAG)
Ray Marquez (Alt.), representing Regional Rideshare Agency
Meghan Sahli-Wells, representing Southern California Association of Governments (SCAG)
Tim Shaw, representing Orange County Transportation Authority (OCTA)
Mark Yamarone (Alt.), representing Los Angeles County Metropolitan Transportation Authority (Metro)

MEMBERS ABSENT:

(Vice-Chair) Brian Berkson, representing Riverside County Transportation Commission (RCTC)
Steve Veres, representing Metro

MSRC-TAC MEMBERS PRESENT:

MSRC-TAC Vice Chair Jenny Chan, representing RCTC
Steven Lee, representing Metro
Rongsheng Luo, representing SCAG
MSRC-TAC Chair AJ Marquez, representing Orange County Board of Supervisors
Nicole Soto, representing Regional Rideshare Agency
Scott Strelecki (Alt.), representing SCAG
Derek Winters, representing CARB

OTHERS PRESENT:

Mark Abramowitz
Tricia Almiron, Governing Board Assistant
Erika Chavez
Lauren Dunlap
Lex Frazier
Frances Keeler
Terry Maines
Elliott Popel
Dustin Rice
Patty Senegal, WSPA
Jack Symington
Rick Teebay
Alex Wang

SOUTH COAST AQMD STAFF & CONTRACTORS

Leah Alfaro, MSRC Contracts Assistant
Maria Allen, Secretary
Naveen Berry, Assistant Deputy Executive Officer
Penny Shaw Cedillo, MSRC Administrative Liaison
Marjorie Eaton, Secretary
Lane Garcia, Program Supervisor
Ray Gorski, MSRC Technical Advisor-Contractor
Daphne Hsu, Senior Deputy District Counsel
John Kampa, Financial Analyst
Matt Mackenzie, MSRC Contracts Assistant
Cynthia Ravenstein, MSRC Contracts Administrator
Alejandra Vega, Senior Administrative Secretary
Donna Vernon, Secretary
Paul Wright, Information Technology Specialist

CALL TO ORDER

- Call to Order

MSRC Chair Larry McCallon called the meeting to order at 2:00 p.m.

Roll call was taken at the start of the meeting. The following members and alternates were present: BENOIT, CARTER, DUTREY, MCCALLON, SAHLI-WELLS, SHAW, YAMARONE.

- STATUS REPORT

Cynthia Ravenstein, MSRC Contracts Administrator, reported this Clean Transportation policy update focuses on regulatory developments. Regarding funding for the Heavy Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP program), one of the sources of co-funding that a lot of the projects the MSRC has been looking to fund, CARB staff is recommending an allocation of \$25 million because there has not been any funding available since 2019. This comes with some potential changes to the program that could include reducing the voucher amounts by up to 20%, lowering the amount that any one fleet can get in vouchers from 200 vouchers a year to 20 per year, graduating all natural gas engines from the program, raising minimum gross vehicle weight ratings and modifying the distinctions on transit buses.

MSRC Chair Larry McCallon stated for the record that for Agenda Item #15, he does not have any financial interest, but is required to identify that he is a Regional Council Member for Southern California Association of Governments, which is involved in that item.

MSRC Member Ben Benoit stated for the record that for Agenda Item #2, he does not have any financial interest, but is required to identify that he is the Chairman for the Riverside County Transportation Commission, which is involved in that item and for Agenda Item #15, he does not have any financial interest, but is required to identify that he is a Regional Council Member for Southern California Association of Governments, which is involved in that item.

MSRC Member Meghan Sahli-Wells stated for the record that for Agenda Item #15, she does not have any financial interest, but is required to identify that she is a Regional Council Member for Southern California Association of Governments, which is involved in that item.

MSRC Member John Dutrey stated for the record that for Agenda Item #15, he does not have any financial interest, but is required to identify that he serves on the

Transportation Committee for Southern California Association of Governments, which is involved in that item.

MSRC Alternate Mark Yamarone stated for the record that for Agenda Item #11, he does not have any financial interest, but is required to identify that he is employed by Los Angeles County Metropolitan Transportation Authority, which is involved in that item.

MSRC Member Tim Shaw stated for the record that for Agenda Item #15, he does not have any financial interest, but is required to identify that he is a Regional Council Member for Southern California Association of Governments, which is involved in that item.

CONSENT CALENDAR (Items 1 through 8)

Informational Only – Receive and Approve Items

Agenda Item #1 – Minutes for the August 20 and September 17, 2020, MSRC Meetings

The minutes of the August 20 and September 17, 2020 MSRC meetings were included in the agenda package.

ON MOTION BY MSRC MEMBER BEN BENOIT, AND SECONDED BY MSRC MEMBER JOHN DUTREY, UNDER APPROVAL OF CONSENT CALENDAR ITEMS #1 THROUGH #8, THE MSRC UNANIMOUSLY APPROVED THE AUGUST 20 AND SEPTEMBER 17, 2020 MSRC MEETING MINUTES.

AYES: BENOIT, CARTER, DUTREY, MCCALLON, SAHLI-WELLS, SHAW, YAMARONE.

NOES: NONE.

ACTION: Staff will include the August 20 and September 17, 2020 MSRC meeting minutes in the MSRC Committee Report for the December 4, 2020 South Coast AQMD Board meeting and will upload them to the MSRC's website.

Agenda Item #2 – Summary of Final Reports by MSRC Contractors

The MSRC received and approved two final report summaries this month, as follows:

- Riverside County Transportation Commission, Contract #MS16124, which provided \$253,239 for extended freeway service patrols; and
- City of San Bernardino, Contract #MS18117, which provided \$240,000 for the expansion of existing CNG infrastructure.

ON MOTION BY MSRC MEMBER BEN BENOIT, AND SECONDED BY MSRC MEMBER JOHN DUTREY, UNDER APPROVAL OF CONSENT CALENDAR ITEMS #1 THROUGH #8, THE MSRC UNANIMOUSLY APPROVED THE FINAL REPORTS LISTED ABOVE.

AYES: BENOIT, CARTER, DUTREY, MCCALLON, SAHLI-WELLS, SHAW, YAMARONE.

NOES: NONE.

ACTION: MSRC staff will file the final reports and release any retention on the contracts.

Agenda Item #3 – Consider Adoption of 2021 Meeting Schedules

Annually the MSRC considers a proposed meeting schedule for the upcoming year. The schedule continues with meetings on the first and third Thursdays, respectively, for the MSRC-TAC and MSRC, with two exceptions. Staff recommends the MSRC-TAC meetings in January and December be held on the second Thursday of the month to avoid holiday conflicts. Staff further recommends that the MSRC be dark in July, similar to the South Coast AQMD Board and its committees.

ON MOTION BY MSRC MEMBER BEN BENOIT, AND SECONDED BY MSRC MEMBER JOHN DUTREY, UNDER APPROVAL OF CONSENT CALENDAR ITEMS #1 THROUGH #8, THE MSRC UNANIMOUSLY VOTED TO ADOPT THE 2021 MSRC AND MSRC-TAC MEETING SCHEDULES.

AYES: BENOIT, CARTER, DUTREY, MCCALLON, SAHLI-WELLS, SHAW, YAMARONE.

NOES: NONE.

ACTION: No further action is required.

Informational Only – Receive and File Items**Agenda Item #4 – MSRC Contracts Administrator’s Report**

The MSRC AB 2766 Contracts Administrator’s Report for September 24 through October 28, 2020, was included in the agenda package.

ON MOTION BY MSRC MEMBER BEN BENOIT, AND SECONDED BY MSRC MEMBER JOHN DUTREY, UNDER APPROVAL OF CONSENT CALENDAR ITEMS #1 THROUGH #8, THE MSRC UNANIMOUSLY VOTED TO RECEIVE AND FILE THE CONTRACTS ADMINISTRATOR’S REPORT FOR SEPTEMBER 24 THROUGH OCTOBER 28, 2020.

AYES: BENOIT, CARTER, DUTREY, MCCALLON, SAHLI-WELLS, SHAW, YAMARONE.

NOES: NONE.

ACTION: Staff will include the MSRC Contracts Administrator’s Report in the MSRC Committee Report for the December 4, 2020 South Coast AQMD Board meeting.

Agenda Item #5 – Financial Report on AB 2766 Discretionary Fund

A financial report on the AB 2766 Discretionary Fund for October 2020 was included in the agenda package.

ON MOTION BY MSRC MEMBER BEN BENOIT, AND SECONDED BY MSRC MEMBER JOHN DUTREY, UNDER APPROVAL OF CONSENT CALENDAR ITEMS #1 THROUGH #8, THE MSRC UNANIMOUSLY VOTED TO RECEIVE AND FILE THE FINANCIAL REPORT FOR THE PERIOD ENDING OCTOBER 2020.

AYES: BENOIT, CARTER, DUTREY, MCCALLON, SAHLI-WELLS, SHAW, YAMARONE.

NOES: NONE.

ACTION: No further action is required.

For Approval – As Recommended**Agenda Item #6 – Consider Seven-Month No-Cost Term Extension for the County of Los Angeles, Internal Services Department, Contract #ML14030 (\$425,000 - Bicycle Racks, Outreach & Education)**

The County requests an approximately seven-month term extension to complete the installation of supplemental lighting due to a continuing freeze on non-essential services, supplies and equipment during the COVID-19 pandemic.

ON MOTION BY MSRC MEMBER BEN BENOIT, AND SECONDED BY MSRC MEMBER JOHN DUTREY, MSRC UNANIMOUSLY VOTED TO APPROVE A SEVEN-MONTH TERM EXTENSION FOR THE COUNTY OF LOS ANGELES, INTERNAL SERVICES DEPARTMENT, CONTRACT #ML14030.

AYES: BENOIT, CARTER, DUTREY, MCCALLON, SAHLI-WELLS, SHAW, YAMARONE.

NOES: NONE.

ACTION: MSRC Staff will amend the above contract accordingly.

Agenda Item #7 – Consider One-Year No-Cost Term Extension for the City of Yucaipa, Contract #ML16057 (\$380,000 – Implement “Complete Streets” Pedestrian Access Project on County Line Road)

The City requests a one-year term extension due to longer than anticipated time needed to coordinate design and review of the improvements with the neighboring agencies.

ON MOTION BY MSRC MEMBER BEN BENOIT, AND SECONDED BY MSRC MEMBER JOHN DUTREY, MSRC UNANIMOUSLY VOTED TO APPROVE A ONE-YEAR NO-COST TERM EXTENSION FOR THE CITY OF YUCAIPA, CONTRACT #ML16057.

AYES: BENOIT, CARTER, DUTREY, MCCALLON, SAHLI-WELLS, SHAW, YAMARONE.

NOES: NONE.

ACTION: MSRC Staff will amend the above contract accordingly.

Agenda Item #8 – Consider Substitution of Three (3) Level III Charging Stations for Two (2) Level II Charging Stations and Two-Year Term Extension for the City of Beaumont, Contract #ML18081 (\$31,870 – Install EV Charging Infrastructure)

The City posits that Level III chargers will better meet the needs of their community as well as the vehicles they are in the process of procuring. They request approval to substitute the installation of three Level III charging stations for the originally planned installation of two Level II charging stations. Additionally, the MSRC's FYs 2016-18 Local Government Partnership Program requires that Level III charging stations remain operational for five years. The City requests a two-year term extension to fulfill this requirement.

ON MOTION BY MSRC MEMBER BEN BENOIT, AND SECONDED BY MSRC MEMBER JOHN DUTREY, MSRC UNANIMOUSLY VOTED TO APPROVE THE SUBSTITUTION OF CHARGING STATIONS AND TWO-YEAR TERM EXTENSION FOR THE CITY OF BEAUMONT, CONTRACT #ML18081.

AYES: BENOIT, CARTER, DUTREY, MCCALLON, SAHLI-WELLS, SHAW, YAMARONE.

NOES: NONE.

ACTION: This item will be considered by the South Coast AQMD Board at its meeting on December 4, 2020.

ACTION CALENDAR (Item 9 through 15)

FYs 2012-14 WORK PROGRAM

Agenda Item #9 – Consider Reduced Scope and Value for the County of Los Angeles Department of Public Works, Contract #ML14027 (\$500,000 – Construct New CNG Stations in Canyon Country and La Puente)

Cynthia Ravenstein, MSRC Contracts Administrator, reported this request comes from the County of Los Angeles, Department of Public Works. The County was originally awarded \$500,000 under the MSRC's FYs 2012-14 Local Government Match Program to install a CNG station in Downey. The MSRC subsequently approved a change to split the money to the installation of stations in Canyon Country and La Puente. The County indicates that the area designated for the installation of time fill hoses at the Canyon Country location is highly congested. The limited space needs to accommodate parking, staging, and storage for trucks, equipment and material. The County requests to reduce the number of time fill hoses to be installed from six to four, with a corresponding \$8,000 reduction in the contract value. The County states that at some point in the future they

would install an additional four-time fill hoses, but this would first require removing an existing structure.

ON MOTION BY MSRC MEMBER MEGHAN SAHLI-WELLS, AND
SECONDED BY MSRC MEMBER BEN BENOIT, MSRC UNANIMOUSLY
VOTED TO APPROVE A REDUCED SCOPE AND VALUE FOR THE
COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS,
CONTRACT #ML14027.

AYES: BENOIT, CARTER, DUTREY, MCCALLON, SAHLI-WELLS, SHAW,
YAMARONE.

NOES: NONE.

ACTION: MSRC staff will amend the above contract accordingly.

FYs 2014-16 WORK PROGRAM

Agenda Item #10 – Consider Reduced Scope and Value and Two-Year Term Extension for the Los Angeles Department of Water and Power (LADWP), Contract #ML16022 (\$360,000 – Purchase 12 Heavy-Duty Natural Gas Vehicles)

Cynthia Ravenstein, MSRC Contracts Administrator, reported the MSRC had awarded LADWP \$360,000 to purchase 12 heavy-duty CNG vehicles. They have found that their needs have changed, and they do not need as many vehicles. They are requesting to reduce that number from 12 to 8. LADWP understands that would correspond to a contract value reduction of \$120,000. They also are requesting a two-year contract term extension. They had a longer than anticipated procurement process, modifications to a specification template, changes in the available technology, and the pandemic and civil unrest.

ON MOTION BY MSRC MEMBER MEGHAN SAHLI-WELLS, AND
SECONDED BY MSRC MEMBER TIM SHAW, MSRC UNANIMOUSLY
VOTED TO APPROVE A REDUCED SCOPE AND VALUE AND TWO-YEAR
TERM EXTENSION FOR THE LOS ANGELES DEPARTMENT OF WATER
AND POWER, CONTRACT #ML16022.

AYES: BENOIT, CARTER, DUTREY, MCCALLON, SAHLI-WELLS, SHAW,
YAMARONE.

NOES: NONE.

ACTION: MSRC staff will amend the above contract accordingly.

Agenda Item #11 – Consider Contract Replacement for Los Angeles County Metropolitan Transportation Authority (Metro), Contract #MS16090 (\$2,500,000 – Willowbrook/Rosa Parks Station Improvements)

Cynthia Ravenstein, MSRC Contracts Administrator, reported the MSRC originally awarded Metro \$2,500,000 under the MSRC's FYs 2014-16 Transportation Control Measure Partnership Program towards the expansion of the Willowbrook/Rosa Parks Transit Station. The MSRC approved a twelve-month extension. Processing of the modification was initiated immediately following the MSRC meeting, however, the contract was not sent to Metro for signature before it lapsed. Staff recommends that a new twelve-month contract be executed to complete the project. Nothing has been paid to date on the previous contract, so the new contract value would be \$2,500,000.

ON MOTION BY MSRC MEMBER BEN BENOIT, AND SECONDED BY MSRC MEMBER JOHN DUTREY, MSRC UNANIMOUSLY VOTED TO APPROVE A CONTRACT REPLACEMENT FOR LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY, CONTRACT #MS16090.

AYES: BENOIT, CARTER, DUTREY, MCCALLON, SAHLI-WELLS, SHAW, YAMARONE.

NOES: NONE.

ACTION: This item will be considered by the South Coast AQMD Board at its meeting on December 4, 2020.

FYs 2016-18 WORK PROGRAM

Agenda Item #12 – Consider Substitution of Level III Charging Station for Level II Charging Station and One-Year Term Extension for the City of South Gate, Contract #ML18146 (\$127,400 – Purchase Five Light-Duty ZEVs and Install EV Charging Infrastructure)

Cynthia Ravenstein, MSRC Contracts Administrator, reported this request comes from the City of South Gate that was awarded \$121,500 to procure five light-duty zero-emission vehicles and to install three Level II charging stations. All the vehicles have been placed into service. The City requests to substitute the installation of a Level III charging station for the originally planned installation of a Level II charging station at their corporate yard, with no additional funding from the MSRC. The City further requests a one-year term extension to complete the installations and submit the final report. The MSRC's FYs 2016-18 Local Government Partnership Program requires that Level III charging stations remain operational for five years. The one-year extension requested by the City would not suffice to fulfill this requirement. MSRC staff

recommends approval of a three-year term extension in order to fulfill the operational requirement.

ON MOTION BY MSRC MEMBER BEN BENOIT, AND SECONDED BY MSRC MEMBER MEGHAN SAHLI-WELLS, MSRC UNANIMOUSLY VOTED TO APPROVE A STATION SUBSTITUTION AND THREE-YEAR TERM EXTENSION FOR THE CITY OF SOUTH GATE, CONTRACT #ML18146.

AYES: BENOIT, CARTER, DUTREY, MCCALLON, SAHLI-WELLS, SHAW, YAMARONE.

NOES: NONE.

ACTION: This item will be considered by the South Coast AQMD Board at its meeting on December 4, 2020.

Agenda Item #13 – Consider Modified Scope for the City of Riverside, Contract #ML18063 (\$383,610 - Expand Existing CNG Stations)

Cynthia Ravenstein, MSRC Contracts Administrator, reported the MSRC awarded the City of Riverside \$383,610 to expand two existing publicly accessible CNG fueling stations. The City indicates that the installation of a dedicated fueling island for the Police Department would involve the relocation of unleaded gasoline fueling equipment. The expenses associated with this relocation would not be eligible for reimbursement by the MSRC, nor would they qualify as eligible co-funding for the project. The City proposes certain modifications to the project scope. At the Lincoln Avenue station, the City requests to substitute the installation of an additional dual-hose CNG dispenser for the installation of a separate fueling island for Police Department use. Additionally, at the Acorn Street station the City requests to substitute the installation of two additional CNG storage spheres for the installation of a dual-hose CNG dispenser. The City proposes to accomplish the revised scope at the same overall budget, although the split between the two sites would be modified slightly.

ON MOTION BY MSRC MEMBER BEN BENOIT, AND SECONDED BY MSRC MEMBER TIM SHAW, MSRC UNANIMOUSLY VOTED TO APPROVE MODIFIED SCOPE FOR THE CITY OF RIVERSIDE, CONTRACT #ML18063.

AYES: BENOIT, CARTER, DUTREY, MCCALLON, SAHLI-WELLS, SHAW, YAMARONE.

NOES: NONE.

ACTION: Staff will amend the above contract accordingly.

Agenda Item #14 – Consider \$2,000 Contract Value Increase and Four-Month Term Extension for Geographics, Contract #MS18003 (\$70,453 – Design, Host and Maintain MSRC Website)

Cynthia Ravenstein, MSRC Contracts Administrator, reported the current contract with Geographics, which covers maintenance of the site, will terminate on February 20, 2021. Geographics has expressed their willingness to continue maintenance for an additional four months at the current rate of \$373 per month, and to extend their 2018 rates for any website updates/modifications during this period. In order to ensure that the website remains operational until the successor contract is awarded and executed, MSRC staff recommends approval of a four-month term extension and a \$2,000 value contract increase with Geographics.

ON MOTION BY MSRC MEMBER MEGHAN SAHLI-WELLS, AND
SECONDED BY MSRC CHAIR LARRY MCCALLON, MSRC
UNANIMOUSLY VOTED TO APPROVE CONTRACT VALUE INCREASE
AND FOUR-MONTH TERM EXTENSION FOR GEOGRAPHICS,
CONTRACT #MS18003.

AYES: BENOIT, CARTER, DUTREY, MCCALLON, SAHLI-WELLS, SHAW,
YAMARONE.

NOES: NONE.

ACTION: This item will be considered by the South Coast AQMD Board at its meeting on December 4, 2020.

FYs 2018-21 WORK PROGRAM

Agenda Item #15 – Consider Proposed Program Guidelines for Southern California Association of Governments (SCAG) Last Mile Freight Program

MSRC Member Meghan Sahli-Wells reported SCAG staff has had a resolution approved by the Regional Council for the partnership with MSRC and received approval for the proposed Program Guidelines from both the SCAG Transportation Committee and the entire Regional Council earlier this month. Last mile freight continues to witness accelerated growth and demand as a result of COVID-19 impacts. SCAG would like to acknowledge and thank the Last Mile Subcommittee, MSRC-TAC and MSRC staff, especially Ray and Cynthia for their valuable feedback and continued collaboration throughout the process and we would also like to thank the MSRC for considering the proposed Program Guidelines today.

MSRC-TAC Alternate Scott Strelecki reported the SCAG is establishing a two-phased approach. Phase 1 is focused on a Call for Projects process looking at the purchase and commercial deployment of zero emission and/or near-zero emission heavy- and medium-

duty on-road trucks as well as the supporting equipment and infrastructure. Phase 2 will look at expanding upon those actual truck technologies and combining them, whether it be with public agencies where their space opportunities for consolidation and different operating characteristics, as well as looking at newer technology integration such as robotic elements, drones, and that sort of thing. At the August 20th MSRC meeting, a Statement of Work was provided for the program that included the following key tasks: (1) the development of the Program Guidelines and issuance of the Call for Projects; (2) screening and selection of the projects; (3) implementation; and (4) the evaluation and reporting of those projects. There is a really big ramp up that is occurring especially for electric- and hydrogen-based commercial vehicles.

We want to understand how the economy can continue to prosper as it has over the years. A lot of these new technologies are promoting the improvement of operating costs as a benefit. These types of commercial deployments could be used as a foundational opportunity for showcasing what could be accomplished across the nation. For investment targets, this is really trying to frame how we look at organizing the program as well as monitoring and collecting the appropriate information.

The Program Guidelines are organized into investment matching and funding, fleet and infrastructure components, and project expectations. Geographic funding minimum is something that has been discussed and was an appropriate approach for the South Coast Air Basin. Investment matching being a critical component of these type of programs. The \$3 million minimum set aside for small sized businesses came about because we feel that there will be a lot of interest especially from larger operating companies, it is important to ensure that there is an opportunity for smaller sized businesses to have an opportunity to compete for this program as well. We are looking for a one-to-one investment match minimum, in cash or equivalent such as in-kind co-funding, whether it could be provided by direct driver labor or other fleet operations. We are also looking at opportunities that leverage with other funding programs.

For the program eligibility, we have organized it into areas: the new technology heavy- and medium-duty vehicle eligible projects, the heavy- and medium-duty equipment eligible projects and supporting infrastructure. There is a lot of last mile delivery activity going on and there are a lot of different ways that it occurs throughout the region. Clearly there are direct relationships to e-commerce based industries such as package parcel delivery. This is occurring substantially more, especially under our current situation, to both residents and business areas. We are also looking at the business-to-business areas where last mile occurs. That relates to retail/wholesale trade, manufacturing construction and other transportation and logistics services. We are also focused on the other major freight facilities that also relate to last mile delivery. On the equipment side, there is definitely an interest and shift also towards trailer equipment that supports these industries that can also improve of air quality. At the same time, there is no vehicle deployment without related infrastructure needs to support the operations of those vehicles. We are also considering elements on the infrastructure side that would support

the need for a fuel charging depot on- or off-site. We are trying to be organized and transparent about what is available and within the Program Guidelines. We are also providing a clear indication to the applicants that they need to be clear and transparent in how these relate to one another and what is directly related to the application that they are seeking versus the matching components.

For selection criteria, the first is Project Summary. There are subparts of how this is organized. We want the applicants to show how they clearly advanced emission reductions for particulate and greenhouse gas emissions through their commercial deployment, as well as show how the project is innovative and what competitive advantages are illustrated over conventional operations. For Project Readiness and Implementation, we want to make sure that the applicants have a really achievable schedule in place. We recognize there can be challenges with procurement and other processes especially related to infrastructure with CEQA permitting. We are going to require these applicants to clearly illustrate that they will be able to achieve within a schedule that makes sense. For Funding Request and Cost Effectiveness, we are interested in better understanding the operational aspect. We expect the project to result in a lower cost of operation and maintenance. At a minimum, it should be competitive with what traditional last mile operation maintenance costs are in the current environment. That is obviously not inclusive of capital. We are looking at a benefit cost score defined by the ratio of NOx and PM2.5 equivalent reductions per dollar of the investment.

The anticipated schedule based on where we are today is, we are looking to move forward in the month of December with the opportunity to push a call out for the program. We anticipate having application workshops to make sure that we have good dialogue with all the applicants, so they are clear on what they need to do and the process. We want to give them the opportunity for questions, as well as post all the responses once questions are received. We are trying to look for a little over a two-month timeframe before the Call for Projects submittal deadline to ensure that we have a really good list of applications to review and make a selection. The next process will involve a review through the Last Mile Subcommittee and result in them recommending a project list, which will then be brought before the MSRC-TAC and then to back to the Board for approval consideration. We are estimating that would potentially occur in April. In preparation for this ramp up, SCAG has further expanded its resources through budget adjustments and allocation of staff within multiple departments, and we have already been developing workshop materials such as factsheets, presentation, formats, and application materials to go hand-in-hand with the proposed Program Guidelines and Call for Projects as well as working on outreach strategies.

MSRC Chair Larry McCallon asked, are the contracts going to be through SCAG or through South Coast AQMD? Ms. Ravenstein replied, the contracts with the individual project proponents will be through SCAG. We are going to be approving the basic MOU

that SCAG is going to put together. SCAG is going to execute MOUs with the project proponents.

MSRC Member John Dutrey asked, is there a matching fund percentage? Mr. McCallon replied it was 1 to 1.

ON MOTION BY MSRC MEMBER MEGHAN SAHLI-WELLS, AND
SECONDED BY MSRC MEMBER BEN BENOIT, MSRC UNANIMOUSLY
VOTED TO APPROVE THE PROGRAM GUIDELINES FOR SOUTHERN
CALIFORNIA ASSOCIATION OF GOVERNMENTS LAST MILE FREIGHT
PROGRAM.

AYES: BENOIT, CARTER, DUTREY, MCCALLON, SAHLI-WELLS, SHAW,
YAMARONE.

NOES: NONE.

ACTION: No further action is required.

Agenda Item #16 – Other Business

MSRC Michael Carter announced his retirement after 36 plus years at CARB at the end of the month. Sydney Vergis has replaced Jack Kitowski as the division chief of the Mobile Source Control Division. My replacement has not yet been determined yet.

MSRC Member Meghan Sahli-Wells announced her retirement and stated it was a pleasure serving with you all. In terms of our last agenda when we talked about potential Brown Act changes, in Legislative and Membership Committee of SCAG, there is a recommendation going forward to make Brown Act changes part of our legislative program. That is most likely going to pass at next month's meeting, and it seemed like the entire committee was positive about that. The other piece is they may ask that the roll call votes be changed.

MSRC Alternate Jed Leano commented, he wanted to thank Meghan Sahli-Wells for her leadership and looks forward to filling the tremendously large shoes that she has left behind us.

PUBLIC COMMENT PERIOD

Public comments were allowed during the discussion of each agenda item. No comments were made on non-agenda items.

ADJOURNMENT

There being no further business, the MSRC meeting adjourned at 2:48 p.m.

NEXT MEETING

Thursday, December 17, 2020, at 2:00 p.m.

[Prepared by Penny Shaw Cedillo]



MSRC Agenda Item No. 2

DATE: March 18, 2021

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 January 28 to March 3, 2021.

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 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 executed.

On September 4, 2020, the SCAQMD Governing Board approved an award under the Last Mile component of the MSRC's Regional Goods Movement Program. This contract is under development.

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 6 are in "Open/Complete" status. One contract closed during this period: City of Newport Beach, Contract #ML11045 – Purchase One Heavy-Duty Natural Gas Vehicle.

FY 2010-11 Invoices Paid

No invoices were paid during this period.

FY 2011-12 Work Program Contracts

5 contracts from this work program year are open, and 13 are in "Open/Complete" status. One contract passed into "Open/Complete" status during this period: City of Hemet, Contract #ML12043 – Purchase One Heavy-Duty Natural Gas Vehicle.

FY 2011-12 Invoices Paid

One invoice in the amount of \$30,000.00 was paid during this period.

FYs 2012-14 Work Program Contracts

15 contracts from this work program year are open, and 27 are in "Open/Complete" status.

FYs 2012-14 Invoices Paid

One invoice in the amount of \$409,594.08 was paid during this period.

FYs 2014-16 Work Program Contracts

36 contracts from this work program year are open, and 30 are in "Open/Complete" status. Two contracts closed during this period: San Bernardino County Transportation Authority, Contract #MS16125 – Traffic Signal Synchronization Projects; and Los Angeles County MTA, Contract #MS16090 – Expansion of the Willowbrook/Rosa Parks Transit Station (MSRC-approved replacement contract under development).

FYs 2014-16 Invoices Paid

3 invoices totaling \$556,559.04 were paid during this period.

FYs 2016-18 Work Program Contracts

105 contracts from this work program year are open, and 36 are in “Open/Complete” status. Two contracts moved into “Open/Complete” status during this period: City of Coachella, Contract #ML18176 – Install EV Charging Infrastructure; and City of Beaumont, Contract #ML18081 – Install EV Charging Infrastructure. Two contracts closed during this period: Banning Unified School District, Contract #MS18112 – Install New CNG Infrastructure; Los Angeles County MTA, Contract #MS18025 – Special Bus and Train Service to Dodger Stadium. Due to lack of response, negotiations were terminated with the City of Sierra Madre for a Local Government Partnership Program award of \$50,000 to implement a bike share program. These funds were reverted to the AB 2766 Discretionary Fund.

8 invoices totaling \$2,422,416.00 were paid during this period.

FYs 2018-21 Work Program Contracts

3 contracts from this work program year are open. One contract closed during this period: Los Angeles County MTA, Contract #MS21001 – Implement Special Transit Service to Dodger Stadium.

Two invoices totaling \$6,018.65 were paid during this period.

Administrative Scope Changes

3 administrative scope changes were initiated during the period from January 28 to March 3, 2021:

- County of Los Angeles, Contract #ML14097 (Install EV Charging Stations) – Reduce minimum number of installation locations from seven to two, but retain minimum number of charging ports to be installed
- Orange County Transportation Authority, Contract #MS18104 (College Transit Pass Program) – One-year no-cost term extension
- City of West Hollywood, Contract #ML18041 (Install EV Charging Stations) – Six-month no-cost term extension

Attachments

- FY 2007-08 through FYs 2018-21 (except FY 2009-10) Contract Status Reports



AB2766 Discretionary Fund Program Invoices

January 28 to March 3, 2021

Contract Admin.	MSRC Chair	MSRC Liaison	Finance	Contract #	Contractor	Invoice #	Amount
<i>2011-2012 Work Program</i>							
1/28/2021	2/2/2021	2/9/2021	2/9/2021	ML12043	City of Hemet	FINAL	\$30,000.00
Total: \$30,000.00							
<i>2012-2014 Work Program</i>							
2/12/2021	2/18/2021			MS14059	Riverside County Transportation Commission	2507	\$409,594.08
Total: \$409,594.08							
<i>2014-2016 Work Program</i>							
3/3/2021	3/9/2021	3/10/2021		MS16086	San Bernardino County Transportation Authority	9	\$43,559.04
2/25/2021				MS16121	Long Beach Transit	69859	\$14,250.00
2/17/2021	2/18/2021	2/24/2021	2/26/2021	ML16053	City of Claremont	FINAL	\$498,750.00
Total: \$556,559.04							
<i>2016-2018 Work Program</i>							
3/3/2021	3/9/2021	3/10/2021		ML18169	City of Alhambra	1-Final	\$111,980.00
3/3/2021	3/9/2021	3/10/2021		MS18003	Geographics	21-22347	\$373.00
3/2/2021	3/9/2021	3/10/2021		ML18130	City of Lake Forest	1116	\$106,480.00
3/2/2021	3/9/2021	3/10/2021		MS18073	Los Angeles County MTA	89573	\$2,000,000.00
2/11/2021	2/16/2021	2/18/2021	2/26/2021	ML18162	City of Costa Mesa	FY83068/FIN	\$148,210.00
2/11/2021	2/16/2021	2/18/2021	2/26/2021	ML18154	City of Hemet	FINAL	\$30,000.00
2/3/2021	2/16/2021	2/18/2021	2/26/2021	ML18095	City of Gardena	1-FINAL	\$25,000.00
2/3/2021	2/18/2021	2/24/2021		MS18003	Geographics	21-22316	\$373.00
Total: \$2,422,416.00							
<i>2018-2021 Work Program</i>							
2/16/2021	2/18/2021	2/23/2021		MS21002	Better World Group Advisors	WG-MSRC1	\$3,199.35
1/28/2021	2/2/2021	2/9/2021	2/9/2021	MS21002	Better World Group Advisors	WG-MSRC1	\$2,819.30
Total: \$6,018.65							

Total This Period: \$3,424,587.77



FYs 2007-08 Through 2018-21 AB2766 Contract Status Report

3/12/2021

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<i>FY 2007-2008 Contracts</i>									
<i>Declined/Cancelled Contracts</i>									
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									
<i>Closed Contracts</i>									
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	Yes
ML08031	City of Claremont	3/27/2009	3/26/2013	3/26/2015	\$97,500.00	\$97,500.00	Upgrade of Existing CNG Station, Purchase	\$0.00	Yes
ML08033	County of San Bernardino Public Wo	4/3/2009	2/2/2010		\$14,875.00	\$14,875.00	70 Vehicles (Diagnostic)	\$0.00	Yes
ML08034	County of San Bernardino Public Wo	3/27/2009	7/26/2015		\$150,000.00	\$150,000.00	8 CNG Heavy-Duty Vehicles	\$0.00	Yes
ML08035	City of La Verne	3/6/2009	11/5/2009		\$11,925.00	\$11,925.00	53 Vehicles (Diagnostic)	\$0.00	Yes
ML08036	City of South Pasadena	5/12/2009	7/11/2013		\$169,421.00	\$169,421.00	New CNG Station	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML08037	City of Glendale	5/20/2009	5/19/2015		\$325,000.00	\$325,000.00	13 CNG Heavy-Duty Vehicles	\$0.00	Yes
ML08038	Los Angeles Department of Water an	7/16/2010	7/15/2017		\$1,050,000.00	\$1,050,000.00	42 CNG Heavy-Duty Vehicles	\$0.00	Yes
ML08039	City of Rancho Palos Verdes	6/5/2009	8/4/2015		\$50,000.00	\$50,000.00	2 LPG Transit Buses	\$0.00	Yes
ML08040	City of Riverside	9/11/2009	9/10/2016	3/10/2019	\$455,500.00	\$455,500.00	16 CNG Vehicles, Expand CNG Station & M	\$0.00	Yes
ML08042	City of Ontario, Housing & Municipal	5/1/2009	1/31/2016		\$175,000.00	\$175,000.00	7 CNG Heavy-Duty Vehicles	\$0.00	Yes
ML08044	City of Chino	3/19/2009	3/18/2015		\$25,000.00	\$25,000.00	1 CNG Heavy-Duty Vehicle	\$0.00	Yes
ML08045	City of Santa Clarita	2/20/2009	6/19/2010		\$3,213.00	\$3,150.00	14 Vehicles (Diagnostic)	\$63.00	Yes
ML08046	City of Paramount	2/20/2009	2/19/2015		\$25,000.00	\$25,000.00	1 CNG Heavy-Duty Vehicle	\$0.00	Yes
ML08047	City of Culver City Transportation De	5/12/2009	8/11/2015		\$150,000.00	\$150,000.00	6 CNG Heavy-Duty Vehicles	\$0.00	Yes
ML08048	City of Santa Clarita	2/20/2009	6/19/2015		\$25,000.00	\$25,000.00	1 CNG Heavy-Duty Vehicle	\$0.00	Yes
ML08050	City of Laguna Beach Public Works	8/12/2009	4/11/2016	10/11/2016	\$75,000.00	\$75,000.00	3 LPG Trolleys	\$0.00	Yes
MS08001	Los Angeles County MTA	12/10/2010	6/9/2014		\$1,500,000.00	\$1,499,999.66	Big Rig Freeway Service Patrol	\$0.34	Yes
MS08003	A-Z Bus Sales, Inc.	5/2/2008	12/31/2008	2/28/2009	\$1,480,000.00	\$1,400,000.00	Alternative Fuel School Bus Incentive Progra	\$80,000.00	Yes
MS08004	BusWest	5/2/2008	12/31/2008		\$1,440,000.00	\$1,440,000.00	Alternative Fuel School Bus Incentive Progra	\$0.00	Yes
MS08005	Burrtec Waste Industries, Inc.	10/23/2008	11/22/2014	10/22/2015	\$450,000.00	\$450,000.00	15 H.D. Nat. Gas Vehicles - Azusa	\$0.00	Yes
MS08006	Burrtec Waste Industries, Inc.	10/23/2008	11/22/2014	10/22/2015	\$450,000.00	\$450,000.00	15 H.D. Nat. Gas Vehicles - Saugus	\$0.00	Yes
MS08007	United Parcel Service West Region	12/10/2008	10/9/2014	4/9/2019	\$300,000.00	\$270,000.00	10 H.D. Nat. Gas Vehicles	\$30,000.00	Yes
MS08009	Los Angeles World Airports	12/24/2008	12/23/2014		\$870,000.00	\$870,000.00	29 H.D. Nat. Gas Vehicles	\$0.00	Yes
MS08012	California Cartage Company, LLC	12/21/2009	10/20/2015	4/20/2016	\$480,000.00	\$480,000.00	12 H.D. Nat. Gas Yard Tractors	\$0.00	Yes
MS08013	United Parcel Service West Region	12/10/2008	10/9/2014	3/9/2019	\$480,000.00	\$432,000.00	12 H.D. Nat. Gas Yard Tractors	\$48,000.00	Yes
MS08014	City of San Bernardino	12/5/2008	6/4/2015		\$390,000.00	\$360,000.00	13 H.D. Nat. Gas Vehicles	\$30,000.00	Yes
MS08015	Yosemite Waters	5/12/2009	5/11/2015		\$180,000.00	\$117,813.60	11 H.D. Propane Vehicles	\$62,186.40	Yes
MS08016	TransVironmental Solutions, Inc.	1/23/2009	12/31/2010	9/30/2011	\$227,198.00	\$80,351.34	Rideshare 2 School Program	\$146,846.66	Yes
MS08017	Omnitrans	12/13/2008	12/12/2015	12/12/2016	\$900,000.00	\$900,000.00	30 CNG Buses	\$0.00	Yes
MS08018	Los Angeles County Department of P	8/7/2009	10/6/2016	4/6/2018	\$60,000.00	\$60,000.00	2 CNG Vehicles	\$0.00	Yes
MS08019	Enterprise Rent-A-Car Company of L	2/12/2010	7/11/2016		\$300,000.00	\$300,000.00	10 CNG Vehicles	\$0.00	Yes
MS08020	Ware Disposal Company, Inc.	11/25/2008	2/24/2016		\$900,000.00	\$900,000.00	30 CNG Vehicles	\$0.00	Yes
MS08021	CalMet Services, Inc.	1/9/2009	1/8/2016	7/8/2016	\$900,000.00	\$900,000.00	30 CNG Vehicles	\$0.00	Yes
MS08022	SunLine Transit Agency	12/18/2008	3/17/2015		\$311,625.00	\$311,625.00	15 CNG Buses	\$0.00	Yes
MS08053	City of Los Angeles, Bureau of Sanit	2/18/2009	12/17/2015		\$400,000.00	\$400,000.00	New LNG/CNG Station	\$0.00	Yes
MS08056	Clean Energy Fuels Corp.	11/26/2009	2/25/2015		\$400,000.00	\$400,000.00	New LNG Station - POLB-Anah. & I	\$0.00	Yes
MS08057	Orange County Transportation Autho	5/14/2009	7/13/2015		\$400,000.00	\$400,000.00	New CNG Station - Garden Grove	\$0.00	Yes
MS08058	Clean Energy Fuels Corp.	11/26/2009	3/25/2016	3/25/2017	\$400,000.00	\$400,000.00	New CNG Station - Ontario Airport	\$0.00	Yes
MS08061	Clean Energy Fuels Corp.	12/4/2009	3/3/2015		\$400,000.00	\$400,000.00	New CNG Station - L.A.-La Cienega	\$0.00	Yes
MS08063	Go Natural Gas	9/25/2009	1/24/2016	1/24/2017	\$400,000.00	\$400,000.00	New CNG Station - Moreno Valley	\$0.00	Yes
MS08064	Hemet Unified School District	1/9/2009	3/8/2015		\$75,000.00	\$75,000.00	Expansion of Existing Infrastructure	\$0.00	Yes
MS08065	Pupil Transportation Cooperative	11/20/2008	7/19/2014		\$10,500.00	\$10,500.00	Existing CNG Station Modifications	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS08066	Clean Energy Fuels Corp.	11/26/2009	2/25/2015		\$400,000.00	\$400,000.00	New CNG Station - Palm Spring Airport	\$0.00	Yes
MS08067	Trillium CNG	3/19/2009	6/18/2015	6/18/2016	\$311,600.00	\$254,330.00	New CNG Station	\$57,270.00	Yes
MS08069	Perris Union High School District	6/5/2009	8/4/2015	8/4/2016	\$225,000.00	\$225,000.00	New CNG Station	\$0.00	Yes
MS08070	Clean Energy Fuels Corp.	11/26/2009	2/25/2015		\$400,000.00	\$400,000.00	New CNG Station - Paramount	\$0.00	Yes
MS08071	ABC Unified School District	1/16/2009	1/15/2015		\$63,000.00	\$63,000.00	New CNG Station	\$0.00	Yes
MS08072	Clean Energy Fuels Corp.	12/4/2009	3/3/2015		\$400,000.00	\$354,243.38	New CNG Station - Burbank	\$45,756.62	Yes
MS08073	Clean Energy Fuels Corp.	11/26/2009	2/25/2015		\$400,000.00	\$400,000.00	New CNG Station - Norwalk	\$0.00	Yes
MS08075	Disneyland Resort	12/10/2008	2/1/2015		\$200,000.00	\$200,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS08076	Azusa Unified School District	10/17/2008	11/16/2014	1/31/2017	\$172,500.00	\$172,500.00	New CNG station and maint. Fac. Modificati	\$0.00	Yes
MS08078	SunLine Transit Agency	12/10/2008	6/9/2015	2/9/2016	\$189,000.00	\$189,000.00	CNG Station Upgrade	\$0.00	Yes

Total: 59

Closed/Incomplete Contracts

ML08025	Los Angeles County Department of P	10/30/2009	3/29/2011		\$75,000.00	\$0.00	150 Vehicles (Diagnostic)	\$75,000.00	No
MS08068	Regents of the University of Californi	11/5/2010	11/4/2017	11/4/2019	\$400,000.00	\$0.00	Hydrogen Station	\$400,000.00	No
MS08079	ABC Unified School District	1/16/2009	12/15/2009	12/15/2010	\$50,000.00	\$0.00	Maintenance Facility Modifications	\$50,000.00	No

Total: 3

Open/Complete Contracts

ML08043	City of Desert Hot Springs	9/25/2009	3/24/2016	3/24/2021	\$25,000.00	\$25,000.00	1 CNG Heavy-Duty Vehicle	\$0.00	Yes
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Total: 1

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
FY 2008-2009 Contracts									
Declined/Cancelled Contracts									
ML09017	County of San Bernardino Public Wo	1/28/2010	7/27/2016		\$200,000.00	\$0.00	8 Nat. Gas Heavy-Duty Vehicles	\$200,000.00	No
ML09018	Los Angeles Department of Water an	7/16/2010	9/15/2012		\$850,000.00	\$0.00	Retrofit 85 Off-Road Vehicles w/DECS	\$850,000.00	No
ML09019	City of San Juan Capistrano Public	12/4/2009	11/3/2010		\$10,125.00	\$0.00	Remote Vehicle Diagnostics/45 Vehicles	\$10,125.00	No
ML09022	Los Angeles County Department of P				\$8,250.00	\$0.00	Remote Vehicle Diagnostics/15 Vehicles	\$8,250.00	No
ML09025	Los Angeles County Department of P	10/15/2010	12/14/2012	6/14/2013	\$50,000.00	\$0.00	Remote Vehicle Diagnostics/85 Vehicles	\$50,000.00	No
ML09028	Riverside County Waste Manageme				\$140,000.00	\$0.00	Retrofit 7 Off-Road Vehicles w/DECS	\$140,000.00	No
ML09039	City of Inglewood				\$310,000.00	\$0.00	Purchase 12 H.D. CNG Vehicles and Remot	\$310,000.00	No
ML09040	City of Cathedral City				\$83,125.00	\$0.00	Purchase 3 H.D. CNG Vehicles and Remote	\$83,125.00	No
ML09044	City of San Dimas				\$425,000.00	\$0.00	Install CNG Station and Purchase 1 CNG S	\$425,000.00	No
ML09045	City of Orange				\$125,000.00	\$0.00	Purchase 5 CNG Sweepers	\$125,000.00	No
Total: 10									
Closed Contracts									
ML09007	City of Rancho Cucamonga	2/26/2010	4/25/2012		\$117,500.00	\$62,452.57	Maintenance Facility Modification	\$55,047.43	Yes
ML09008	City of Culver City Transportation De	1/19/2010	7/18/2016	7/18/2017	\$175,000.00	\$175,000.00	8 Nat. Gas Heavy-Duty Vehicles	\$0.00	Yes
ML09009	City of South Pasadena	11/5/2010	12/4/2016	3/4/2019	\$125,930.00	\$125,930.00	CNG Station Expansion	\$0.00	Yes
ML09010	City of Palm Springs	1/8/2010	2/7/2016		\$25,000.00	\$25,000.00	1 Nat. Gas Heavy-Duty Vehicle	\$0.00	Yes
ML09011	City of San Bernardino	2/19/2010	5/18/2016		\$250,000.00	\$250,000.00	10 Nat. Gas Heavy-Duty Vehicles	\$0.00	Yes
ML09012	City of Gardena	3/12/2010	11/11/2015		\$25,000.00	\$25,000.00	1 Nat. Gas Heavy-Duty Vehicle	\$0.00	Yes
ML09013	City of Riverside Public Works	9/10/2010	12/9/2011	7/31/2013	\$144,470.00	\$128,116.75	Traffic Signal Synchr./Moreno Valley	\$16,353.25	Yes
ML09014	City of Riverside Public Works	9/10/2010	12/9/2011	7/31/2013	\$113,030.00	\$108,495.94	Traffic Signal Synchr./Corona	\$4,534.06	Yes
ML09015	City of Riverside Public Works	9/10/2010	12/9/2011	7/31/2013	\$80,060.00	\$79,778.52	Traffic Signal Synchr./Co. of Riverside	\$281.48	Yes
ML09016	County of San Bernardino Public Wo	1/28/2010	3/27/2014		\$50,000.00	\$50,000.00	Install New CNG Station	\$0.00	Yes
ML09020	County of San Bernardino	8/16/2010	2/15/2012		\$49,770.00	\$49,770.00	Remote Vehicle Diagnostics/252 Vehicles	\$0.00	Yes
ML09021	City of Palm Desert	7/9/2010	3/8/2012		\$39,450.00	\$38,248.87	Traffic Signal Synchr./Rancho Mirage	\$1,201.13	Yes
ML09023	Los Angeles County Department of P	12/10/2010	12/9/2017		\$50,000.00	\$50,000.00	2 Heavy-Duty Alternative Fuel Transit Vehicl	\$0.00	Yes
ML09026	Los Angeles County Department of P	10/15/2010	10/14/2017	4/14/2019	\$150,000.00	\$80,411.18	3 Off-Road Vehicles Repowers	\$69,588.82	Yes
ML09027	Los Angeles County Department of P	7/23/2010	3/22/2012	6/22/2012	\$150,000.00	\$150,000.00	Freeway Detector Map Interface	\$0.00	Yes
ML09029	City of Whittier	11/6/2009	4/5/2016		\$25,000.00	\$25,000.00	1 Nat. Gas Heavy-Duty Vehicle	\$0.00	Yes
ML09030	City of Los Angeles GSD/Fleet Servi	6/18/2010	6/17/2011		\$22,310.00	\$22,310.00	Remote Vehicle Diagnostics/107 Vehicles	\$0.00	Yes
ML09031	City of Los Angeles Dept of General	10/29/2010	10/28/2017		\$825,000.00	\$825,000.00	33 Nat. Gas Heavy-Duty Vehicles	\$0.00	Yes
ML09032	Los Angeles World Airports	4/8/2011	4/7/2018		\$175,000.00	\$175,000.00	7 Nat. Gas Heavy-Duty Vehicles	\$0.00	Yes
ML09033	City of Beverly Hills	3/4/2011	5/3/2017	1/3/2019	\$550,000.00	\$550,000.00	10 Nat. Gas Heavy-Duty Vehicles & CNG St	\$0.00	Yes
ML09034	City of La Palma	11/25/2009	6/24/2015		\$25,000.00	\$25,000.00	1 LPG Heavy-Duty Vehicle	\$0.00	Yes
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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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	Yes

Total: 29

Closed/Incomplete Contracts

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
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Total: 1

Open/Complete Contracts

ML09036	City of Long Beach Fleet Services B	5/7/2010	5/6/2017	11/6/2022	\$875,000.00	\$875,000.00	Purchase 35 Natural Gas Refuse Trucks	\$0.00	Yes
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Total: 1

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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FY 2010-2011 Contracts

Open Contracts

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
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Total: 1

Declined/Cancelled 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 - Paramou	\$150,000.00	No
MS11063	Standard Concrete Products				\$310,825.00	\$0.00	Retrofit Two Off-Road Vehicles under Showc	\$310,825.00	No
MS11070	American Honda Motor Company				\$100,000.00	\$0.00	Expansion of Existing CNG Station	\$100,000.00	No
MS11072	Trillium USA Company DBA Californi				\$150,000.00	\$0.00	New Public Access CNG Station	\$150,000.00	No
MS11077	DCL America Inc.				\$263,107.00	\$0.00	Retrofit of 13 Off-Road Diesel Vehicles with	\$263,107.00	No
MS11083	Catrac 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 Contracts

ML11007	Coachella Valley Association of Gov	7/29/2011	7/28/2012		\$250,000.00	\$249,999.96	Regional PM10 Street Sweeping Program	\$0.04	Yes
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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing 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
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
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
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
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 Showc	\$10,209.00	Yes
MS11062	Load Center	9/7/2012	1/6/2016	12/6/2016	\$175,384.00	\$169,883.00	Retrofit Six Off-Road Vehicles under Showc	\$5,501.00	Yes
MS11065	Temecula Valley Unified School Distr	8/11/2012	1/10/2019		\$50,000.00	\$48,539.62	Expansion of Existing CNG Station	\$1,460.38	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS11066	Torrance Unified School District	11/19/2012	9/18/2018		\$42,296.00	\$42,296.00	Expansion of Existing CNG Station	\$0.00	Yes
MS11067	City of Redlands	5/24/2012	11/23/2018	11/23/2019	\$85,000.00	\$85,000.00	Expansion of Existing CNG Station	\$0.00	Yes
MS11068	Ryder System Inc.	7/28/2012	10/27/2018		\$175,000.00	\$175,000.00	New Public Access L/CNG Station (Fontana)	\$0.00	Yes
MS11069	Ryder System Inc.	7/28/2012	8/27/2018		\$175,000.00	\$175,000.00	New Public Access L/CNG Station (Orange)	\$0.00	Yes
MS11071	City of Torrance Transit Department	12/22/2012	1/21/2019	1/21/2020	\$175,000.00	\$175,000.00	New Limited Access CNG Station	\$0.00	Yes
MS11074	SunLine Transit Agency	5/11/2012	7/31/2012		\$41,849.00	\$22,391.00	Transit Service for Coachella Valley Festival	\$19,458.00	Yes
MS11079	Bear Valley Unified School District	2/5/2013	10/4/2019		\$175,000.00	\$175,000.00	New Limited Access CNG Station	\$0.00	Yes
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
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	Yes

Total: 55

Closed/Incomplete Contracts

MS11064	City of Hawthorne	7/28/2012	8/27/2018	8/27/2019	\$175,000.00	\$0.00	New Limited Access CNG Station	\$175,000.00	No
MS11076	SA Recycling, LLC	5/24/2012	9/23/2015		\$424,801.00	\$0.00	Retrofit of 13 Off-Road Diesel Vehicles with	\$424,801.00	No
MS11081	Metropolitan Stevedore Company	9/7/2012	1/6/2016		\$45,416.00	\$0.00	Install DECS on Two Off-Road Vehicles	\$45,416.00	No
MS11082	Baumot North America, LLC	8/2/2012	12/1/2015		\$65,958.00	\$4,350.00	Install DECS on Four Off-Road Vehicles	\$61,608.00	Yes
MS11085	City of Long Beach Fleet Services B	8/23/2013	12/22/2016		\$159,012.00	\$0.00	Retrofit Seven H.D. Off-Road Vehicles Unde	\$159,012.00	No
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

Total: 6

Open/Complete 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
MS11073	Los Angeles Unified School District	9/11/2015	2/10/2022		\$175,000.00	\$175,000.00	Expansion of Existing CNG Station	\$0.00	Yes

Total: 5

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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FY 2011-2012 Contracts

Open Contracts

ML12014	City of Santa Ana	11/8/2013	8/7/2020	8/7/2021	\$338,000.00	\$4,709.00	9 H.D. Nat. Gas & LPG Trucks, EV Charging	\$333,291.00	No
ML12045	City of Baldwin Park DPW	2/14/2014	12/13/2020	6/13/2025	\$400,000.00	\$0.00	Install New CNG Station	\$400,000.00	No
ML12057	City of Coachella	8/28/2013	8/27/2019	1/27/2022	\$57,456.00	\$57,456.00	Purchase One Nat. Gas H.D. Vehicle/Street	\$0.00	No
ML12090	City of Palm Springs	10/9/2015	10/8/2021	9/8/2025	\$21,163.00	\$0.00	EV Charging Infrastructure	\$21,163.00	No
ML12091	City of Bellflower	10/5/2018	10/4/2019	6/30/2021	\$100,000.00	\$0.00	EV Charging Infrastructure	\$100,000.00	No

Total: 5

Declined/Cancelled Contracts

ML12016	City of Cathedral City	1/4/2013	10/3/2019		\$60,000.00	\$0.00	CNG Vehicle & Electric Vehicle Infrastructur	\$60,000.00	No
ML12038	City of Long Beach Public Works				\$26,000.00	\$0.00	Electric Vehicle Charging Infrastructure	\$26,000.00	No
ML12040	City of Duarte				\$30,000.00	\$0.00	One Heavy-Duty Nat. Gas Vehicle	\$30,000.00	No
ML12044	County of San Bernardino Public Wo				\$250,000.00	\$0.00	Install New CNG Station	\$250,000.00	No
ML12048	City of La Palma	1/4/2013	11/3/2018		\$20,000.00	\$0.00	Two Medium-Duty LPG Vehicles	\$20,000.00	No
ML12052	City of Whittier	3/14/2013	7/13/2019		\$165,000.00	\$0.00	Expansion of Existing CNG Station	\$165,000.00	No
ML12053	City of Mission Viejo				\$60,000.00	\$0.00	EV Charging Infrastructure	\$60,000.00	No
MS12007	WestAir Gases & Equipment				\$100,000.00	\$0.00	Construct New Limited-Access CNG Station	\$100,000.00	No
MS12027	C.V. Ice Company, Inc.	5/17/2013	11/16/2019		\$75,000.00	\$0.00	Purchase 3 Medium-Heavy Duty Vehicles	\$75,000.00	No
MS12030	Complete Landscape Care, Inc.				\$150,000.00	\$0.00	Purchase 6 Medium-Heavy Duty Vehicles	\$150,000.00	No
MS12067	Leatherwood Construction, Inc.	11/8/2013	3/7/2017		\$122,719.00	\$0.00	Retrofit Six Vehicles w/DECS - Showcase III	\$122,719.00	No
MS12070	Valley Music Travel/CID Entertainme				\$99,000.00	\$0.00	Implement Shuttle Service to Coachella Mus	\$99,000.00	No

Total: 12

Closed Contracts

ML12013	City of Pasadena	10/19/2012	3/18/2015	9/18/2015	\$200,000.00	\$65,065.00	Electric Vehicle Charging Infrastructure	\$134,935.00	Yes
ML12019	City of Palm Springs	9/6/2013	7/5/2015		\$38,000.00	\$16,837.00	EV Charging Infrastructure	\$21,163.00	Yes
ML12020	City of Los Angeles Dept of General	9/27/2012	3/26/2019	3/26/2020	\$450,000.00	\$450,000.00	15 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML12021	City of Rancho Cucamonga	9/14/2012	1/13/2020		\$40,000.00	\$40,000.00	Four Medium-Duty Nat. Gas Vehicles	\$0.00	Yes
ML12022	City of La Puente	12/6/2013	6/5/2020		\$110,000.00	\$110,000.00	2 Medium-Duty and Three Heavy-Duty CNG	\$0.00	Yes
ML12023	County of Los Angeles Internal Servi	8/1/2013	2/28/2015		\$250,000.00	\$192,333.00	EV Charging Infrastructure	\$57,667.00	Yes
ML12037	Coachella Valley Association of Gov	3/14/2013	3/13/2014		\$250,000.00	\$250,000.00	Street Sweeping Operations	\$0.00	Yes
ML12039	City of Redlands	2/8/2013	10/7/2019		\$90,000.00	\$90,000.00	Three Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes
ML12041	City of Anaheim Public Utilities Depa	4/4/2014	11/3/2015	11/3/2017	\$68,977.00	\$38,742.16	EV Charging Infrastructure	\$30,234.84	Yes
ML12042	City of Chino Hills	1/18/2013	3/17/2017		\$87,500.00	\$87,500.00	Expansion of Existing CNG Station	\$0.00	Yes
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
ML12047	City of Orange	2/1/2013	1/31/2019		\$30,000.00	\$30,000.00	One Heavy-Duty Nat. Gas Vehicle	\$0.00	Yes
ML12049	City of Rialto Public Works	7/14/2014	9/13/2015		\$30,432.00	\$3,265.29	EV Charging Infrastructure	\$27,166.71	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML12050	City of Baldwin Park	4/25/2013	4/24/2014	10/24/2014	\$402,400.00	\$385,363.00	EV Charging Infrastructure	\$17,037.00	Yes
ML12054	City of Palm Desert	9/30/2013	2/28/2015		\$77,385.00	\$77,385.00	EV Charging Infrastructure	\$0.00	Yes
ML12055	City of Manhattan Beach	3/1/2013	12/31/2018		\$10,000.00	\$10,000.00	One Medium-Duty Nat. Gas Vehicle	\$0.00	Yes
ML12056	City of Cathedral City	3/26/2013	5/25/2014		\$25,000.00	\$25,000.00	Regional Street Sweeping Program	\$0.00	Yes
ML12066	City of Manhattan Beach	1/7/2014	4/6/2015		\$5,900.00	\$5,900.00	Electric Vehicle Charging Infrastructure	\$0.00	Yes
MS12001	Los Angeles County MTA	7/1/2012	4/30/2013		\$300,000.00	\$211,170.00	Clean Fuel Transit Service to Dodger 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 Dist	12/20/2012	5/19/2014		\$75,000.00	\$75,000.00	Vehicle Maintenance Facility Modifications	\$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
MS12025	Silverado Stages, Inc.	11/2/2012	7/1/2018		\$150,000.00	\$150,000.00	Purchase Six Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12026	U-Haul Company of California	3/14/2013	3/13/2019		\$500,000.00	\$353,048.26	Purchase 23 Medium-Heavy Duty Vehicles	\$146,951.74	Yes
MS12028	Dy-Dee Service of Pasadena, Inc.	12/22/2012	1/21/2019		\$45,000.00	\$40,000.00	Purchase 2 Medium-Duty and 1 Medium-He	\$5,000.00	Yes
MS12029	Community Action Partnership of Or	11/2/2012	11/1/2018		\$25,000.00	\$14,850.00	Purchase 1 Medium-Heavy Duty Vehicle	\$10,150.00	Yes
MS12031	Final Assembly, Inc.	11/2/2012	11/1/2018		\$50,000.00	\$32,446.00	Purchase 2 Medium-Heavy Duty Vehicles	\$17,554.00	Yes
MS12032	Fox Transportation	12/14/2012	12/13/2018		\$500,000.00	\$500,000.00	Purchase 20 Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12035	Disneyland Resort	1/4/2013	7/3/2019		\$25,000.00	\$18,900.00	Purchase 1 Medium-Heavy Duty Vehicle	\$6,100.00	Yes
MS12036	Jim & Doug Carter's Automotive/VSP	1/4/2013	11/3/2018		\$50,000.00	\$50,000.00	Purchase 2 Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12058	Krisda Inc	4/24/2013	1/23/2019		\$25,000.00	\$25,000.00	Repower One Heavy-Duty Off-Road Vehicle	\$0.00	Yes
MS12059	Orange County Transportation 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	Yes
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	\$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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS12076	City of Ontario, Housing & Municipal	3/8/2013	4/7/2015		\$75,000.00	\$75,000.00	Maintenance Facilities Modification	\$0.00	Yes
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	Yes
MS12Hom	Mansfield Gas Equipment Systems				\$296,000.00	\$0.00	Home Refueling Apparatus Incentive Progra	\$296,000.00	Yes

Total: 59

Closed/Incomplete Contracts

ML12051	City of Bellflower	2/7/2014	2/6/2016	5/6/2018	\$100,000.00	\$0.00	EV Charging Infrastructure	\$100,000.00	No
MS12077	City of Coachella	6/14/2013	6/13/2020		\$225,000.00	\$0.00	Construct New CNG Station	\$225,000.00	No
MS12079	Penske Truck Leasing Co., L.P.	1/7/2014	1/6/2016		\$75,000.00	\$0.00	Maintenance Facility Modifications - Boyle H	\$75,000.00	No
MS12084	Airport Mobil Inc.	12/6/2013	5/5/2020		\$150,000.00	\$0.00	Install New CNG Infrastructure	\$150,000.00	No

Total: 4

Open/Complete Contracts

ML12015	City of Fullerton	4/25/2013	11/24/2020	11/24/2021	\$40,000.00	\$40,000.00	HD CNG Vehicle, Expand CNG Station	\$0.00	Yes
ML12017	City of Los Angeles, Bureau of Sanit	6/26/2013	5/25/2020	11/25/2021	\$950,000.00	\$950,000.00	32 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML12018	City of West Covina	10/18/2013	10/17/2020	8/17/2023	\$300,000.00	\$300,000.00	Expansion of Existing CNG Station	\$0.00	Yes
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	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
MS12033	Mike Diamond/Phace Management	12/22/2012	12/21/2018	6/21/2021	\$148,900.00	\$148,900.00	Purchase 20 Medium-Heavy Duty Vehicles	\$0.00	Yes
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	Yes
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	Yes
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: 12

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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FY 2012-2014 Contracts

Open Contracts

ML14012	City of Santa Ana	2/13/2015	10/12/2021		\$244,000.00	\$0.00	EV Charging and 7 H.D. LPG Vehicles	\$244,000.00	No
ML14018	City of Los Angeles Dept of General	3/6/2015	9/5/2021	2/5/2026	\$810,000.00	\$810,000.00	Purchase 27 H.D. Nat. Gas Vehicles	\$0.00	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 Publi	10/2/2015	5/1/2023	12/1/2025	\$492,000.00	\$0.00	Construct New CNG Station in Canyon Coun	\$492,000.00	No
ML14030	County of Los Angeles Internal Servi	1/9/2015	3/8/2018	7/30/2021	\$425,000.00	\$25,000.00	Bicycle Racks, Outreach & Education	\$400,000.00	No
ML14072	City of Cathedral City	8/13/2014	1/12/2021	7/12/2022	\$41,000.00	\$35,089.03	Install Bicycle Racks & Implement Bicycle E	\$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
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	\$899,594.08	Implement Various Signal Synchronization P	\$350,405.92	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: 14

Declined/Cancelled Contracts

ML14063	City of Hawthorne				\$32,000.00	\$0.00	Expansion of Existng CNG Infrastructure	\$32,000.00	No
ML14068	City of South Pasadena	9/12/2014	10/11/2015	1/11/2020	\$10,183.00	\$0.00	Electric Vehicle Charging Infrastructure	\$10,183.00	No
ML14069	City of Beaumont	3/3/2017	3/2/2025		\$200,000.00	\$0.00	Construct New CNG Infrastructure	\$200,000.00	No
MS14035	Penske Truck Leasing Co., L.P.				\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - Sun Valle	\$75,000.00	No
MS14036	Penske Truck Leasing Co., L.P.				\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - La Mirad	\$75,000.00	No
MS14038	Penske Truck Leasing Co., L.P.				\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - Fontana	\$75,000.00	No
MS14043	City of Anaheim				\$175,000.00	\$0.00	Expansion of Existing CNG Station	\$175,000.00	No
MS14078	American Honda Motor Co., Inc.	9/4/2015	8/3/2022		\$150,000.00	\$0.00	New Public Access CNG Station	\$150,000.00	No
MS14085	Prologis, L.P.				\$100,000.00	\$0.00	New Limited Access CNG Station	\$100,000.00	No
MS14086	San Gabriel Valley Towing I				\$150,000.00	\$0.00	New Public Access CNG Station	\$150,000.00	No
MS14091	Serv-Wel Disposal				\$100,000.00	\$0.00	New Limited-Access CNG Infrastructure	\$100,000.00	No

Total: 11

Closed Contracts

ML14010	City of Cathedral City	8/13/2014	10/12/2015		\$25,000.00	\$25,000.00	Street Sweeping Operations	\$0.00	Yes
ML14011	City of Palm Springs	6/13/2014	1/12/2016		\$79,000.00	\$78,627.00	Bicycle Racks, Bicycle Outreach & Educatio	\$373.00	Yes
ML14014	City of Torrance	9/5/2014	12/4/2019		\$56,000.00	\$56,000.00	EV Charging Infrastructure	\$0.00	Yes
ML14015	Coachella Valley Association of Gov	6/6/2014	9/5/2015		\$250,000.00	\$250,000.00	Street Sweeping Operations	\$0.00	Yes
ML14029	City of Irvine	7/11/2014	6/10/2017		\$90,500.00	\$71,056.78	Bicycle Trail Improvements	\$19,443.22	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML14031	Riverside County Waste Managem	6/13/2014	12/12/2020		\$90,000.00	\$90,000.00	Purchase 3 H.D. CNG Vehicles	\$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
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
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
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 Count	\$0.00	Yes
MS14003	Orange County Transportation Autho	8/1/2013	4/30/2014	10/30/2014	\$194,235.00	\$184,523.00	Implement Metrolink Service to Angel Stadiu	\$9,712.00	Yes
MS14004	Orange County Transportation Autho	9/24/2013	4/30/2014		\$36,800.00	\$35,485.23	Implement Express Bus Service to Solar De	\$1,314.77	Yes
MS14005	Transit Systems Unlimited, Inc.	4/11/2014	2/28/2016		\$515,200.00	\$511,520.00	Provide Expanded Shuttle Service to Hollyw	\$3,680.00	Yes
MS14007	Orange County Transportation Autho	6/6/2014	4/30/2015		\$208,520.00	\$189,622.94	Implement Special Metrolink Service to Ang	\$18,897.06	Yes
MS14008	Orange County Transportation Autho	8/13/2014	5/31/2015		\$601,187.00	\$601,187.00	Implement Clean Fuel Bus Service to Orang	\$0.00	Yes
MS14009	A-Z Bus Sales, Inc.	1/17/2014	12/31/2014	3/31/2015	\$388,000.00	\$388,000.00	Alternative Fuel School Bus Incentive Progra	\$0.00	Yes
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	Yes
MS14039	Waste Management Collection and	7/10/2015	4/9/2016		\$75,000.00	\$75,000.00	Vehicle Maint. Fac. Modifications - Irvine	\$0.00	Yes
MS14040	Waste Management Collection and	7/10/2015	4/9/2016		\$75,000.00	\$75,000.00	Vehicle Maint. Fac. Modifications - Santa An	\$0.00	Yes
MS14044	TIMCO CNG Fund I, LLC	5/2/2014	11/1/2020		\$150,000.00	\$150,000.00	New Public-Access CNG Station in Santa A	\$0.00	Yes
MS14045	TIMCO CNG Fund I, LLC	6/6/2014	12/5/2020		\$150,000.00	\$150,000.00	New Public-Access CNG Station in Inglewoo	\$0.00	Yes
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
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
MS14058	Orange County Transportation Autho	11/7/2014	4/6/2016	4/6/2017	\$1,250,000.00	\$1,250,000.00	Implement Various Signal Synchronization P	\$0.00	Yes
MS14073	Anaheim Transportation Network	1/9/2015	4/30/2017		\$221,312.00	\$221,312.00	Anaheim Resort Circulator Service	\$0.00	Yes
MS14087	Orange County Transportation Autho	8/14/2015	4/30/2016		\$239,645.00	\$195,377.88	Implement Special Metrolink Service to Ang	\$44,267.12	Yes
MS14088	Southern California Regional Rail Aut	5/7/2015	9/30/2015		\$79,660.00	\$66,351.44	Special Metrolink Service to Autoclub Speed	\$13,308.56	Yes
MS14089	Top Shelf Consulting, LLC	1/18/2017	8/4/2016	3/31/2017	\$200,000.00	\$200,000.00	Enhanced Fleet Modernization Program	\$0.00	Yes

Total: 39

Closed/Incomplete Contracts

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
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Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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: 6

Open/Complete 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 Exi	\$0.00	Yes
ML14019	City of Corona Public Works	12/5/2014	6/4/2020	3/6/2023	\$111,518.00	\$111,517.18	EV Charging, Bicycle Racks, Bicycle Locker	\$0.82	Yes
ML14022	County of Los Angeles Department o	10/2/2015	5/1/2022		\$270,000.00	\$270,000.00	Purchase 9 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML14025	County of Los Angeles Dept of Publi	10/2/2015	7/1/2018	7/1/2024	\$300,000.00	\$300,000.00	Construct New CNG Station in Malibu	\$0.00	Yes
ML14026	County of Los Angeles Dept of Publi	10/2/2015	5/1/2023	5/1/2024	\$300,000.00	\$300,000.00	Construct New CNG Station in Castaic	\$0.00	Yes
ML14028	City of Fullerton	9/5/2014	1/4/2022		\$126,950.00	\$126,950.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
ML14032	City of Rancho Cucamonga	1/9/2015	1/8/2022		\$113,990.00	\$104,350.63	Expansion of Existing CNG Infrast., 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
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
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
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
MS14053	Upland Unified School District	1/9/2015	7/8/2021		\$175,000.00	\$175,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS14074	Midway City Sanitary District	1/9/2015	3/8/2021		\$250,000.00	\$250,000.00	Limited-Access CNG Station & Facility Modif	\$0.00	Yes
MS14075	Fullerton Joint Union High School Di	7/22/2016	11/21/2023		\$300,000.00	\$293,442.00	Expansion of Existing CNG Infrastructure/Ma	\$6,558.00	Yes
MS14076	Rialto Unified School District	6/17/2015	2/16/2022	6/25/2023	\$225,000.00	\$225,000.00	New Public Access CNG Station	\$0.00	Yes
MS14077	County Sanitation Districts of L.A. Co	3/6/2015	5/5/2021		\$175,000.00	\$175,000.00	New Limited Access CNG Station	\$0.00	Yes
MS14080	CR&R Incorporated	6/1/2015	8/31/2021	8/31/2022	\$200,000.00	\$200,000.00	Expansion of Existing CNG Infrastructure/Ma	\$0.00	Yes
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	Yes
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: 26

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
FY 2014-2016 Contracts									
Open Contracts									
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	Install EV Charging Stations	\$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
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	\$55,000.00	Install EV Charging Infrastructure	\$0.00	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
ML16057	City of Yucaipa	4/27/2016	1/26/2019	1/26/2022	\$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	2/26/2022	\$354,000.00	\$0.00	Install a Class 1 Bikeway	\$354,000.00	No
ML16077	City of Rialto	5/3/2018	10/2/2021	2/2/2026	\$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	\$573,686.88	Freeway Service Patrols	\$226,938.12	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
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	\$28,500.00	Repower 39 and Purchase 1 New Transit Bu	\$571,500.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
Total: 35									
Pending Execution Contracts									
MS16127	Los Angeles County MTA				\$2,500,000.00	\$0.00	Expansion of the Willowbrook/Rosa Parks Tr	\$2,500,000.00	No
Total: 1									
Declined/Cancelled Contracts									
ML16014	City of Dana Point				\$153,818.00	\$0.00	Extend an Existing Class 1 Bikeway	\$153,818.00	No
ML16065	City of Temple City				\$500,000.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$500,000.00	No
ML16067	City of South El Monte				\$73,329.00	\$0.00	Implement an "Open Streets" Event	\$73,329.00	No
ML16074	City of La Verne	7/22/2016	1/21/2023		\$365,000.00	\$0.00	Install CNG Fueling Station	\$365,000.00	No
MS16043	LBA Realty Company LLC				\$100,000.00	\$0.00	Install Limited-Access CNG Station	\$100,000.00	No
MS16080	Riverside County Transportation Co				\$1,200,000.00	\$0.00	Passenger Rail Service for Coachella and St	\$1,200,000.00	No
MS16098	Long Beach Transit				\$198,957.00	\$0.00	Provide Special Bus Service to Stub Hub Ce	\$198,957.00	No
MS16104	City of Perris				\$175,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$175,000.00	No
MS16106	City of Lawndale	3/1/2019	11/30/2025		\$175,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$175,000.00	No
MS16107	Athens Services				\$100,000.00	\$0.00	Construct a Limited-Access CNG Station	\$100,000.00	No
MS16108	VNG 5703 Gage Avenue, LLC				\$150,000.00	\$0.00	Construct Public-Access CNG Station in Bell	\$150,000.00	No
MS16109	Sanitation Districts of Los Angeles C				\$275,000.00	\$0.00	Expansion of an Existing L/CNG Station	\$275,000.00	No
MS16111	VNG 925 Lakeview Avenue, LLC				\$150,000.00	\$0.00	Construct Public Access CNG Station in Pla	\$150,000.00	No
Total: 13									
Closed Contracts									
ML16009	City of Fountain Valley	10/6/2015	2/5/2018	5/5/2019	\$46,100.00	\$46,100.00	Install EV Charging Infrastructure	\$0.00	Yes
ML16015	City of Yorba Linda	3/4/2016	11/3/2017		\$85,000.00	\$85,000.00	Install Bicycle Lanes	\$0.00	Yes
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	Yes
ML16028	City of Azusa	9/9/2016	4/8/2018		\$25,000.00	\$25,000.00	Enhance Existing Class 1 Bikeway	\$0.00	Yes
ML16031	City of Cathedral City	12/19/2015	2/18/2017		\$25,000.00	\$25,000.00	Street Sweeping in Coachella Valley	\$0.00	Yes
ML16033	Coachella Valley Association of Gov	4/27/2016	4/26/2018		\$250,000.00	\$250,000.00	Street Sweeping Operations in Coachella Va	\$0.00	Yes
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	Yes
ML16036	City of Brea	3/4/2016	12/3/2018		\$500,000.00	\$500,000.00	Install a Class 1 Bikeway	\$0.00	Yes
ML16045	City of Anaheim	6/22/2016	8/21/2019		\$275,000.00	\$255,595.08	Maintenance Facility Modifications	\$19,404.92	Yes
ML16049	City of Buena Park	4/1/2016	11/30/2018		\$429,262.00	\$429,262.00	Installation of a Class 1 Bikeway	\$0.00	Yes
ML16051	City of South Pasadena	2/12/2016	1/11/2017	12/11/2017	\$320,000.00	\$258,691.25	Implement "Open Streets" Event with Variou	\$61,308.75	Yes
ML16053	City of Claremont	3/11/2016	7/10/2018	12/10/2020	\$498,750.00	\$498,750.00	Implement a "Complete Streets" Pedestrian	\$0.00	Yes
ML16054	City of Yucaipa	3/26/2016	7/26/2018	10/25/2019	\$120,000.00	\$120,000.00	Implement a "Complete Streets" Pedestrian	\$0.00	Yes
ML16060	City of Cudahy	2/5/2016	10/4/2017		\$73,910.00	\$62,480.00	Implement an "Open Streets" Event	\$11,430.00	Yes
ML16061	City of Murrieta	4/27/2016	1/26/2020		\$11,642.00	\$9,398.36	Installation of EV Charging Infrastructure	\$2,243.64	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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 Bi	\$1,195.28	Yes
ML16079	City of Yucaipa	4/1/2016	3/31/2020		\$5,000.00	\$5,000.00	Purchase Electric Lawnmower	\$0.00	Yes
ML16122	City of Wildomar	6/8/2018	6/7/2019		\$500,000.00	\$500,000.00	Install Bicycle Lanes	\$0.00	Yes
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
MS16001	Los Angeles County MTA	4/1/2016	4/30/2017		\$1,350,000.00	\$1,332,039.84	Clean Fuel Transit Service to Dodger Stadiu	\$17,960.16	Yes
MS16002	Orange County Transportation Autho	10/6/2015	5/31/2016		\$722,266.00	\$703,860.99	Clean Fuel Transit Service to Orange Count	\$18,405.01	Yes
MS16003	Special Olympics World Games Los	10/9/2015	12/30/2015		\$380,304.00	\$380,304.00	Low-Emission Transportation Service for Sp	\$0.00	Yes
MS16004	Mineral LLC	9/4/2015	7/3/2017	1/3/2018	\$27,690.00	\$9,300.00	Design, Develop, Host and Maintain MSRC	\$18,390.00	Yes
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 MSR	\$26,263.57	Yes
MS16084	Transit Systems Unlimited, Inc.	5/6/2016	2/28/2018		\$565,600.00	\$396,930.00	Implement Special Shuttle Service from Uni	\$168,670.00	Yes
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	Yes
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
MS16124	Riverside County Transportation Co	12/14/2018	12/14/2019	5/14/2020	\$253,239.00	\$246,856.41	Extended Freeway Service Patrols	\$6,382.59	Yes
MS16125	San Bernardino County Transportatio	9/20/2019	11/19/2020		\$1,000,000.00	\$1,000,000.00	Traffic Signal Synchronization Projects	\$0.00	Yes

Total: 41

Closed/Incomplete Contracts

ML16005	City of Palm Springs	3/4/2016	10/3/2017		\$40,000.00	\$0.00	Install Bicycle Racks, and Implement Bicycle	\$40,000.00	No
ML16035	City of Wildomar	4/1/2016	11/1/2017		\$500,000.00	\$0.00	Install Bicycle Lanes	\$500,000.00	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
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
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: 5

Open/Complete Contracts

ML16011	City of Claremont	10/6/2015	6/5/2022		\$90,000.00	\$90,000.00	Purchase 3 Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes
ML16012	City of Carson	1/15/2016	10/14/2022		\$60,000.00	\$60,000.00	Purchase 2 Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes
ML16013	City of Monterey Park	12/4/2015	7/3/2022	7/3/2024	\$90,000.00	\$90,000.00	Purchase 3 Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML16016	City of Los Angeles Dept of General	2/5/2016	12/4/2022		\$630,000.00	\$630,000.00	Purchase 21 Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes
ML16019	City of Los Angeles, Dept of General	1/25/2017	3/24/2023		\$102,955.00	\$102,955.00	Install EV Charging Infrastructure	\$0.00	Yes
ML16021	City of Santa Clarita	10/7/2016	6/6/2024		\$49,400.00	\$49,399.00	Install EV Charging Infrastructure	\$1.00	Yes
ML16023	City of Banning	12/11/2015	12/10/2021		\$30,000.00	\$30,000.00	Purchase 1 H.D. Nat. Gas Vehicle	\$0.00	Yes
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	Yes
ML16055	City of Ontario	5/6/2016	5/5/2022		\$270,000.00	\$270,000.00	Purchase Nine Heavy-Duty Natural-Gas Veh	\$0.00	Yes
ML16056	City of Ontario	3/23/2016	9/22/2020	9/22/2021	\$106,565.00	\$106,565.00	Expansion of an Existing CNG Station	\$0.00	Yes
ML16058	Los Angeles County Department of P	10/7/2016	4/6/2024		\$371,898.00	\$371,898.00	Purchase 11 H.D. Nat. Gas Vehicles and Ins	\$0.00	Yes
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	Yes
ML16063	City of Glendora	3/4/2016	4/3/2022		\$30,000.00	\$30,000.00	Purchase One H.D. Nat. Gas Vehicle	\$0.00	Yes
ML16069	City of West Covina	3/10/2017	6/9/2021		\$54,199.00	\$54,199.00	Installation of EV Charging Infrastructure	\$0.00	Yes
ML16072	City of Palm Desert	3/4/2016	1/4/2020	1/3/2022	\$56,000.00	\$56,000.00	Installation of EV Charging Infrastructure	\$0.00	Yes
ML16076	City of San Fernando	2/21/2017	8/20/2021		\$43,993.88	\$43,993.88	Install EV Charging Infrastructure	\$0.00	Yes
MS16081	EDCO Disposal Corporation	3/4/2016	10/3/2022		\$150,000.00	\$150,000.00	Expansion of Existing Public Access CNG St	\$0.00	Yes
MS16087	Burrtec Waste & Recycling Services,	7/8/2016	3/7/2023		\$100,000.00	\$100,000.00	Construct New Limited-Access CNG Station	\$0.00	Yes
MS16088	Transit Systems Unlimited, Inc.	5/12/2017	1/11/2023		\$17,000.00	\$17,000.00	Expansion of Existing CNG Station	\$0.00	Yes
MS16097	Walnut Valley Unified School District	10/7/2016	11/6/2022		\$250,000.00	\$250,000.00	Expand CNG Station & Modify Maintenance	\$0.00	Yes
MS16102	Nasa Services, Inc.	2/21/2017	4/20/2023		\$100,000.00	\$100,000.00	Construct a Limited-Access CNG Station	\$0.00	Yes
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	Yes
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	Yes

Total: 30

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
FY 2016-2018 Contracts									
Open Contracts									
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
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
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 B	11/29/2018	11/28/2026		\$622,220.00	\$140,291.13	Install EV Charging Stations	\$481,928.87	No
ML18056	City of Chino	3/29/2019	9/28/2023		\$103,868.00	\$103,868.00	Install EV Charging Infrastructure	\$0.00	No
ML18057	City of Carson	10/5/2018	7/4/2023		\$106,250.00	\$50,000.00	Purchase 5 Zero-Emission Vehicles and Infr	\$56,250.00	No
ML18058	City of Perris	10/12/2018	11/11/2024		\$94,624.00	\$0.00	Purchase 1 Med. H.D. ZEV and EV Chargin	\$94,624.00	No
ML18059	City of Glendale Water & Power	2/1/2019	7/31/2026		\$260,500.00	\$0.00	Install Electric Vehicle Charging Infrastructur	\$260,500.00	No
ML18060	County of Los Angeles Internal Servi	10/5/2018	8/4/2026		\$1,367,610.00	\$599,306.31	Purchase 29 Light-Duty Zero Emission Vehi	\$768,303.69	No
ML18063	City of Riverside	6/7/2019	1/6/2027		\$383,610.00	\$0.00	Expand Existing CNG Stations	\$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	\$100,000.00	Purchase 4 Heavy-Duty Near-Zero Emission	\$87,400.00	No
ML18078	County of Riverside	10/5/2018	10/4/2028		\$425,000.00	\$200,000.00	Purchase 17 Heavy-Duty Vehicles	\$225,000.00	No
ML18080	City of Santa Monica	1/10/2019	12/9/2023	7/9/2025	\$121,500.00	\$14,748.62	Install EV Charging Stations	\$106,751.38	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	9/17/2024	\$30,000.00	\$0.00	EV Charging Infrastructure	\$30,000.00	No
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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
ML18096	City of Highland	12/13/2019	8/12/2024		\$70,210.00	\$9,918.84	Purchase Light-Duty ZEV and Install Three	\$60,291.16	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
ML18100	City of Brea	10/29/2020	12/28/2024		\$56,500.00	\$0.00	Install Thirteen EV Charging Stations	\$56,500.00	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
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	\$106,480.00	Install Twenty-One EVSEs	\$0.00	No
ML18132	City of Montclair	4/5/2019	9/4/2023		\$40,000.00	\$0.00	Install Eight EVSEs	\$40,000.00	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	\$40,000.00	Purchase Four Light-Duty ZEVs and Install	\$2,500.00	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	\$73,669.08	Install Two EV Charging Stations	\$7,030.92	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
ML18152	County of San Bernardino Flood Con	8/11/2020	10/10/2029		\$108,990.00	\$0.00	Purchase Five Heavy-Duty Near Zero Emissi	\$108,990.00	No
ML18156	City of Covina	2/1/2019	3/31/2023	12/31/2023	\$63,800.00	\$62,713.00	Purchase Four Light-Duty ZEVs and EV Cha	\$1,087.00	No
ML18157	City of Los Angeles Bureau of Street	6/21/2019	5/20/2027		\$85,000.00	\$0.00	Purchase One Medium-Duty ZEV	\$85,000.00	No
ML18159	City of Rialto	12/13/2019	5/12/2024		\$135,980.00	\$0.00	Purchase Nine Light-Duty ZEVs and EV Cha	\$135,980.00	No
ML18161	City of Indio	5/3/2019	10/2/2025		\$50,000.00	\$10,000.00	Purchase 1 Light-Duty Zero Emission, 1 Hea	\$40,000.00	No
ML18163	City of San Clemente	3/8/2019	12/7/2024	12/7/2025	\$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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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	\$111,980.00	Install EV Charging Infrastructure	\$0.00	No
ML18170	City of Laguna Niguel	1/10/2020	8/9/2028		\$85,100.00	\$0.00	Purchase Two Light-Duty ZEVs and EV Cha	\$85,100.00	No
ML18171	City of El Monte	3/1/2019	4/30/2025		\$119,757.00	\$68,077.81	Purchase One Heavy-Duty ZEVs and EV Ch	\$51,679.19	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
ML18174	City of Bell	11/22/2019	7/21/2026		\$25,000.00	\$0.00	Purchase One Heavy-Duty ZEV	\$25,000.00	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	11/30/2026	\$25,000.00	\$25,000.00	Purchase One Heavy-Duty Near-Zero Emiss	\$0.00	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	6/20/2021	\$72,453.00	\$62,988.96	Design, Host and Maintain MSRC Website	\$9,464.04	No
MS18015	Southern California Association of G	7/13/2018	2/28/2021	8/31/2021	\$2,000,000.00	\$0.00	Southern California Future Communities Par	\$2,000,000.00	No
MS18023	Riverside County Transportation Co	6/28/2018	6/27/2021		\$500,000.00	\$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
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	\$1,996,473.93	Implement Metrolink Line Fare Discount Pro	\$3,526.07	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	\$2,000,000.00	Purchase 40 Zero-Emission Transit Buses	\$0.00	No
MS18104	Orange County Transportation Autho	2/21/2020	3/31/2021	3/31/2022	\$212,000.00	\$165,235.92	Implement College Pass Transit Fare Subsid	\$46,764.08	No
MS18106	R.F. Dickson Co., Inc.	7/19/2019	1/18/2026		\$265,000.00	\$250,000.00	Expansion of Existing Infrastructure/Mechani	\$15,000.00	No
MS18108	Capistrano Unified School District	2/1/2019	5/30/2025		\$116,000.00	\$0.00	Expansion of Existing Infrastructure & Train	\$116,000.00	No
MS18110	Mountain View Unified School Distric	2/1/2019	3/31/2025		\$275,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$275,000.00	No
MS18114	Los Angeles County Department of P	11/15/2019	11/14/2026		\$175,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$175,000.00	No
MS18115	City of Commerce	6/7/2019	12/6/2025		\$275,000.00	\$0.00	Expansion of Existing L/CNG Infrastructure	\$275,000.00	No
MS18116	Los Angeles County Department of P	11/15/2019	11/14/2026		\$175,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$175,000.00	No
MS18117	City of San Bernardino	6/7/2019	11/6/2025		\$240,000.00	\$228,000.00	Expansion of Existing CNG Infrastructure/Me	\$12,000.00	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
MS18122	Universal Waste Systems, Inc.	2/1/2019	3/31/2025	3/31/2026	\$200,000.00	\$0.00	Install New Limited Access CNG Infrastructur	\$200,000.00	No
MS18124	County Sanitation Districts of Los An	7/31/2019	2/28/2027		\$275,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$275,000.00	No
MS18125	U.S. Venture	5/9/2019	8/8/2025		\$200,000.00	\$180,000.00	Install New Limited-Access CNG Infrastructu	\$20,000.00	No
MS18175	Regents of the University of Californi	6/7/2019	8/6/2025	8/6/2026	\$1,000,000.00	\$0.00	Expansion of Existing Hydrogen Station	\$1,000,000.00	No

Total: 102

Pending Execution Contracts

ML18148	City of San Dimas				\$50,000.00	\$0.00	Implement Bike Share Program	\$50,000.00	No
ML18166	City of Placentia				\$25,000.00	\$0.00	Purchase One Heavy-Duty Near-Zero Emiss	\$25,000.00	No
ML18179	City of Rancho Mirage				\$50,000.00	\$0.00	Traffic Signal Synchronization	\$50,000.00	No
MS18180	Omnitrans				\$83,000.00	\$0.00	Modify Vehicles Maintenance Facility and Tr	\$83,000.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
Total: 4									
Declined/Cancelled Contracts									
ML18075	City of Orange				\$25,000.00	\$0.00	One Heavy-Duty Vehicle	\$25,000.00	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
ML18153	City of Cathedral City	5/3/2019	4/2/2025		\$52,215.00	\$0.00	Install EV Charging Infrastructure	\$52,215.00	No
ML18158	City of Inglewood				\$146,000.00	\$0.00	Purchase 4 Light-Duty Zero Emission, 4 Hea	\$146,000.00	No
ML18164	City of Pomona				\$200,140.00	\$0.00	Purchase Three Heavy-Duty ZEVs	\$200,140.00	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
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
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
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
MS18121	City of Montebello				\$70,408.00	\$0.00	Expansion of Existing CNG Infrastructure	\$70,408.00	No
Total: 17									
Closed Contracts									
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	Yes
ML18126	City of Lomita	12/7/2018	1/6/2020		\$26,500.00	\$13,279.56	Install bicycle racks and lanes	\$13,220.44	Yes
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	Yes
MS18004	Orange County Transportation Autho	8/3/2017	4/30/2019		\$503,272.00	\$456,145.29	Provide Special Rail Service to Angel Stadiu	\$47,126.71	Yes
MS18005	Orange County Transportation Autho	1/5/2018	4/30/2019		\$834,222.00	\$834,222.00	Clean Fuel Bus Service to OC Fair	\$0.00	Yes
MS18006	Anaheim Transportation Network	10/6/2017	2/28/2020		\$219,564.00	\$9,488.22	Implement Anaheim Circulator Service	\$210,075.78	Yes
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
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
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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
Total: 15									
Closed/Incomplete Contracts									
ML18133	City of Rancho Mirage	12/7/2018	11/6/2020		\$50,000.00	\$0.00	Traffic Signal Synchronization	\$50,000.00	No
MS18026	Omnitrans	10/5/2018	1/4/2020		\$83,000.00	\$0.00	Modify Vehicles Maintenance Facility and Tr	\$83,000.00	No
Total: 2									
Open/Complete 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
ML18032	City of Arcadia	2/1/2019	4/30/2025		\$24,650.00	\$24,650.00	Purchase 1 Heavy-Duty Near-ZEV	\$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	Yes
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	Yes
ML18054	City of La Habra Heights	8/8/2018	4/7/2022		\$9,200.00	\$9,200.00	Purchase 1 L.D. ZEV	\$0.00	Yes
ML18061	City of Moreno Valley	4/9/2019	2/8/2025		\$25,000.00	\$25,000.00	Purchase 1 Heavy-Duty Near-ZEV	\$0.00	Yes
ML18062	City of Beaumont	8/8/2018	9/7/2024		\$25,000.00	\$25,000.00	Purchase 1 Heavy-Duty Near-ZEV	\$0.00	Yes
ML18070	City of Lomita	11/29/2018	6/28/2022		\$6,250.00	\$6,250.00	Purchase 1 Light-Duty ZEV	\$0.00	Yes
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	Yes
ML18076	City of Culver City Transportation De	10/5/2018	10/4/2023		\$1,130.00	\$1,130.00	Purchase Light-Duty ZEV	\$0.00	Yes
ML18077	City of Orange	11/2/2018	10/1/2022		\$59,776.00	\$59,776.00	Four Light-Duty ZEV and EV Charging Infr	\$0.00	Yes
ML18079	City of Pasadena	12/7/2018	11/6/2023		\$183,670.00	\$183,670.00	EV Charging Infrastructure	\$0.00	Yes
ML18081	City of Beaumont	10/5/2018	10/4/2022	10/4/2025	\$31,870.00	\$31,870.00	EV Charging Infrastructure	\$0.00	Yes
ML18085	City of Orange	4/12/2019	10/11/2026		\$50,000.00	\$50,000.00	Purchase Two Heavy-Duty Near-Zero Emissi	\$0.00	Yes
ML18086	City of Los Angeles Bureau of Street	2/8/2019	4/7/2023		\$300,000.00	\$300,000.00	Install Sixty EV Charging Stations	\$0.00	Yes
ML18095	City of Gardena	11/9/2018	12/8/2024		\$25,000.00	\$25,000.00	Purchase Heavy-Duty Near-ZEV	\$0.00	Yes
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	Yes
ML18127	City of La Puente	2/1/2019	2/28/2023		\$10,000.00	\$7,113.70	Purchase Light-Duty Zero Emission Vehicle	\$2,886.30	Yes
ML18131	City of Los Angeles, Police Departm	5/3/2019	12/2/2022		\$19,294.00	\$19,294.00	Purchase Three Light-Duty ZEVs	\$0.00	Yes
ML18154	City of Hemet	11/22/2019	9/21/2023	3/21/2024	\$30,000.00	\$30,000.00	Purchase Two Light-Duty ZEVs and EV Cha	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML18155	City of Claremont	7/31/2019	9/30/2023		\$50,000.00	\$35,608.86	Install EV Charging Infrastructure	\$14,391.14	Yes
ML18160	City of Irwindale	3/29/2019	12/28/2022		\$14,263.00	\$14,263.00	Purchase Two Light-Duty ZEVs	\$0.00	Yes
ML18162	City of Costa Mesa	1/10/2020	7/9/2026		\$148,210.00	\$148,210.00	Purchase Three Light-Duty ZEVs and EV Ch	\$0.00	Yes
ML18173	City of Manhattan Beach	3/29/2019	2/28/2023		\$49,000.00	\$49,000.00	Purchase Two Light-Duty ZEVs and EV Cha	\$0.00	Yes
ML18176	City of Coachella	3/1/2019	11/30/2024		\$58,020.00	\$58,020.00	Install EV Charging Stations	\$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
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	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: 39									

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<i>FY 2018-2021 Contracts</i>									
<i>Open Contracts</i>									
MS21002	Better World Group Advisors	11/1/2019	12/31/2022		\$265,079.00	\$83,850.60	Programmatic Outreach Services	\$181,228.40	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
MS21004	Los Angeles County MTA	1/7/2021	5/31/2023		\$2,188,899.00	\$0.00	Clean Fuel Bus Service to Dodger Stadium	\$2,188,899.00	No
Total: 3									
<i>Pending Execution Contracts</i>									
MS21005	Southern California Association of G				#####	\$0.00	Implement Last Mile Goods Movement Progr	#####	No
MS21006	Geographics				\$12,952.00	\$0.00	Hosting & Maintenance of the MSRC Websit	\$12,952.00	No
Total: 2									
<i>Closed Contracts</i>									
MS21001	Los Angeles County MTA	8/30/2019	7/29/2020		\$1,148,742.00	\$285,664.87	Implement Special Transit Service to Dodger	\$863,077.13	Yes
Total: 1									

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BOARD MEETING DATE: April 2, 2021

AGENDA NO. 24

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board held meetings on February 25, 2021, and March 25, 2021. The following are summaries of the meetings.

RECOMMENDED ACTION:
Receive and file.

Gideon Kracov, Member
South Coast AQMD Governing Board

ft

The California Air Resources Board (CARB or Board) held a meeting remotely on February 25, 2021 via a web-based videoconferencing service. Key items presented are summarized below.

DISCUSSION ITEMS

21-1-1: Public Meeting to Consider the Proposed Vehicle Miles Traveled Offset Demonstration for the Coachella Valley Extreme Ozone State Implementation Plan

The Board adopted the proposed Vehicle Miles Traveled (VMT) Offset Demonstration as part of the Coachella Valley Extreme Area State Implementation Plan (SIP) for the 80 parts per billion (ppb) 8-hour ozone National Ambient Air Quality Standard. The Clean Air Act requires states include a VMT emissions offset demonstration as part of the SIP for Extreme ozone nonattainment areas to show that enforceable transportation control strategies and transportation control measures will offset any increase in emissions from growth in VMT or numbers of vehicle trips. On December 28, 2020, CARB submitted the SIP to U.S. EPA, and while the SIP demonstrated attainment of the standard by the attainment deadline and addressed all other Extreme area SIP requirements, it did not include a VMT emissions offset demonstration. With the

submittal of the VMT Offset Demonstration, U.S. EPA will be able to approve the Coachella Valley 8-hour 80 ppb ozone SIP.

21-1-2: Public Hearing to Consider Proposed 2020 Amendments to the Area Designations for State Ambient Air Quality Standards

The Board adopted updated designations for several areas in California for the State ozone and fine particulate matter (PM_{2.5}) ambient air quality standards. The area designations are labels that describe the healthfulness of the air quality in each area. State law requires that CARB annually review and, if appropriate, amend the designations. Based on a review of air quality data collected during 2017 through 2019, the Board changed the ozone designations of the North Central Coast Air Basin from nonattainment to attainment, Amador County in the Mountain Counties Air Basin and Shasta County in the Sacramento Valley Air Basin from nonattainment to nonattainment-transitional, and Santa Barbara County in the South Central Coast Air Basin from attainment to nonattainment. For PM_{2.5} designations, the Board changed the remainder of San Bernardino, Kern, Los Angeles, and Riverside Counties portion of the Mojave Desert Air Basin from unclassified to attainment. A nonattainment designation results in reporting and area wide Enhanced Vapor Recovery requirements that help areas to achieve the California ambient air quality standards.

21-1-3: Public Meeting to Consider Proposed Research Contract with the University of California, Davis, Titled “Post-COVID Transportation Scenarios: Evaluating the Impact of Policies”

The Board approved funding for the proposed research contract with the University of California, Davis titled “Post-COVID Transportation Scenarios: Evaluating the Impact of Policies.” The research will examine a variety of scenarios to identify the opportunities and barriers to post-pandemic transportation and land-use policies that CARB and the State could institute to help meet California’s air quality, climate, and equity goals. The project will consider the impacts of transportation behaviors and land use preferences observed during the pandemic and how these behaviors may affect climate, air quality, and equity through 2050.

21-1-4: Public Meeting to Consider Proposed Research Contract with the University of California, Davis, Titled “Estimating the Health Benefits of Reducing Emissions of Toxics Air Contaminants in California”

The Board approved funding for the proposed research contract with the University of California, Davis titled “Estimating the Health Benefits of Reducing Emissions of Toxics Air Contaminants in California.” The contract will support CARB’s efforts to reduce the public’s health risk from exposure to airborne toxic chemicals and will result in a publicly accessible model to evaluate health benefits of reduced air toxics emissions

from airborne toxic control measures and other emission reduction strategies that can be used by CARB, local governments, communities, and other interested stakeholders.

21-1-5: Public Meeting to Consider Proposed Research Contract with the University of California, Berkeley, Titled “Impacts of Train and Port Pollution and Air Toxics on Respiratory Symptoms and Emergency Department Visits within Vulnerable Communities in Southern California

The Board approved funding for the proposed research contract with the University of California, Berkeley titled “Impact of Train and Port Pollution and Air Toxics on Respiratory Symptoms and Emergency Department Visits within Vulnerable Communities in Southern California.” The research contract will support CARB’s air quality, environmental justice, and climate programs and provide essential new data for health assessments of rules and regulations. Specifically, the research contract will study the respiratory health impacts of air pollution and toxics from locomotive and port craft operations on medication use and emergency department visits within vulnerable communities in Southern California. The study will provide information needed to include respiratory disease exacerbations as a new endpoint for CARB’s health analysis in regulatory processes.

21-1-6: Public Meeting to Consider the San Joaquin Valley Agricultural Burning Assessment

The Board took action to effectively eliminate agricultural burning in the San Joaquin Valley by 2025. The Board provided concurrence with the San Joaquin Valley Air Pollution Control District’s (District) agricultural burning prohibition postponements through August 31, 2021, as set forth in the District 2020 Staff Report and Recommendations on Agricultural Burning (2020 Report). The District 2020 Report set new agricultural burn prohibitions beyond those already in effect in the Valley and included a request for CARB concurrence on proposed postponement of burn prohibitions for the remaining crop categories and materials. While agricultural burning is prohibited in the San Joaquin Valley (Valley) under Senate Bill (SB) 705 (Florez 2003), the District can postpone the burn ban for some crop categories and materials if the District determines certain criteria detailed under SB 705 apply, and if CARB concurs with the District’s determinations. The Board also delegated the Executive Officer the authority to provide concurrence after August 31, 2021 provided the Executive Officer determines that the District has implemented the additional measures detailed in the CARB Staff Recommendations to facilitate a near-complete phase-out of agricultural burning by January 1, 2025.

21-1-7: Report to the Board on the California Air Resources Board Program Priorities for 2021

The Board heard an overview by Executive Officer Richard Corey of CARB's accomplishments in 2020 and an outline of CARB's key activities planned for 2021. Highlights of CARB's activities in 2020 included implementation of the Community Air Protection Program and the adoption of regulations to achieve significant reductions from the heavy-duty sector such as the amendments to Ocean-Going Vessels At Berth regulation and the adoption of the Advanced Clean Truck, Innovative Clean Transit and Heavy-Duty Omnibus regulations. CARB is pursuing synergistic strategies that address air quality, toxics and greenhouse gases that incorporate equity and move toward transitioning combustion out of all sectors. In 2021, CARB's priorities will focus on catalyzing clean transportation, meeting air quality standards, supporting community solutions, achieving carbon neutrality and partnering for the success of these goals. The Board also heard how CARB is following the Board's direction to increase diversity and inclusion within CARB's workforce by expanding recruitment and hiring processes and building capacity for CARB's policies, programs, and regulations to advance racial equity by eliminating systemic racial injustice. These capacity efforts implementation of Resolution 20-33, A Commitment to Racial Equity and Social Justice.

South Coast AQMD Staff Comments/Testimony: Staff commented on the need to prioritize near-term criteria pollutant emission reductions sufficient to meet the federal standards in 2023 and 2031, secure additional incentive funds to accelerate fleet turnover and work with the local air districts to hold the federal government accountable for their emission sources.

21-1-8: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program – Consideration of Recommended Communities

The Board selected three new communities for the deployment of air monitoring systems and/or community emissions reduction programs under the Community Air Protection Program (Program). Assembly Bill 617 (C. Garcia, Chapter 136, Statutes of 2017) requires the Board to annually consider selection of communities within which community air monitoring systems and/or community emissions reduction programs will be implemented. Previously, thirteen communities have been selected for participation in the Program. The new communities include Richmond-San Pablo that will transition from a Community Air Monitoring Plan area to developing a Community Emissions Reduction Program, Arvin-Lamont that will develop a Community Air Monitoring Plan and Emissions Reduction Program, and South Los Angeles that will also develop a Community Air Monitoring Plan and Emissions Reduction Program. The new communities selected by the Board will see additional focused action through the development and implementation of community emissions reduction programs and/or community air monitoring. In addition, the Community Air Grants Program will continue to support community groups throughout the State by providing grants for local community-run monitoring networks, outreach, capacity building, and the

development of emission reduction strategies. The Office of Environmental Justice will facilitate regular listening sessions between CARB leadership, community residents, and environmental justice advocacy organizations to ensure that these communities have a space to directly engage with CARB leadership.

South Coast AQMD Staff Comments/Testimony: Staff expressed support for the selection of the South Los Angeles community for the AB 617 program and commented that work has begun with community organizations and community members to lay the groundwork for the upcoming planning process. Staff explained that the community's initial input on air quality concerns are autobody shops, oil production facilities, trucks, warehouses and other environmental concerns.

The California Air Resources Board (CARB or Board) held a meeting remotely on March 25, 2021 via a web-based videoconferencing service. Key items presented are summarized below.

DISCUSSION ITEMS

21-2-1: Public Hearing to Consider Proposed Amendments to the Antiperspirants and Deodorants Regulation; Consumer Products Regulation; Aerosol Coating Products Regulation; Alternative Control Plan Regulation; the Tables of Maximum Incremental Reactivity Values; and Test Method 310

The Board adopted amendments to the Consumer Products Program Regulations; specifically, amendments were made to the Antiperspirants and Deodorants Regulation, Consumer Products Regulation, Aerosol Coatings Regulation, Alternative Control Plan Regulation, the Tables of Maximum Incremental Reactivity Values, and Test Method 310. These amendments will reduce the emissions of volatile organic compounds (VOC) and toxic air contaminants and will support attainment of the health-based ozone standards. The amendments will reduce VOC emissions by 1.25 tons per day (tpd) in the South Coast and 3.00 tpd Statewide in 2023, and 4.03 tpd in the South Coast and 9.80 tpd Statewide in 2031. The amendments fulfill CARB's emission reduction commitment for consumer products identified in the 2016 State SIP Strategy and provide other clarifications within the program to improve transparency, clarity, and effectiveness.

South Coast AQMD Staff Comments/Testimony: Staff testified in support of the proposed amendments. While the South Coast AQMD must achieve substantial NOx emission reductions to attain the ozone standards, VOC emission reductions are also needed. Consumer products remain among the highest VOC emitting categories and it is

estimated that, by 2031, 25 percent of VOC emissions in the Basin will be from consumer products. Staff emphasized the importance of the proposed amendments in fulfilling CARB's commitment to reduce VOC emission from consumer products.

21-2-2: Public Meeting to Consider Proposed 2021-2024 Triennial Strategic Research Plan and Proposed Research for Fiscal Year 2021-2022

The Board approved the 2021-2024 Triennial Strategic Research Plan (Triennial Plan) and the Research for Fiscal Year 2021-2022 (2021 Research Plan). The Triennial Plan reflects a concerted effort to identify CARB's highest priority research initiatives for the next three years and will serve as a guide for the annual selection of individual research projects. The Triennial Plan also includes a starting point for operationalizing racial equity in CARB research, which will be developed further through a public engagement process. The 2021 Research Plan will support the initiatives outlined in the Triennial Plan and will advance the state of the science and support the Board's efforts to meet California's air quality and climate goals. A research budget of approximately \$4.2 million is anticipated to fund eight new projects and three white papers in fiscal year 2021-2022. Board approval of the Triennial Plan and the 2021 Research Plan authorizes staff to proceed with developing the research projects outlined in the report. The Executive Officer will then consider the full proposals for approval and funding with consultation from interested Board members.

Attachments

CARB February 25, 2021 Meeting Agenda

CARB March 25, 2021 Meeting Agenda



Public Meeting Agenda

Thursday, February 25, 2021

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 February 25, 2021, 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: 886 2426 0728

To only watch the Board Meeting and not provide verbal comments, please view the webcast. The webcast is the same video stream offered by the California Air Resources Board (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](#)

[Como Participar en la Reunión del Consejo a Distancia](#)

[Agenda de la Reunión del Consejo del 25 de febrero de 2021](#)

Spanish Translation will be provided for the February Board Meeting.

Thursday, February 25, 2021 @ 9:00 a.m.

Discussion Items:

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

21-1-1: Public Meeting to Consider Proposed Vehicle Miles Traveled (VMT) Offset Demonstration for the Coachella Valley Extreme Area Ozone Plan

The Board will consider approval of the Vehicle Miles Traveled (VMT) Offset Demonstration for the Coachella Valley Extreme Area Ozone Plan. On December 28, 2020, the State submitted the Coachella Valley Extreme Area Ozone Plan (Plan) to the United States Environmental Protection Agency (U.S. EPA). The Plan addressed all Extreme area State Implementation Plan (SIP) requirements with the exception of a VMT emissions offset demonstration. The Clean Air Act requires states to submit a VMT emissions offset demonstration as part of a SIP to show that enforceable transportation control strategies and transportation control measures will offset any increase in emissions from growth in VMT or numbers of vehicle trips in Severe and Extreme ozone nonattainment areas. Adoption of the Coachella Valley VMT Offset Demonstration by the Board will allow U.S. EPA to approve the Coachella Valley Extreme Area Ozone Plan for the 80 ppb 8-hour ozone standard.

- [More Information](#)
- [Public Meeting Notice](#)
- [Staff Report](#)
- [Item Summary](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Written Comments](#)

21-1-2: Public Hearing to Consider Proposed 2020 Amendments to Area Designations for State Ambient Air Quality Standards

The Board will consider the proposed amendments to the regulations designating areas of California as attainment, nonattainment, nonattainment-transitional, or unclassified for pollutants with State ambient air quality standards. Based on 2017 to 2019 air quality data, a total of five changes to area designations are proposed for ozone and PM2.5.

- [More Information](#)
- [Public Hearing Notice](#)
- [Staff Report](#)
- [Item Summary](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Written Comments](#)

21-1-3: Public Meeting to Consider Proposed Research Contract with the University of California, Davis, Titled "Post-COVID Transportation Scenarios: Evaluating the Impact of Policies"

The Board will consider approval of a contract that will examine transportation and land use policies based on lessons learned from the COVID pandemic that CARB and the State could institute to help meet the California's air quality, climate, and equity goals. This item requires Board approval due to the contract amount and also to comply with Government Code

section 1091 because two Board Members are affiliated with the University of California at Davis.

- [More Information](#)
- [Item Summary](#)
- [Submit Written Comments](#)
- [View Written Comments](#)

21-1-4: Public Meeting to Consider Proposed Research Contract with the University of California, Davis, Titled “Estimating the Health Benefits of Reducing Emissions of Toxic Air Contaminants in California”

The Board will consider approval of the research contract. This item requires Board approval due to the contract amount and also to comply with Government Code section 1091 because two Board Members are affiliated with the University of California at Davis.

- [More Information](#)
- [Item Summary](#)
- [Submit Written Comments](#)
- [View Written Comments](#)

21-1-5: Public Meeting to Consider Proposed Research Contract with the University of California, Berkeley, Titled “Impacts of Train and Port Pollution and Air Toxics on Respiratory Symptoms and ED Visits within Vulnerable Communities in Southern California”

The Board will consider approval of the research contract. 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.

- [More Information](#)
- [Item Summary](#)
- [Submit Written Comments](#)
- [View Written Comments](#)

21-1-6: Public Meeting to Consider the San Joaquin Valley 2020 Agricultural Burning Assessment

The Board will consider CARB staff's written assessment of the San Joaquin Valley Air Pollution Control District's (District) 2020 Staff Report and Recommendations on Agricultural Burning (2020 Report). The 2020 Report includes the District's strategy to reduce open agricultural burning in the San Joaquin Valley as well as a recommendation to postpone the prohibition on open burning for certain crop categories and materials allowed under Senate Bill 705 (Florez, 2003). CARB's concurrence is required for the recommended postponements.

- [More Information](#)
- [Public Meeting Notice](#)
- [Staff Report](#)

- [Item Summary](#)
- [Meeting Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Written Comments](#)

21-1-7: Report to the Board on the California Air Resources Board Program Priorities for 2021

Executive Officer Richard Corey will provide the Board with an overview of California Air Resources Board priorities for 2021.

- [Item Summary](#)
- [Meeting Presentation](#)
- [Submit Written Comments](#)
- [View Written Comments](#)

The following Board Item will not be heard prior to 4:00 p.m.

21-1-8: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program – Consideration of Recommended Communities

The Board will consider for selection staff's proposed list of communities for the development of community emission reduction programs and/or community monitoring via the Community Air Protection Program.

- [More Information](#)
- [Public Meeting Notice](#)
- [Staff Report](#)
- [Item Summary](#)
- [Meeting Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View 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.

Best Energy Solutions & Technology Corp., et al v. California Air Resources Board, et al., Kern County Superior Court, Case No. BCV-20-102198.

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, et al. v. United States Environmental Protection Agency, United States Court of Appeals for the District of Columbia Circuit, Case No. 21-1024.

California, et al. v. United States Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 21-1014.

California Natural Gas Vehicle Coalition v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 20CECG02250.

Clean Energy Renewable Fuels, LLC v. California Air Resources Board, Orange County Superior Court, Case No. 30-2020-01167039-CU-WM-CJC.

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.

Friends of Oceano Dunes, Inc. v. California Air Resources Board, et al., Sacramento County Superior Court, Case No. 34-2020-80003442.

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. 19CEGG00331.

South Coast Air Quality Management District v. City of Los Angeles, et al., Los Angeles County Superior Court, Case No. 20STCP02985.

Sowinski v. California Air Resources Board et al., United States District Court for the Northern District of California, No. 3:18-cv-03979-LHK.

State of California v. United States Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 18-1096.

State of California v. Wheeler et. al., District of Columbia Circuit, Case No. 19-1239, consolidated under No. 19-1230 along with Nos. 19-1241, 19-1242, 19-1243, 19-1245, 19-1246, and 19-1249.

State of California, et al., v. Andrew Wheeler, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 20-1359.

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. Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 21-1035.

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-HSG.

State of California, et al. v. United States Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 21-1018.

State of New York, et al. v. United States Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 21-1026.

State of New York, et al. v. United States Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 21-1028.

State of New York et al. v. United States Environmental Protection Agency, United States District Court for the Southern District of New York, Case No. 1:21-cv-00462.

State of Massachusetts v. EPA, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1265.

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.

Western States Petroleum Association v. California Air Resources Board, Los Angeles County Superior Court, Case No. 20STCP03138x.

W.O. Stinson & Son LTD. v. Western Climate Initiative, Inc., Ontario Canada Superior Court, Case No. CV-20-00083726-0000.

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.

Other Information

[Submit Comments Electronically the Day of the Board Meeting](#)

[View Submitted Comments](#)

Please Note: PowerPoint presentations to be displayed during public comment at the Board meeting must be electronically submitted via email to the Clerks' Office at cotb@arb.ca.gov 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, 23rd Floor, Sacramento, California 95814
cotb@arb.ca.gov or (916) 322-5594
CARB Homepage: www.arb.ca.gov

If you experience technical difficulties on the day of the Board Meeting, please call our helpline at (805) 772-2715.

Special Accommodation Request

Consistent with California Government Code section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format or another language;

- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerks' Office at cotb@arb.ca.gov 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.

Acomodación Especial

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia
- Documentos disponibles en un formato alternativo u otro idioma
- Una acomodación razonable relacionados con una incapacidad

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor contacte la oficina del Consejo al (916) 322-5594 o por correo electrónico al cotb@arb.ca.gov lo más pronto posible, pero no menos de 7 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.



Public Meeting Agenda

Thursday, March 25, 2021

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 March 25, 2021, 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: 896 2244 5142

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Webcast – for those who only plan to observe the hearing.

How to Participate in the Remote Board Meeting

Como Participar en la Reunión del Consejo a Distancia

Agenda de la Reunión del Consejo del 25 de marzo de 2021

Spanish Interpretation will be offered for the March Board Meeting.

Thursday, March 25, 2021 @ 9:00 a.m.

Discussion Items:

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

21-2-1: Public Hearing to Consider Proposed Amendments to the Antiperspirants and Deodorants Regulation; Consumer Products Regulation; Aerosol Coating Products Regulation; Alternative Control Plan Regulation; the Tables of Maximum Incremental Reactivity Values; and Test Method 310

The Board will consider proposed amendments to the Consumer Products Program Regulations to help attain federal ozone standards by setting or strengthening volatile organic compound standards for certain product categories. The proposed amendments will reduce public exposure to air toxics emissions and provide other clarifications within the program to improve transparency, clarity, and effectiveness.

- [More Information](#)
- [Public Hearing Notice](#)
- [Staff Report](#)
- [Item Summary](#)
- [Hearing Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Written Comments](#)

21-2-2: Public Meeting to Consider Proposed 2021-2024 Triennial Strategic Research Plan and Proposed Research for Fiscal Year 2021-2022

The Proposed 2021-2024 Triennial Strategic Research Plan (Plan) reflects a concerted effort to identify CARB's highest priority research initiatives for the next three years and will serve as a guide for the annual selection of individual research projects. The Plan includes a starting point for operationalizing racial equity in CARB research, which will be developed further through a public engagement process starting this year. The Proposed Research for Fiscal Year 2021-2022 will support the initiatives outlined in the Triennial Strategic Research Plan. These research projects will advance the state of the science and support the Board's efforts to meet California's air quality and climate goals. If the Board approves the Proposed Research, staff will work with research partners to develop full proposals. The Executive Officer will then consider the full proposals for approval and funding with consultation from interested Board members.

- [More Information](#)
- [Public Meeting Notice](#)
- [Triennial Research Plan](#)
- [Proposed Research Projects for Fiscal Year 2021-2022](#)
- [Item Summary](#)
- [Meeting Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View 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:

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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.

Best Energy Solutions & Technology Corp., et al v. California Air Resources Board, et al., Kern County Superior Court, Case No. BCV-20-102198.

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, et al. v. United States Environmental Protection Agency, United States Court of Appeals for the District of Columbia Circuit, Case No. 21-1024.

California, et al. v. United States Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 21-1014.

California Natural Gas Vehicle Coalition v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 20CECG02250.

Clean Energy Renewable Fuels, LLC v. California Air Resources Board, Orange County Superior Court, Case No. 30-2020-01167039-CU-WM-CJC.

Competitive Enterprise Inst. v. NHTSA, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1145 (consolidated with No. 20-1167).

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.

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John R. Lawson Rock & Oil, Inc. et al., v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 19CEGG00331.

South Coast Air Quality Management District v. City of Los Angeles, et al., Los Angeles County Superior Court, Case No. 20STCP02985.

Sowinski v. California Air Resources Board et al., United States District Court for the Northern District of California, No. 3:18-cv-03979-LHK.

State of California v. United States Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 18-1096.

State of California v. Wheeler et. al., District of Columbia Circuit, Case No. 19-1239, consolidated under No. 19-1230 along with Nos. 19-1241, 19-1242, 19-1243, 19-1245, 19-1246, and 19-1249.

State of California, et al., v. Andrew Wheeler, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 20-1359.

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; United States Court of Appeals, Ninth Circuit, Case No. 20-16793.

State of California, et al. v. Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 21-1035.

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-HSG.

State of California, et al. v. United States Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 21-1018.

State of New York, et al. v. United States Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 21-1026.

State of New York, et al. v. United States Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 21-1028.

State of New York et al. v. United States Environmental Protection Agency, United States District Court for the Southern District of New York, Case No. 1:21-cv-00462.

State of Massachusetts v. EPA, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1265.

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; United States Court of Appeals, Tenth Circuit, Case No. 20-8073.

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; United States Court of Appeals, Ninth Circuit, Case No. 20-16789.

Western States Petroleum Association v. California Air Resources Board, Los Angeles County Superior Court, Case No. 20STCP03138x.

Westmoreland Mining v. EPA, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1160.

W.O. Stinson & Son LTD. v. Western Climate Initiative, Inc., Ontario Canada Superior Court, Case No. CV-20-00083726-0000.

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 providing an opportunity for 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.

Other Information

[Submit Comments Electronically the Day of the Board Meeting](#)

[View Submitted Comments](#)

Please Note: PowerPoint presentations to be displayed during public comment at the Board meeting must be electronically submitted via email to the Clerks' Office at cotb@arb.ca.gov 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, 23rd 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 cotb@arb.ca.gov or at (916) 322-5594 as soon as possible, but no later than 7 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Acomodación Especial

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia
- Documentos disponibles en un formato alternativo u otro idioma
- Una acomodación razonable relacionados con una incapacidad

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor contacte la oficina del Consejo al (916) 322-5594 o por correo electrónico al cotb@arb.ca.gov lo más pronto posible, pero no menos de 7 días de trabajo antes del día programado para la

audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

BOARD MEETING DATE: April 2, 2021

AGENDA NO. 26

PROPOSAL: Determine That Proposed Amendments to Rule 1426 – Emissions from Metal Finishing Operations, and Rule 1469 – Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations, Are Exempt from CEQA, and Amend Rule 1426 and Rule 1469

SYNOPSIS: Proposed Amended Rule 1426 will reduce fugitive emissions of hexavalent chromium, nickel, cadmium and lead from metal finishing facilities by establishing requirements for housekeeping, building enclosures and best management practices. Proposed Amended Rule 1469 will incorporate provisions under Proposed Amended Rule 1426 that affect Rule 1469 facilities to streamline implementation for these facilities. Additional amendments to Rule 1469 are proposed to remove a reference to a chemical that is no longer used for testing HEPA filters and to update an incorrect table reference.

COMMITTEE: Stationary Source Committee, February 19, 2021, Reviewed

RECOMMENDED ACTIONS:

Adopt the attached Resolution:

1. Determining that Proposed Amended Rule 1426 – Emissions from Metal Finishing Operations, and Proposed Amended Rule 1469 – Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations, are exempt from the requirements of the California Environmental Quality Act;
2. Amending Rule 1426 – Emissions from Metal Finishing Operations; and
3. Amending Rule 1469 – Hexavalent Chromium Emissions from Chromium Electroplating from Chromium Electroplating and Chromic Acid Anodizing Operations.

Wayne Nastri
Executive Officer

Background

Rule 1426 – Emissions from Metal Finishing Operations and Rule 1469 – Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Operations, regulate plating and anodizing metal finishing operations. These processes are used to prepare or treat the surface of parts by submerging them into tanks to provide specific surface characteristics. Tank solutions often contain metals that are toxic air contaminants. Rule 1426 was adopted in 2003 and applies to facilities that perform chromium, nickel, cadmium, lead or copper electroplating, or chromic acid anodizing. Rule 1426 is primarily a data gathering rule with basic housekeeping measures. Data collected under Rule 1426 was intended to be used to assess the need to amend Rule 1426 for additional emission controls.

Proposed Amended Rule 1426 (PAR 1426) is needed to establish requirements to minimize fugitive metal toxic air contaminant emissions from metal finishing tank solutions. Point source metal toxic air contaminant emissions will be addressed in future, separate rulemaking efforts. PAR 1426 has additional requirements for hexavalent chromium tanks at facilities subject to Rule 1469.

Public Process

Development of PAR 1426 and PAR 1469 has been conducted through a public process. A working group was formed to provide the public and stakeholders an opportunity to discuss the proposed rule and provide staff with input during the rule development process. The working group is comprised of representatives from businesses, environmental groups, public agencies, and consultants. Staff held six virtual working group meetings on June 24, 2020, August 19, 2020, September 23, 2021, November 4, 2020, December 2, 2020 and February 3, 2021. In addition, a Public Workshop was held on January 21, 2021 to present the proposed amended rule and receive public comment.

Proposal

PAR 1426 applies to tanks that contain solutions with hexavalent chromium, nickel, cadmium or lead from metal finishing facilities. Based on comments from stakeholders, staff is recommending to remove copper metal finishing tanks due to the mild health effects of copper. PAR 1426 includes requirements for housekeeping, building enclosures and best management practices that are largely based on requirements under Rule 1469. Housekeeping requirements include storing materials that may contain a metal toxic air contaminant in a closed container and weekly cleaning of areas to prevent the accumulation of metal toxic air contaminants that can become fugitive emissions. Building enclosure requirements prevent the fugitive emissions escaping a facility due to cross drafts by requiring openings be closed or modified. Best management practices include requirements to minimize dragout, minimize overspray from spray rinsing, and prohibit air sparging when metal finishing is not occurring, which prevent tank solutions from leaving the tank.

Staff is proposing to incorporate the PAR 1426 requirements for specific hexavalent chromium tanks located at Rule 1469 facilities into PAR 1469 to streamline implementation for regulated facilities. Additionally, PAR 1469 would revise the definition of High Efficiency Particulate Arrestors (HEPA) to remove a reference to a chemical which is no longer used and to correct a table reference in the recordkeeping requirements. Implementation dates under PAR 1426 and PAR 1469 are January 1, 2023 to recognize impacts that these businesses have experienced due to COVID-19.

Key Issues

Throughout the rulemaking process, staff has worked with stakeholders to address comments and issues. Staff is not aware of any remaining 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 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: <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 following weblink: <http://www.aqmd.gov/nav/about/public-notices/ceqa-notices/notices-of-exemption/noe---year-2021>. 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 Assessment

PAR 1426 would affect 339 facilities, with 232 facilities only subject to PAR 1426 and the remaining 107 are facilities subject to both PAR 1426 and PAR 1469. The proposed amendments establish housekeeping and best management practices, some of which are already in practice at facilities regulated by Rule 1469.

The total annual compliance cost of the proposed amendments is expected to be approximately \$738,500 across all the affected facilities. The majority of the compliance cost (88 percent) affects the manufacturing industry. A typical facility subject to both PAR 1426 and PAR 1469 is expected to incur an average annual cost under \$1,000, while a typical facility only subject to PAR 1426 is expected to incur an average annual cost of \$2,750. The regional economic impacts of PAR 1426 are expected to be minimal.

AQMP and Legal Mandates

Pursuant to Health & Safety Code Section 40460 (a), South Coast AQMD is required to adopt an AQMP demonstrating compliance with all federal regulations and standards. South Coast AQMD is required to adopt rules and regulations that carry out the objectives of the AQMP. PAR 1426 and PAR 1469 will partially implement control measure TXM-02 – Control of Toxic Metal Particulate Emissions from Plating and Anodizing Operations in the 2016 AQMP that controls fugitive emissions of hexavalent chromium, nickel, cadmium, and lead from tanks that are not chromium electroplating or chromic acid anodizing tanks from metal finishing facilities.

Implementation and Resource Impact

Existing staff resources will be used to implement PAR 1426 and PAR 1469.

Attachments

- A. Summary of Proposal
- B. Key Issues and Responses
- C. Rule Development Process
- D. Key Contacts List
- E. Resolution
- F-1. Proposed Amended Rule 1426
- F-2. Proposed Amended Rule 1469
- G. Final Staff Report
- H. Notice of Exemption
- I. Board Meeting Presentation

ATTACHMENT A
SUMMARY OF PROPOSAL

Proposed Amended Rule 1426 – Emissions from Metal Finishing Operations

Applicability

- Expanded to include any Metal Finishing facility with a Metal Finishing tank that contains hexavalent chromium, nickel, cadmium, or lead

Housekeeping Requirements

- Conduct weekly cleaning using approved cleaning methods
- Storage of chemicals and waste in closed containers
- Store reusable equipment and supplies in a closed container or in enclosed storage areas
- Transport chemicals in a closed container between storage and tank process area
- Remove fabric or fibrous flooring material that cannot be cleaned

Building Enclosure Requirements

- Require Process Tanks and Rinse Tanks to operate within a building enclosure that minimizes cross drafts and openings near sensitive receptors and schools
- Operate buffing, grinding, or polishing operations within a building enclosure

Best Management Practices

- Prevent dragout from parts and equipment after being in a Process Tank or Rinse Tank
- Restrictions on spray rinsing of parts and equipment after being in a Process Tank or Rinse Tank
- Require labeling of tanks in tank process area
- Require barrier between buffing, grinding, or polishing area from tank area, if in same building

Recordkeeping

- Document ampere-hour meter replacements on process tanks

Reporting

- Submit a one-time tank inventory report
- Maintain the tank inventory report onsite and update upon request

Exemptions

- Process Tanks and Rinse Tanks with concentrations < 1,000 ppm
- Buildings subject to Rule 1469 requirements are exempt from PAR 1426 building enclosure requirements
- Areas, materials, or equipment subject to Rule 1469 are exempt from PAR 1426 housekeeping requirements
- Tier I, II, or III Hexavalent Chromium Tanks subject to Rule 1469 requirements are exempt from PAR 1426 requirements for best management practices
- Total enclosures subject to Rule 1420 – Emissions Standard for Lead are exempt from PAR 1426
- Buffing, grinding, or polishing operations conducted using metal removal fluid are exempt from PAR 1426

Proposed Amended Rule 1469 – Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations

Definitions

- Modified Dragout definition to include liquid from a Tier I, II, or III Hexavalent Chromium Tank
- Modified High Efficiency Particulate Arrestors (HEPA) definition by removing dioctyl phthalate reference

Building Enclosure Requirements

- Require Tier I Hexavalent Chromium Tanks to operate within a building enclosure that minimizes cross drafts and openings near sensitive receptors and schools

Housekeeping Requirements

- Store reusable equipment and supplies in a closed container or in enclosed storage areas

Best Management Practices

- Prevent dragout from parts and equipment after being in a Tier I, II, or III Hexavalent Chromium Tank that is not a Chromium Electroplating or Chromic Acid Anodizing Tank
- Restrict spray rinsing of parts and equipment after being in a Tier I Hexavalent Chromium Tank
- Require barrier between buffing, grinding, or polishing area from a Tier I, II, or III Hexavalent Chromium Tank that is not a Chromium Electroplating or Chromic Acid Anodizing Tank, if in same building

Appendices

- Appendix 11 added to specify implementation dates for new requirements in PAR 1469, identical to those in PAR 1426

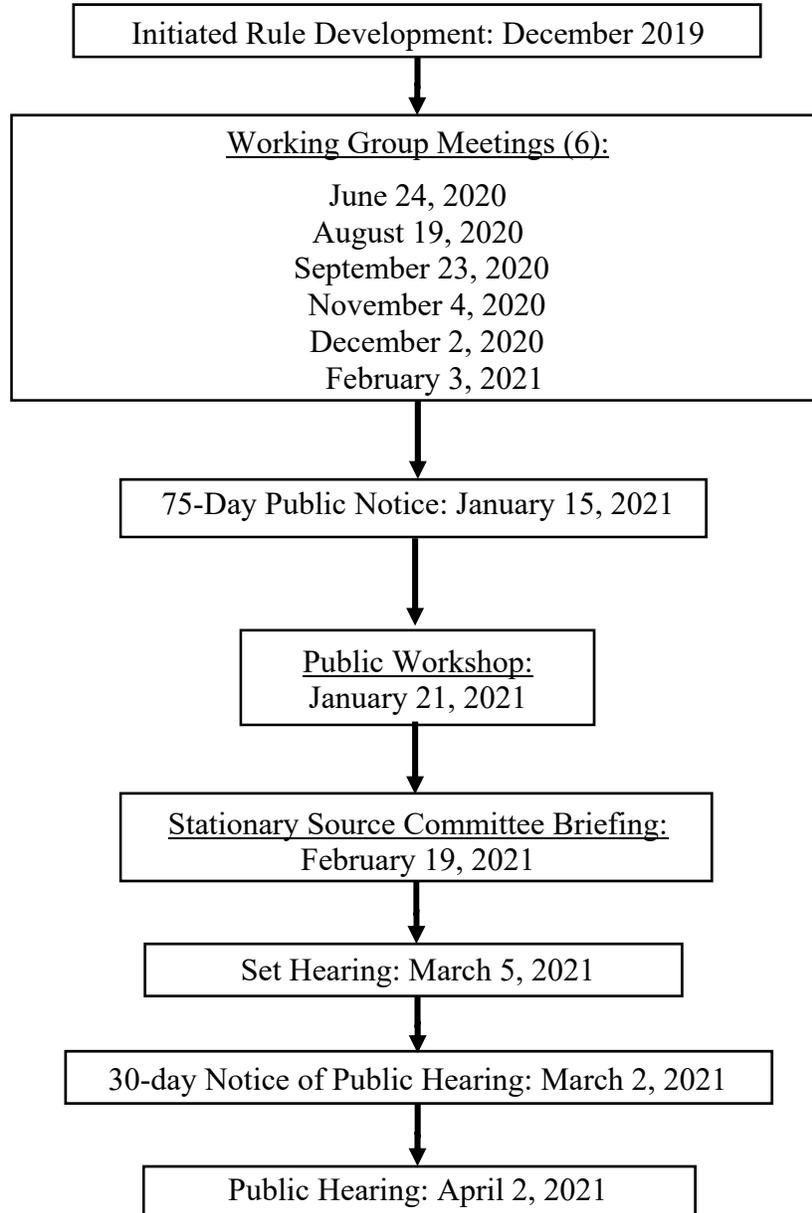
ATTACHMENT B
KEY ISSUES AND RESPONSES

Proposed Amended Rule 1426 – Emissions from Metal Finishing Operations
Proposed Amended Rule 1469 – Hexavalent Chromium Emissions from Chromium
Electroplating and Chromic Acid Anodizing Operations

Through the rulemaking process staff has worked with stakeholders to address a variety of issues. Staff is not aware of any remaining key issues.

**ATTACHMENT C
RULE DEVELOPMENT PROCESS**

**Proposed Amended Rule 1426 – Emissions from Metal Finishing Operations
Proposed Amended Rule 1469 – Hexavalent Chromium Emissions from Chromium
Electroplating and Chromic Acid Anodizing Operations**



Sixteen (16) months spent in rule development.

One (1) Public Workshop.

Six (6) Working Group Meetings.

ATTACHMENT D
KEY CONTACTS LIST

- AAA Plating & Inspection
- Aircraft X-Ray Laboratories
- Alcoa
- AirKinetics
- Boeing Company
- California Communities Against Toxics
- California Safe Schools
- City of Los Angeles – LA Sanitation
- Del Amo Action Committee
- Desmond & Desmond LLC
- E.M.E.
- K&L Anodizing
- Metal Finishing Association of Southern California
- Metal Surfaces Inc.
- National Association of Surface Finishing
- Ramboll Environment and Health
- Trilogy Regulatory Services

ATTACHMENT E

RESOLUTION NO. 21-____

A Resolution of the Governing Board of the South Coast Air Quality Management District (South Coast AQMD) determining that Proposed Amended Rule 1426 – Emissions from Metal Finishing Operations and Proposed Amended Rule 1469 – Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations are exempt from the requirements of the California Environmental Quality Act (CEQA).

A Resolution of the South Coast AQMD Governing Board amending Rule 1426 – Emissions from Metal Finishing Operations and Rule 1469 – Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations.

WHEREAS, the South Coast AQMD Governing Board finds and determines that Proposed Amended Rule 1426 and Proposed Amended Rule 1469 are 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 the proposed project pursuant to such program (South Coast AQMD Rule 110); and

WHEREAS, the South Coast AQMD Governing Board finds and determines after conducting a review of the proposed project in accordance with CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA, and CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA, that the proposed project is exempt from CEQA; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that since the only physical modifications that may occur as a result of the proposed project are associated with implementing the building enclosure requirements, which may be achieved without involving construction or via minimal construction activities, depending on the affected facility, 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 the proposed project that is completed in compliance with CEQA Guidelines Section 15062 – Notice of Exemption; and

WHEREAS, the South Coast AQMD staff conducted a public workshop meeting on January 21, 2021 regarding Proposed Amended Rule 1426; and

ATTACHMENT E

WHEREAS, Proposed Amended Rule 1426 and Proposed Amended Rule 1469 and supporting documentation, including but not limited to, the Notice of Exemption, Final Staff Report, and Socioeconomic Impact Assessment, were presented to the South Coast AQMD Governing Board and the South Coast AQMD Governing Board has reviewed and considered this information, as well as has taken and considered staff testimony and public comment prior to approving the project; and

WHEREAS, the South Coast AQMD Governing Board finds that since the notice of public workshop was published, to avoid having duplicative requirements, amendments to Rule 1469 were proposed that would incorporate requirements originally incorporated into Proposed Amended Rule 1426 which are applicable to facilities with hexavalent chromium tanks that are also subject to Rule 1469; 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 (Section 30.5(4)(D)(i) of the Administrative Code), that no modifications have been made to the proposed project since notice of public hearing was published that are so substantial as to significantly affect the meaning of Proposed Amended Rule 1426 and Proposed Amended Rule 1469 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 rules, (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 the proposed project is exempt from CEQA; and

WHEREAS, Proposed Amended Rule 1426 and Proposed Amended Rule 1469 will be not be submitted for inclusion into the State Implementation Plan; and

WHEREAS, Health and Safety Code Section 40727 requires that prior to adopting, amending or repealing a rule or regulation, the South Coast AQMD Governing Board shall make findings of necessity, authority, clarity, consistency, non-duplication, and reference based on relevant information presented at the public hearing and in the Final Staff Report; and

WHEREAS, the South Coast AQMD Governing Board has determined that a need exists to adopt Proposed Amended Rule 1426 and Proposed Amended Rule 1469 to reduce fugitive toxic air contaminant emissions from metal finishing operations, specifically hexavalent chromium, nickel, cadmium, and lead in order to further protect public health; and

WHEREAS, the South Coast AQMD Governing Board obtains its authority to adopt, amend or repeal rules and regulations from Sections 39002, 39650 et. seq., 40000,

ATTACHMENT E

40440, 40441, 40702, 40725 through 40728, 41508, and 41700 of the Health and Safety Code; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1426 and Proposed Amended Rule 1469 are written and displayed so that their meaning can be easily understood by the persons directly affected by them; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1426 and Proposed Amended Rule 1469 are in harmony with and not in conflict with or contradictory to, existing statutes, court decisions or state or federal regulations; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1426 and Proposed Amended Rule 1469 do not impose the same requirements as any existing state or federal regulations, and the proposed amended rules are necessary and proper to execute the powers and duties granted to, and imposed upon, South Coast AQMD; and

WHEREAS, the South Coast AQMD Governing Board, in adopting Proposed Amended Rule 1426 and Proposed Amended Rule 1469, references the following statutes which the South Coast AQMD hereby implements, interprets, or makes specific: Health and Safety Code Sections 41700 and Federal Clean Air Act Sections 112 and 116; and

WHEREAS, Health and Safety Code Section 40727.2 requires the South Coast AQMD to prepare a written analysis of existing federal air pollution control requirements applicable to the same source type being regulated whenever it adopts, or amends a rule, and the South Coast AQMD's comparative analysis of Proposed Amended Rule 1426 and Proposed Amended Rule 1469 is included in the Final Staff Report; and

WHEREAS, the South Coast AQMD Governing Board has determined that the Socioeconomic Impact Assessment of Proposed Amended Rule 1426 and Proposed Amended Rule 1469 are consistent with the March 17, 1989 Governing Board Socioeconomic Resolution for rule adoption; and

WHEREAS, the South Coast AQMD Governing Board has determined that the Socioeconomic Impact Assessment for Proposed Amended Rule 1426 and Proposed Amended Rule 1469 are consistent with the provisions of Health and Safety Code Sections 40440.8 and 40728.5, and that Health and Safety Code Section 40920.6 is not applicable to rules regulating toxic air contaminants; and

ATTACHMENT E

WHEREAS, the South Coast AQMD Governing Board has determined Proposed Amended Rule 1426 and Proposed Amended Rule 1469 will result in increased costs to the affected industries, yet are considered to be reasonable, with a total annualized cost as specified in the Final Staff Report; and

WHEREAS, the South Coast AQMD Governing Board has actively considered the Socioeconomic Impact Assessment and has made a good faith effort to minimize such impacts; and

WHEREAS, the public hearing has been properly noticed in accordance with the provisions of Health and Safety Code Section 40725 and 40440.5; and

WHEREAS, the South Coast AQMD Governing Board has held a public hearing in accordance with all applicable provisions of law; and

WHEREAS, the South Coast AQMD specifies that the Planning and Rules Manager overseeing the rule development of Proposed Amended Rule 1426 and Proposed Amended Rule 1469 as the custodian of the documents or other materials which constitute the record of proceedings upon which the adoption of the amended rules are 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 the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. This information was presented to the South Coast AQMD Governing Board, whose members exercised their independent judgment and reviewed, considered, and approved the information therein prior to acting on the proposed project; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board does hereby adopt, pursuant to the authority granted by law, Proposed Amended Rule 1426 and Proposed Amended Rule 1469, as set forth in the attached, and incorporated herein by reference.

DATE: _____

CLERK OF THE BOARDS

ATTACHMENT F-1

(Adopted May 2, 2003) (PAR 1426 April 2021)

PROPOSED **EMISSIONS FROM METAL FINISHING OPERATIONS** **AMENDED** **RULE 1426**

[Rule Index to be included after adoption]

(a) Purpose

The purpose of this rule is to reduce fugitive emissions of hexavalent chromium, nickel, cadmium, and lead at Metal Finishing facilities.

(ab) Applicability

~~This rule shall apply to an owner or operator of any Metal Finishing facility, any facility performing chromium, nickel, cadmium, lead or copper electroplating operations, or chromic acid anodizing. This rule shall also apply to the owner or operator of any facility with process tanks containing sulfuric acid, nitric acid, hydrochloric acid, chromic acid (excluding chromic acid used in electroplating and anodizing tanks), and sodium hydroxide used in spraying operations, associated with any of the above electroplating or anodizing operations.~~

(bc) Definitions

~~For the purposes of this rule, the following definitions shall apply:~~

- (1) ADD-ON AIR POLLUTION CONTROL EQUIPMENT means equipment installed for the purpose of collecting and containing emissions from nickel, cadmium, or lead, ~~or copper~~ electroplating tanks and associated ~~process~~ tanks.
- (2) AMPERE-HOURS means the integral of electrical current applied to a plating tank (amperes) over a period of time (hours).
- (3) ANODIZING means the electrolytic process by which an oxide layer is produced on the surface of a part.
- (4) APPROVED CLEANING METHOD means cleaning using a wet mop, damp cloth, wet wash, low pressure spray nozzle, HEPA Vacuum, or other method as approved by the Executive Officer.
- (5) BARRIER means a physical divider that can be fixed or portable such as a wall, welding screen, plastic strip curtains, etc.
- (6) BUILDING ENCLOSURE means a permanent building or physical structure with a floor, walls, and a roof to prevent exposure to the elements,

(e.g. precipitation, wind, run-off), with limited openings to allow access for people, vehicles, equipment, or parts. A room within a Building Enclosure with a floor, walls, and a roof would also meet this definition.

- (c) (7) CONVERSION COATING means the process of converting the surface of a part into a coating using a chemical or electro-chemical process.
- (8) DRAGOUT means fluid containing hexavalent chromium, nickel, cadmium, or lead that drips from parts or equipment used to remove those parts from a Process Tank or Rinse Tank.
- (9) ELECTROFORMING means the process of Electroplating onto a mandrel or template that is subsequently separated from the electrodeposit formed part.
- (10) ELECTROLESS PLATING means the process of autocatalytic or chemical reduction of aqueous Metal ions plated onto a part.
- (11) ELECTROPLATING means a process by which a layer of Metal is electrodeposited onto a part.
- (3) ~~ELECTROPLATING BATH means the electrolytic solution used as the conducting medium in which the flow of current is accompanied by movement of metal ions for the purpose of electroplating metal out of the solution onto a workpiece or for oxidizing the base material.~~
- (12) ELECTROPOLISHING means the process to smooth, polish, deburr, or clean a part using an electrolytic bath solution.
- (413) ~~ENCLOSED STORAGE AREA is~~ means any space or structure used to contain material that prevents its contents from being emitted into the atmosphere.
- (14) ETCH means the process to remove material from the surface of a part.
- (515) ~~FUGITIVE DUST means~~ hexavalent chromium, nickel, cadmium, or lead
) ~~any solid~~ particulate matter that becomes airborne by natural or man-made activities, excluding particulate matter emitted from an exhaust stack. Fugitive dust includes material containing hexavalent chromium, nickel, cadmium, lead, and copper.
- (16) HEPA VACUUM means a vacuum that is both designed to be fitted and used with a filter that is individually tested and certified by the manufacturer to have a control efficiency of not less than 99.97 percent on 0.3 micron particles.
- (17) METAL means hexavalent chromium, nickel, cadmium, or lead.

- (c) (18) METAL FINISHING means Anodizing, Conversion Coating, Electroforming, Electroless Plating, Electroplating, Electropolishing, Etch, Passivation, Pre-Dip, Sealing, or Stripping by submerging the part into a tank or series of tanks with solution that contains a Metal.
- (6) ~~METAL PLATING FACILITY means, for the purpose of this rule, a facility which performs electroplating of chromium, nickel, cadmium, lead or copper, or chromic acid anodizing.~~
- (19) METAL REMOVAL FLUID means a fluid used at the tool and workpiece interface to facilitate the removal of metal from the part, cool the part and tool, extend the life of the tool, and to flush away metal chips and debris, but does not include minimum quantity lubrication fluids used to coat the tool work piece interface with a thin film of lubricant and minimize heat buildup through friction reduction. Minimum quantity lubrication fluids are applied by pre-coating the tool in the lubricant, or by direct application at the tool work piece interface with a fine mist.
- (20) PASSIVATION means the process of forming an oxide layer onto a part.
- (21) PRE-DIP means the process to prepare or activate a part's surface immediately prior to introduction into another Metal Finishing tank.
- (722) ~~PROCESS TANK means any tank used for Metal Finishing with a tank solution that contains a Metal, associated with a chromium, nickel, cadmium, lead or copper electroplating operation, or a chromic acid anodizing operation, excluding rinse and dragout tanks.~~
- (23) RINSE TANK means any tank where a part is partially or fully submerged into a liquid to remove any residual solution from a Process Tank.
- (24) SCHOOL means any public or private school, including juvenile detention facilities with classrooms, used for the education of more than 12 children at the school in kindergarten through grade 12. A School also includes an Early Learning and Developmental Program by the U.S. Department of Education or any state or local early learning and development programs such as preschools, Early Head Start, Head Start, First Five, and Child Development Centers. A School does not include any private school in which education is primarily conducted in private homes. The term School includes any building or structure, playground, athletic field, or other area of School property.
- (25) SEALING means the process of hydrating to fill or plug the pores of a coating by immersing an anodized part in a tank solution.

- (c) (826 SENSITIVE RECEPTOR LOCATIONS include schools (kindergarten through grade 12), licensed daycare centers, hospitals and convalescent homes means any residence including private homes, condominiums, apartments, and living quarters. A Sensitive Receptor also includes Schools, daycare centers, health care facilities such as hospitals or retirement and nursing homes, long term care hospitals, hospices, prisons, and dormitories or similar live-in housing.
- (9) STALAGMOMETER means a device used to measure the surface tension of a solution by determining the number of drops, or the weight of each drop, in a given volume of liquid.
- (27) STRIPPING means the process of removing an existing Metal layer from a part.
- (10) SURFACE TENSION means the property, due to molecular forces, that exists in the surface film of all liquids and tends to prevent liquid from spreading.
- (28) TANK PROCESS AREA means an area surrounding a Process Tank or Rinse Tank that is up to 15 feet or to a wall.
- (11) TENSIOMETER means a device used to measure the surface tension of a solution by measuring the force necessary to pull a filament or ring from the surface of a liquid.
- (29) TIER I HEXAVALENT CHROMIUM TANK is a tank subject to and defined in Rule 1469 – Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations.
- (30) TIER II HEXAVALENT CHROMIUM TANK is a tank subject to and defined in Rule 1469 – Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations.
- (31) TIER III HEXAVALENT CHROMIUM TANK is a tank subject to and defined in Rule 1469 – Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations.
- (32) WEEKLY means at least once every seven calendar days.
- (e) **Requirements**
 - (1) **Initial Compliance Report**

The owner or operator of a metal plating facility subject to this rule shall submit an initial compliance report to the Executive Officer by February

~~1, 2004 to report process and receptor information. The report shall contain the information identified in Appendix 1.~~

~~(2) Compliance Report~~

~~The owner or operator of a metal plating facility subject to this rule shall submit a report to the Executive Officer by February 1, 2005 to report information on process activity and significant changes since the initial report was filed. The report shall contain the information identified in Appendix 2.~~

~~(3) Data Collection~~

~~The owner or operator of a metal plating facility subject to this rule shall begin collecting data required under subparagraphs (c)(1) and (c)(2) within 60 days after May 2, 2003.~~

~~(4) Air Sparging of Tanks Containing Chromic Acid~~

~~Tanks containing chromic acid shall not be air sparged when the tank is not in use, and shall only be air sparged up to one hour prior to parts being placed in the tank, and one hour after parts are removed from the tank.~~

~~(5) Housekeeping Practices for Nickel, Cadmium, Lead and Copper~~

~~On and after July 1, 2003 housekeeping practices shall be implemented at a facility to reduce fugitive emissions caused by the storage, handling and transport of nickel, cadmium, lead or copper in powder or metal salt form.~~

~~These practices shall include:~~

~~(A) Nickel, cadmium, lead and copper in powder or metal salt form shall be stored in a closed container in an enclosed storage area;~~

~~(B) Nickel, cadmium, lead and copper in powder or metal salt form shall be transported from an enclosed storage area to electroplating tanks in a closed container;~~

~~(C) Surfaces within the enclosed storage area that accumulate dust shall be washed down, vacuumed, or wet mopped, or shall be maintained with the use of non-toxic chemical dust suppressants; and~~

~~(D) Wastes which contain nickel, cadmium, lead or copper generated from housekeeping activities shall be stored, disposed of, recovered, or recycled using practices that do not lead to fugitive dust.~~

~~(d) Inspection and Maintenance Requirements~~

- (1) ~~The owner or operator of a nickel, cadmium, lead, or copper electroplating operation using add-on air pollution control equipment shall comply with the manufacturers recommended schedule for inspecting and maintaining control equipment. If the inspection frequency is not specified by the manufacturer, recommended inspection and maintenance activities shall be conducted at least once per quarter.~~

(d) Building Enclosure Requirements

- (1) Beginning January 1, 2023, an owner or operator of a Metal Finishing facility shall operate all Process Tank(s) and Rinse Tank(s) within a Building Enclosure such that the following are met:

- (A) The Building Enclosure openings that are open to the exterior and on opposite ends of the Building Enclosure shall not be simultaneously open except during the passage of vehicles, equipment, or people by using one or more of the following at one of the openings to prevent the passage of air:

- (i) A door that automatically closes;
- (ii) Overlapping plastic strip curtain;
- (iii) A vestibule;
- (iv) An airlock system;
- (v) A Barrier or obstruction, such as a large piece of equipment that prevents air from passing through any space where Metal Finishing is conducted; or
- (vi) An alternative method to minimize the release of Fugitive Dust from the Building Enclosure that is approved by the Executive Officer.

- (B) Except during the movement of vehicles, equipment, or people, close any Building Enclosure opening by using one or more of the methods listed in clauses (d)(1)(A)(i) through (d)(1)(A)(iv) and (d)(1)(A)(vi) that directly faces and opens towards the nearest:

- (i) Sensitive Receptor, with the exception of a School, that is located within 1,000 feet, as measured from the property line of the Sensitive Receptor to the Building Enclosure opening;
and

- (d) (1) (B) (ii) School that is located within 1,000 feet, as measured from the property line of the School to the Building Enclosure opening.
- (2) Beginning January 1, 2023, an owner or operator of a Metal Finishing facility shall conduct all buffing, grinding, and polishing operations within a Building Enclosure.
- (e) Housekeeping Requirements

Beginning January 1, 2023, an owner or operator of a Metal Finishing facility shall:

 - (1) Store chemicals that may contain a Metal in a closed container in an Enclosed Storage Area when not in use.
 - (2) Use a closed container when transporting chemicals pursuant to paragraph (e)(1) between an Enclosed Storage Area and Tank Process Area.
 - (3) Clean using an Approved Cleaning Method:

 - (A) Any liquid or solid material that may contain a Metal that is spilled no later than one hour after being spilled onto a solid surface, except if spilled in a drip tray or containment device;
 - (B) Surfaces within the Enclosed Storage Area, open floor area, walkways around the Process Tank(s), walkways around the Rinse Tank(s), and any dust-accumulating surface potentially contaminated with Metal on a Weekly basis;
 - (C) Splashguards, drip trays, collection devices, or containment devices on a Weekly basis; and
 - (D) Floors within 20 feet of a buffing, grinding, or polishing workstation at least once a day on days when buffing, grinding, or polishing are conducted.
 - (4) Store waste materials that may contain a Metal in a container that is kept closed at all times except during filling or emptying.
 - (5) Eliminate all flooring in the Tank Process Area that is made of a fabric material, such as carpets or rugs.
 - (6) Store the following in a closed container or in an Enclosed Storage Area:

 - (A) Cleaning equipment and supplies used for housekeeping pursuant to paragraph (e)(3) when not in use;
 - (B) Reusable tank covers used with a Process Tank when not on the tank;

- (e) (6) (C) Reusable hangers used with a Process Tank when not holding a part; and
- (D) Anodes and cathodes used with a Process Tank when not in the tank.
- (7) Ensure that the HEPA filter of a HEPA Vacuum is free of tears, fractures, holes or other types of damage, and securely latched and properly situated in the vacuum to prevent air leakage from the filtration system.

- (f) Best Management Practices
Beginning January 1, 2023, an owner or operator of a Metal Finishing facility shall:
 - (1) Minimize Dragout from a Process Tank or Rinse Tank in an automated line by installing a drip tray or other collection or containment device between a Process Tank or Rinse Tank such that liquid is collected and does not fall through the space between tanks.
 - (2) Minimize Dragout from a Process Tank or Rinse Tank in a non-automated line by handling each part or equipment used to handle these parts, so that liquid is not dripped outside a Process Tank or Rinse Tank unless the liquid is collected by a drip tray or other collection or containment device.
 - (3) If not treated as waste, return all liquid collected pursuant to paragraphs (f)(1) and (f)(2) back to the tank.
 - (4) Not conduct spray rinsing of parts or equipment that were previously in a Process Tank or Rinse Tank, unless the parts or equipment are:
 - (A) Fully lowered inside a tank where the liquid is captured inside the tank;
 - (B) Above a tank with a splash guard(s) that are free of holes, tears, or openings where all liquid is returned to the tank; or
 - (C) Above a tank where all liquid is returned to the tank and a low pressure spray nozzle is used, and the tanks are located within a process line utilizing an overhead crane system.
 - (5) Maintain clear labeling for each tank within the Tank Process Area that specifies the tank name or other identifier, South Coast AQMD permit number and tank number, bath contents, maximum concentration (in ppm) of all Metals, rectification, operating temperature range, and any agitation methods used, if applicable.

- (f) (6) Install a Barrier to prevent the migration of dust from buffing, grinding, or polishing areas to a Process Tank or Rinse Tank that is located in the same Building Enclosure.
 - (7) Comply with the manufacturers' recommended schedule for inspecting and maintaining Add-on Air Pollution Control Equipment that controls nickel, cadmium, or lead electroplating operation(s). If the inspection frequency is not specified by the manufacturer, inspection and maintenance activities shall be conducted at least once per calendar quarter.
 - (8) Not air sparge a Process Tank when Metal Finishing is not occurring or while a dry chemical containing a Metal is being added.
- (eg) Recordkeeping
- (1) ~~Monitoring Data Records~~
~~The owner or operator shall maintain records of all required monitoring data including the date the data are collected.~~
An owner or operator of a Metal Finishing facility with an Ampere-hour meter equipped at a Process Tank shall record the actual cumulative rectifier usage for each calendar month and the total for each calendar year.
 - (A) ~~Cumulative Rectifier Usage Records~~
~~The owner or operator of electroplating operations with dedicated ampere*hour meters shall record the actual cumulative rectifier usage for each calendar month, and the total for each calendar year.~~
 - (2) Prior to replacement of a continuous recording non-resettable Ampere-hour meter equipped at a Process Tank, an owner or operator of a Metal Finishing facility shall photograph the actual Ampere-hour reading of the Ampere-hour meter being replaced.
 - (3) Immediately following the installation of a new Ampere-hour meter, an owner or operator of a Metal Finishing facility shall photograph the actual Ampere-hour reading of the new Ampere-hour meter.
 - (2) ~~Housekeeping Measures~~
~~The owner or operator shall maintain records demonstrating compliance with housekeeping practices, as required by paragraph (c)(5), including the name of the person performing specified activities, the dates on which specific activities were completed, and records showing that wastes~~

~~containing chromium, nickel, cadmium, lead or copper have been stored, disposed of, recovered, or recycled.~~

- (g) (4) An owner or operator of a Metal Finishing facility shall maintain records demonstrating compliance with the requirements of subdivisions (e) and (f)- and paragraphs (g)(1) and (g)(2).

(5) Records Retention

All records shall be maintained for at least five years; at least the two most current years shall be kept on site.

(f) Rule 1402 Inventory Requirements

~~The owner or operator of a facility that is in compliance with this rule will not be required to submit an emission inventory to the Executive Officer for emissions of toxic compounds subject to this rule, pursuant to subparagraph (n)(1)(B) of Rule 1402—Control of Toxic Air Contaminants from Existing Sources.~~

(h) Reporting

- (1) Beginning January 1, 2022, an owner or operator of a Metal Finishing facility shall keep onsite and make available to the Executive Officer, upon request, a Tank Inventory Report for all Process Tanks and Rinse Tanks that includes the following information:

(A) Facility name;

(B) South Coast AQMD facility identification number;

(C) Equipment address;

(D) Business hours;

(E) Facility contact information with name, title, and phone number;
and

(F) Process Tank and Rinse Tank information including:

(i) Tank name or other identifier;

(ii) South Coast AQMD permit number and tank number;

(iii) Bath contents;

(iv) Maximum concentration (in ppm) of all Metals;

(v) Applicable Rule 1426 Exemption;

(vi) Rectification, if applicable;

(vii) Operating temperature range, if applicable; and

(viii) Agitation method used, if applicable.

- (h) (2) No later than February 1, 2022, an owner or operator of a Metal Finishing facility operating on or before January 1, 2022 shall submit a Tank Inventory Report to the Executive Officer.
- (3) Within 14 days of receiving a written request from the Executive Officer, an owner or operator of a Metal Finishing facility shall provide an updated Tank Inventory Report.

(i) Interim Requirements for Facilities

The following requirements shall be in effect until the requirements of subdivisions (e) and (f) become effective on January 1, 2023.

- (1) An owner or operator of a facility conducting chromium, nickel, cadmium, or lead Electroplating operations, or chromic acid Anodizing shall not air sparge tanks containing chromic acid when the tank is not in use, and may air sparge the tank up to one hour prior to parts being placed in the tank, and one hour after parts are removed from the tank.
- (2) An owner or operator of a facility conducting chromium, nickel, cadmium, or lead Electroplating operations, or chromic acid Anodizing shall:
 - (A) Store nickel, cadmium, and lead in powder or Metal salt form in a closed container in an Enclosed Storage Area;
 - (B) Use a closed container when transporting nickel, cadmium, or lead in powder or Metal salt from an Enclosed Storage Area to Electroplating tanks;
 - (C) Wash down, vacuum, or wet mop, or maintain with the use of non-toxic chemical dust suppressants surfaces within the Enclosed Storage Area that accumulate dust; and
 - (D) Store, dispose of, recover, or recycle wastes which contain nickel, cadmium, or lead generated from housekeeping activities by using practices that do not lead to Fugitive Dust.
 - (E) Comply with the manufacturers recommended schedule for inspecting and maintaining Add-on Air Pollution Control Equipment that controls nickel, cadmium, or lead Electroplating operation(s). If the inspection frequency is not specified by the manufacturer, recommended inspection and maintenance activities shall be conducted at least once per calendar quarter.
- (3) The owner or operator of a facility conducting chromium, nickel, cadmium, or lead Electroplating operations, or chromic acid Anodizing

shall maintain records demonstrating compliance with housekeeping practices, as required by subparagraphs (i)(2)(A) through (i)(2)(D) including the name of the person performing specified activities, the dates on which specific activities were completed, and records showing that wastes containing chromium, nickel, cadmium, or lead have been stored, disposed of, recovered, or recycled.

(jg) Exemptions

~~The owner or operator of a facility that has submitted an inventory prepared pursuant to Rule 1402—Control of Toxic Air Contaminants from Existing Sources, subdivisions (n) [Emissions Inventory Requirements] that has been approved by the Executive Officer, and that contains process and tank information for all of the tanks subject to this rule is exempt from complying with the requirements of paragraphs (e)(1), (e)(2) and (e)(3).~~

(1) The requirements of this rule, except subdivision (h), do not apply to an Anodizing, Conversion Coating, Electroforming, Electroless Plating, Electroplating, Passivation, Pre-Dip, or Sealing tank provided either:

(A) A South Coast AQMD permit condition limits the tank solution concentration to less than 1,000 ppm for each individual Metal;

(B) Records for the tank solution are retained on-site and made available to the Executive Officer, upon request, that does not specify a concentration of 1,000 ppm or greater for any Metal; or

(C) A laboratory analysis demonstrating that the tank solution contains less than 1,000 ppm for each individual Metal is:

(i) Performed using an approved ASTM, CARB, or U.S. EPA test method, where total chromium may serve as a surrogate for hexavalent chromium;

(ii) Retained on-site; and

(iii) Made available to the Executive Officer, upon request.

(2) The requirements of this rule, except subdivision (h), do not apply to a Stripping, Etch, or Electropolishing tank provided either:

(A) A South Coast AQMD permit condition limits the tank solution concentration to less than 1,000 ppm for each individual Metal;

(B) The tank solution is replaced at least once every 6 calendar months with new tank solution that contains less than 1,000 ppm for each

- individual Metal and the corresponding records are retained on-site;
- or
- (j) (2) (C) A laboratory analysis demonstrating that the tank solution contains less than 1,000 ppm for each individual Metal is:
 - (i) Conducted every 6 calendar months;
 - (ii) Performed using an approved ASTM, CARB, or U.S. EPA test method, where total chromium may serve as a surrogate for hexavalent chromium;
 - (iii) Retained on-site; and
 - (iv) Made available to the Executive Officer, upon request.
- (3) The requirements of this rule, except subdivision (h), do not apply to a Rinse Tank provided either:
 - (A) A South Coast AQMD permit condition limits the Rinse Tank solution concentration to less than 1,000 ppm for each individual Metal;
 - (B) The Rinse Tank is part of a rinsing operation that is designed to be continuously diluted with water;
 - (C) The Rinse Tank is permanently connected to a system to remove Metal;
 - (D) The tank solution is replaced at least once every 12 calendar months with water and the corresponding records are retained on-site; or
 - (E) A laboratory analysis demonstrating that the tank solution contains less than 1,000 ppm for each individual Metal is:
 - (i) Conducted every 12 calendar months;
 - (ii) Performed using an approved ASTM, CARB, or U.S. EPA test method, where total chromium may serve as a surrogate for hexavalent chromium;
 - (iii) Retained on-site; and
 - (iv) Made available to the Executive Officer, upon request.
- (4) The requirements of subdivision (d) do not apply to Building Enclosures subject to the requirements of Rule 1469.
- (5) The requirements of subdivision (e) do not apply to areas, materials, or equipment that are subject to the requirements of Rule 1469.
- (6) The requirements of subdivision (f), except paragraph (f)(5), do not apply to Tier I, Tier II, or Tier III Hexavalent Chromium Tanks that are subject to the requirements of Rule 1469.

- (j) (7) The requirements of subdivision (d) do not apply to total enclosures that are subject to the requirements of Rule 1420 – Emissions Standard for Lead.
- (8) The requirements of paragraphs (d)(2) and (f)(6), and subparagraph (e)(3)(D) do not apply to buffing, grinding, or polishing operations conducted under a continuous flood of Metal Removal Fluid.

ATTACHMENT F-1

Appendix 1—Content of Initial Compliance Report

Initial compliance reports shall contain the following information:

- 1.— Facility name, SCAQMD ID number, facility address, owner or operator name, and contact telephone number;
- 2.— A description of the process performed in each affected plating or process tank;
- 3.— The purchase records for nickel used in nickel electroplating operations for the preceding 12 months. The information should include the total metallic nickel purchased (in lbs/yr), and the typical nickel content in purchased plating solutions used for nickel sulfate, nickel chloride, nickel sulfamate and other types of nickel plating operations. Indicate the nickel in inventory at the beginning of the reporting period and the nickel remaining in inventory at the end of the reporting period;
- 4.— The purchase records for cadmium used in cadmium electroplating operations for the preceding 12 months. The information should include the total cadmium purchased (in lbs/yr), and the typical cadmium content in purchased plating solutions used for cadmium cyanide, cadmium sulfate, and other types of cadmium plating operations. Indicate the cadmium in inventory at the beginning of the reporting period and the cadmium remaining in inventory at the end of the reporting period;
- 5.— The purchase records for lead used in lead electroplating operations for the preceding 12 months. The information should include the total lead purchased (in lbs/yr), and the typical lead content in purchased plating solutions used for lead sulfamate, lead acetate, and other types of lead plating operations. Indicate the lead in inventory at the beginning of the reporting period and the lead remaining in inventory at the end of the reporting period;
- 6.— The purchase records for copper used in copper electroplating operations for the preceding 12 months. The information should include the total copper purchased (in lbs/yr), and the typical copper content in purchased plating solutions used for all cuprous and cupric plating operations. Indicate the copper in inventory at the beginning of the reporting period and the copper remaining in inventory at the end of the reporting period;
- 7.— For each nickel, cadmium, lead, or copper electroplating tank, the surface area of the tank, (ft²), volume of the tank (ft³), and typical bath concentrations of nickel, cadmium, lead, or copper (wt.% or oz./gal, typical operating range acceptable);
- 8.— For each nickel, cadmium, lead, or copper electroplating tank, the control equipment which serves it (permit number), and a copy of the most recent performance test conducted to demonstrate compliance with a permit condition or control equipment efficiency, if applicable;

- 9.— For each rectifier with a dedicated ampere*hour meter used at a nickel, cadmium, lead or copper electroplating tank, at least the most recent four months of operating data
(ampere*hours);
- 10.— For each process tank (excluding rinse and dragout tanks) associated with an electroplating process that contains sulfuric acid, nitric acid, hydrochloric acid or chromic acid (excluding chromic acid in electroplating tanks), the tank designation, the surface area of the tank, (ft²), volume of the tank (ft³), concentration of sulfuric acid, nitric acid, hydrochloric acid or chromic acid (wt% or oz/gal, typical operating range acceptable), and identification of air pollution control equipment (permit number), if applicable;
- 11.— For each process tank containing sodium hydroxide used in a spraying operation, the concentration of NaOH in the tank in percent by weight, the spray rate of the NaOH spray system in gallons per minute, and the hours of operation per month;
- 12.— The distance to the nearest commercial/industrial building, measured as indicated in
Table A-1;
- 13.— The distance to the nearest residence, measured as indicated in Table A-1;
- 14.— The distance(s) to all sensitive receptor locations within one quarter of a mile from
the facility, measured as indicated in Table A-1;
- 15.— The name, title and signature of the responsible company official certifying the
accuracy of the reported information; and,
- 16.— Date of the report.

**Table A-1
Measuring Receptor Distance**

Source Type	Measure From:	Measure To:
Point Source, Single Stack	Stack	Property Line of Nearest Receptor
Point Source, Multiple Stacks	Centroid of Stacks	Property Line of Nearest Receptor
Volume Source No Stack	Center of Building	Property Line of Nearest Receptor

Appendix 2--Content of Compliance Report

Compliance reports shall contain the following information:

- 1.— Facility name, SCAQMD ID number, facility address, owner or operator name, and contact telephone number;
- 2.— The beginning and ending dates of the reporting period;
- 3.— The purchase records for nickel used in nickel electroplating operations for the preceding 12 months. The information should include the total metallic nickel purchased (in lbs/yr), and the nickel content in purchased plating solutions used for nickel sulfate, nickel chloride, nickel sulfamate and other types of nickel plating operations. Indicate the nickel in inventory at the beginning of the reporting period and the nickel remaining in inventory at the end of the reporting period;
- 4.— The purchase records for cadmium used in cadmium electroplating operations for the preceding 12 months. The information should include the total cadmium purchased (in lbs/yr), and the cadmium content in purchased plating solutions used for cadmium cyanide, cadmium sulfate, and other types of cadmium plating operations. Indicate the cadmium in inventory at the beginning of the reporting period and the cadmium remaining in inventory at the end of the reporting period;
- 5.— The purchase records for lead used in lead electroplating operations for the preceding 12 months. The information should include the total lead purchased (in lbs/yr), and the lead content in purchased plating solutions used for lead sulfamate, lead acetate, and other types of lead plating operations. Indicate the lead in inventory at the beginning of the reporting period and the lead remaining in inventory at the end of the reporting period;
- 6.— The purchase records for copper used in copper electroplating operations for the preceding 12 months. The information should include the total copper purchased (in lbs/yr), and the copper content in purchased plating solutions used for all cuprous and cupric plating operations. Indicate the copper in inventory at the beginning of the reporting period and the copper remaining in inventory at the end of the reporting period;
- 7.— For each rectifier with a dedicated ampere*hour meter used at a nickel, cadmium, lead or copper electroplating tank, the preceding twelve months of operating data (ampere*hours) in monthly and annual totals;
- 8.— A description of all new permit applications filed for new electroplating or process tanks and for air pollution control equipment since the Initial Compliance Report was submitted;

- 9.— ~~The distance from the property line of the facility to residences and sensitive receptor locations within 25 meters from the facility, for any new residence or sensitive receptor since the Initial Compliance Report was submitted;~~
- 10.— ~~The name, title, and signature of the responsible official certifying the accuracy of the reported information; and,~~
- 11.— ~~The date of the report.~~

ATTACHMENT F-2

(Adopted October 9, 1998)(Amended May 2, 2003)
(Amended December 5, 2008)(Amended November 2, 2018)
(PAR 1469 April 2, 2021)

PROPOSED HEXAVALENT CHROMIUM EMISSIONS FROM CHROMIUM AMENDED ELECTROPLATING AND CHROMIC ACID ANODIZING **RULE 1469. **OPERATIONS****

[Rule Index to be included after adoption]

(a) Purpose

The purpose of this rule is to reduce hexavalent chromium emissions from facilities that perform chromium electroplating or chromic acid anodizing operations and other activities that are generally associated with chromium electroplating and chromic acid anodizing operations.

(b) Applicability

This rule shall apply to the owner or operator of any facility performing chromium electroplating or chromic acid anodizing.

(c) Definitions

For the purposes of this rule, the following definitions shall apply:

- (1) **ADD-ON AIR POLLUTION CONTROL DEVICE** means equipment installed in the ventilation system of any Tier I, Tier II, or Tier III Hexavalent Chromium Tank(s) for the purposes of collecting and containing chromium emissions from the tank(s).
- (2) **ADD-ON NON-VENTILATED AIR POLLUTION CONTROL DEVICE** means equipment installed on any Tier I, Tier II, or Tier III Hexavalent Chromium Tank(s) for the purposes of collecting, containing, or eliminating chromium emissions that is hermetically sealed and does not utilize a ventilation system.
- (3) **AIR POLLUTION CONTROL TECHNIQUE** means any method, such as an add-on air pollution control device, add-on non-ventilated air pollution control device, mechanical fume suppressant or a chemical fume suppressant, that is used to reduce chromium emissions from one or more Tier I, Tier II, or Tier III Hexavalent Chromium Tank(s).
- (4) **AMPERE-HOURS** means the integral of electrical current applied to an electroplating tank (amperes) over a period of time (hours).

- (5) ANNUAL PERMITTED AMPERE-HOURS means the maximum allowable chromium electroplating or anodizing rectifier production in ampere-hours, on an annual basis as specified in the SCAQMD Permit to Operate, or SCAQMD Permit to Construct.
- (c) (6) APPROVED CLEANING METHOD means cleaning using a wet mop, damp cloth, wet wash, low pressure spray nozzle, HEPA vacuum, or other method as approved by the Executive Officer.
- (7) ASSOCIATED PROCESS TANK means any tank in the process line of a Tier I, Tier II, or Tier III Hexavalent Chromium Tank.
- (8) BASE MATERIAL means the metal, metal alloy, or plastic that comprises the workpiece.
- (9) BARRIER means a physical divider that can be fixed or portable such as a wall, welding screen, plastic strip curtains, etc.
- (10) BATH COMPONENT means the trade or brand name of each component in trivalent chromium electroplating baths, including the chemical name of the wetting agent contained in that component.
- (11) BUILDING ENCLOSURE means a permanent building or physical structure, or portion of a building, enclosed with a floor, walls, and a roof to prevent exposure to the elements, (e.g., precipitation, wind, run-off), with limited openings to allow access for people, vehicles, equipment, or parts. A room within a building enclosure that is completely enclosed with a floor, walls, and a roof would also meet this definition.
- (12) CHEMICAL FUME SUPPRESSANT means any chemical agent that reduces or suppresses fumes or mists at the surface of an electroplating or anodizing bath; another term for fume suppressant is mist suppressant.
- (13) CHROMIC ACID means the common name for chromium anhydride (CrO_3).
- (14) CHROMIC ACID ANODIZING means the electrolytic process by which an oxide layer is produced on the surface of a base material for functional purposes (e.g., corrosion resistance or electrical insulation) using a chromic acid solution. In chromic acid anodizing, the part to be anodized acts as the anode in the electrical circuit, and the chromic acid solution, with a concentration typically ranging from 50 to 100 grams per liter (g/L), serves as the electrolyte.

- (15) CHROMIUM ELECTROPLATING OR CHROMIC ACID ANODIZING TANK means the receptacle or container in which hard or decorative chromium electroplating or chromic acid anodizing occurs.
- (c) (16) COMPOSITE MESH-PAD SYSTEM (CMP) means an add-on air pollution control device typically consisting of several mesh-pad stages. The purpose of the first stage is to remove large particles. Smaller particles are removed in the second stage, which consists of the composite mesh pad. A final stage may remove any re-entrained particles not collected by the composite mesh pad.
- (17) DECORATIVE CHROMIUM ELECTROPLATING means the process by which a thin layer of chromium (typically 0.003 to 2.5 microns) is electrodeposited on a base metal, plastic, or undercoating to provide a bright surface with wear and tarnish resistance. In this process, the part(s) serves as the cathode in the electrolytic cell and the solution serves as the electrolyte. Typical current density applied during this process ranges from 540 to 2,400 Amperes per square meter (A/m^2) for total electroplating times ranging between 0.5 to 5 minutes.
- (18) DRAGOUT means fluid containing hexavalent chromium that drips from ~~electroplated or anodized~~ parts, or from equipment used to remove ~~electroplated or anodized~~ parts from a Tier I, Tier, II, or Tier III Hexavalent Chromium Tank ~~tank~~.
- (19) ELECTROPLATING OR ANODIZING BATH means the electrolytic solution used as the conducting medium in which the flow of current is accompanied by movement of metal ions for the purpose of electroplating metal out of the solution onto a workpiece or for oxidizing the base material.
- (20) EMISSION LIMITATION means the concentration of total chromium allowed to be emitted expressed in milligrams per dry standard cubic meter (mg/dscm), or the allowable surface tension expressed in dynes per centimeter (dynes/cm) for decorative chromium electroplating and chromic acid anodizing tanks; and the milligrams of hexavalent chromium per ampere-hour (mg/amp-hr) of electrical current applied to the electroplating tank for hard or decorative chromium electroplating tanks or chromic acid anodizing tanks, or mass emission rate for a Tier II or Tier III hexavalent chromium tank.
- (21) ENCLOSED STORAGE AREA is any space or structure used to contain material that prevents its contents from being emitted into the atmosphere.

- (22) ENCLOSURE OPENING is any permanent opening that is designed to be part of a building enclosure or permanent total enclosure, such as passages, doorways, bay doors, vents, roof openings, and windows. The term excludes openings that are designed to accommodate and generally conform to a stack or duct for a building enclosure or permanent total enclosure.
- (c) (23) EXISTING FACILITY means a facility that is in operation before October 24, 2007.
- (24) FACILITY means a source 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. Sources or installations involved in crude oil and gas production in Southern California Coastal or OCS Waters and transport of such crude oil and gas in Southern California Coastal or OCS Waters shall be included in the same facility which is under the same ownership or use entitlement as the crude oil and gas production facility on-shore.
- (25) FIBER-BED MIST ELIMINATOR means an add-on air pollution control device that removes contaminants from a gas stream through the mechanisms of inertial impaction and Brownian diffusion. This device consists of one or more fiber beds and is typically installed downstream of another control device, which serves to prevent plugging. Each bed consists of a hollow cylinder formed from two concentric screens; the fiber between the screens may be fabricated from glass, ceramic, plastic, or metal.
- (26) FOAM BLANKET means the type of chemical fume suppressant that generates a layer of foam across the surface of a solution when current is applied to that solution.
- (27) FRESH WATER means water, such as tap water, that has not been previously used in a process operation or, if the water has been recycled from a process operation, it has been treated and meets the effluent guidelines for chromium wastewater.
- (28) FUGITIVE EMISSIONS means emissions generated from the operations at a facility, including solid particulate matter, gas, or mist, potentially

containing hexavalent chromium that becomes airborne by natural or man-made activities, excluding particulate matter emitted from an exhaust stack.

- (c) (29) **HARD CHROMIUM ELECTROPLATING** or **INDUSTRIAL CHROMIUM ELECTROPLATING** means a process by which a thick layer of chromium (typically greater than 1.0 microns) is electrodeposited on a base material to provide a surface with functional properties such as wear resistance, a low coefficient of friction, hardness, and corrosion resistance. In this process, the part serves as the cathode in the electrolytic cell and the solution serves as the electrolyte. Hard chromium electroplating process is performed at current densities typically ranging from 1,600 to 6,500 A/m² for total electroplating times ranging from 20 minutes to 36 hours depending upon the desired plate thickness.
- (30) **HEXAVALENT CHROMIUM** means the form of chromium in a valence state of +6.
- (31) **HIGH EFFICIENCY PARTICULATE ARRESTORS (HEPA)** means filter(s) that are individually ~~diethyl phthalate~~-tested and certified by the manufacturer to have a control efficiency of not less than 99.97 percent on 0.3 micron particles.
- (32) **HEPA VACUUM** means a vacuum that is both designed for the use of and fitted with a HEPA filter.
- (33) **LEAK** means the release of chromium emissions from any opening in the emission collection system prior to exiting the emission control device.
- (34) **LOW PRESSURE SPRAY NOZZLE** means a water spray nozzle capable of regulating water pressure to 35 pounds per square inch or less.
- (35) **MAJOR SOURCE** means any stationary source or group of stationary sources located within a contiguous area and under common control that emits, or has the potential to emit, considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants.
- (36) **MAXIMUM CUMULATIVE POTENTIAL RECTIFIER CAPACITY** means the summation of the total installed rectifier capacity associated with the hard chromium electroplating tanks at a facility, expressed in amperes, multiplied by the maximum potential operating schedule of 8,400 hours per year and 0.7, which assumes that electrodes are energized 70 percent of the total operating time. The maximum potential operating schedule is based on operating 24 hours per day, 7 days per week, 50 weeks per year.

- (c) (37) MECHANICAL FUME SUPPRESSANT means any physical device, including but not limited to polyballs that reduces fumes or mist at the surfaces of an electroplating or anodizing bath by direct contact with the surface of the bath.
- (38) METAL REMOVAL FLUID means a fluid used at the tool and workpiece interface to facilitate the removal of metal from the part, cool the part and tool, extend the life of the tool, and to flush away metal chips and debris, but does not include minimum quantity lubrication fluids used to coat the tool work piece interface with a thin film of lubricant and minimize heat buildup through friction reduction. Minimum quantity lubrication fluids are applied by pre-coating the tool in the lubricant, or by direct application at the tool work piece interface with a fine mist.
- (39) MODIFICATION means either:
- (A) Any physical change in, change in method of operation of, or addition to an existing permit unit subject to this rule that requires an application for a SCAQMD Permit to Construct and/or Operate and results in an increase in hexavalent chromium emissions. Routine maintenance and/or repair shall not be considered a physical change. A change in the method of operation of equipment, unless previously limited by an enforceable permit condition, shall not include:
- (i) An increase in the production rate or annual ampere-hours, unless such increases will cause the maximum design capacity of the equipment to be exceeded, or will cause a facility to be subject to a different requirement in Table 1 – Hexavalent Chromium Emission Limits for Hexavalent Hard and Decorative Chromium Electroplating and Chromic Acid Anodizing Tanks; or
- (ii) An increase in the hours of operation; or
- (iii) A change in ownership of a source;
- (B) The addition of any new chromium electroplating or anodizing tank at an existing facility which increases hexavalent chromium emissions; or
- (C) The fixed capital cost of the replacement of components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable new source.

- (c) (40) MODIFIED FACILITY means any existing facility which has undergone a modification on or after October 24, 2007.
- (41) NEW FACILITY means any facility that begins initial operations on or after October 24, 2007. “New Facility” does not include the installation of a new chromium electroplating or chromic acid anodizing tank at an existing facility or the modification of an existing facility.
- (42) OPERATING PARAMETER VALUE means a minimum or maximum value established to monitor the proper operation of an air pollution control technique.
- (43) PACKED-BED SCRUBBER means an add-on air pollution control device consisting of a single or double packed-bed that contains packing media on which the chromic acid droplets impinge. The packed-bed section of the scrubber is followed by a mist eliminator to remove any water entrained from the packed-bed section.
- (44) PERFLUOROOCCTANE SULFONIC ACID (PFOS) BASED FUME SUPPRESSANT means a fume suppressant that contains 1 percent or greater PFOS (CAS No. 1763-23-1) by weight.
- (45) PERMANENT TOTAL ENCLOSURE means a permanent building or containment structure, enclosed with a floor, walls, and a roof to prevent exposure to the elements, (e.g., precipitation, wind, run-off) that has limited openings to allow access for people and vehicles, that is free of breaks or deterioration that could cause or result in fugitive emissions, and has been evaluated to meet the design requirements set forth in U.S. EPA Method 204, or other design approved by the Executive Officer.
- (46) RESPONSIBLE OFFICIAL means one of the following:
- (A) For a corporation: A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities and either:
- (i) The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars); or

- (c) (46) (A) (ii) The delegation of authority to such representative is approved in advance by the U.S. EPA Administrator.
 - (B) For a partnership or sole proprietorship: a general partner or the proprietor, respectively.
 - (C) For a municipality, state, Federal, or other public agency: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of the U.S. EPA).
 - (D) For sources (as defined in this rule) applying for or subject to a Title V permit: “responsible official” shall have the same meaning as defined in SCAQMD’s Regulation XXX.
- (47) SCHOOL means any public or private school, including juvenile detention facilities with classrooms, used for the education of more than 12 children at the school in kindergarten through grade 12. School also means an Early Learning and Developmental Program by the U.S. Department of Education or any state or local early learning and development programs such as pre-schools, Early Head Start, Head Start, First Five, and Child Development Centers. A school does not include any private school in which education is primarily conducted in private homes. The term includes any building or structure, playground, athletic field, or other area of school property.
- (48) SCHOOL UNDER CONSTRUCTION means any property that meets any of the following conditions:
- (A) Construction of a school has commenced; or
 - (B) A California Environmental Quality Act Notice for the construction of a school has been issued; or
 - (C) A school has been identified in an approved local government specific plan.
- (49) SENSITIVE RECEPTOR means any residence including private homes, condominiums, apartments, and living quarters; education resources such as preschools and kindergarten through grade twelve (k-12) schools; daycare centers; and health care facilities such as hospitals or retirement and nursing homes. A sensitive receptor includes long term care hospitals, hospices, prisons, and dormitories or similar live-in housing.

- (c) (50) SOURCE means any chromium electroplating or chromic acid anodizing operation and any equipment or materials associated with the air pollution control technique.
- (51) STALAGMOMETER means a device used to measure the surface tension of a solution by determining the mass of a drop of liquid by weighing a known number of drops, or by counting the number of drops obtained from a given volume of liquid.
- (52) SUBSTANTIAL USE of a SCAQMD Permit to Construct means one or more of the following:
 - (A) The equipment that constitutes the source has been purchased or acquired;
 - (B) Construction activities, other than grading or installation of utilities or foundations, have begun and are continuing; or
 - (C) A contract to complete construction of the source within one year has been entered into.
- (53) SURFACE TENSION means the property, due to molecular forces, that exists in the surface film of all liquids and tends to prevent liquid from spreading.
- (54) TANK OPERATION means the time in which current and/or voltage is being applied to a chromium electroplating tank or a chromic acid anodizing tank.
- (55) TANK PROCESS AREA means the area in the facility within 15 feet of any Tier I, Tier II, or Tier III Hexavalent Chromium Tank(s), or to the nearest wall of a building enclosure or permanent total enclosure, whichever is closer.
- (56) TENSIO METER means a device used to measure the surface tension of a solution by measuring the force necessary to pull a filament, plate, ring, or other SCAQMD approved object from the surface of a liquid.
- (57) TIER I HEXA VALENT CHROMIUM TANK means a tank permitted as containing a hexavalent chromium concentration of 1,000 parts per million (ppm) or greater and is not a Tier II or Tier III Hexavalent Chromium Tank.
- (58) TIER II HEXA VALENT CHROMIUM TANK means a tank that is operated or permitted to operate by the SCAQMD within the range of temperatures and corresponding hexavalent chromium concentrations specified in Appendix 10 and is not a Tier III Hexavalent Chromium Tank.

- (c) (59) TIER III HEXAVALENT CHROMIUM TANK means a tank that meets any of the following:
- (A) Is operated or permitted to operate by SCAQMD -within the range of temperatures and corresponding hexavalent chromium concentrations specified in Appendix 10; or
 - (B) Contains a hexavalent chromium concentration greater than 1,000 ppm, and uses air sparging as an agitation method or is electrolytic; or
 - (C) Is a hexavalent chromium electroplating or chromic acid anodizing tank.
- (60) TRIVALENT CHROMIUM means the form of chromium in a valence state of +3.
- (61) TRIVALENT CHROMIUM PROCESS means the process used for electrodeposition of a thin layer of chromium onto a base material using a trivalent chromium solution instead of a chromic acid solution.
- (62) WEEKLY means at least once every seven calendar days.
- (63) WETTING AGENT means the type of chemical fume suppressant that reduces the surface tension of a liquid.
- (d) Requirements
- The owner or operator of a facility shall:
- (1) Equip each rectified tank with a continuous recording, non-resettable, ampere-hour meter that operates on the electrical power lines connected to the tank or group of tanks. A separate meter shall be hard wired for each tank;
 - (2) Only use wetting agent chemical fume suppressants certified pursuant to subdivision (l) in hexavalent chromium electroplating or chromic acid anodizing tank(s);
 - (3) Not air sparge a hexavalent chromium electroplating or chromic acid anodizing tank when electroplating or anodizing is not occurring, or while chromic acid is being added;
 - (4) Operate any Tier I, Tier II, or Tier III Hexavalent Chromium Tank within a building enclosure beginning January 31, 2019; and
 - (5) Operate any Tier II or Tier III Hexavalent Chromium Tank within a building enclosure that meets the requirements of subdivision (e).

- (d) (6) Operate any Tier I Hexavalent Chromium Tank within a building enclosure, according to the implementation schedule in Appendix 11 – Implementation Schedule, such that the following are met:
- (A) The building enclosure openings that are open to the exterior and on opposite ends of the building enclosure shall not be simultaneously open except during the passage of vehicles, equipment, or people by using one or more of the following at one of the openings to prevent the passage of air:
- (i) A door that automatically closes;
 - (ii) Overlapping plastic strip curtain;
 - (iii) A vestibule;
 - (iv) An airlock system;
 - (v) A barrier or obstruction, such as a large piece of equipment that prevents air from passing through any tank process area; or
 - (vi) An alternative method to minimize the release of fugitive emissions from the building enclosure that is approved by the Executive Officer.
- (B) Except during the movement of vehicles, equipment, or people, close any building enclosure opening by using one or more of the methods listed in clauses (d)(6)(A)(i) through (d)(6)(A)(iv) and (d)(6)(A)(vi) that directly faces and opens towards the nearest:
- (i) Sensitive receptor, with the exception of a school, that is located within 1,000 feet, as measured from the property line of the sensitive receptor to the building enclosure opening; and
 - (ii) School that is located within 1,000 feet, as measured from the property line of the school to the building enclosure opening.
- (e) Requirements for Building Enclosures for Tier II and Tier III Hexavalent Chromium Tanks
- Beginning May 1, 2019, the owner or operator of a facility shall operate Tier II or Tier III Hexavalent Chromium Tank(s) within a building enclosure that meets the following requirements:
- (1) The combined area of all enclosure openings shall not exceed 3.5% of the building enclosure envelope, which is calculated as the total surface area of the building enclosure’s exterior walls, floor, and horizontal projection of the roof on the ground. Information on calculations for the building enclosure

envelope, including locations and dimensions of openings that are counted towards the applicable building envelope allowance, shall be provided in the compliance status reports required in paragraphs (p)(2) and (p)(3). Openings that close or use one or more of the following methods for the enclosure opening shall not be counted toward the combined area of all enclosure openings:

- (e) (1) (A) Door that automatically closes; or
 - (B) Overlapping plastic strip curtain; or
 - (C) Vestibule; or
 - (D) Airlock system; or
 - (E) Alternative method to minimize the release of fugitive emissions from the building enclosure that the owner or operator of a facility can demonstrate to the Executive Officer is an equivalent or more effective method(s) to minimize the movement of air within the building enclosure.
- (2) Ensure that any building enclosure openings that open to the exterior and are on opposite ends of the building enclosure where air can pass through are not simultaneously open except during the passage of vehicles, equipment or people, not to exceed two hours per operating day, by using one or more of the following:
- (A) A method specified in subparagraphs (e)(1)(A) through (e)(1)(E) for the enclosure opening(s) on one of the opposite ends of the building enclosure; or
 - (B) Utilize a barrier, such as large piece of equipment that restricts air from moving through the building enclosure.
- (3) Except for the movement of vehicles, equipment or people, close any building enclosure opening or use any of the methods listed in subparagraphs (e)(1)(A) through (e)(1)(E), that directly faces and opens towards the nearest:
- (A) Sensitive receptor, with the exception of a school, that is located within 1,000 feet, as measured from the property line of the sensitive receptor to the building enclosure opening; and
 - (B) School that is located within 1,000 feet, as measured from the property line of the school to the building enclosure opening.
- (e) (4) Close all enclosure openings in the roof that are located within 15 feet from the edge of any Tier II or Tier III Hexavalent Chromium Tank except enclosure openings in the roof that:

- (A) Allow access for equipment or parts; or
 - (B) Provide intake or circulation air for a building enclosure and does not create air velocities that impact the collection efficiency of a ventilation system for an add-on air pollution control device; or
 - (C) Are equipped with a HEPA filter or other air pollution control device.
- (5) Repair any breach in a building enclosure located within 15 feet from the edge of any Tier II or Tier III Hexavalent Chromium Tank within 72 hours of discovery. The owner or operator of a facility may request an extension by calling 1-800-CUT-SMOG. The Executive Officer may approve a request for an extension beyond the 72-hour limit if the request is submitted before the 72-hour time limit has expired and the owner or operator of a facility provides information that substantiates:
- (A) The repair will take longer than 72 hours, or the equipment, parts, or materials needed for the repair cannot be obtained within 72 hours; and
 - (B) Temporary measures are implemented that ensure no fugitive emissions result from a breach.
- (6) The owner or operator of a facility shall notify the Executive Officer if any of the requirements specified in paragraphs (e)(1) through (e)(4) cannot be complied with due to conflicting requirements set forth by the federal Occupational Safety and Health Administration (OSHA), California Division of Occupational Safety and Health (CAL-OSHA), or other municipal codes or agency requirements directly related to worker safety. A Building Enclosure Compliance Plan shall be submitted to the Executive Officer for review and approval no later than December 2, 2018 for facilities existing before November 2, 2018, and prior to initial start-up for all other facilities. The Building Enclosure Compliance Plan shall be subject to plan fees specified in Rule 306 and include:
- (A) An explanation as to why the provision(s) specified in paragraphs (e)(1) through (e)(4) is in conflict with the requirements set forth by OSHA or CAL-OSHA, or other municipal codes or agency requirements directly related to worker safety; and
 - (B) Alternative compliance measure(s) that will be implemented to minimize the release of fugitive emissions to the outside of the building enclosure.
- (7) The Executive Officer shall notify the owner or operator of a facility in writing whether the Building Enclosure Compliance Plan is approved or disapproved.

- (A) If the Building Enclosure Compliance Plan is disapproved, the owner or operator of a facility shall submit a revised Building Enclosure Compliance Plan within 30 calendar days after notification of disapproval of the Building Enclosure Compliance Plan. The revised Building Enclosure Compliance Plan shall include any information to address deficiencies identified in the disapproval letter.
 - (B) The Executive Officer will either approve the revised Building Enclosure Compliance Plan or modify the Building Enclosure Compliance Plan and approve it as modified. The owner or operator may appeal the Building Enclosure Compliance Plan modified by the Executive Officer to the Hearing Board pursuant to Rule 216 – Appeals and Rule 221 – Plans.
- (8) The owner or operator of a facility shall implement the Building Enclosure Compliance Plan specified in paragraphs (e)(6) and (e)(7), as approved by the Executive Officer, no later than 90 days after receiving notification of approval for facilities existing before November 2, 2018, and prior to initial start-up for all other facilities. Compliance with the approved alternative compliance measures shall constitute compliance with the applicable provisions of paragraphs (e)(1) through (e)(4).
- (9) The owner or operator of a facility that has applied for an SCAQMD permit to install or is required to install an add-on air pollution control device to control either a Tier II or Tier III Hexavalent Chromium Tank(s) shall be exempt from paragraphs (e)(1) and (e)(4) until the add-on air pollution control device has been installed and commenced normal operation.
- (f) Housekeeping Requirements
An owner or operator of a chromium electroplating or chromic acid anodizing facility shall:
- (f) (1) Store chromic acid powder or flakes, or other substances that may contain hexavalent chromium, in a closed container in an enclosed storage area when not in use;
 - (2) Use a closed container when transporting chromic acid powder or flakes, or other substances that may contain hexavalent chromium from an enclosed storage area to ~~chromium electroplating or chromic acid anodizing tanks~~ a Tier I, Tier II, or Tier III Hexavalent Chromium Tank;

- (3) Clean, using an approved cleaning method, or contain, using a drip tray or other containment device, any liquid or solid material that may contain hexavalent chromium that is spilled immediately and no later than one hour after being spilled;
- (4) Clean, using an approved cleaning method, surfaces within the enclosed storage area, open floor area, walkways around ~~the chromium electroplating or chromic acid anodizing tank(s)~~a Tier I, Tier II, or Tier III Hexavalent Chromium Tank, or any surface potentially contaminated with hexavalent chromium or surfaces that potentially accumulate dust weekly;
- (5) Store, dispose of, recover, or recycle chromium or chromium-containing wastes generated from housekeeping activities of this subdivision using practices that do not lead to fugitive emissions. Containers with chromium-containing waste material shall be kept closed at all times except when being filled or emptied;
- (6) Beginning December 2, 2018, use an approved cleaning method to clean floors within 20 feet of a buffing, grinding, or polishing workstation on days when buffing, grinding, or polishing are conducted; and
- (7) Beginning December 2, 2018, eliminate all flooring on walkways in the tank process areas that is made of fabric, such as carpets or rugs, where hexavalent chromium containing materials can become trapped.
- (8) Abatement of Hexavalent Chromium Prior to Cutting of Roof Surfaces
The owner or operator a facility shall:
 - (A) Clean affected surface areas using a HEPA vacuum prior to cutting into a building enclosure roof;
 - (B) Minimize fugitive emissions during cutting activities using method(s) such as a temporary enclosure and/or HEPA vacuuming; and
- (f) (8) (C) Notify the Executive Officer at least 48 hours prior to the commencement of any roof cutting activities into a building enclosure by calling 1-800-CUT-SMOG.
- (9) Ensure that if a HEPA vacuum is used, that the HEPA filter is free of tears, fractures, holes or other types of damage, and securely latched and properly situated in the vacuum to prevent air leakage from the filtration system.
- (10) According to the implementation schedule in Appendix 11 – Implementation Schedule, store in a closed container or in an enclosed storage area:
 - (A) Cleaning equipment and supplies used for housekeeping in subdivision
 - (f) when not in use;

- (B) Reusable tank covers used with a Tier I, Tier II, or Tier III Hexavalent Chromium Tank when not on the tank;
 - (C) Reusable hangers used with a Tier I, Tier II, or Tier III Hexavalent Chromium Tank when not being used to hold a part; and
 - (D) Anodes and cathodes used with a Tier I, Tier II, or Tier III Hexavalent Chromium Tank when not in the tank.
- (g) Best Management Practices
- (1) The owner or operator of a facility shall minimize dragout from a ~~chromium electroplating or chromic acid anodizing tank~~Tier I, Tier II, or Tier III Hexavalent Chromium Tank, according to the implementation schedule in Appendix 11 – Implementation Schedule, for:
 - (A) An automated line by installing a drip tray, or other containment device between ~~the chromium electroplating or chromic acid anodizing tank~~a Tier I, Tier II, or Tier III Hexavalent Chromium Tank such that liquid does not fall through the space between tanks. The trays shall capture and return the liquid to the tank(s), and be cleaned such that there is no accumulation of visible dust or residue on the drip tray or other containment device potentially contaminated with hexavalent chromium.
 - (B) A non-automated line by handling each ~~electroplated or anodized part,~~ or equipment used to handle these parts, so that liquid containing chromium or chromic acid is not dripped outside ~~the chromium electroplating, chromic acid anodizing tank~~a Tier I, Tier II, or Tier III Hexavalent Chromium Tank, or associated process tank, unless the liquid is captured by a drip tray or other containment device. Facilities spraying down parts over the chromium electroplating or chromic acid anodizing tank(s) to remove excess chromic acid shall have a splash guard installed at the tank to minimize overspray and to ensure that any hexavalent chromium laden liquid is captured and returned to the chromium electroplating or chromic acid anodizing tank. Splash guards shall be cleaned such that there is no accumulation of visible dust potentially contaminated with hexavalent chromium.
 - (g) (2) According to the implementation schedule in Appendix 11 – Implementation Schedule,~~Beginning January 31, 2019,~~ the owner or operator of a facility that conducts chromium electroplating or chromic acid anodizing operations shall

not spray rinse parts or equipment that were previously in a Tier I, Tier II, or Tier III Hexavalent Chromium Tank, unless the parts or equipment are fully lowered inside a tank where the liquid is captured inside the tank. The owner or operator of a facility may alternatively ensure that any liquid containing chromium is captured and returned to the tank by meeting the following conditions when rinsing above a tank:

- (A) Installing a splash guard(s) at the tank that is free of holes, tears, or openings. Splash guards shall be cleaned weekly with water; or
 - (B) For tanks located within a process line utilizing an overhead crane system that would be restricted by the installation of splash guards specified in subparagraph (g)(2)(A), use a low pressure spray nozzle in a manner where water flows off of the part or equipment and into the tank.
- (3) Beginning January 1, 2019, the owner or operator of a facility shall maintain clear labeling of each tank within the tank process area with a tank number or other identifier, SCAQMD permit number, bath contents, maximum concentration (ppm) of hexavalent chromium, operating temperature range, any agitation methods used, and designation of whether it is a Tier I, Tier II, or Tier III Hexavalent Chromium Tank, if applicable.
- (4) Beginning January 31, 2019, the owner or operator of a facility shall conduct all buffing, grinding, and polishing operations within a building enclosure.
- (5) According to the implementation schedule in Appendix 11 – Implementation Schedule~~Beginning January 31, 2019~~, the owner or operator of a facility shall install a barrier to prevent the migration of dust from buffing, grinding, or polishing areas to ~~the chromium electroplating or chromic acid anodizing operations~~ a Tier I, Tier II, or Tier III Hexavalent Chromium Tank.
- (g) (6) The owner or operator of a facility shall not conduct compressed air cleaning or drying operations within 15 feet of any Tier II or Tier III Hexavalent Chromium Tank(s) unless:
- (A) A barrier separates the compressed air cleaning or drying operation from the Tier II or Tier III Hexavalent Chromium Tank(s). A tank wall may function as the barrier provided the parts being air cleaned or dried are below the lip of the tank; or
 - (B) Compressed air cleaning or drying operations are conducted in a permanent total enclosure.

- (h) Air Pollution Control Technique Requirements
 - (1) The owner or operator of a facility shall not remove or render inoperable add-on air pollution control device(s) for hard or decorative chromium electroplating or chromic acid anodizing tanks unless it is replaced by air pollution control techniques meeting the requirements in Table 1 - Hexavalent Chromium Emission Limits for Hexavalent Hard and Decorative Chromium Electroplating and Chromic Acid Anodizing Tanks, or the facility is operating under an approved alternative compliance method pursuant to subdivision (i).
 - (2) Emission Standards for Hexavalent Hard and Decorative Chromium Electroplating and Chromic Acid Anodizing Facilities
 - (A) The owner or operator of a facility shall control hexavalent chromium emissions discharged to the atmosphere by meeting the requirements identified below in Table 1 - Hexavalent Chromium Emission Limits for Hard and Decorative Chromium Electroplating and Chromic Acid Anodizing Tanks. Alternatively, a facility can choose to comply by operating under an approved alternative compliance method pursuant to subdivision (i).

Table 1: Hexavalent Chromium Emission Limits for Hard and Decorative Chromium Electroplating and Chromic Acid Anodizing Tanks

Facility Type	Distance to Sensitive Receptor (feet)	Annual Permitted Amp-Hrs	Hexavalent Chromium Emission Limit (mg/amp-hr)	Minimum Air Pollution Control Technique
Existing Facility	$\leq 330^1$	$\leq 20,000$	0.01	Use of Certified Chemical Fume Suppressant at or below the certified surface tension. ³
Existing Facility	$\leq 330^1$	$> 20,000$	0.0015^2	Add-on air pollution control device(s) or add-on non-ventilated air pollution control device(s).
Existing Facility	$> 330^1$	$\leq 50,000$	0.01	Use of Certified Chemical Fume Suppressant at or below the certified surface tension. ³
Existing Facility	$> 330^1$	$> 50,000$ and $\leq 500,000$	0.0015^2	Use of an air pollution control technique that controls hexavalent chromium.
Existing Facility	$> 330^1$	$> 500,000$	0.0015^2	Add-on air pollution control device(s) or add-on non-ventilated air pollution control device(s).
Modified Facility	Any	Any	0.0015^2	Using an add-on air pollution control device(s), or an approved alternative method pursuant to subdivision (i).
New Facility	Any	Any	0.0011^2	Using a HEPA add-on air pollution control device, or an approved alternative method pursuant to subdivision (i).

¹ Distance shall be measured, rounded to the nearest foot, from the edge of the chromium electroplating or chromic acid anodizing tank nearest the sensitive receptor (for facilities without add-on air pollution control devices), or from the stack or centroid of stacks (for facilities with add-on air pollution control devices), to the property line of the nearest sensitive receptor. The symbol \leq means less than or equal to. The symbol $>$ means greater than.

² As demonstrated by source test requirements under subdivision (k).

³ Alternatively, a facility may install an add-on air pollution control device(s) or add-on non-ventilated air pollution control device(s) that controls hexavalent chromium emissions to below 0.0015 mg/amp-hr as demonstrated through source test requirements under subdivision (k).

- (h) (2) (B) The owner or operator of a new facility shall:
- (i) Demonstrate in its SCAQMD permit application that the new facility is not located in an area that is zoned for residential or mixed use; and
 - (ii) Demonstrate in its SCAQMD permit application that the new facility is not located within 1,000 feet from the boundary of a sensitive receptor, a school under construction, or any area that is zoned for residential or mixed use.

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- (h) (2) (C) A new facility shall be deemed to meet the requirements specified in clauses (h)(2)(B)(i) and (h)(2)(B)(ii) if one of the following criteria is met, even if the facility does not meet the requirement at the time of initial start-up:
 - (i) The requirements specified in clauses (h)(2)(B)(i) and (h)(2)(B)(ii) are met at the time an SCAQMD Permit to Construct is issued, and substantial use of the SCAQMD Permit to Construct takes place within one year after it is issued; or
 - (ii) The requirements specified in clauses (h)(2)(B)(i) and (h)(2)(B)(ii) are met at the time an SCAQMD Permit to Construct is issued, and substantial use of the SCAQMD Permit to Construct occurs before any zoning change that affects the operation's ability to meet the requirement at the time of initial start-up.
- (D) Prior to initial start-up, the owner or operator of a new facility shall meet the requirements specified in paragraph (h)(2).
- (3) Decorative Chromium Electroplating Tanks Using a Trivalent Chromium Bath During tank operation, the owner or operator of a facility shall control chromium emissions discharged to the atmosphere by meeting one or more of the requirements identified below.

Method of compliance	Requirement
Add-on air pollution control device, or chemical fume suppressants forming a foam blanket, or mechanical fume suppressants (e.g. polyballs)	≤ 0.01 milligrams of total chromium per dry standard cubic meter of air (mg/dscm) (4.4x10 ⁻⁶ gr/dscf) as demonstrated with an initial source test using an approved method pursuant to paragraph (k)(2)
Chemical fume suppressants containing a wetting agent that is not a PFOS based fume suppressant	Use wetting agent as bath component and comply with recordkeeping and reporting provisions of paragraphs (o)(10) and (p)(5)

- (h) (4) Tier III Hexavalent Chromium Tanks (Excluding Chromium Electroplating and Chromic Acid Anodizing Tanks)
 - (A) The owner or operator of a facility shall collect and vent hexavalent chromium emissions from any Tier III Hexavalent Chromium Tank,

excluding chromium electroplating and chromic acid anodizing tanks subject to paragraph (h)(2), to an add-on air pollution control device, or an approved alternative compliance method pursuant to subdivision (i), that meets the following hexavalent chromium emission limits as demonstrated by source test requirements under subdivision (k):

- (i) 0.0015 mg/amp-hr, for existing or modified facilities, if any tank(s) vented to an air pollution control device are electrolytic;
- (ii) 0.0011 mg/amp-hr, for new facilities, if any tank(s) vented to an air pollution control device are electrolytic;
- (iii) 0.20 mg/hr, if all tanks vented to the add-on air pollution control device are not electrolytic and the ventilation system has a maximum exhaust rate of 5,000 cfm or less; or
- (iv) 0.004 mg/hr-ft², with the applicable surface area based on the surface area of all Tier III Hexavalent Chromium Tank(s) and other tanks required to be vented to an add-on air pollution control device with a SCAQMD Permit to Operate, provided all tanks are not electrolytic, if the ventilation system has a maximum exhaust rate of greater than 5,000 cfm.

(B) For Tier III Hexavalent Chromium Tanks specified in subparagraph (h)(4)(A) existing prior to November 2, 2018, the owner or operator of a facility shall submit complete SCAQMD permit applications for add-on air pollution control devices to the Executive Officer as specified below:

Table 2: Permit Submittal Schedule for Add-on Air Pollution Control Devices for Previously Existing Tier III Hexavalent Chromium Tanks¹

Electrolytic Process at the Facility	Compliance Date for SCAQMD Permit Application Submittal for Add-on Air Pollution Control Device
Chromic Acid Anodizing	May 1, 2019
Hard Chromium Electroplating	November 2, 2019
Decorative Chromium Electroplating	April 30, 2020

¹ For multiple electrolytic processes at a facility, the owner or operator shall comply with the earliest compliance date.

(h) (4) (B) (i) The owner or operator of a facility shall conduct a source test prior to the issuance of a SCAQMD Permit to Operate.

- (ii) Beginning no later than December 2, 2018 until the add-on air pollution control device specified in subparagraph (h)(4)(C) has been installed, cover the tank no later than 30 minutes after ceasing operation of the tank. Tank covers shall be free of holes, tears, and gaps.
 - (C) The owner or operator of a facility shall:
 - (i) Install an add-on air pollution control device to meet the requirements under subparagraph (h)(4)(A) no later than 12 months after a Permit to Construct for the add-on air pollution control device has been issued by the Executive Officer;
 - (ii) Implement the alternative compliance method to meet the requirements under subparagraph (h)(4)(A) based on the timeframe specified in the approved alternative compliance method; or
 - (iii) No later than two years after approval, implement an approved Hexavalent Chromium Phase-Out Plan pursuant to subdivision (u).
 - (D) The owner or operator of a facility shall not be subject to the requirement of subparagraph (h)(4)(A) to vent a Tier III Hexavalent Chromium Tank to an add-on air pollution control device if the uncontrolled hexavalent chromium emission rate of the tank is less than 0.2 mg/hr, as demonstrated by a SCAQMD approved source test. The source test shall be conducted pursuant to the Technical Guidance Document for *Measurement of Hexavalent Chromium Emissions from Chromium Plating and Chromic Acid Anodizing Operations for Certification of Wetting Agent Chemical Mist Suppressant Subject to SCAQMD Rule 1469*.
- (h) (5) Tier II Hexavalent Chromium Tank
- The owner or operator of a facility shall control hexavalent chromium emissions from a Tier II Hexavalent Chromium Tank by:
- (A) Utilizing a tank cover, mechanical fume suppressant, or other method approved by the Executive Officer, no later than January 31, 2019; or
 - (B) Meeting the requirements for a Tier III Hexavalent Chromium Tank specified in subparagraphs (h)(4)(A) and (h)(4)(B).
- (6) Ventilation Design and Operation of Air Pollution Control Techniques

The owner or operator of a facility shall operate air pollution control techniques required under subdivisions (h) at or above the applicable minimum hood induced capture velocity specified in the most current edition (i.e., at the time the SCAQMD permit application was deemed complete by SCAQMD) of *Industrial Ventilation, A Manual of Recommended Practice for Design*, published by the American Conference of Governmental Industrial Hygienists.

- (i) Alternative Compliance Methods for Existing, Modified, and New Hexavalent Decorative and Hard Chromium Electroplating and Chromic Acid Anodizing Facilities

The owner or operator of a facility that elects to submit an alternative compliance method to meet the emission limits specified in paragraphs (h)(2) and (h)(4) shall:

- (1) Submit an SCAQMD permit application that includes the information contained in Appendix 7 to the Executive Officer; and
- (2) Demonstrate that the alternative method is enforceable, provides an equal, or greater hexavalent chromium emission reduction, and provides an equal, or greater risk reduction than compliance with the emission limits specified in paragraphs (h)(2) and (h)(4) .

- (j) Training and Certification

- (1) Chromium electroplating and chromic acid anodizing personnel responsible for environmental compliance, maintaining electroplating bath chemistries, and testing and recording electroplating bath surface tension data shall complete a SCAQMD approved training program every two years and receive a certification issued by the Executive Officer. For new facilities, initial training must be completed within a period not to exceed two years from start-up.

- (j) (2) Only persons who have completed a SCAQMD approved training program and have received a certification issued by the Executive Officer shall be responsible for recordkeeping associated with environmental compliance, maintaining electroplating bath chemistries, and testing and recording electroplating bath surface tension data.

- (3) Notwithstanding paragraph (j)(2), in the event that all persons who have completed a SCAQMD approved training program and received a certification issued by the Executive Officer leaves employment at a facility, the owner or operator of a facility may be responsible for recordkeeping associated with environmental compliance, maintaining electroplating bath chemistries, and

testing and recording electroplating bath surface tension data for a period not to exceed two years.

(k) Source Test Requirements and Test Methods

(1) Source Test Requirements

(A) The owner or operator of a facility required to meet an emission limit pursuant to paragraphs (h)(2) or (h)(4) shall conduct an initial source test and subsequent source tests pursuant to the schedule specified in Table 3 – Source Tests Schedule.

Table 3: Source Tests Schedule

Facility-wide Permitted Annual Ampere-Hours	Due Date of Initial Source Test Protocol^a	Initial Source Test Date	Due Date of Subsequent Source Test Protocol	Subsequent Source Tests
> 20,000,000	No later than May 1, 2019	No later than 120 days after approval of the initial source test protocol.	180 days prior to the due date of the subsequent source test.	No later than 60 months from the day of the most recent source test that demonstrates compliance with all applicable requirements
≤ 20,000,000 and > 1,000,000	No later than November 2, 2019			
≤ 1,000,000	No later than April 30, 2020			

^a New or modified air pollution control techniques used to meet the emission limits under paragraphs (h)(1), (h)(2), or (h)(4) permitted after November 2, 2018, shall submit the initial source test protocol 60 days after initial start-up of the air pollution control technique.

(k) (1) (B) The owner or operator of a facility may conduct the initial source test after the 120 days specified in Table 3 – Source Tests Schedule, provided:

- (i) A written request 30 days before the due date of the source test is submitted to the Executive Officer;
- (ii) The additional time needed is substantiated by reason(s) outside of their control; and
- (iii) The Executive Officer approves the request in writing no later than the due date of the source test.

(C) The owner or operator of a facility may use an existing source test

conducted after January 1, 2015 to demonstrate compliance with the initial source test requirements of subparagraph (k)(1)(A), provided:

- (i) The applicable emission limits in subdivision (h) are demonstrated;
 - (ii) The operating conditions during the source test are representative of the operating conditions as of November 2, 2018; and
 - (iii) Test methods specified in paragraph (k)(2) are used.
- (D) No later than December 2, 2018, an owner or operator of a facility using a source test pursuant to subparagraph (k)(1)(C) that has not been approved, shall submit the source test to the Executive Officer for approval.
- (k) (1) (E) An owner or operator of a facility that elects to use an existing source test pursuant to subparagraph (k)(1)(C), shall conduct the first subsequent source test no later than January 1, 2024 and conduct all other subsequent source tests pursuant to schedule in Table 3 - Source Tests Schedule.
- (F) An owner or operator of facility that elects to meet an emission limit specified in paragraph (h)(2) using only a certified wetting agent chemical fume suppressant or a certified alternative to a wetting agent chemical fume suppressant shall not be subject to the requirements of subparagraph (k)(1)(A).
- (2) Approved Test Methods
- (A) Emissions testing shall be conducted in accordance with one of the following test methods:
- (i) CARB Test Method 425, last amended July 28, 1997, (section 94135, Title 17, California Code of Regulations (CCR)); or
 - (ii) U.S. EPA Method 306, (40 CFR 63 Appendix A) with a minimum of three test runs; or
 - (iii) SCAQMD Method 205.1, for results reported as total chromium.
- (B) Emissions testing for add-on non-ventilated air pollution control devices shall be conducted in accordance with a Smoke Test for Add-on Non-Ventilated Air Pollution Control Device(s). (See Appendix 5).
- (C) Surface tension using a tensiometer shall be measured in accordance with U.S. EPA Method 306B (40 CFR 63 Appendix A). Surface tension using a stalagmometer shall be measured using the procedure set forth

in Appendix 9, or an alternative procedure approved by the Executive Officer.

- (3) Use of Emissions Screening Tests
 - (A) The owner or operator of a facility that elects to use an emissions screening test in lieu of a source test to comply with the subsequent source test requirements in Table 3 - Source Tests Schedule shall conduct an emissions screening test:
 - (k) (3) (A) (i) Consisting of one run to evaluate the hexavalent chromium emissions for a Tier II or Tier III Hexavalent Chromium Tank;
 - (ii) In accordance with a source test protocol approved by the Executive Officer; and
 - (iii) Representative of the operating conditions during the most recent source test.
 - (B) The owner or operator of a facility may conduct an emissions screening test in lieu of a source test to comply with the requirements for an initial source test in Table 3 — Source Tests Schedule provided:
 - (i) The emissions screening test meets the requirements of clauses (k)(3)(A)(i) through (iii);
 - (ii) The owner or operator of a facility conducted a source test after January 1, 2009 that meets the requirements of clauses (k)(1)(C)(i) through (iii); and
 - (iii) No later than December 2, 2018, an owner or operator of a facility using a source test that is not approved to satisfy clause (k)(3)(B)(ii) shall submit the source test to the Executive Officer for approval.
 - (C) Within 30 days of receiving the results, the owner or operator of a facility shall submit the results of the emissions screening test to the Executive Officer.
 - (D) The owner or operator of a facility shall conduct a source test using an approved test method specified under paragraph (k)(2) within 60 days of conducting an emissions screening test that:
 - (i) Failed the capture efficiency test(s) specified in the source test protocol;
 - (ii) Exceeded an emission limit specified in the SCAQMD Permit to Operate; or
 - (iii) Exceeded an emission standard specified in subdivision (h).

- (4) Source Test Protocol
 - (A) The source test protocol shall include the source test criteria, all assumptions, required data, and calculated targets for testing the following:
 - (i) Target chromium concentration;
 - (ii) Preliminary chromium analytical data; and
 - (iii) Planned sampling parameters.
 - (B) The most recent SCAQMD approved source test protocol may be used for subsequent source tests, provided there are no changes to the tank dimensions, collection slots, ventilation flow rate, sampling location(s), sampling method, or analytic method(s).
- (k) (4) (A) (5) Emission Points Test Requirements

Each emission point subject to the requirements of this rule shall be tested unless a waiver is granted by U.S. EPA and approved by the Executive Officer.
- (6) Capture Efficiency

The owner or operator of a facility that is required to conduct a source test pursuant to subdivision (k) shall demonstrate that each add on-air pollution control device meets the design criteria and ventilation velocities specified in *A Manual of Recommended Practice for Design* authored by the American Conference of Governmental Industrial Hygienists or alternative design criteria and ventilation velocities approved by the Executive Officer.
- (7) Smoke Test

The owner or operator of a facility shall conduct an acceptable smoke test for each add-on non-ventilated air pollution control device pursuant to Appendix 5 and each add-on air pollution control device pursuant to Appendix 8.
- (l) Certification and Approval of Wetting Agent Chemical Fume Suppressants
 - (1) The owner or operator of a facility shall not add PFOS based chemical fume suppressants to any chromium electroplating or chromic acid anodizing bath.
 - (2) The owner or operator of a facility that elects to use a wetting agent chemical fume suppressant to comply with the requirements of this rule shall only use a wetting agent chemical fume suppressant(s) that:
 - (A) Reduces or suppresses hexavalent chromium emissions at the surface of an electroplating or anodizing bath to meet an emission factor below 0.01 milligrams per ampere hour,

- (B) Meets a surface tension below 40 dynes/cm, as measured by a stalagmometer, or below 33 dynes/cm, as measured by a tensiometer, unless an alternative is approved pursuant to subdivision (q), and
 - (C) Has been certified by the Executive Officer based on a certification process conducted by SCAQMD and CARB.
- (1) (3) The owner or operator of a facility shall use a certified wetting agent chemical fume suppressant in accordance with the certification and applicable manufacturer's specifications.
- (4) No later than January 1, 2020, the owner or operator of a facility shall be notified by the Executive Officer the status of:
- (A) Any wetting agent chemical fume suppressant available on and after July 1, 2021 that meets the requirements specified in paragraphs (1)(2); and
 - (B) Any potential wetting agent chemical fume suppressant going through the certification process conducted by SCAQMD and CARB.
- (5) If a wetting agent chemical fume suppressant will not be available by July 1, 2021, the owner or operator of a facility shall only add a wetting agent chemical fume suppressant to a chromium electroplating or chromic acid anodizing tank based on the information in the notice as specified by paragraph (1)(4) and:
- (A) On or before July 1, 2021, meet the hexavalent chromium emission limit specified in Table 1 – Hexavalent Chromium Emission Limits for Hard and Decorative Chromium Electroplating and Chromic Acid Anodizing Tanks;
 - (B) On or before July 1, 2022, phase-out the use of hexavalent chromium in the chromium electroplating or chromic acid anodizing tanks that use a wetting agent chemical fume suppressant that meets the requirements of paragraph (1)(6); or
 - (C) On or before July 1, 2021 implement an alternative to a wetting agent chemical fume suppressant that meets the requirements of- paragraph (1)(7).
- (6) The owner or operator of a facility that elects to meet the requirements of paragraph (1)(5) by phasing out the use of hexavalent chromium in a chromium electroplating or chromic acid anodizing tank shall:
- (i) No later than January 1, 2021, submit a written and signed commitment to the Executive Officer stating that the facility will phase out by July 1, 2022, the use of hexavalent chromium in the electroplating or chromic

- acid anodizing tank(s) that use a wetting agent chemical fume suppressant.
- (1) (6) (ii) No later than July 1, 2022 cease operating and surrender SCAQMD permits to operate the chromium electroplating or chromic acid anodizing tank(s) that use a wetting agent chemical fume suppressant.
 - (7) The owner or operator of a facility that elects to meet the requirements of paragraph (1)(5) by implementing an alternative to a wetting agent chemical fume suppressant, shall submit a permit application for the chromium electroplating or chromic acid anodizing tank(s) that includes the alternative and any conditions specified in the approval of the alternative in paragraph (1)(8).
 - (8) The alternative to a wetting agent chemical fume suppressant specified in paragraph (1)(7) shall:
 - (A) Meet an emission limit that is equally effective as the emission limit required for a wetting agent chemical fume suppressant specified in subparagraph (1)(2)(A);
 - (B) Be approved by the Executive Officer in consultation with CARB to meet the requirement specified in subparagraph (1)(2)(A); and
 - (C) Be used by the owner or operator in accordance with the approval specified in subparagraph (1)(8)(B).
 - (9) An owner or operator of a facility that fails to phase out the use of hexavalent chromium by July 1, 2022 pursuant to paragraph (1)(6) will be required to cease operation of the electroplating or chromic acid anodizing tank that contains hexavalent chromium until the facility can meet the emission limits specified in paragraph (h)(2) for the subject tank.
- (m) Parameter Monitoring
- (1) Add-On Air Pollution Control Device(s) and Add-On Non Ventilated Air Pollution Control Device(s)
 - (A) Pressure and Air Flow
The owner or operator of a facility shall continuously monitor the operation of the add-on air pollution control device by:
 - (i) Installing and maintaining a device to measure the applicable pressures and air flows specified in Table 4 — Pressure and Air Flow Measurement Parameters;

- (ii) Installing each device so that it is accessible and in clear sight of the operation or maintenance personnel;
- (m) (1) (A) (iii) Maintaining all parameters identified in Table 4 — Pressure and Air Flow Measurement Parameters within the range specified in the facility’s SCAQMD Permit to Operate;
- (iv) Labeling each mechanical gauge with the corresponding acceptable operating ranges established during the most recent source test and within the range specified in the SCAQMD Permit to Operate; and
- (v) Maintaining the mechanical gauges in accordance to the requirements in Appendix 4.

Table 4: Pressure and Air Flow Measurement Parameters

Permitted Air Pollution Control Technique	Location	Parameter Monitored	Units	Monitoring Start Date
Push-Pull Systems	Push Manifold	Static Pressure	Inches of water	60 Days After Completion of Initial Source Test or within January 1, 2019
All	Collection Manifold or Any Location within the System Using a Flow Meter	Static Pressure or Volumetric Flow Rate	Inches of water or Actual Cubic Feet per Minute	60 Days After Completion of Initial Source Test or within January 1, 2019
Existing on or Before November 2, 2018	Across Each Stage of the Control Device	Differential Pressure	Inches of water	November 2, 2018
Installed after November 2, 2018	Across Each Stage of the Control Device	Differential Pressure	Inches of water	60 Days After Completion of Initial Source Test

(B) Velocity of Collection Slots

Beginning 60 days after the completion of the initial source test required in Table 3 – Source -Tests Schedule and at least once every 180 days thereafter, the owner or operator of a facility shall demonstrate that emissions are captured by the add-on air pollution control device that

meets the requirements in Table 5 – Add-on Air Pollution Control Device Parameter Monitoring using any of the following:

- (m) (1) (B) (i) A hot-wire anemometer;
- (ii) A vane anemometer; or
- (iii) A device or method approved by the Executive Officer.

Table 5: Add-on Air Pollution Control Device Parameter Monitoring

	Collection Slot(s) Velocity¹	Push Air Manifold Pressure (for push-pull systems only)	Required Action
Row 1: Acceptable Measurement	> 95% of the most recent passing source test or emission screening; or $\geq 2,000$ fpm	95-105% compared to the most recent passing source test or emission screening	None
Row 2: Repairable Measurement	90-95% of the most recent passing source test or emission screening test, or < 2,000 fpm and > 1,800 fpm	90-95% or 105-110% of the most recent passing source test or emission screening test	Repair or replace, and re-measure within 3 calendar days of measurement
Row 3: Failing Measurement	< 90% of the most recent passing source test or emission screening test, or <1,800 fpm	> 110% or < 90% of the most recent passing source test or emission screening test	Immediately shut down any tanks controlled by the add-on air pollution control device that had a failing measurement

¹ If the measured slot velocity appears in multiple rows, the owner or operator shall implement the required action in the lower numbered row. For example the owner or operator would implement the required action in Row 2, if the measured slot velocity shows a repairable measurement (row 2) or a failing measurement (row 3).

(C) **Repairable Measurements**

The owner or operator of a facility with an add-on air pollution control device for a Tier II or Tier III Hexavalent Chromium Tank that demonstrates a repairable measurement according to Table 5 – Add-on Air Pollution Control Device Parameter Monitoring shall:

- (i) Perform the required action specified in Table 5 – Add-on Air Pollution Control Device Parameter Monitoring for a repairable measurement,

- (ii) Demonstrate an acceptable measurement within the time period established for the required action specified in Table 5 – Add-on Air Pollution Control Device Parameter Monitoring, and
 - (m) (1) (C) (iii) Immediately shutdown the Tier II or Tier III Hexavalent Chromium Tank if an acceptable measurement is not demonstrated within the time period established for the required action specified in Table 5 – Add-on Air Pollution Control Device Parameter Monitoring. The tank shall remain shutdown until an acceptable measurement is measured.
 - (D) Failing Measurement

The owner or operator of a facility with an add-on air pollution control device for a Tier II or Tier III Hexavalent Chromium Tank that demonstrates a failing measurement according to Table 5 – Add-on Air Pollution Control Device Parameter Monitoring shall perform the required action specified in Table 5 – Add-on Air Pollution Control Device Parameter Monitoring for a failing measurement. The tank shall remain shutdown until an acceptable measurement is measured.
 - (E) Smoke Test Requirements

Once every 180 days the owner or operator of a facility subject to subparagraph (k)(7) shall conduct a smoke test:

 - (i) Using a method described in Appendix 5, Appendix 8, or any other method deemed acceptable by the Executive Officer; and
 - (ii) Within 30 days of start-up for new and modified add-on air pollution control devices or add-on non-ventilated air pollution control devices.
 - (F) Failure of Smoke Test

The owner or operator of a facility shall immediately shut down all Tier II and Tier III Hexavalent Chromium Tanks associated with the add-on air pollution control device or add-on non-ventilated air pollution control device if an acceptable smoke test for each add-on air pollution control device pursuant to Appendix 5 and each add-on non-ventilated air pollution control device pursuant to Appendix 8 is not conducted. The Tier II and Tier III Hexavalent Chromium Tank shall remain shut down until an acceptable smoke test is conducted.
 - (G) HEPA Filters

Beginning 60 days after completion of the initial source test required by subdivision (k), the owner or operator of a facility with an add-on air pollution control device equipped with HEPA filters shall ensure that the device to monitor pressure drop pursuant to subparagraph (m)(1)(A):

- (m) (1) (G) (i) Is equipped with ports to allow for periodic calibration in accordance with manufacturer specifications;
 - (ii) Is calibrated according to manufacturer specifications at least once every calendar year; and
 - (iii) Is maintained in accordance with manufacturer specifications.
- (2) Wetting Agent Chemical Fume Suppressants (Excluding Decorative Chromium Electroplating Tanks Using a Trivalent Chromium Bath)
- (A) The owner or operator of a facility shall monitor the surface tension of the chromium electroplating or chromic acid anodizing tank that contains a certified wetting agent chemical fume suppressant with either a stalagmometer or tensiometer using the applicable method pursuant to subparagraph (k)(2)(C). The surface tension shall be maintained below the respective value established in the list of certified wetting agent chemical fume suppressants pursuant to subdivision (l), or at or below a value specified in the SCAQMD Permit to Operate.
 - (B) The owner or operator of a facility shall measure the surface tension every third operating day but not less than once per week.
 - (C) If at any time the surface tension required by subparagraph (m)(2)(A) is not maintained, the owner or operator of a facility shall measure the surface tension:
 - (i) Daily for 20 consecutive operating days; and
 - (ii) Resume the measurement schedule pursuant to subparagraph (m)(2)(B).
 - (D) The owner or operator of a facility operating under an approved alternative compliance method pursuant to subdivision (i), and using chemical fume suppressants as all or partial control of hexavalent chromium emissions shall measure and monitor the surface tension of the electroplating or anodizing bath each operating day-. The surface tension shall be maintained at or below the surface tension measured during the source test.
- (3) Fume Suppressants Forming a Foam Blanket

- (A) The owner or operator of a facility shall maintain the foam blanket thickness across the surface of the chromium electroplating or chromic acid anodizing tank established during the most recently approved source test to demonstrate compliance with the emission limit specified in paragraphs (h)(2) or (h)(4).
- (m) (3) (B) The owner or operator of a facility shall measure the foam blanket thickness each operating day.
- (C) If at any time the foam blanket thickness required by subparagraph (m)(3)(A) is not maintained, the owner or operator of a facility shall measure the foam blanket thickness:
 - (i) Hourly for 15 consecutive operating days; and
 - (ii) Resume the measurement schedule pursuant to subparagraph (m)(3)(B).
- (4) Polyballs or Similar Mechanical Fume Suppressants
The owner or operator of a facility shall visually inspect the Tier II or Tier III Hexavalent Chromium Tank and maintain coverage comparable to the coverage during the source test each operating day.
- (n) Inspection, Operation, and Maintenance Requirements
 - (1) Inspection and Maintenance
 - (A) The owner or operator of a facility using an add-on air pollution control device or add-on non-ventilated air pollution control device shall comply with the applicable inspection and maintenance requirements listed in Table 4-1 of Appendix 4.
 - (B) The owner or operator of a facility using an add-on air pollution control device or add-on non-ventilated air pollution control device custom designed for a specific operation shall develop operating and maintenance requirements for approval by the Executive Officer. The requirements and frequency of inspection shall be sufficient to ensure compliance.
 - (2) The owner or operator of a facility using chemical fume suppressants or mechanical fume suppressants shall comply with the applicable inspection and maintenance requirements in Table 4-4 of Appendix 4.
 - (3) Beginning January 31, 2019, the owner or operator of a facility operating a Tier II Hexavalent Chromium Tank that is not controlled by an add-on air

pollution control device shall comply with the applicable inspection and maintenance requirements in Table 4-3 of Appendix 4.

- (n) (4) Beginning January 31, 2019, the owner or operator of a facility operating a Tier I, Tier II, and Tier III Hexavalent Chromium Tank shall comply with the applicable inspection and maintenance requirements in Table 4-2 of Appendix 4.
- (5) **Operation and Maintenance Plan**
The owner or operator of a facility subject to the inspection and maintenance requirements of paragraphs (n)(1), (n)(2), (n)(3), or (n)(4) shall prepare an operation and maintenance plan. For major sources, the plan shall be incorporated by reference into the source's Title V permit. The plan shall incorporate the inspection and maintenance requirements for that device or monitoring equipment, as identified in Tables 4-1, 4-2, 4-3, and 4-4 of Appendix 4, and shall include the following elements:
- (A) A standardized checklist to document the operation and maintenance of the source, the add-on air pollution control device, and the process and control system monitoring equipment; and
- (B) Procedures to be followed to ensure that equipment is properly maintained.
- (6) Notwithstanding the operation and maintenance plan required by paragraph (n)(5), the owner or operator of a facility may use applicable standard operating procedure (SOP) manuals, Occupational Safety and Health Administration (OSHA) plans, or other existing plans, provided the alternative plans meet the requirements of this subdivision.
- (7) **Operation and Maintenance Plan Availability**
The owner or operator of a facility shall keep the written operation and maintenance plan on record after it is developed, to be made available for inspection, upon request.
- (8) **Operation and Maintenance Plan Modifications**
Any changes made by the owner or operator of a facility shall be documented in an addendum to the plan. In addition, the owner or operator of a facility shall keep previous (i.e., superseded) versions of the operation and maintenance plan on record to be made available for inspection, upon request, for a period of 5 years after each revision to the plan.
- (9) **Amended Operation and Maintenance Plan**

No later than January 31, 2019, the facility's operation and maintenance plan shall be revised and made available upon request to the Executive Officer to reflect the incorporation of the inspection and maintenance requirements for a device or monitoring equipment that is identified in Table 4-2 and Table 4-3 of Appendix 4 and shall include the elements required in subparagraphs (n)(5)(A) and (n)(5)(B).

(n) (10) Replacement of Ampere-Hour Meter

Prior to replacement of a continuous recording non-resettable ampere-hour meter that is required under paragraph (d)(1), the owner or operator of a facility shall photograph the actual ampere-hour reading of:

- (A) The ampere-hour meter being replaced; and
- (B) The new ampere-hour meter immediately after installation.

(o) Recordkeeping

(1) Inspection Records for Sources Using an Add-on Air Pollution Control Device or Non-Ventilated Air Pollution Control Device

The owner or operator of a facility shall maintain inspection records to document that the inspection and maintenance requirements of subdivision (n) , and that the provisions of the operation and maintenance plan required by subdivision (n) have been met. The record can take the form of a checklist and shall identify:

- (A) The device inspected;
- (B) The date and time of inspection;
- (C) A brief description of the working condition of the device during the inspection;
- (D) Maintenance activities performed on the components of the air pollution control system (i.e. duct work replacement, filter pad replacement, fan replacement, etc.); and
- (E) Any actions taken to correct deficiencies found during the inspection.

(2) Inspection Records for Sources Using Chemical or Mechanical Fume Suppressants

The owner or operator of a facility shall maintain inspection records to document that the applicable inspection and maintenance requirements of paragraphs (n)(1), (n)(2), (n)(3), and (n)(4) have been met. The record can take the form of a checklist.

(3) Source Test, Capture Efficiency, and Smoke Test Records

The owner or operator of a facility shall maintain the conditions and results of all source tests, capture efficiency tests, emissions screening test, and smoke tests required by subdivision (k). The records shall include source test results required to determine compliance with paragraph (m)(1), including the pressure drop established during the source test to demonstrate compliance with the applicable emission limitation.

(o) (4) Monitoring Data Records

The owner or operator of a facility shall maintain records of continuously recorded ampere-hour data required by paragraph (d)(1) and monitoring data required by subdivision (m).

(A) Cumulative Rectifier Usage Records

The owner or operator of a facility shall, on a monthly basis, record the actual cumulative rectifier usage expended during each month of the reporting period, and the total usage expended to date.

(B) Pressure and Air Flow Measurements

The owner or operator of a facility shall record the applicable pressures and air flow as specified in Table 4: Pressure and Air Flow Measurement Parameters Table 5 — Add-on Air Pollution Control Device Parameter Monitoring of subdivision (m) once a week.

(5) Surface Tension Records

(A) The owner or operator of a facility shall record the surface tension pursuant to the requirements of paragraph (m)(2).

(B) For facilities operating under an approved alternative compliance method pursuant to subdivision (i), and using chemical fume suppressants as all or partial control of hexavalent chromium emissions, the owner or operator of the facility shall record the surface tension of the electroplating or anodizing bath daily.

(6) Mechanical Fume Suppressant and Foam Blankets Records

(A) The owner or operator of a facility that is required to measure the foam blanket thickness pursuant to paragraph (m)(3), shall record the foam thickness.

(B) The owner or operator of a facility using polyballs or other mechanical fume suppressants to comply with the emission standards of subdivision (h) or (i), shall record the coverage of the electroplating

or anodizing bath daily. Coverage shall be reported as a percentage of bath surface area.

(o) (7) Records of Excesses

The owner or operator of a facility shall maintain records of exceedances of: the emission limitations in subdivisions (h) and (i), the parameter monitoring values established under subdivision (m), or any site-specific operating parameters established for alternative equipment. The records shall include the date of the occurrence, the duration, cause (if known), and, where possible, the magnitude of any excess emissions.

(8) Housekeeping and Best Management Practice Records

The owner or operator of a facility shall maintain records demonstrating compliance with housekeeping practices and best management practices, as required by subdivisions (f) and (g), including the dates on which specific activities were completed, and records showing that chromium or chromium-containing wastes have been stored, disposed of, recovered, or recycled using practices that do not lead to fugitive emissions.

(9) Records of Fume Suppressant Additions

For sources using fume suppressants to comply with the standards, the owner or operator of a facility shall maintain records of the date, time, approximate volume, and product identification of the fume suppressants that are added to the electroplating or anodizing bath.

(10) Records of Trivalent Bath Components

For sources complying with paragraph (h)(3) using trivalent chromium baths, the owner or operator of a facility shall maintain records of the bath components purchased, with the wetting agent clearly identified as a bath constituent contained in one of the components.

(11) Records of Filter Purchase and Disposal

For sources using add-on air pollution control devices to comply with the standards, the owner or operator of a facility shall retain purchase orders for filters and waste manifest records for filter disposal.

(12) Records Retention

All records shall be maintained for five years, at least two years on site.

(p) Reporting

(1) Source Test Documentation

(p) (1) (A) Notification of Source Test

At least 60 calendar days before the source test is scheduled to occur, the owner or operator of a facility shall notify the Executive Officer that a source test will be conducted.

(B) Reports of Source Test Results

The owner or operator of a facility shall report source test results to the Executive Officer. Reports of source test results shall be submitted no later than 90 calendar days following the completion of the required source test, and shall be submitted as part of the notification of compliance status required by paragraphs (p)(2) and (p)(3).

(C) The source test reports shall contain, at a minimum, the information identified in Appendix 1.

(2) Initial Compliance Status Report

An initial compliance status report is required each time that a source becomes subject to the requirements of this rule. The owner or operator of a facility shall submit to the Executive Officer an initial compliance status report, signed by the responsible official who shall certify its accuracy, attesting to whether the source has complied with this rule.

(A) Initial Compliance Status Report Due Date

The initial compliance status report for existing facilities shall be submitted to the Executive Officer no later than April 24, 2008. New or modified facilities shall submit the initial compliance status report upon start-up.

(B) The initial compliance status report shall contain, at a minimum, the information identified in Appendix 2.

(3) Ongoing Compliance Status and Emission Reports

The owner or operator of a facility shall submit a summary report to the Executive Officer to document the ongoing compliance status.

(A) Frequency of Ongoing Compliance Status and Emission Reports

The report shall be submitted each calendar year on or before February 1 for all sources and shall include information covering the preceding calendar year (January 1 through December 31).

(B) The ongoing compliance status and emission reports shall, at a minimum, contain the information identified in Appendix 3.

(p) (4) Notification of Incident

- (A) The owner or operator of a facility shall notify the Executive Officer within four hours of the incident or within four hours from the time the owner or operator of a facility knew or reasonably should have known of, any failed smoke test, any failed source test, any exceedance of a permitted ampere-hour limit, or any malfunction of a non-resettable ampere-hour meter by calling 1-800-CUT SMOG. In the cases of emergencies that prevent the owner or operator of a facility from reporting all required information within the four hour limit, the Executive Officer may extend the time for reporting the required information provided such owner or operator of a facility has notified the Executive Officer of the incident within 24-hours. The notification shall include the following information:
 - (i) Date and time of the incident and when it was discovered;
 - (ii) Specific location and equipment involved;
 - (iii) Responsible party to contact for further information;
 - (iv) Causes of the incident, to the extent known; and
 - (v) Estimated time for repairs and correction.
- (B) Within seven calendar days after a reported incident has been corrected, but no later than thirty calendar days from the initial date of the incident, unless an extension has been approved in writing by the Executive Officer, the owner or operator of a facility shall submit a written incident report to the Executive Officer that includes:
 - (i) An identification of the equipment involved in causing, or suspected of having caused, or having been affected by the incident;
 - (ii) The duration of the incident;
 - (iii) The date of correction and information demonstrating that compliance is achieved;
 - (iv) An identification of the types of emissions, if any, resulting from the incident;
 - (v) A quantification of the excess emissions, if any, resulting from the incident and the basis used to quantify the emissions;
 - (p) (4) (B) (vi) Information substantiating that steps were immediately taken to correct the condition causing the incident, and to minimize the emissions, if any, resulting from the incident;

- (vii) Written verification that the facility is operating in compliance with this rule. If the facility is not in compliance with this rule, provide an approximate date the facility is expected to be in compliance;
 - (viii) A description of the corrective measures undertaken and/or to be undertaken to avoid such an incident in the future; and
 - (ix) Pictures of the equipment that failed, if available.
- (5) **Reports Associated with Trivalent Chromium Baths Exclusively Using a Chemical Fume Suppressant Containing a Wetting Agent**

Owners or operators switching to trivalent chromium baths exclusively using a chemical fume suppressant containing a wetting agent to comply with subparagraph (h)(3)(A) are not subject to paragraphs (p)(1) through (p)(3), but shall instead submit a report within 30 days of a change to the trivalent chromium electroplating process that includes:

 - (A) A description of the manner in which the process has been changed and the emission limitation, if any, now applicable to the source; and
 - (B) The notification and reporting requirements of paragraphs (p)(1), (p)(2), and (p)(3), if the facility complies with the emission limitation option, or paragraph (p)(5), if the source uses a wetting agent to comply. The report shall be submitted in accordance with the schedules identified in those paragraphs.
- (6) **Adjustments to the Timeline for Submittal and Format of Reports**

The Executive Officer may adjust the timeline for submittal of periodic reports, allow consolidation of multiple reports into a single report, establish a common schedule for submittal of reports, or accept reports prepared to comply with other state or local requirements. Adjustments shall provide the same information and shall not alter the overall frequency of reporting.
- (q) **Procedure for Establishing Alternative Requirements**
 - (1) **Request Approval of an Alternative Requirement**

Any person may request approval of an alternative requirement. The person seeking such approval shall submit the proposed alternative requirement to the Executive Officer for approval. The request shall include the proposed alternative requirement, the reason for requesting the alternative requirement, and information demonstrating that the criteria for approval identified in Appendix 6 is met.

- (q) (2) Approval of an Alternative Requirement
The Executive Officer may approve an alternative requirement if it determines that application of the alternative requirement meets the criteria for approval identified in Appendix 6 and the Executive Officer has submitted the proposed alternative requirements and has received concurrence from the applicable concurring agencies identified in Appendix 6.
- (3) Approval Criteria
Nothing in this subdivision prohibits the Executive Officer from establishing approval criteria more stringent than that required in Appendix 6.
- (4) Alternatives Already Approved by U.S. EPA
Waivers for alternatives already approved by the U.S. EPA prior to October 24, 2007 shall remain in effect until the effective dates of the specified requirements become effective.
- (r) Exemptions
- (1) The requirements of subdivisions (m) and (n) do not apply to decorative chromium electroplating tanks using a trivalent chromium bath with a wetting agent.
- (2) The requirements of paragraphs (f)(6), (g)(4), and (g)(5) do not apply to buffing, grinding, or polishing operations conducted under a continuous flood of metal removal fluid.
- (s) Rule 1402 Inventory Requirements
The owner or operator of a facility that is in compliance with this rule will not be required to submit an emission inventory to the Executive Officer for emissions of toxic compounds subject to this rule, pursuant to paragraph (p)(1) of Rule 1402 - Control of Toxic Air Contaminants from Existing Sources.
- (t) Conditional Requirements for Permanent Total Enclosure
- (t) (1) The owner or operator of a facility shall install a Permanent Total Enclosure that does not exceed 3.5% for all enclosure openings, as specified in paragraph (e)(1) for a Tier III hexavalent chromium tank:
- (A) That results in more than one non-passing source test as required in paragraph (k)(1) occurring within a consecutive 48-month period; or

- (B) That is not immediately shut down pursuant to clause (m)(1)(C)(iii), subparagraph (m)(1)(D) or subparagraph (m)(1)(F):
 - (i) More than once within a consecutive 48-month period for a facility that is located more than 1,000 feet from a sensitive receptor; or
 - (ii) Once for a facility that is located less than or equal to 1,000 feet from a sensitive receptor.
- (2) Within 30 days of the date of notification by the Executive Officer that a Permanent Total Enclosure is required, the owner or operator of facility may submit a written report to the Executive Officer providing evidence that the installation of a Permanent Total Enclosure is not warranted based on the following criteria:
 - (A) The incidents of non-compliance specified in paragraph (t)(1) did not occur; or
 - (B) The owner or operator of a facility resolved the incidents of non-compliance specified in paragraph (t)(1) in a timely manner; and
 - (C) The owner or operator of a facility implemented specific measures to minimize hexavalent chromium emissions.
- (3) The Executive Officer shall use the information provided by the owner or operator of a facility to determine if a permanent total enclosure is required and will notify the owner or operator of a facility within 90 days of receiving the written report.
- (4) The owner or operator of a facility required to install a permanent total enclosure pursuant to subdivision (t) shall vent the permanent total enclosure to an add-on air pollution control device that is fitted with HEPA filters, or other filter media that is rated by the manufacturer to be equally or more effective; and designed in a manner that does not conflict with requirements or guidelines set forth by OSHA or CAL-OSHA regarding worker safety, or the National Fire Protection Association regarding safety.
- (t) (5) The owner or operator of a facility required to install a permanent total enclosure pursuant to subdivision (t) shall install the permanent total enclosure no later than 12 months after the SCAQMD Permit to Construct is issued by the Executive Officer. The owner or operator of a facility shall submit complete SCAQMD permit applications for the permanent total enclosure to the Executive Officer no later than:

- (A) 180 days after notification by the Executive Officer if the property line of the facility is within 500 feet of the property line of any sensitive receptor.
 - (B) 270 days after notification by the Executive Officer for all other facilities.
- (u) Hexavalent Chromium Phase-Out Plan
- (1) The owner or operator of a facility shall not be subject to the requirements of paragraph (h)(4) to vent a Tier III Hexavalent Chromium Tank, existing on or before November 2, 2018, to an add-on air pollution control device, if the owner or operator of a facility submits a Hexavalent Chromium Phase-Out Plan to the Executive Officer for review and approval no later than January 31, 2019 containing the following:
 - (A) A commitment that the facility will permanently eliminate or reduce hexavalent chromium concentrations within the subject tank to below the concentration of the definition of a Tier II or Tier III Hexavalent Chromium Tank;
 - (B) A description of the method by which hexavalent chromium concentrations will be permanently eliminated or reduced from the subject tank(s) and the date of final completion, not to exceed two years from approval of the Hexavalent Chromium Phase-Out Plan;
 - (C) A list of milestones, including any testing required to meet specifications or quality assurance requirements, to allow the facility to reduce or eliminate hexavalent chromium by the completion date;
 - (D) Completion date for each of the milestones listed in subparagraph (u)(1)(C); and
 - (E) A list of all control measures that will be implemented for the subject tank(s), including dates of implementation, until the hexavalent chromium-concentration is eliminated or reduced as stated.
 - (u) (2) The Hexavalent Chromium Phase-Out Plan shall be subject to the fees specified in Rule 306.
 - (3) The Executive Officer shall notify the owner or operator of a facility in writing whether the Hexavalent Chromium Phase-Out Plan is approved or disapproved. Determination of approval status shall be based on, at a minimum, submittal of information that satisfies the criteria set forth in paragraph (u)(1). If the Hexavalent Chromium Phase-Out Plan is

disapproved, the owner or operator of a facility shall resubmit the plan, subject to plan fees specified in Rule 306, within 30 calendar days after notification of disapproval of the Hexavalent Chromium Phase-Out Plan. The resubmitted Hexavalent Chromium Phase-Out Plan shall include any information necessary to address deficiencies identified in the disapproval letter.

- (4) Upon approval of the Hexavalent Chromium Phase-Out Plan, the owner or operator of a facility shall implement the approved plan and shall submit a progress report to the Executive Officer by the first day of every calendar quarter indicating the increments of progress for the previous quarter, or submit according to an alternative schedule as specified in the approved plan.
 - (5) The Executive Officer shall notify the owner or operator of a facility to submit complete SCAQMD permit applications for an add-on air pollution control device to comply with subdivision (h) if:
 - (A) The owner or operator does not eliminate or reduce hexavalent chromium by the final completion date in the approved Hexavalent Chromium Phase-Out Plan;
 - (B) The Executive Officer denies a resubmitted Hexavalent Chromium Phase-Out Plan; or
 - (C) The owner or operator fails to resubmit a Hexavalent Chromium Phase-Out Plan as required under paragraph (u)(3).
 - (6) The owner or operator shall install the add-on air pollution control device specified in the permit application submitted pursuant to paragraph (u)(5) no later than 180 days after a SCAQMD Permit to Construct has been issued.
- (v) Time Extensions
- (1) An owner or operator of a facility may submit a request to the Executive Officer for a one-time extension for up to 12 months to:
 - (A) Complete installation of an add-on air pollution control device, implement an approved alternative compliance method, or implement an approved Hexavalent Chromium Phase-Out Plan to meet the requirements under subparagraph (h)(4)(C); or
 - (B) Meet the hexavalent chromium emission limit, phase-out the use of hexavalent chromium, or implement an alternative to a wetting agent chemical fume suppressant required under paragraph (l)(5);

- (2) An owner or operator of a facility that elects to submit a request for a time extension shall submit the request no later than 90 days before the compliance deadline specified in subparagraph (h)(4)(C) or paragraph (l)(5) and provide:
 - (A) The facility name, SCAQMD facility identification number, and the name and phone number of a contact person;
 - (B) A description of the chromium electroplating or chromic acid anodizing tank and the SCAQMD Permit to Operate and tank number;
 - (C) A description of the emission reduction approach that is being implemented;
 - (D) The specific provision under subparagraph (h)(4)(C) or paragraph (l)(5) for which a compliance extension is being requested;
 - (E) The reason(s) a time extension is needed;
 - (F) Progress in meeting the provisions in subparagraph (h)(4)(C) or paragraph (l)(5) including but not limited to date permit application was submitted to the SCAQMD, date permit to construct was approved, purchase order of equipment, date of service of contractors or consultants to install equipment; and
 - (G) Length of time requested, up to 12 months.

(3) Approval of Time Extensions

The Executive Officer will review the request for the time extension and will approve the time extension if the owner or operator:

- (A) Demonstrates that there are specific circumstances beyond the control of the owner or operator that necessitate additional time to meet the compliance dates specified under subparagraph (h)(4)(C) and paragraph (l)(5); and
- (v) (3) (B) The demonstration is substantiated with information that includes, but is not limited to detailed schedules, engineering designs, construction plans, permit applications, purchase orders, economic burden, and technical infeasibility.

Appendix 1 – Content of Source Test Reports.

Source test reports shall contain, at a minimum, the following information:

1. A brief process description;
2. Sampling location description(s);
3. A description of sampling and analytical procedures and any modifications to standard procedures;
4. Test results in milligrams/ampere-hour;
5. Quality assurance procedures and results;
6. Records of operating conditions during the test, preparation of standards, and calibration procedures;
7. Original data for field sampling and field and laboratory analyses;
8. Documentation of calculations;
9. Applicable Industrial Ventilation Limits;
10. Collection slot velocities (if applicable);
11. Measured static, differential, or volumetric flow rate at the push manifold, collection manifold, across each stage of the control device, and exhaust stack (if applicable); and
12. Any other information required by the test method.

Appendix 2 – Content of Initial Compliance Status Reports.

Initial compliance status reports shall contain, at a minimum, the following information:

1. Facility name, SCAQMD ID number, facility address, owner and operator name, and telephone number;
2. The distance of the facility to the property line of the nearest commercial/industrial building and sensitive receptor using measurement methods provided in paragraph (h)(2);
3. Sensitive receptor locations, if they are located within one-quarter of a mile from the center of the facility;
4. Building parameters
 - Stack height in feet (point sources); or
 - Building area in square feet (volume sources).
5. Maximum potential rectifier capacity per tank and facility maximum operating schedule (more than or less than or equal to 12 hours per day);
6. The applicable emission limitation and the methods that were used to determine compliance with this limitation;
7. Facility-wide emissions, if applicable;
8. If a source test is required, the test report documenting the results of the source test, which contains the elements listed in Appendix 1;
9. If an initial smoke test demonstrating the capture efficiency of the add-on air pollution control device or add-on non-ventilated air pollution control device is required, the test report documenting the results which contain the elements listed in Appendix 8;
10. The type and quantity, in pounds, of hazardous air pollutants emitted by the source.;
11. For each monitored parameter for which a compliant value is to be established under subdivision (m), the specific operating parameter value, or range of values, that corresponds to compliance with the applicable emission limit;
12. The methods that will be used to determine continuous compliance, including a description of monitoring and reporting requirements, if methods differ from those identified in this section;
13. A description of the air pollution control technique for each emission point;
14. A statement that the owner or operator of a facility has completed and has on file the operation and maintenance plan as required by subdivision (n);

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15. The actual cumulative ampere-hour usage expended during the preceding calendar year, if operation occurred;
16. Information on calculations for the building enclosure envelope pursuant to paragraph (e)(1), including locations and dimensions of openings that are counted towards the applicable building envelope allowance;
17. A statement that the owner or operator of a facility, or personnel designated by the owner or operator of a facility, has completed a SCAQMD-approved training program pursuant to subdivision (j); and
18. A statement by the owner or operator of a facility as to whether the source has complied with the provisions of this section.

Appendix 3 – Content of Ongoing Compliance Status and Emission Reports.

Ongoing compliance status and emission reports shall, at a minimum, contain the following information:

1. The company name and address of the source;
2. An identification of the operating parameter that is monitored for compliance determination, as required by subdivision (m);
3. The relevant emission limitation for the source, and the operating parameter value, or range of values, that correspond to compliance with this emission limitation as specified in the notification of initial compliance status required by Appendix 2;
4. The beginning and ending dates of the calendar year for the reporting period;
5. A description of the type of process performed in the source;
6. The actual cumulative rectifier usage expended during the calendar year of the reporting period, on a month-by-month basis, if the source is a hard or decorative chromium electroplating tank or chromic acid anodizing tank;
7. Updated facility-wide emissions, if applicable;
8. Hexavalent chromium and trivalent chromium emissions data in grams per year for the reporting period;
9. Sensitive receptor distances, if they are located within $\frac{1}{4}$ of mile from the center of the facility and facility maximum operating schedule (more than or less than or equal to 12 hours per day), if changed since submittal of the initial compliance status report or subsequent ongoing compliance status and emission reports. Sensitive receptor distances shall be measured using methods provided in paragraph (h)(2);
10. A summary of any excess emissions or exceeded monitoring parameters as identified in the records required by paragraph (o)(7);
11. A certification by a responsible official that the inspection and maintenance requirements in subdivision (n) were followed in accordance with the operation and maintenance plan for the source;
12. If the operation and maintenance plan required by subdivision (n) was not followed, an explanation of the reasons for not following the provisions, an assessment of whether any excess emissions and/or monitoring parameter excesses are believed to have occurred, and a copy of the record(s) required by paragraph (o)(1) documenting that the operation and maintenance plan was not followed;

13. If applicable, results of periodic smoke tests demonstrating capture efficiency of an add-on air pollution control device or add-on non-ventilated air pollution control device conducted during the reporting period;
14. A description of any changes in monitoring, processes, or controls since the last reporting period;
15. A statement that the owner or operator of a facility, or personnel designated by the owner or operator of a facility has, within the last 2 years, completed a SCAQMD-approved training program pursuant to subdivision (j);
16. Add-on air pollution ventilation measurements conducted during the most recent successful SCAQMD approved source test that include:
 - (A) The velocity of each collection slot, including the velocity values that would be 95% and 90% of the source-tested value.
 - (B) For push-pull systems, the pressure of each push air manifold, including the pressure values that would be 110%, 105%, 95%, and 90% of the source-tested value;
17. A summary of any pollution prevention measures that the facility has implemented that eliminates or reduces the use of hexavalent chromium in the chromium electroplating or chromic acid anodizing process and associated process tanks.
18. Information on calculations for the building enclosure envelope pursuant to paragraph (e)(1), including locations and dimensions of openings that are counted towards the applicable building envelope allowance.
19. The name, title, and signature of the responsible official who is certifying the accuracy of the report; and
20. The date of the report.

Appendix 4 – Summary of Inspection and Maintenance Requirements

**Table 4-1:
Summary of Inspection and Maintenance Requirements for Sources Using Add-on
Air Pollution Control Device(s) or Add-On Non-Ventilated Air Pollution Control
Device(s)**

Control Technique/Equipment	Inspection and Maintenance Requirements	Frequency
Composite mesh-pad (CMP) system.	1. Visually inspect device to ensure that there is proper drainage, no unusual chromic acid buildup on the pads, and no evidence of chemical attack that affects the structural integrity of the device.	1. Once per quarter.
	2. Visually inspect back portion of the mesh pad closest to the fan to ensure there is no breakthrough of chromic acid mist.	2. Once per quarter.
	3. Visually inspect ductwork from tank to the control device to ensure there are no leaks.	3. Once per quarter.
	4. Perform washdown of the composite mesh-pads in accordance with manufacturer's recommendations.	4. Per manufacturer.
Packed-bed scrubber (PBS)	1. Visually inspect device to ensure there is proper drainage, no unusual chromic acid buildup on the packed-beds, and no evidence of chemical attack that affects the structural integrity of the device.	1. Once per quarter.
	2. Visually inspect back portion of the chevron blade mist eliminator to ensure that it is dry and there is no breakthrough of chromic acid mist.	2. Once per quarter.
	3. Same as number 3 above for CMP system.	3. Once per quarter.
	4. Add fresh makeup water to the packed-bed ^A .	4. Whenever makeup is added.

^A Horizontal packed-bed scrubbers without continuous recirculation must add make-up water to the top of the packed-bed.

**Table 4-1:
Summary of Inspection and Maintenance Requirements for Sources Using Add-on
Air Pollution Control Device(s) or Add-On Non-Ventilated Air Pollution Control
Device(s) (cont)**

Control Technique/Equipment	Inspection and Maintenance Requirements	Frequency
PBS/CMP system	<ol style="list-style-type: none"> 1. Same as for CMP system. 2. Same as for CMP system. 	<ol style="list-style-type: none"> 1. Once per quarter. 2. Once per quarter.
	<ol style="list-style-type: none"> 3. Same as for CMP system. 4. Same as for CMP system 	<ol style="list-style-type: none"> 3. Once per quarter. 4. Per manufacturer.
Fiber-bed mist eliminator ^B	<ol style="list-style-type: none"> 1. Visually inspect fiber-bed unit and prefiltering device to ensure there is proper drainage, no unusual chromic acid buildup in the units, and no evidence of chemical attack that affects the structural integrity of the devices. 2. Visually inspect ductwork from tank or tanks to the control device to ensure there are no leaks. 3. Perform washdown of fiber elements in accordance with manufacturer's recommendations. 	<ol style="list-style-type: none"> 1. Once per quarter. 2. Once per quarter. 3. Per manufacturer.
High Efficiency Particulate Arrestors filter (HEPA)	<ol style="list-style-type: none"> 1. Look for changes in the pressure drop. 2. Replace HEPA filter. 	<ol style="list-style-type: none"> 1. Once per week. 2. Per manufacturer's specifications or SCAQMD's requirement.

^B Inspection and maintenance requirements for the control device installed upstream of the fiber-bed mist eliminator to prevent plugging do not apply as long as the inspection and maintenance requirements for the fiber-bed unit are followed.

**Table 4-1:
Summary of Inspection and Maintenance Requirements for Sources Using Add-on
Air Pollution Control Device(s) or Add-On Non-Ventilated Air Pollution Control
Device(s) (cont)**

Control Technique/Equipment	Inspection and Maintenance Requirements	Frequency
Chromium Tank Covers	<ol style="list-style-type: none"> 1. Drain the air-inlet (purge air) valves at the end of each day that the tank is in operation. 2. Visually inspect access door seals and membranes for integrity. 3. Drain the evacuation unit directly into the electroplating tank or into the rinse tanks (for recycle into the electroplating tank). 4. Visually inspect membranes for perforations using a light source that adequately illuminates the membrane (e.g., Grainger model No. 6X971 Fluorescent Hand Lamp). 5. Visually inspect all clamps for proper operation; replace as needed. 6. Clean or replace filters on evacuation unit. 7. Visually inspect piping to, piping from, and body of evacuation unit to ensure there are no leaks and no evidence of chemical attack. 8. Replace access door seals, membrane evacuation unit filter, and purge air inlet check valves in accordance with the manufacturer's recommendations. 	<ol style="list-style-type: none"> 1. Once per day. 2. Once per week. 3. Once per week. 4. Once per month. 5. Once per month. 6. Once per month. 7. Once per quarter. 8. Per manufacturer.
Pitot tube	Backflush with water, or remove from the duct and rinse with fresh water. Replace in the duct and rotate 180 degrees to ensure that the same zero reading is obtained. Check Pitot tube ends for damage. Replace Pitot tube if cracked or fatigued.	Once per quarter.
Ampere-hour meter	Install and maintain per manufacturer's specifications.	Per manufacturer.

**Table 4-2:
Additional Inspection and Maintenance Requirements for Tier I, II, and III
Hexavalent Chromium Tank(s)**

Control Technique/Equipment	Inspection and Maintenance Requirements	Frequency
Temperature Gauge	1. Install and maintain per manufacturer's specification at each Tier I, II, and III Hexavalent Chromium Tank.	1. Per manufacturer.
	2. Calibrated or confirmed to be accurate.	2. Once per year.
Collection Slots and Push Air Manifolds for Push-Pull Systems	1. Visually inspect slots and push air manifolds to ensure that there are no obstructions or clogs.	1. Once per week.
	2. Clean slots or push air manifolds.	2. Once every 180 days.
	3. Measure slot velocity of each slot and pressure at each push air manifold using a hot-wire anemometer, vein anemometer, or approved device	3. Once every 180 days.
Air Flow Gauges	Install and maintain per manufacturer's specifications.	Per manufacturer

Table 4-3
Summary of Inspection and Maintenance Requirements for Sources Not Using Add-on Air Pollution Control Devices to Control Tier II Hexavalent Chromium Tank(s)

Equipment	Inspection and Maintenance Requirement for Monitoring Equipment	Frequency
Temperature Data Logger	1. Install and maintain per manufacturer's specification at each Tier II Hexavalent Chromium Tank.	1. Per manufacturer.
	2. Calibrate or confirm to be accurate.	2. Per manufacturer.

Table 4-4
Summary of Inspection and Maintenance Requirements for Sources Using Chemical or Mechanical Fume Suppressants

Equipment	Inspection and Maintenance Requirement for Monitoring Equipment	Frequency
Ampere-hour meter	Install and maintain per manufacturer's specifications.	Per manufacturer.
Stalagmometer/ Tensiometer	Calibrate and maintain per manufacturer's specifications.	Per manufacturer.

Appendix 5 – Smoke Test for Add-on Non-Ventilated Air Pollution Control Device

SMOKE TEST TO VERIFY THE SEAL INTEGRITY OF COVERS DESIGNED TO
REDUCE CHROMIUM EMISSIONS FROM TIER III HEXA VALENT CHROMIUM
TANKS

1. Applicability and Principle
 - 1.1 Applicability. This method is applicable to all Tier III Hexavalent Chromium Tanks where a chromium tank cover or add-on non-ventilated air pollution control device is used on the tank for reducing chromium emissions.
 - 1.2 Principle. During electrolytic operations, gas bubbles generated during the process rise to the surface of the tank liquid and burst. Non-electrolytic tanks that are either heated or air sparged generate bubbles that rise to the surface. Upon bursting, tiny droplets of chromic acid (chromium mist) or hexavalent chromium laden liquid become entrained in the air above the tank. Because the chromium tank cover completely encloses the air above the tank, the chromium mist either falls back into the solution because of gravity or collects on the inside walls of the chromium tank cover and runs back into the solution. A semi-permeable membrane allows passage of the hydrogen and oxygen out of the chromium tank cover. A smoke device is placed inside the chromium tank cover to detect leaks at the membrane, joints, or seals.
2. Apparatus
 - 2.1 Smoke device. Adequate to generate 500 to 1000 ft³ of smoke/20 ft² of tank surface area.
 - 2.2 Small container. To hold the smoke device.
3. Procedure

Place the small container on a stable and flat area at center of the chromium tank cover (you can use a board and place it on the buss bars). Place the smoke device inside the container. After activating the smoke device, quickly close the access door to avoid smoke from escaping. Let smoke device fill the entire space under the chromium tank cover with smoke. An acceptable smoke test shall demonstrate no leaks of smoke from each seal, joint, and membrane of the chromium tank cover. Record these observations including the locations and a qualitative assessment of any leaks of smoke.

When all seals, joints, and membranes have been observed, evacuate the unit to remove the smoke from the chromium tank cover.

Appendix 6 – Approval of Alternatives for Specific Requirements

Section	Requirement	Description of Authority	Approving Agency	Concurring Agency
(b)	Applicability	Assisting an owner or operator of a facility in determining whether a facility is subject to the rule	SCAQMD	
(h)	Standards	Approving alternative standards	SCAQMD	U.S. EPA
(k)(1)	Source Test Requirement	Waiving a source test requirement	SCAQMD	
(k)(1)	Use of Existing Source Tests	Approving the use of existing performance test results to demonstrate compliance, based on the “Description of the Technical Review Protocol for Performance Tests of California Chrome Plating Sources” (see Attachment 2 of the July 10, 1998 memorandum from John S. Seitz entitled, “Delegation of 40 CFR Part 63 General Provisions Authorities to State and Local Air Pollution Control Agencies.”)	SCAQMD	
(k)(2)	Test Method	Approving site-specific alternatives to test methods	SCAQMD for minor ¹ or intermediate ² changes	U.S. EPA for major ³ changes, and ARB
(k)(4)	Pre-Test Protocol	Approving pre-test protocols	SCAQMD	
(k)(5)	Test All Emission Points	Waiving the requirement to test all emission points	SCAQMD	
(m)	Parameter Monitoring	Approving site-specific changes in monitoring methodology	SCAQMD for minor ¹ or intermediate ⁴ changes	U.S. EPA for major ³ changes
(n)	Inspection and Maintenance Requirements	Approving site-specific changes to inspection and maintenance requirements	SCAQMD	
(n)	Operation and Maintenance Plans	Approving or requiring site-specific changes to operation and maintenance plans	SCAQMD	
(o)(1)-(o)(11)	Recordkeeping	Waiving or altering recordkeeping requirements	SCAQMD	U.S. EPA for major ³ changes

Proposed Amended Rule 1469 (PAR 1469 April 2, 2021)(~~Amended November 2, 2018~~)

Section	Requirement	Description of Authority	Approving Agency	Concurring Agency
(o)(12)	Retention of Records	Waiving or altering the requirement to retain records for 5 years	SCAQMD	U.S. EPA for major ³ changes
(p)	Reporting	Waiving or altering reporting requirements	SCAQMD	U.S. EPA ⁵ for major ³ changes

- 1 Minor change to a test method or monitoring is a modification to a federally enforceable test method or monitoring that (a) does not decrease the stringency of the emission limitation or standard or the compliance and enforcement measures for the relevant standard; (b) has no national significance (e.g., does not affect implementation of the applicable regulation for other affected sources, does not set a national precedent, and individually does not result in a revision to the test method or monitoring requirement); and (c) is site specific, made to reflect or accommodate the operation characteristics, physical constraints, or safety concerns of an affected source.
- 2 Intermediate change to a test method is a within-method modification to a federally enforceable test method involving “proven technology” (generally accepted by the scientific community as equivalent or better) that is applied on a site-specific basis and that may have the potential to decrease the stringency of the associated emission limitation or standard. Intermediate changes are not approvable if they decrease the stringency of the standard.
- 3 Major change to a test method or monitoring is a modification to a federally enforceable test method or federally required monitoring that uses unproven technology or procedures or is an entirely new method (sometimes necessary when the required test method is unsuitable).
- 4 Intermediate change to monitoring is a modification to federally required monitoring involving “proven technology” (generally accepted by the scientific community as equivalent or better) that is applied on a site-specific basis and that may have the potential to decrease the stringency of the compliance and enforcement measures for the relevant standard.
- 5 U.S. EPA concurrence is not needed for adjustments made according to paragraph (p)(6).

Appendix 7 – Information Demonstrating an Alternative Method(s) of Compliance Pursuant to Subdivision (i)

The owner or operator of a facility applying for approval of an alternative method of compliance must submit to the Executive Officer the following information.

1. A source test as specified in subdivision (i) that is submitted after receipt of the SCAQMD Permit to Construct. The test shall have been conducted in a manner consistent with normal electroplating or anodizing operations.
2. A demonstration that the alternative method achieves an equal or greater amount of reductions in hexavalent chromium emissions than would be achieved with direct compliance with the applicable emission rate in paragraphs (h)(2) or (h)(4).
3. Calculations based on scientifically valid risk assessment methodologies demonstrating that the alternative method results in reducing risk equally or greater than the risk reduction that would be achieved by direct compliance with the applicable emission rate. A facility using in-tank controls shall only be modeled as a volume source and the resulting risk shall be compared to the same facility modeled as a point source.
4. Documentation which demonstrates that the method is enforceable, including an operation and maintenance plan, an inspection and maintenance schedule, and a recordkeeping plan.
5. A demonstration that the facility is at least 75 feet from a sensitive receptor.

Appendix 8 – Smoke Test to Demonstrate Capture Efficiency for an Add-on Air Pollution Control Device(s) Pursuant to Paragraph (k)(6).

1. Applicability and Principle

1.1 Applicability. This method is applicable to all hard and decorative chromium electroplating and chromic acid anodizing operations where an add-on air pollution control device is used to reduce chromium emissions from the chromium electroplating or anodizing tank.

1.2 Principle. During chromium electroplating or anodizing operations, bubbles of hydrogen and oxygen gas generated during the process rise to the surface of the tank liquid and burst. Upon bursting, tiny droplets of chromic acid (chromium mist) become entrained in the air above the tank. Collection of this chromium mist is achieved with the add-on air pollution control device for the tank(s) where chromium emissions are reduced downstream. Emission control efficiency at the exhaust of an add-on control device is related to capture efficiency at the inlet of the add-on air pollution control device. For this reason, it is imperative that 100% capture efficiency is maintained. A smoke device placed within the area where collection of chromic mist by the add-on air pollution control device occurs reveals this capture efficiency.

2. Apparatus

2.1 Smoke Generator. Adequate to produce a persistent stream of visible smoke.

3. Testing Conditions

The smoke test shall be conducted while the add-on air pollution control device is in normal operation and under typical draft conditions representative of the facility's chromium electroplating and/or chromic acid anodizing operations. This includes cooling fans and openings affecting draft conditions around the tank area including, but not limited to, vents, windows, doorways, bay doors, and roll-ups. The smoke generator must be at full generation during the entire test and operated according to manufacturer's suggested use.

3. Procedure

The smoke test shall be conducted over a minimum twelve point matrix evenly distributed over the entire liquid surface of each chromium electroplating or chromic acid anodizing tank vented to the add-on air pollution control device. Place the aperture of the smoke device at each point of the matrix at a height within one inch above the tank top. Observe collection of the smoke to the collection location(s) of the add-on air pollution control device. An acceptable smoke test shall demonstrate

a direct stream to the collection location(s) of the add-on air pollution control device without meanderings out of this direct path. Record these observations at each of the points on the matrix providing a qualitative assessment of the collection of smoke to the add-on air pollution control device. The test shall also be documented by photographs or video at each point of the matrix.

Appendix 9 – Surface Tension Measurement Procedure for a Stalagmometer

The stalagmometer shall first be properly cleaned before being used for the first time and after a period of storage. Properly clean the stalagmometer using the following procedure:

1. Set up stalagmometer in stand in a fume hood.
2. Place a clean 150 mL beaker underneath the stalagmometer then fill with reagent grade concentrated nitric acid. Immerse bottom tip (approximately ½”) of stalagmometer into the beaker.
3. Squeeze rubber bulb and pinch at the arrow up (1) position to collapse. Place bulb end securely on top end of stalagmometer. Carefully draw the nitric acid by pinching the arrow up (1) position until the level is above the top etched line.
4. Allow nitric acid to remain in stalagmometer for 5 minutes and then carefully remove the bulb allowing the acid to completely drain.
5. Fill a clean 150 mL beaker with distilled or deionized water. Using the rubber bulb per the instructions in Step #3, rinse and drain stalagmometer with deionized or distilled water until the inside is “water break” free.
6. Fill a clean 150 mL beaker with isopropyl alcohol. Again using the rubber bulb per Step #3, rinse and drain stalagmometer twice with isopropyl alcohol and allow the stalagmometer to dry completely.
7. Take a sample of the solution to be tested and adjust the solution to room temperature. Measure the specific gravity and record reading.
8. Fill a clean 150 mL beaker with solution to be tested. Immerse bottom end of stalagmometer into the beaker. Fill the stalagmometer per instructions in Step #3, making sure that the solution level is above the top etched line.
9. Raise the stalagmometer so that the bottom end is completely out of solution. Remove bulb and immediately place a finger on the top end of the stalagmometer. Carefully use the finger to bring the solution level down to the top etched line. Do not release finger at this time.
10. “Wipe” the excess solution on the lower tip by touching it against the side of the beaker.
11. Release fingertip to allow solution to drain and count number of drops until the level reaches the bottom etched line.

Calculations for Surface Tension

$$\text{Surface tension (dynes/cm)} = \frac{S_w * N_w * D}{N * D_w}$$

S_w = Surface tension of water at 25°C or 77°F (72.75 dynes/cm)

N_w = water drop number etched on instrument

D = measured specific gravity (g/ml)

N = # of solution drops

D_w = water density (1.0 g/mL)

PRECAUTIONS:

1. Make sure the stalagmometer is clean (no sludge or film)
2. No chips, cracks, etc
3. Vertical placement
4. No vibration
5. 20 drops per minute rate (10 dynes/cm) +/- 1 drop per minute
6. Performance checked with water. The number of drops etched on the instrument shall be verified with deionized water to +/- 1 drop. If the number of drops are not within 1 drop, then the stalagmometer shall be cleaned. If the cleaning process does not bring the drop count within 1 drop of the etched number on the instrument, then the operator shall:
 - a) Purchase a new stalagmometer; or
 - b) Use the number of drops recorded for the distilled water run as (N_w) in the equation instead of the number of drops etched on the stalagmometer.
7. Sample at room temperature.

Appendix 10 – Tier II and Tier III Hexavalent Chromium Tank Thresholds

1. Tier II Tank hexavalent chromium concentrations shall remain in the concentration range for the specified temperature and be required to comply with paragraph (h)(5). Tanks that exceed the hexavalent chromium concentration for a corresponding temperature for Tier II Tanks shall be considered a Tier III Tank and shall be required to comply with subparagraph (h)(4)(A).

Temperature (° F)	Tier II Tank Hexavalent Chromium Concentration (ppm)	Tier III Tank Hexavalent Chromium Concentration (ppm)
140 to <145° F	5,200 to <10,400	≥10,400
145 to <150° F	2,700 to <5,500	≥5,500
150 to <155° F	1,400 to <2,900	≥2,900
155 to <160° F	700 to <1,600	≥1,600
160 to <165° F	400 to <800	≥800
165 to <170° F	180 to <400	≥400
≥170° F	≥100 to <200	≥200

2. Electrolytic tanks, such as chromium electroplating or chromic acid anodizing tanks, with hexavalent chromium concentration greater than 1,000 ppm shall be considered a Tier III tank regardless of operating temperature.
3. Air sparged tanks with a hexavalent chromium concentration greater than 1,000 ppm shall be considered a Tier III tank regardless of operating temperature.
4. The owner or operator of a facility shall not be subject to the requirement of subparagraph (h)(4)(A) to vent a Tier III Hexavalent Chromium Tank to an add-on air pollution control device for one tank at a facility if the tank meets the following requirements:
 - a) The surface area is less than or equal to four (4) square feet;
 - b) The hexavalent chromium concentration is less than or equal to 11,000 ppm;
 - c) The tank is operated and permitted at less than or equal to 210° F;
 - d) The tank is operated at a temperature between 170-210° F for less than or equal to two and one-half (2.5) hours per week; and
 - e) The tank complies with the tank cover requirements in paragraph (h)(5) and the temperature data logger requirements in paragraph (n)(3), and the data logger must log the duration of time and temperature of the tank to demonstrate compliance with (d) above.

A Tier III Tank that fails to comply with any of the conditions listed in a through e shall be subject to subparagraph (h)(4)(A).

Appendix 11 – Implementation Schedule

<u>Requirement</u>	<u>Affected Tanks</u>	<u>Implementation Date</u>
<u>(d)(6)</u>	<u>Tier I Hexavalent Chromium Tank</u>	<u>Beginning January 1, 2023</u>
<u>(f)(10)</u>	<u>Tier I, Tier II, or Tier III Hexavalent Chromium Tank</u>	<u>Beginning January 1, 2023</u>
<u>(g)(1)</u>	<u>Chromium electroplating or chromic acid anodizing tank</u>	<u>[Date of Rule Adoption]</u>
	<u>Tier I or Tier II Hexavalent Chromium Tank or Tier III Hexavalent Chromium Tank (except chromium electroplating or chromic acid anodizing tanks)</u>	<u>Beginning January 1, 2023</u>
<u>(g)(2)</u>	<u>Tier II or Tier III Hexavalent Chromium Tank</u>	<u>[Date of Rule Adoption]</u>
	<u>Tier I Hexavalent Chromium Tank</u>	<u>Beginning January 1, 2023</u>
<u>(g)(5)</u>	<u>Chromium electroplating or chromic acid anodizing tank</u>	<u>[Date of Rule Adoption]</u>
	<u>Tier I or Tier II Hexavalent Chromium Tank or Tier III Hexavalent Chromium Tank (except chromium electroplating or chromic acid anodizing tanks)</u>	<u>Beginning January 1, 2023</u>

ATTACHMENT G

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Final Staff Report

Proposed Amended Rule 1426 – Emissions from Metal Finishing Operations Proposed Amended Rule 1469 – Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations

April 2021

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CHAPTER 1 – BACKGROUND

INTRODUCTION

Rule 1426 – Emissions from Metal Finishing Operations was adopted in 2003. This rule along with Rule 1469 – Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Operations are the two key South Coast Air Quality Management District (South Coast AQMD) rules that regulate plating and anodizing metal finishing operations, which are processes that prepare or treat the surface of parts by submerging them into tanks. The solution in these tanks often contain a metal that is classified as a Toxic Air Contaminant (TAC). Rule 1426 regulates five of these metal TACs that include hexavalent chromium, nickel, cadmium, lead, and copper whereas, Rule 1469 regulates hexavalent chromium from only a subset of the Rule 1426 facilities.

In 2015, South Coast AQMD staff initiated rule development to amend both Rule 1426 and Rule 1469. During the rule development process, Rule 1426 was separated from the Rule 1469 with a commitment to resume the development of Rule 1426 at a later date.

Rule 1426 currently applies to facilities that perform chromium, nickel, cadmium, lead or copper electroplating, or chromic acid anodizing. Rule 1426 has basic housekeeping measures and a prohibition on the air sparging of tanks containing chromic acid (i.e., hexavalent chromium). The rule also includes a one-time data collection requirement for the 2003 calendar year followed by a 2004 calendar year update if there were any changes from the 2003 report. This information was intended to be used to assess the need to amended Rule 1426 for additional emission controls. Rule 1426 required facilities to submit facility operation and equipment information. This included:

- Facility name and contact information
- Process descriptions
- Purchase records for nickel, cadmium, lead and copper
- Nickel, cadmium, lead, and copper electroplating tank information
 - dimension, volume, and metal concentrations
 - Control equipment information and test results
 - Amp-hr records for at least 4 months
 - Associate acid tank information (excluding rinse and dragout tanks)
- Sodium hydroxide spraying information
- Sensitive receptor distance

Currently Rule 1426 lacks the building enclosure requirements, enhanced housekeeping requirements, and best management practices included in the 2018 amendments to Rule 1469 and other recently amended or adopted metal TAC rules needed to address fugitive metal TAC emissions. Rule 1426 also does not specify emission limits nor does it include requirements for add-on air pollution controls like those provisions included in Rule 1469 to address the emissions from the heated and air sparged non-rectified hexavalent chromium tanks.

Rule 1426 needs to be amended to incorporate building enclosure requirements, enhanced housekeeping requirements, and best management practices in order to minimize metal TAC emissions from chromium, nickel, cadmium, or lead metal finishing tanks. Proposed Amended Rule 1426 (PAR 1426) is designed to minimize fugitive emissions from the tank solutions that contain hexavalent chromium, nickel, cadmium, or lead. Point source metal TAC emissions would be addressed through separate rulemaking efforts. Proposed Rule 1426.1 would address point source emissions of hexavalent chromium at facilities not subject to Rule 1469. Other point source

emissions of metal TAC would be addressed through future rulemaking efforts as needed as Proposed Rule 1426.X.

Rule 1469 specifies requirements to reduce hexavalent chromium emissions from certain metal finishing tanks. PAR 1426 would have additional requirements for hexavalent chromium tanks at facilities subject to Rule 1469. In order to avoid duplicate requirements and to streamline implementation, Rule 1469 is being amended to incorporate the PAR 1426 requirements into PAR 1469. Staff is also making two additional amendments to Rule 1469, one to revise the definition of High Efficiency Particulate Arrestors (HEPA) to remove reference to a chemical which is no longer used, consistent with PAR 1426, and the other to correct a table reference in recordkeeping.

INDUSTRY CHARACTERIZATION

Metal finishing is the surface treatment of a metal substrate to give it a desired characteristic. This can include anti-corrosion, durability, and adhesion. Due to the beneficial properties that can be imparted to products, metal finishing support many industries including fixtures (home, kitchen, and bath), machinery and industrial equipment, and commercial and military aerospace. In the South Coast AQMD basin alone, facilities span over 90 different classifications under the North American Industry Classification System (NAICS) standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy codes. This illustrates the diverse industries that use metal finishing with tank solutions. Most metal finishing involve the use of metal TACs, hexavalent chromium, nickel, cadmium, lead, or copper, which are in tank solutions.

Rule 1426 originally applied to an industry that performed chromium, nickel, cadmium, lead or copper electroplating operations, or chromic acid anodizing. PAR 1426 expands the applicability to include other facilities using tanks containing hexavalent chromium, nickel, cadmium or lead that are not electroplating (i.e., non-electrolytic). Non-electrolytic tanks include sealing, passivation, or strip tanks. Both operations of electrolytic and non-electrolytic tanks can be classified as metal finishing.

HEALTH EFFECTS OF METAL TOXIC AIR CONTAMINANTS

A substance is considered toxic if it has the potential to cause adverse health effects in people. A toxic substance released to the air is considered a TAC or “toxic air contaminant”. A TAC is defined as an “air pollutant which may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazard to human health” (Health and Safety Code Section 39655(a)). TACs are identified by state and federal agencies based on a review of available scientific evidence. In California, the Office of Environmental Health Hazard Assessment (OEHHA) is responsible for the scientific evaluation and determination of the health values for TACs that guide regulatory actions, including those of South Coast AQMD. South Coast AQMD Rule 1401 – New Source Review of Toxic Air Contaminants lists these TACs on Table 1 – Toxic Air Contaminants. Metal finishing operations that use tanks to prepare or treat the surface of parts use solutions that contain metals or metal compounds that are TACs. Rule 1426 regulates the following metal TACs used in metal finishing: hexavalent chromium, nickel, cadmium, lead, and copper.

Table 1 below summarizes the unit risk factor, chronic and acute reference exposure levels and multipathway values, if applicable, for hexavalent chromium, nickel, cadmium, lead, and copper,

based on data from OEHHA. These health values are used to estimate risks to individuals such as workers and residents for health risk assessments purposes.

Table 1 - Toxicity of Metals

Toxic Air Contaminant	Inhalation Cancer Potency Factor ¹ (mg/kg-d) ⁻¹	Multipathway ² (Residential Cancer)	REL ¹ (Chronic) (µg/m ³) ⁻¹	Multipathway ² (Residential Non-cancer Chronic)	REL ¹ (Acute) (µg/m ³) ⁻¹
Hexavalent Chromium	5.1E+02	1.60	2.00E-01	2.44	
Nickel and Compounds	9.1E-01		1.4E-02		2.00E-01
Cadmium and Compounds	1.5E+01		2.00E-02	1.98	
Lead and Compounds	4.2E-02	11.41			
Copper and Compounds					1.00E+02

Hexavalent Chromium

Hexavalent chromium³ is one of the most potent carcinogens. Hexavalent chromium is a multipathway toxic air contaminant, meaning there are multiple exposure pathways for a person to be exposed, such as inhalation and ingestion. Inhalation of hexavalent chromium can cause both cancer and non-cancer health effects. Inhalation of hexavalent chromium over a long period of time increases the risk of lung cancer and nasal cancer. The non-cancer effects of being exposed to hexavalent chromium at high levels over time can cause or worsen health conditions such as irritation of the nose, throat and lungs; allergic symptoms (wheezing, shortness of breath); and nasal sores and perforation of the membrane separating the nostrils.

Nickel

Nickel⁴ is a carcinogen and also results in non-cancer chronic effects, affecting the respiratory and hematologic or blood system, and non-cancer acute effects, affecting the immune system.

¹ California Air Resources Board. *Consolidated Table of OEHHA/ARB Approved Risk Assessment Health Values*. (2020, October 2). <https://ww2.arb.ca.gov/sites/default/files/classic/toxics/healthval/contable.pdf>

² South Coast AQMD. *SCAQMD Permit Application Package N*. (2017, August 7). Available online at https://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1401/attachmentn_080717.pdf.

³ Office of Environmental Health and Hazard Assessment. *Health Effects of Hexavalent Chromium*. Retrieved January 14, 2021 from <https://oehha.ca.gov/air/health-effects-hexavalent-chromium>.

⁴ Office of Environmental Health and Hazard Assessment. *Nickel and Nickel Compounds*. Retrieved January 14, 2021 from <https://oehha.ca.gov/chemicals/nickel-and-nickel-compounds>.

Cadmium

Cadmium⁵ is a carcinogen and also results in non-cancer chronic effects, affecting the kidneys and respiratory system. Additionally, exposure to cadmium can result in developmental toxicity.

Lead

Lead is a carcinogen and a multipathway toxic air contaminant. Lead⁶ has non-cancer chronic health effects including nervous and reproductive system disorders, neurological and respiratory damage, cognitive and behavioral changes, and hypertension. Young children are especially susceptible to the effects of environmental lead because their bodies accumulate lead more readily than do those of adults, and because they are more vulnerable to certain biological effects of lead including learning disabilities, behavioral problems, and deficits in IQ.

Copper

Copper⁷ health effects are primarily due to acute exposure for non-cancer and are 500 times less than that of nickel. Copper exposure can result in non-cancer acute effects, affecting the respiratory system. For PAR 1426, requirements for copper electroplating tanks will no longer be included due to the relatively low health risk as a metal toxic air contaminant for acute exposure.

FINDINGS FROM OTHER TOXIC METAL TAC RULE DEVELOPMENTS

South Coast AQMD has developed other rules to address point and fugitive emissions metal TACs from various industries and operations. This includes metal grinding at forging facilities (Rule 1430 – Control of Emissions from Metal Grinding Operations at Metal Forging Facilities), metal melting for lead (Rule 1420 – Emission Standard for Lead, Rule 1420.1 – Emission Standards for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recycling Facilities, and Rule 1420.2 – Emission Standards for Lead from Metal Melting Facilities), metal melting of non-chromium metals (Rule 1407 – Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Ferrous Metal Melting Operations), and chromium electroplating and chromic acid anodizing facilities (Rule 1469). Through each of these rule developments, staff identified practices and methods to minimize and contain fugitive emissions from being re-entrained into the ambient air that generally included housekeeping provisions to clean fugitive dust, building enclosures to containment of fugitive metal dust, and best management practices to minimize the generation of fugitive metal dust.

In addition, during the investigation process of ambient monitoring near metal processing facilities, ambient monitoring results demonstrated metal TAC emissions were being emitted from the facility. After the implementation of methods and practices to control fugitive and point source emissions, ambient monitoring results demonstrated a decrease in metal TAC concentrations. Point source emissions controls can include the installation, repair, or upgrading of an add-on air

⁵ Office of Environmental Health and Hazard Assessment. *Cadmium*. Retrieved January 14, 2021 from <https://oehha.ca.gov/chemicals/cadmium>.

⁶ Office of Environmental Health and Hazard Assessment. *Proposed Identification of Inorganic Lead as a Toxic Air Contaminant*. Retrieved January 14, 2021 from <https://oehha.ca.gov/air/proposed-identification-inorganic-lead-toxic-air-contaminant>.

⁷ Office of Environmental Health and Hazard Assessment. *Copper and Copper Compounds*. Retrieved January 14, 2021 from <https://oehha.ca.gov/air/chemicals/copper-and-copper-compounds>.

pollution control system. Practices and methods to control fugitive emissions are grouped into three key categories: housekeeping requirements, building enclosure requirements, and best management practices. These categories were incorporated into PAR 1426 as rule requirements.

Rule 1430

In 2012, the South Coast AQMD began receiving complaints from the public regarding a burning metallic odor and metal particulate in the City of Paramount⁸. Through ambient monitoring, air quality analysis and investigation of surrounding businesses a metal forging facility was identified as a source of these metallic odors, which arise primarily from their metal grinding operations. Staff conducted glass plate sampling at other metal forging facilities that demonstrated fugitive metal particulates were not exclusive to grinding operations at one metal forging facility. During the rule development process for Rule 1430, staff visited many metal forging facilities. The following were key findings from the site visits:

- Facilities were conducting metal grinding operations in the open air. Because of the fugitive nature of grinding operations, with no containment structure such as an enclosure and no air pollution control device, the metal particulates were being released in the open air and into the community.
- Pollution control equipment did not appear to have proper ventilation, operation, and maintenance. Evidence that there were issues with the existing pollution controls was that the metal particulates during the grinding operations were not moving towards the control equipment.
- Grinding operations conducted within structures that had large openings, for ingress and egress, with large vents and openings on the sides and top of the building did not adequately contain fugitive metal particulate.
- Housekeeping measures varied at each facility (e.g. cleaning method, frequency, areas cleaned).

Rule 1430 reduced metal particulate emissions from metal grinding and metal cutting operations at metal forging facilities to ensure that these operations have the appropriate pollution control equipment. Rule 1430 required that these operations are conducted within an enclosure to ensure fugitive emissions that did not make it to the control device are contained, and that housekeeping requirements are followed to ensure any accumulation of metal particulate in around grinding operations is not re-entrained into the air or tracked outside of the facility.

Rule 1420.1

Rule 1420.1 was adopted in November 2010 to address lead emissions from large lead-acid battery recycling facilities to ensure attainment of the National Ambient Air Quality Standard (standard) for lead. Prior to adoption, both large lead-acid battery recycling facilities were determined to be contributors to the exceedance of the federal lead standard. Violations issued to both of these facilities required additional housekeeping, process changes, and more stringent monitoring. Staff determined that fugitive lead-dust can accumulate in process areas, from lead point sources, on roof tops, in and around facility, and during maintenance operations. As such, Rule 1420.1 required a variety of housekeeping and containment strategies. The concept behind many of these strategies

⁸ South Coast AQMD. (n.d.). *Carlton forge works*. Retrieved January 7, 2021, from <https://www.aqmd.gov/home/news-events/community-investigations/air-monitoring-activities/facilities---order-for-abatement/carlton-forge-works>

is to either contain or remove lead dust so it cannot become airborne. Housekeeping practices specifying adequate frequencies and locations for all cleanings to be performed are also critical in the effectiveness to control fugitive lead-dust emissions. The use of enclosures or containment materials ensured that the materials do not become fugitive.

Amendments to the Rule 1420.1 identified additional sources of fugitive emissions and required further housekeeping or best management practices.

Rule 1469

During the rule development for Rule 1469 which was amended in 2018, South Coast AQMD identified that the process of air sparging and heating of tanks with solutions containing chromic acid also generated hexavalent chromium emissions. Rule 1469 was amended to address these previously unknown sources of hexavalent chromium through point source controls. Additional requirements to control fugitive emissions included enhanced housekeeping and best management practices as well as new building enclosure requirements.

Investigations of several Rule 1469 facilities through ambient monitoring demonstrated the effectiveness of implementation of these control measures to control emissions, including fugitive emissions. Staff conducted ambient monitoring of hexavalent chromium near two chromic acid anodizing facilities located in two cities in the South Coast Air Basin: a facility in Newport Beach and a facility in Paramount, where hexavalent chromium levels were above background levels near those facilities. Ambient monitoring near the Rule 1469 facilities in Newport Beach and Paramount provided information about previously unknown sources of hexavalent chromium emissions. Ambient monitoring also showed that ambient levels of hexavalent chromium were reduced after the facilities implemented control measures for fugitive emissions and installed add-on controls.

Through the rule amendments to Rule 1469 in 2018, based on ambient monitoring, emissions testing, and other investigative activities it was determined that there were tanks that were not previously known that had significant hexavalent chromium emissions that needed pollution controls. Additionally, control measures to minimize fugitive emissions, while not quantifiable, were effective in reducing ambient levels of hexavalent chromium. As a result, Rule 1469 requires pollution controls on these tanks to address point source emissions whereas, fugitive emissions are addressed through building enclosure requirements, enhanced housekeeping, and best management practices.

REGULATORY HISTORY

Chrome plating and chromic anodizing operations are under Rule 1469 as well as state and federal regulations. Whenever the South Coast AQMD adopts or amends a rule, the requirements must be equal to or more stringent than the federal or state requirements. The recent amendments to Rule 1469 added more stringent requirements based on findings during the 2018 rule development.

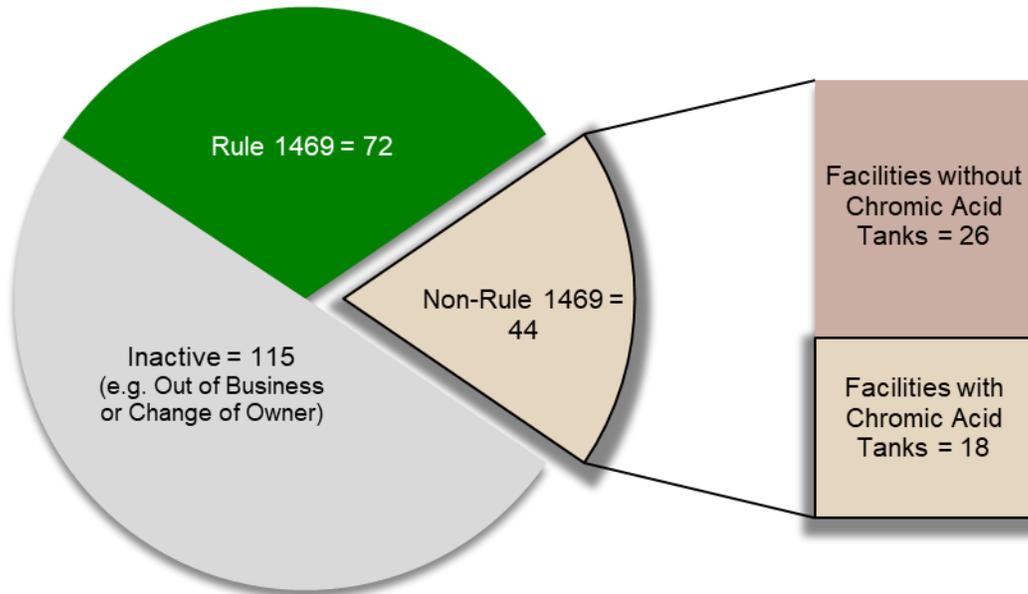
U.S. EPA NESHAP

On June 12, 2008, the U.S. EPA issued 40 CFR Part 63 Subpart WWWW (6W)⁹, the Plating and Polishing NESHAP for area sources. It addressed national air toxics standards for smaller-emitting sources, known as area sources, in the plating and polishing industry. The requirements apply to existing and new area sources in the plating and polishing rule. The rule affected existing and new plating and polishing facilities and applies to non-chromium electroplating; electroforming; electropolishing; electroless plating or other non-electrolytic metal coating operations, such as chromate conversion coating, nickel acetate sealing, sodium dichromate sealing, and manganese phosphate coating; dry mechanical polishing operations, and thermal spraying operations that use or emit compounds of one or more of the following metal toxic air pollutants: cadmium, chromium, lead, manganese, and nickel with operations containing at least 1,000 ppm of chromium, cadmium, lead, nickel or at least 10,000 ppm of manganese. It includes management practices such as use of wetting agent/fume suppressants, use of tank covers or control devices, and capture and control of emissions from thermal spraying and dry mechanical polishing. Also included were management practices that were to be implemented as practicable by the facilities.

Rule 1426

On May 2, 2003, Rule 1426 was adopted to address the emissions from non-Rule 1469 tanks and facilities. Basic housekeeping and recordkeeping requirements were required as well as limited air sparging restrictions on tanks that contain chromic acid. Staff initiated amendments to Rule 1426 during rulemaking for amendments Rule 1469 in 2008 and 2018, but were suspended to allow staff to focus on Rule 1469 amendments. At the time of adoption, the approach was to collect additional information about facilities with Rule 1426 tanks, and use that information to establish additional requirements. Requirements for data gathering included the submittal of a 2003 Initial Compliance Report and 2004 Compliance Reports. For the Initial Compliance Reports, 231 facilities submitted an Initial Compliance Report of which only 116 facilities are still active with 72 subject to Rule 1469. Of the remaining 44 facilities, 18 facilities had a total of 44 tanks that contained chromic acid that were unregulated because the tanks were not located at facilities subject to Rule 1469 as presented in Figure 1. In addition to these unregulated chromic acid tanks, there are many nickel, cadmium, and lead electroplating tanks that are operating without point source controls and without requirements to reduce fugitive emissions.

⁹ United States Environmental Protection Agency. *Subpart WWWW—National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations*. (2012). Retrieved 16 December 2020, from <https://www.govinfo.gov/content/pkg/CFR-2015-title40-vol15/pdf/CFR-2015-title40-vol15-part63-subpartWWW.pdf>.

Figure 1 - Number of Facilities from 2003 Year Initial Compliance Reports**AFFECTED RULE 1426 FACILITIES**

There are approximately 339 facilities expected to be impacted by PAR 1426 and PAR 1469. Table 2 provides the number of facilities by North American Industry Classification System (NAICS) code. The facilities conducting metal finishing using process tanks containing metal TACs are generally classified under the following two digit NAICS codes:

- 56XXXX - Administrative and Support and Waste Management and Remediation Services
- 23XXXX - Construction
- 62XXXX - Health Care and Social Assistance
- 51XXXX - Information
- 31XXXX, 32XXXX, 33XXXX - Manufacturing
- 81XXXX - Other Services (except Public Administration)
- 54XXXX - Professional, Scientific and Technical Services
- 44XXXX - Retail Trade
- 49XXXX - Transportation and Warehousing
- 42XXXX - Wholesale Trade

Table 2 - Facility Categories

	Facility Type	Number of Facilities
236115	New Single-Family Housing Construction (except For-Sale Builders)	1
238990	All Other Specialty Trade Contractors	1
311942	Spice and Extract Manufacturing	1
313310	Textile and Fabric Finishing Mills	1
313320	Fabric Coating Mills	1
323113	Commercial Screen Printing	1
323120	Support Activities for Printing	2
324191	Petroleum Lubricating Oil and Grease Manufacturing	1
325110	Petrochemical Manufacturing	1
325180	Other Basic Inorganic Chemical Manufacturing	1
325510	Paint and Coating Manufacturing	1
326113	Unlaminated Plastics Film and Sheet (except Packaging) Manufacturing	1
331315	Aluminum Sheet, Plate, and Foil Manufacturing	2
331318	Other Aluminum Rolling, Drawing, and Extruding	2
331420	Copper Rolling, Drawing, Extruding, and Alloying	1
331491	Nonferrous Metal (except Copper and Aluminum) Rolling, Drawing, and Extruding	1
331524	Aluminum Foundries (except Die-Casting)	3
331529	Other Nonferrous Metal Foundries (except Die-Casting)	1
332119	Metal Crown, Closure, and Other Metal Stamping (except Automotive)	1
332216	Saw Blade and Handtool Manufacturing	1
332312	Fabricated Structural Metal Manufacturing	1
332322	Sheet Metal Work Manufacturing	1
332439	Other Metal Container Manufacturing	1
332510	Hardware Manufacturing	1
332710	Machine Shops	6
332721	Precision Turned Product Manufacturing	1
332722	Bolt, Nut, Screw, Rivet, and Washer Manufacturing	12
332811	Metal Heat Treating	3
332812	Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers	9
332813	Electroplating, Plating, Polishing, Anodizing, and Coloring	162
332912	Fluid Power Valve and Hose Fitting Manufacturing	1
332913	Plumbing Fixture Fitting and Trim Manufacturing	4
332991	Ball and Roller Bearing Manufacturing	1
332996	Fabricated Pipe and Pipe Fitting Manufacturing	1
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing	1
333249	Other Industrial Machinery Manufacturing	3
333314	Optical Instrument and Lens Manufacturing	2
333413	Industrial and Commercial Fan and Blower and Air Purification Equipment Manufacturing	1
333514	Special Die and Tool, Die Set, Jig, and Fixture Manufacturing	1
333515	Cutting Tool and Machine Tool Accessory Manufacturing	1

	Facility Type	Number of Facilities
333613	Mechanical Power Transmission Equipment Manufacturing	1
333999	All Other Miscellaneous General Purpose Machinery Manufacturing	1
334220	Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing	1
334412	Bare Printed Circuit Board Manufacturing	2
334416	Capacitor, Resistor, Coil, Transformer, and Other Inductor Manufacturing	1
334417	Electronic Connector Manufacturing	1
334418	Printed Circuit Assembly (Electronic Assembly) Manufacturing	16
334419	Other Electronic Component Manufacturing	9
334510	Electromedical and Electrotherapeutic Apparatus Manufacturing	2
334511	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrument Manufacturing	1
334519	Other Measuring and Controlling Device Manufacturing	1
335129	Other Lighting Equipment Manufacturing	1
335312	Motor and Generator Manufacturing	1
335314	Relay and Industrial Control Manufacturing	2
335931	Current-Carrying Wiring Device Manufacturing	2
335999	All Other Miscellaneous Electrical Equipment and Component Manufacturing	1
336310	Motor Vehicle Gasoline Engine and Engine Parts Manufacturing	1
336390	Other Motor Vehicle Parts Manufacturing	1
336411	Aircraft Manufacturing	2
336412	Aircraft Engine and Engine Parts Manufacturing	2
336413	Other Aircraft Parts and Auxiliary Equipment Manufacturing	10
336414	Guided Missile and Space Vehicle Manufacturing	1
336419	Other Guided Missile and Space Vehicle Parts and Auxiliary Equipment Manufacturing	1
337920	Blind and Shade Manufacturing	1
339114	Dental Equipment and Supplies Manufacturing	1
423510	Metal Service Centers and Other Metal Merchant Wholesalers	2
423830	Industrial Machinery and Equipment Merchant Wholesalers	1
423860	Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers	1
423930	Recyclable Material Merchant Wholesalers	1
423940	Jewelry, Watch, Precious Stone, and Precious Metal Merchant Wholesalers	1
441228	Motorcycle, ATV, and All Other Motor Vehicle Dealers	1
441310	Automotive Parts and Accessories Stores	1
443142	Electronics Stores	1
493110	General Warehousing and Storage	1
511130	Book Publishers	1
531210	Offices of Real Estate Agents and Brokers	1
541330	Engineering Services	1
541380	Testing Laboratories	4
541712	Aerospace research and development (except prototype production)	1
541990	All Other Professional, Scientific, and Technical Services	3
561499	All Other Business Support Services	4

	Facility Type	Number of Facilities
561990	All Other Support Services	3
621999	All Other Miscellaneous Ambulatory Health Care Services	1
811111	General Automotive Repair	1
811118	Other Automotive Mechanical and Electrical Repair and Maintenance	1
811121	Automotive Body, Paint, and Interior Repair and Maintenance	2
811219	Other Electronic and Precision Equipment Repair and Maintenance	1
811310	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	2
811490	Other Personal and Household Goods Repair and Maintenance	1
812210	Funeral Homes and Funeral Services	1

PROCESS DESCRIPTIONS

Metal finishing operations involves a process used to prepare or treat the surface of a part, typically a metal substrate, by submerging the part into a tank of solution that typically contains a metal TAC. The part typically would need to be prepared by removing impurities through cleaning or etching tanks before being plated or anodized. Plating can be either electrolytic (i.e., electroplating) or electroless (e.g., electroless nickel). There may be multiple treatment steps involved for any particular part. This may include a copper layer deposited to even out surface irregularities or build up the thickness of the part. The part may undergo mechanical manipulation, such as buffing, grinding, or polishing to level the surface before being prepared for plating with a decorative layer such as nickel. Some treatments may involve plating with a functional layer such as cadmium for corrosion resistance. Passivation or sealing treatments in tanks may be applied to further protect the parts final surface.

Job shops may additionally receive a part to repair which may necessitate the chemical or electrolytic stripping of plated surfaces prior to the procedures describe above. The stripping of metal layers may result in the accumulation of these removed metal TACs from the part and into the stripping tank solution, which previously did not contain any metal TAC. Metal finishing tanks can be grouped into two type of categories, electrolytic or non-electrolytic.

Electrolytic Tanks

These tanks are typically the electroplating tanks used to deposit a layer of metal on the part, however there are anodizing, electroforming, electropolishing, and electrolytic strip tanks as well. Common to all these tanks is the application of an electrical current to drive the intended process for the tank. The tank solution may contain a metal TAC as a reagent for electroplating or anodizing tanks. The tank solution also may contain a metal TAC as a result of electrocleaning or electrolytic stripping.

Non-Electrolytic Tanks

Metal finishing facilities may have multiple tanks that are in the electroplating or anodizing process line. These include tanks to either prepare or finish parts that are not considered anodizing or electroplating tanks themselves, but the tank solutions may contain a metal TAC.

Tank solutions containing metal TACs – Sources of Fugitive Emissions

Both electrolytic and non-electrolytic tank solution can contain metal TACs. If these tank solutions find their way outside the tank, the metal containing solution can become sources of fugitive emissions if left unattended. Descriptions of metal finishing processes and the tanks used are listed below. Note that a tank may fit the description of more than one category.

- *Anodizing Tanks*^{10,18}
Anodizing is an electrolytic process to by which an oxide layer is produced on the surface of a part, typically aluminum. The current is reversed compared to electroplating. The two most common anodizing processes are chromic acid anodizing and sulfuric acid anodizing, however, phosphoric acid and oxalic acid may also be used. Anodizing can impart a hard, corrosion and abrasion resistant coating that resists wear. A dye may be used to color the surface prior to sealing.
- *Conversion Coating Tanks*¹¹
Conversion coating is the process of converting the surface of a part into a coating using a chemical or electro-chemical process. Chromate conversion is conversion coating using chromic acid to treat aluminum. The chromate conversion coating process converts the surface properties of the substrate by applying a thin protective coating utilizing bath chemistry rather than an electrolytic process. Chromate conversion tanks are also referred to as “chem film” tanks, but can also be called other proprietary names such as Alodine or Iridite tanks.
- *Electroforming Tanks*¹²
Electroforming is the process of electroplating onto a mandrel or template that is subsequently separated from the electrodeposit formed part.
- *Electroless Plating Tanks*^{13,18}
Electroless plating is the process of autocatalytic or chemical reduction of aqueous metal ions plated onto a part. The most common process is electroless nickel plating.
- *Electroplating Tanks*^{14,18}
Electroplating is the process where a layer of metal is electrodeposited onto a part. Decorative and hard chrome, nickel, cadmium, lead, and copper electroplating are common examples.
- *Electropolishing Tanks*¹⁵
Electropolishing is the process to smooth, polish, deburr, or clean a part using an electrolytic bath solution. Material from the metallic part is removed faster on protruding surfaces such as edges.

¹⁰ Metal Finishing - Universal Metal Finishing Guidebook (2012/2013 ed.). (2012). Elsevier (pg 465)

¹¹ Metal Finishing - Universal Metal Finishing Guidebook (2012/2013 ed.). (2012). Elsevier (pg 112, 142, 395, 479)

¹² Metal Finishing - Universal Metal Finishing Guidebook (2012/2013 ed.). (2012). Elsevier (pg 343)

¹³ Metal Finishing - Universal Metal Finishing Guidebook (2012/2013 ed.). (2012). Elsevier (pg 454)

¹⁴ Metal Finishing - Universal Metal Finishing Guidebook (2012/2013 ed.). (2012). Elsevier (pg 293, 313, 334)

¹⁵ Metal Finishing - Universal Metal Finishing Guidebook (2012/2013 ed.). (2012). Elsevier (pg 89, 153)

- *Etch Tanks*^{16,17,18}
Etching is a process to remove material from the surface of a part. Etching roughens the metal surface of the part so that a subsequent layer will better adhere to the part. Chemical milling using the same process with a different rate and depth of metal removal. Etching can use both acidic or alkaline solutions.
- *Passivation Tanks*¹⁸
Passivation is the process of forming an oxide layer onto a part. Passivation is a chemical process designed to increase the corrosion resistance of parts. Parts are placed in the tank solution and submerged in a nitric acid bath or nitric acid with sodium with sodium dichromate. A hard non-reactive surface film that inhibits further corrosion forms on the surface.
- *Pre-Dip Tanks*^{17,19}
Pre-dip is the process to prepare or activate a part's surface immediately prior to introduction into another metal finishing tank in order to preserve or prolong the life of that metal finishing tank's bath solution.
- *Sealing Tanks*^{18,20}
Sealing closes the porous surface generated during the anodizing process, which gives the product maximum corrosion resistance and minimizes the wear resistance of the anodized oxide layer. The anodized part is immersed in either hot water, nickel acetate, or sodium dichromate seal tanks. The pores on the surface are filled or plugged by hydrating. The seal tanks are heated to near boiling temperatures.
- *Stripping Tanks*²¹
Parts may have an existing layer of metal coating on them that must be stripped prior to plating. The stripping process may either use a chemical process or use an electrical current to remove the layer. The concentration of metal TACs in stripping tanks can vary by facility with the concentration increasing with use over time unless there is maintenance or a tank solution clean out.

Rinse Process²²

In-between metal finishing processes or toward the end of the process line, metal finishing facilities will rinse a part to remove any residual tank solution that is remaining on the part. This is done by either dragout/rinse tanks, counter-flow rinsing, or spray rinsing.

- *Rinse Tanks*
Following metal finishing of a part, the part can be placed into a rinse tank. A rinse tank may also be referred to as a dragout tank. This tank collects excess tank solution still on

¹⁶ Metal Finishing - Universal Metal Finishing Guidebook (2012/2013 ed.). (2012). Elsevier (pg 153)

¹⁷ U.S. EPA. (2000, March). Implementing Cleaner Printed Wiring Board Technologies: Surface Finishes. https://www.epa.gov/sites/production/files/2013-12/documents/pwb_surface_finishes_guide.pdf

¹⁸ U.S. EPA. (1984, February). Guidance Manual for Electroplating and Metal Finishing Pretreatment Standards. <https://www3.epa.gov/npdes/pubs/owm0022.pdf>

¹⁹ Metal Finishing - Universal Metal Finishing Guidebook (2012/2013 ed.). (2012). Elsevier (pg 352)

²⁰ Metal Finishing - Universal Metal Finishing Guidebook (2012/2013 ed.). (2012). Elsevier (pg 372)

²¹ Metal Finishing - Universal Metal Finishing Guidebook (2012/2013 ed.). (2012). Elsevier (pg 60, 81)

²² U.S. EPA. (2007, November). Clean Lines: Strategies for Reducing Your Environmental Footprint - Metal Finishing Operations. <https://www.epa.gov/sites/production/files/2015-03/documents/finishing.pdf>

the part from the previous tank and rinses the part. The dragout tank is a rinse tank initially filled with water. Air agitation is often used to aid the rinsing process because there is no water flow in the tank to cause turbulence. The rinse tanks may also be heated, depending upon the operation. As the process tank line is operated, no additional water is added to the tank, thus the chemical concentration and the amount of metal TACs in the tank increase as more parts are rinsed. The liquid in the rinse tank can be used as makeup water for the preceding tank or be processed as waste.

- *Counter-flow Rinsing*

Counter-flow rinsing, also referred to as counter current cascade rinsing, is the process of utilizing multiple rinse tanks connected in series. Fresh water flows into the rinse tank located furthest from the process tank and overflows, in turn, to the rinse tanks closer to the process tank. This technique is called counter-flow rinsing because the work piece and the rinse water move in opposite directions. Over time, the first rinse becomes contaminated with dragout. The second rinse tank has a lower concentration of metal TACs compared to the first rinse tank. The more counter-flow rinse tanks, the lower the water flow needed for adequate removal of the process solution.

- *Spray Rinsing*

Spray rinsing is the use of spray nozzles to rinse parts. Spray rinsing can significantly decrease dragout, however, too high a water pressure can cause water that is laden with metal TACs to ricochet off the parts. Water containing metal TACs that dries on surfaces has the potential to become fugitive emissions. Some facilities use a variety of techniques to contain the water spray, such as spray rinsing in a tank or using splash guards to contain the spraying operation when it occurs over the tanks.

PAR 1426 will address the fugitive emissions from the tank solutions containing metal TACs as well as any tank emissions potentially not captured by required add-on air pollution controls. The metal TACs found in the tank solution of the above tanks processes are the primary source of the fugitive emissions that PAR 1426 addresses through building enclosure, housekeeping, and best management practices. The next section describes how these fugitive emissions are generated at metal finishing facilities.

PATHWAYS FOR FUGITIVE EMISSIONS

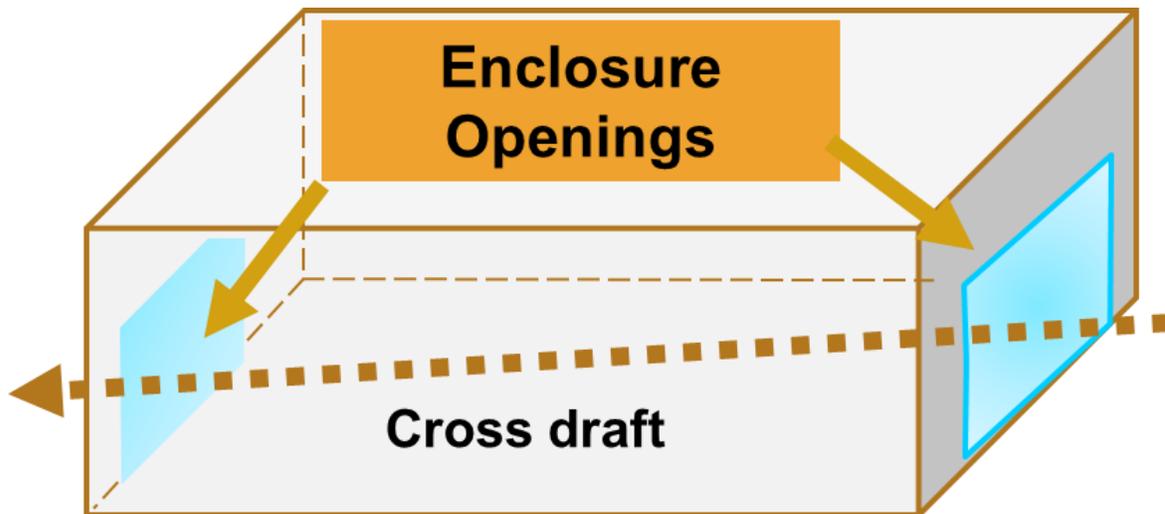
Fugitive emissions generally originate from four key areas as summarized in Figure 2.

Figure 2 - Four Key Areas of Fugitive Emissions Movement**Electrified, Air Sparged, and Heated Tanks**

The first category where fugitive emissions are created from a process tank due to electrification, heating, or air sparging, are not captured or controlled due to either:

- Lack or pollution controls that are not required
- Improper maintenance or operation of pollution controls
- Other influences that may affect the 100% capture efficiency

Cross drafts, and other air currents, can carry fugitive emissions outside the building as illustrated in Figure 3 below. Air currents produced from facility operations, such as comfort fans or rectifier fans, or cross drafts can also negatively impact the collection efficiency of an add-on air pollution control device. Fugitive emissions from these tanks can be addressed by both requirements on point source controls in future rulemaking (i.e., inspection, maintenance, and parametric monitoring) as well as building enclosure requirements and best management practices. Cross drafts and air currents are also capable of causing other metal particulates within the building enclosure to become airborne and carrying these particulates outside the building as fugitive emissions.

Figure 3 - Cross Drafts through a Building Enclosure

Tank solutions that leave the metal finishing tanks

The second category occurs when the metal TACs in the tank solution makes their way outside of a tank that is intended to contain these metal TACs. This occurs primarily during the movement of parts out of the tank with residual tank solution that drips (i.e, dragout) onto unintended surfaces such as the floor. Tank solutions can also splash onto the ground during vigorous rinsing operations and agitation. These occurrences can be minimized through the use of drip trays and splash guards as best management practices. The accumulations of tank solution on surfaces can be minimized through routine housekeeping and spill cleanup.

Dried Tank Solutions Tracked Outside Building Enclosure

The third key category occurs when there is an accumulation of dried tank solutions that build up over time and become solid. These solids can become metal particulates when crushed where it is tracked outside the building enclosure by foot or equipment traffic. These solids can be minimized through routine housekeeping. The use of specific cleaning methods is important as cleaning methods such as using a broom or a non-HEPA vacuum can entrain dried metal particulates into the air as the solids are not captured.

Practices How Parts and Materials are Cleaned, Stored, and Handled

The fourth key category involves practices used by facilities that are known to generate fugitive emissions. This includes the storage and handling wastes, spent filters cleaning equipment, tank covers, extra anodes and cathodes that have come in contact with the metal TAC tank solutions. Proper handling of these materials in a careful manner using containers and storing in enclosed storage areas minimizes the likelihood that the dried metal particulates can be entrained due to air currents and carried outside the building enclosure by cross drafts as fugitive emissions.

SITE VISITS AND FACILITY SURVEY

As part of PAR 1426 development, staff conducted site visits at 11 facilities that conducted metal finishing using tanks containing a metal TAC. Beginning in 2019 and continuing into 2020, staff performed pre-arranged site visits at these facilities. Unfortunately, COVID-19 prevented further

site visits after March 2020. The site visits focused on housekeeping, best management practices, emission control methods at electroplating and non-electroplating tanks, conditions of buildings containing process tanks. A facility survey was sent to the potentially affected facility to gather additional information for rulemaking.

Based on the site visits for PAR 1426, staff observed that all 11 facilities conducted metal finishing within a building enclosure. Housekeeping varied but most facilities employed some form of routine housekeeping to address fugitive emissions. Staff observed potential housekeeping issues such as: mops stored out in the open and a visible accumulation of dried tank solution at circulation pumps. Drip trays were installed to minimize dragout and splash guards were installed to control spray rinsing operations.

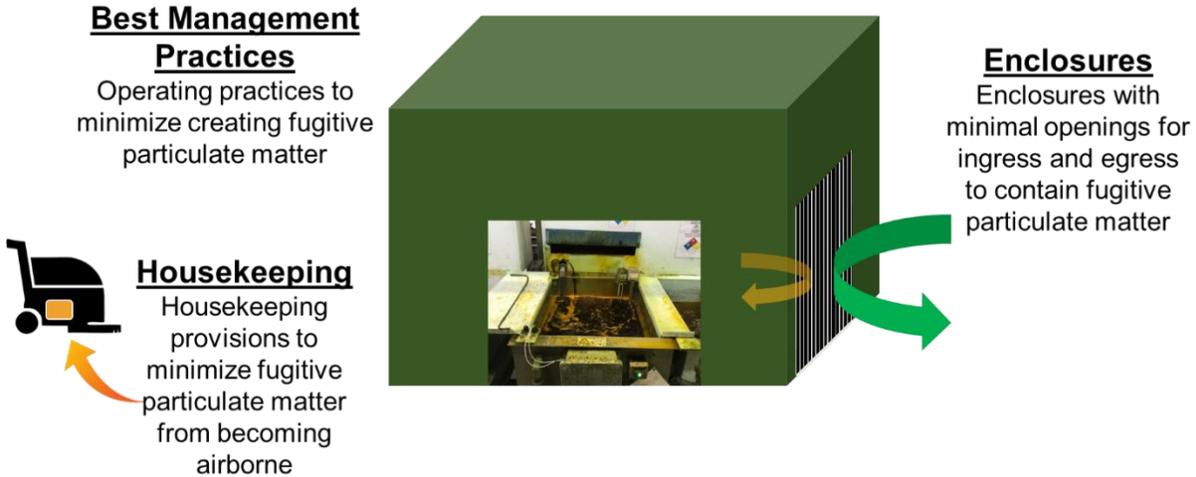
Staff received 38 responses from the survey sent out to the potentially affected facilities. No facility reported operating tanks outside a building enclosure. 33 of the 38 facilities reported conducting housekeeping in the tank process area at least weekly. 18 of the 38 facilities reported that the housekeeping was performed it daily. 18 of the 38 facilities reported using drip trays. Nine facilities reported the use of splash guards with spray rinsing, while seven reported using spray rinsing without splash guards, and one facility performed spray rinsing inside a tank.

In addition to the facility information obtained during the development of PAR 1426, staff conducted site visits at 47 facilities subject to Rule 1469 from the beginning in 2015 and continuing into 2018 as part of the rule development for the 2018 amendment. Many of these Rule 1469 facilities would be subject to the requirements of PAR 1426. The site visits included the focus on housekeeping, conditions of buildings containing hexavalent chromium tanks, and grinding operations. Staff observed fugitive emissions generated due to atomization of chromium-laden liquid, contamination, or uncontained tank solutions being dried liquid originating from uncontained chromium-laden liquids during parts rinsing without splash guards and drag out without drip trays.

NEED FOR PROPOSED AMENDED RULE 1426

As previously discussed, prior rule developments efforts demonstrated that building enclosure requirements, housekeeping requirements, and best management practices were effective in reducing metal TAC emissions from facilities. Rule 1426 currently has minimal housekeeping and best management practice requirements and lacks any requirements for building enclosures. The pathways for fugitive emissions to be created and be discharged out of the facility are similar to other metal TAC operations and are nearly identical to facilities subject to Rule 1469.

PAR 1426 is needed to ensure that the emissions from hexavalent chromium, nickel, and cadmium are reduced using building enclosure requirements, enhanced housekeeping requirements, and best management practices that are now required by recent South Coast AQMD rules regulating metal TACs. PAR 1426 would focus on fugitive emissions reductions primarily due to the metal TACs found in the tank solutions when they make their way outside of the tanks that were meant to contain them. These three categories are described in Figure 4.

Figure 4 - Three Main Strategies to Minimize Fugitive Emissions

Hexavalent chromium, nickel, cadmium, lead, and copper are metal TACs with acute and chronic health effects that are harmful to humans as discussed earlier. Recent South Coast AQMD rules that regulate metal TACs have provisions for building enclosure requirements, housekeeping requirements, and best management practices to address emissions due to metal TACs. [Table 3](#) and [Table 4](#) compare recent South Coast AQMD rules to PAR 1426. Best management practices are specific to the operations regulated by the respective rules, so they are not directly comparable to other non-metal finishing operations. PAR 1426 incorporates the needed best management practices from Rule 1469 such as the use of drip trays and splash guard to minimize tank solutions making their way outside the tanks resulting in fugitive emissions.

The control of metal TAC emissions from electrolytic, heated, and air-sparged tank solutions with metal TACs from process tanks would be addressed through point source control requirements in future Proposed Rules 1426.X (PR 1426.X) through separate rulemaking for specific metal TACs, such as lead, nickel, and cadmium. Additional information, such as emission testing results, needs to be collected to determine the appropriate point source controls and requirements for metal TACs other than hexavalent chromium. It is anticipated that PR 1426.1 rulemaking will follow after PAR 1426 in order to address point source emissions from currently unregulated non-electrolytic hexavalent chromium tanks, identified in during the recent rule development efforts for amendments to Rule 1469, at non-Rule 1469 facilities.

Table 3 - Comparison of Enclosure Provisions of South Coast AQMD Rules

Requirement	Rule 1407 Metal Melting (Cadmium, Arsenic, and Nickel)	Rule 1420 Lead Standards (Lead)	Rule 1420.1 Lead-Acid Battery Recycling (Lead, Arsenic)	Rule 1420.2 Lead Metal Melting (Lead)	Rule 1430 Metal Grinding (Various Metals)	Rule 1426 Metal Finishing Operations (Multiple Metals)
Require operation in a building enclosure	Yes	Yes	Yes	Yes	Yes	No
Cross draft restrictions	Yes	Yes	Yes	Yes	Yes	No
Sensitive receptor or school proximity based requirements	No	No	Yes	No	Yes	No

Table 4 - Comparison of Housekeeping Provisions of South Coast AQMD Rules

Category	Rule 1407 Metal Melting (Cadmium, Arsenic, and Nickel)	Rule 1420 Lead Standards (Lead)	Rule 1420.1 Lead-Acid Battery Recycling (Lead, Arsenic)	Rule 1420.2 Lead Metal Melting (Lead)	Rule 1430 Metal Grinding (Various Metals)	Rule 1426 Metal Finishing Operations (Multiple Metals)
Approved Cleaning Methods	Yes	Yes	Yes	Yes	Yes	No
Routine Cleaning	Yes	Yes	Yes	Yes	Yes	No
Cleaning Spills	Yes	Yes	Yes	Yes	No*	No

* Does not involve metals in liquid form

NEED FOR PROPOSED AMENDED RULE 1469

As previously discussed, prior rule developments efforts demonstrated that building enclosure requirements, housekeeping requirements, and best management practices were effective in reducing metal TAC emissions from facilities and would be addressed in PAR 1426. However, facilities that are subject to the requirements of Rule 1469 would also be subject to the requirements of PAR 1426. PAR 1426 builds upon the fugitive emission requirements of Rule 1469 with additional requirements for specific tanks. This would cause duplicate requirements for certain tanks and operations that contain hexavalent chromium in Rules 1426 and 1469 and stakeholders provided feedback that this approach was confusing and difficult to follow. In order to avoid duplicate requirements and to streamline implementation, PAR 1469 will incorporate the applicable PAR 1426 requirements, which were presented at the Public Workshop. In addition, two minor amendments will be made, one to a definition for HEPA to remove a reference to a

chemical no longer used for testing and one to change an incorrect reference to a table in recordkeeping for pressure and air flow measurements.

PUBLIC PROCESS

Development of PAR 1426 and PAR 1469 is being conducted through a public process. A PAR 1426 ~~and 1469~~ Working Group ~~has been~~was formed to provide the public and stakeholders an opportunity to discuss important details about the proposed rule and provide staff with input during the rule development process. After the PAR 1426 Public Workshop and based on stakeholder feedback, provisions affecting Rule 1469 facilities were incorporated into PAR 1469 to avoid duplicate requirements across two rules and streamline implementation. Rule 1469 stakeholders were already included in the PAR 1426 Working Group, since all Rule 1469 facilities are also subject to PAR 1426. The ~~PAR 1426 and PAR 1469~~ Working Group is composed of representatives from businesses, environmental groups, public agencies, and consultants. South Coast AQMD has held six working group meetings conducted virtually using Zoom due to COVID-19 restrictions. The meetings were held on June 24, 2020, August 19, 2020, September 23, 2021, November 4, 2020, December 2, 2020, and February 3, 2021. In addition, a Public Workshop was held on January 21, 2021 to present ~~the proposed amended rule~~PAR 1426 and receive public comment.

CHAPTER 2 – SUMMARY OF PROPOSED AMENDED RULE 1426

OVERVIEW OF PAR 1426

PAR 1426's objective is to further reduce fugitive emissions from facilities that conduct metal finishing using tank solutions that contain metal TACs such as hexavalent chromium, nickel, cadmium, or lead in the tank solutions. PAR 1426 accomplishes this with building enclosure, housekeeping, and best management practice requirements. Building enclosure requirements prevent the migration of fugitive emissions to leave the facility due to cross drafts. Housekeeping requirements minimize the accumulation of metal TACs that can become fugitive emissions. Best management practices minimize tank solutions from leaving the tank. During the rule development process of PAR 1426, stakeholders commented that different metals have different toxicity and should have different requirements. While nickel, cadmium, and lead are less toxic than hexavalent chromium, they still have long-term health effects. However, copper has only acute health effects at comparatively larger REL with mild health effects.

Additionally, existing South Coast AQMD Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II was amended in May 2017 to address operations or equipment that would or would not require a permit. Rule 219 paragraphs (p)(4) and (p)(5) were amended to require tanks that contain chromium, nickel, lead, or cadmium and are either rectified, sparged, or heated to be listed on a South Coast AQMD permit. Copper electroplating is an exempt process pursuant to Rule 219 subparagraph (p)(5)(A). As such, the requirements for copper emissions from copper electroplating operations are being removed.

The basis for the requirements is from other toxic metal South Coast AQMD rules that have requirements to minimize fugitive emissions as discussed in Chapter 1. For facilities that are subject to both PAR 1426 and Rule 1469, PAR 1426 either builds upon the requirements or mirrors the requirements. PAR 1426 provides exemptions and clarifications where Rule 1469 and Rule 1426 provisions affect the same activity at the facility to identify which rule would apply and to avoid duplicative requirements.

PAR 1426 was developed during the COVID-19 pandemic, which placed operating restrictions on some facilities and prevented South Coast AQMD staff from physically meeting with stakeholders. During the rule development process, industry stakeholders request a delayed implementation date for potential requirements due to the financial strain that COVID-19 created for their industry. Industry stakeholders expressed concern with the financial hardships due to increase compliance costs to comply with OSHA requirements, supply chains that were negatively impacted, reduced consumer demand, and some facilities not being able to operate for an extended period of time because they were deemed as “non-essential businesses”. Recognizing the difficulties faced by the industry stakeholders during this pandemic, PAR 1426 implementation dates have been adjusted to reflect the challenges brought upon due to COVID-19. PAR 1426 was developed through a public process with multiple meetings with stakeholders. This chapter outlines changes and additions made to the current version of Rule 1426 and is divided into subdivisions as they appear in PAR 1426.

PROPOSED AMENDED RULE 1426

Purpose – Subdivision (a)

The purpose of PAR 1426 is to reduce fugitive emissions of hexavalent chromium, nickel, cadmium, or lead from metal finishing facilities. A metal finishing facility is any facility that

conducts metal finishing as defined in subdivision (c) such as electroplating or electroless plating. This subdivision was added to PAR 1426, consistent with other South Coast AQMD rules.

Applicability – Subdivision (b)

PAR 1426 amends the applicability to apply to an owner or operator of any metal finishing facility. Rule 1426 previously applied only to facilities that conduct electroplating of metals or chromic acid anodizing. As discussed in Chapter 1, there are other tank processes that are not electroplating nor anodizing, but the tank solution may still contain a metal. These tanks can be located as part of a process line at a facility with an electroplating or anodizing line. However, these tanks can also be located in process lines without any electroplating or anodizing tanks. Solutions with metals in these non-electrolytic tanks are also sources of fugitive metal emissions should they make their way outside the tank. The applicability was expanded to include facilities that operate any of these type of tanks that contain a metal by specifying the operations that would be considered in the definition of metal finishing.

Definitions – Subdivision (c)

PAR 1426 includes definitions for specific terms. Several of the definitions are based on Rule 1469 with slight modifications, while other definitions are unique to PAR 1426. For certain definitions, additional clarification is provided in this section or where the definition is used within a specific subdivision. Please refer to PAR 1426 subdivision (c) for definitions used in the proposed amended rule.

PAR 1426 modifies, removes, or adds the definitions of the following terms used in the proposed amendment. Please refer to PAR 1426 for actual definitions. Key definitions would be discussed in the associated rule requirement.

- ADD-ON AIR POLLUTION CONTROL EQUIPMENT (modified)
- ANODIZING (added)
- APPROVED CLEANING METHOD (added)
- BARRIER (added)
- BUILDING ENCLOSURE (added)
- CONVERSION COATING (added)
- DRAGOUT (added)
- ELECTROFORMING (added)
- ELECTROPLATING (added)
- ELECTROPLATING BATH (removed)
- ELECTROPOLISHING (added) ETCH (added)
- FUGITIVE DUST (modified)
- HEPA VACUUM (added)
- METAL (added)
- METAL FINISHING (added)
- METAL PLATING FACILITY (removed)
- METAL REMOVAL FLUID (added)
- PASSIVATION (added)
- PRE-DIP (added)
- PROCESS TANK (modified)
- RINSE TANK (added)

- SCHOOL (added)
- SEALING
- SENSITIVE RECEPTOR LOCATION (modified to sensitive receptor)
- STALAGMOMETER (removed)
- STRIPPING (added)
- SURFACE TENSION (removed)
- TANK PROCESS AREA (added)
- TENSIMETER (removed)
- TIER I HEXAVALENT CHROMIUM TANK (added)
- TIER II HEXAVALENT CHROMIUM TANK (added)
- TIER III HEXAVALENT CHROMIUM TANK (added)
- WEEKLY (added)

Requirements – Subdivision (c) and Inspection and Maintenance Requirements – Subdivision (d) - REMOVED

In Rule 1426, paragraphs (c)(1) to (c)(3) required the collection of data and the submission of an Initial Compliance Report and a Compliance Report, and by specific dates. These dates have past and are no longer applicable. As these requirements are no longer applicable, PAR 1426 would remove them.

Rule 1426 paragraphs (c)(4), (c)(5), and (d)(1) have been moved to Interim Requirements for Facilities in subdivision (i) in order to keep these current rule requirements in effect until the implementation date of respectively either Housekeeping Requirements in subdivision (e) or Best Management Practices in subdivision (f), at which point the interim requirements are phased out. A discussion of each revision is in the specific subdivision. Table 5 provides a summary of the current provision under Rule 1426 and the corresponding interim and permanent provisions under PAR 1426.

Table 5 - Prior Requirements

Rule 1426 Location	PAR 1426 – Interim Requirements for Facilities	PAR 1426 – Permanent Subdivision Location	PAR 1426 – Rule Reference
(c)(4)	(i)(1)	Best Management Practices	(f)(8)
(c)(5)(A)	(i)(2)(A)	Housekeeping Requirements	(e)(1)
(c)(5)(B)	(i)(2)(B)	Housekeeping Requirements	(e)(2)
(c)(5)(C)	(i)(2)(C)	Housekeeping Requirements	(e)(3)(B)
(c)(5)(D)	(i)(2)(D)	Housekeeping Requirements	(e)(4)
(d)(1)	(i)(2)(E)	Best Management Practices	(f)(7)
(e)(1)(A)	Not needed	Recordkeeping	(g)(1)
(e)(2)	(i)(3)	Recordkeeping	(g)(3)

As the requirements of Rule 1426 subdivision (c) and subdivision (d) have been either moved or removed, PAR 1426 is deleting subdivision (c) and (d).

Building Enclosure Requirements – Subdivision (d)

PAR 1426 adds requirements that metal finishing operations using process tanks or rinse tanks, and mechanical activities such as grinding, polishing, or buffing must be conducted within a building enclosure beginning January 1, 2023 that is designed to meet specific requirements to prevent cross draft by the implementation date. A building enclosure is a permanent building or physical structure with a floor, walls, and a roof to prevent exposure to the elements, (e.g., precipitation, wind, run-off), with limited openings to allow access for people, vehicles, equipment, or parts. A room within a building enclosure that is completely enclosed with a floor, walls, and a roof would also meet this definition. The building enclosure exterior walls should be solid and permanent to withstand winds, preventing the passage of cross draft from outside the building enclosure. However, a building enclosure does not need to have walls at all sides. The purpose of a building enclosure is to contain fugitive emissions and provisions for the building enclosure focus on preventing cross drafts that can carry fugitive emissions through the building and that may affect the collection efficiency of emissions from pollution control equipment venting tank emissions.

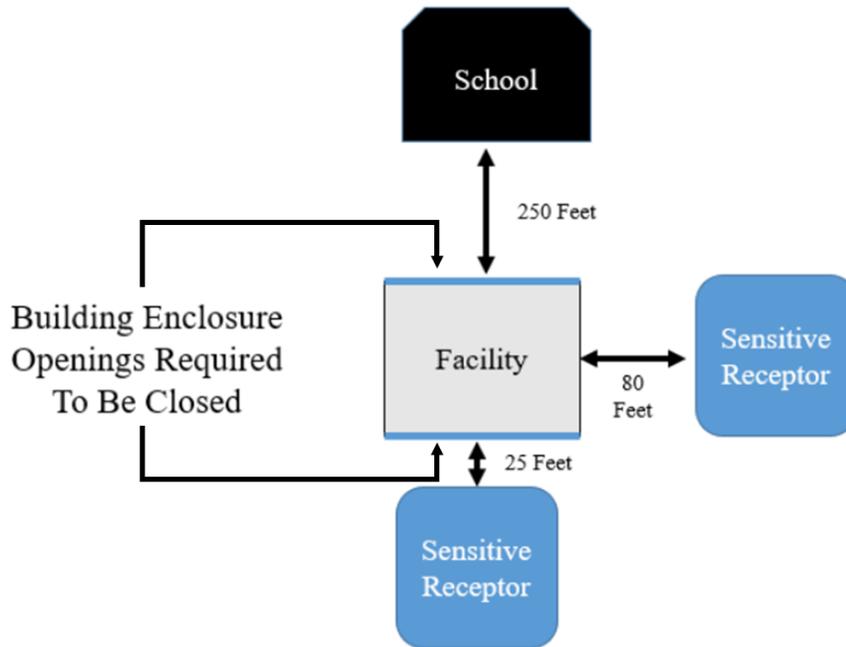
Prevention of Cross Drafts (d)(1)

Paragraph (d)(1) establishes the requirements to eliminate or minimize cross draft from activities that can generate fugitive emissions if those activities are not performed within a building enclosure. Subparagraphs (d)(1)(A) and (d)(1)(B) specify both requirements for the building enclosure openings.

Subparagraph (d)(1)(A) prohibits the concurrent opening of building enclosure openings at opposite ends of a building enclosure to eliminate cross-drafts. Under this subparagraph, the owner or operators are required to ensure that any building enclosure opening that is on opposite ends of the building enclosure where air movement can pass through are not simultaneously open except during the passage of vehicles, equipment or people by either closing or using one or more of the methods for the enclosure opening(s) on one of the opposite ends of the building enclosure. A provision was added to PAR 1426 that also allows use of a barrier or obstruction, such as a large piece of equipment, a wall, or any other type of barrier that restricts air movement from passing through the building enclosure to meet this requirement.

Subparagraph (d)(1)(B) establishes additional requirements for enclosure openings that are facing a sensitive receptor or school. Except for the movement of vehicles, equipment or people, the owner or operator is required to close any building enclosure opening or use any of the methods that prevent cross draft that directly faces and opens towards the nearest: (A) sensitive receptor, with the exception of a school, that is located within 1,000 feet, as measured from the property line of the sensitive receptor to the building enclosure opening; and (B) school that is located within 1,000 feet, as measured from the property line of the school to the building enclosure opening. If more than one school is within 1,000 feet of the building enclosure, only enclosure openings that directly face the nearest school are required to be closed to comply with subparagraph (d)(1)(B)(ii). Also, if more than one sensitive receptors, that is not a school, are within 1,000 feet of the building enclosure, only enclosure openings that directly face the nearest sensitive receptor are required to be closed to comply with paragraph (d)(1)(B)(i). ~~Figure 5~~ ~~Figure 5~~ provides an overview of the requirements for building enclosure opening restrictions for subparagraph (d)(1)(B).

Figure 5 - Building Enclosure Openings Required To Be Closed When Within 1,000 Feet of Sensitive Receptors and Schools



Buffing, Grinding, and Polishing Operations (d)(2)

Paragraph (d)(2) requires all buffing, grinding, and polishing operations to take place within a building enclosure to prevent the generation of fugitive emissions unless these operations are conducted under a flood of metal removal fluid to prevent the generation of dry particulates.

During the rule development process, stakeholders commented to South Coast AQMD that the California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA) had required new temporary practices¹ in response to COVID-19. Staff contacted Cal/OSHA to enquire about the new requirements. Cal/OSHA staff stated that the COVID-19 requirements were primarily to ensure social distancing and the use of masks while in the workplace. These measures are dependent on the facility and would be incorporated into a facility's Injury Illness Prevention Program. Examples of measures that a facility could implement are plastic barriers, social distancing of employees, or installing new air filters. As such, staff does not anticipate that there would be any conflicts with Cal-OSHA requirements with the most recent COVID-19 requirements.

Housekeeping Requirements – Subdivision (e)

PAR 1426 housekeeping requirements are intended to prevent the accumulation of metals that can become fugitive, require the proper handling of materials that may contain metals, and to properly operate the cleaning equipment beginning January 1, 2023. Due to the similar operating process of facilities subject to the requirements of Rule 1469, many of the housekeeping requirements are incorporated from Rule 1469 and modified to meet the applicability of PAR 1426. Specific

¹ Cal/OSHA COVID-19 Temporary Emergency Standards – What Employers Need to Know fact sheet can be found at: https://www.dir.ca.gov/dosh/dosh_publications/COVIDOnePageFS.pdf. Accessed on 12/20/2020.

operations or areas that are subject to the housekeeping requirements of Rule 1469 would be exempt from the corresponding rule requirement in PAR 1426 to avoid duplication. However, some facilities may be subject to both the requirements of Rule 1469 and PAR 1426. An example would be a facility with two separate tank process areas: A tank process area for nickel electroplating without any tanks subject to Rule 1469 would be subject to the housekeeping requirements of PAR 1426 and a tank process area for chrome electroplating would be subject to the housekeeping requirements of Rule 1469.

PAR 1426 moves housekeeping requirements from the Rule 1426 Requirements - Subdivision (c), to its own dedicated subdivision (e) and modifies the existing requirement to include hexavalent chromium, specifies the areas that are required to be cleaned, and modifies the frequency of cleaning.

Storage and Transport of Chemicals (e)(1) and (e)(2)

Paragraph (e)(1) is a modification to Rule 1426 subparagraph (c)(5)(A), which specified the storage of nickel, cadmium, lead, and copper in powder or metal salt. PAR 1426 modifies the requirement to include hexavalent chromium, removes copper, and clarifies the use of closed containers.

When the chemical is not being used, the container must be kept closed and stored in an enclosed storage area, which would be in dedicated area protected from potential air currents that could entrain metals. Acceptable examples would include a separate room with a door, or a chemical storage cabinet.

Paragraph (e)(2) is a modification to Rule 1426 subparagraph (c)(5)(B), which required the use of closed containers when transporting nickel, cadmium, and lead in powder or metal salt. PAR 1426 expands this requirement to include chemicals that contain one or more of the four metals that now includes hexavalent chromium.

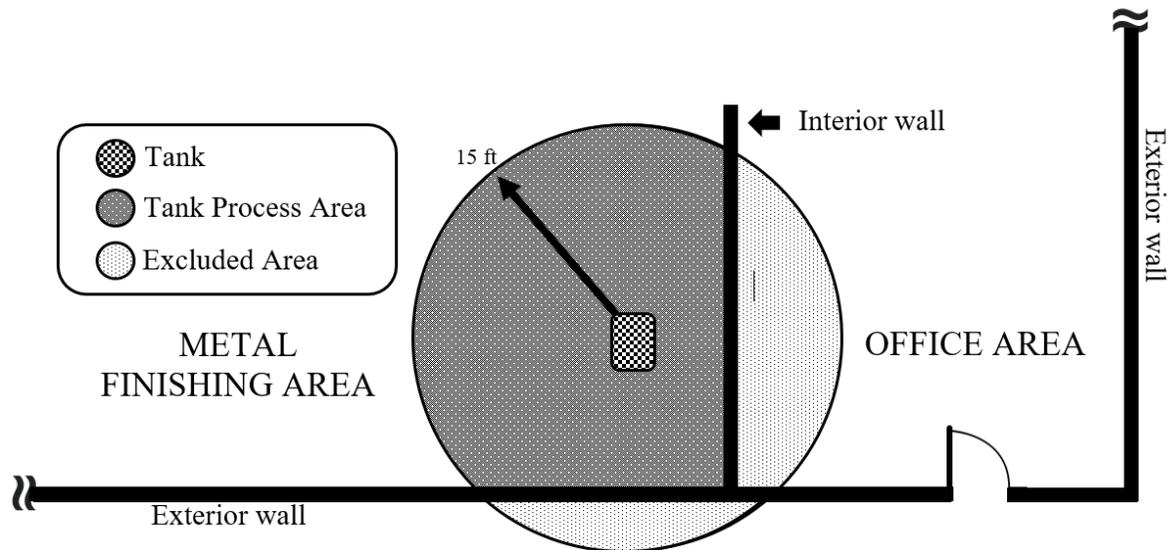
Cleaning of Spills and Regular Cleaning (e)(3)

Paragraph (e)(3) requires the cleaning of areas or spills to prevent the accumulation of material that can lead to fugitive emissions.

Subparagraph (e)(3)(A) requires the cleanup of any spills at the facility using of an approved cleaning method no later than one hour of the spill of any materials that may contain a metal.

Subparagraphs (e)(3)(B) and (e)(3)(C) are modifications to subparagraph (c)(5)(C) regarding areas to be cleaned. The use of an approved cleaning method when cleaning is performed in the specified areas or locations weekly. A tank process area is the area within 15 feet of the lip of a process tank or rinse tank unless there is a wall that is closer than 15 feet that would prevent any tank solution from spreading beyond the wall during normal operations of the process tank. Figure 6 illustrates an example of this situation.

Subparagraph (e)(3)(D) requires that on each day when buffing, grinding, or polishing occurs, the owner or operator shall clean floors within 20 feet of a buffing, grinding, or polishing workstation. The requirements of subparagraph (e)(3)(D) do not apply to owner or operators that utilize a metal removal fluid to control buffing, grinding, or polishing operations.

Figure 6 - Example of a Tank Process Area***Storage of Waste (e)(4)***

Paragraph (e)(4) is a modification to subparagraph (c)(5)(D) regarding the storage of wastes. This paragraph was modified to require containers that collect and store hexavalent chromium, nickel, cadmium or lead containing waste material. The containers are required to be kept closed at all times except during filling or emptying. Based on site-visits, many facilities were already implementing this practice.

Removal of Fabric Flooring (e)(5)

Paragraph (e)(5) has been added to require owners or operators to remove any flooring in the tank process areas that is made of fabric or fibrous material such as carpets or rugs. Examples of acceptable flooring material are wooden floor boards and other solid material that can be cleaned and maintained as prescribed by the rule.

Storage of Equipment (e)(6)

Paragraph (e)(6) has been added to require the storage of reusable equipment that may have been in contact with Metal TACs in either a closed container or an enclosed storage area to minimize fugitive emissions. When not being used, the equipment would be required to be stored away. This is to avoid tank solution or dried material from being entrained.

Operating HEPA Vacuum (e)(7)

Paragraph (e)(7) requires that if a HEPA vacuum is used to comply with housekeeping provisions of subdivision (e), that the HEPA filter is free of tears, fractures, holes or other types of damage, and securely latched and properly situated in the vacuum to prevent air leakage from the filtration system. An owner or operator should have a HEPA vacuum maintained and serviced per

manufacturer's recommendations to ensure the integrity of the filtration as any breakthrough passing the HEPA filter will result in metal TACs entrained into the air. Workers should follow the manufacturer's recommended precautions regarding Personal Protective Equipment when servicing the HEPA vacuum. All wastes collected and removed during filter changes or cleaning of the HEPA vacuum must be handled, stored, and disposed as hazardous waste.

The definition for HEPA vacuum was added to clarify its use as an approved cleaning method. A HEPA vacuum needs to be designed and equipped with HEPA filters that have been individually tested and certified by the manufacturer to have a control efficiency of not less than 99.97 percent on 0.3 micron particles. South Coast AQMD added the specific designs to differentiate with home or commercial "HEPA-like" vacuums, which are not tested nor intended to clean-up toxic metal TAC spills. Staff contacted multiple manufacturers to verify that the filters are individually tested. A certification or statement from the manufacturer can demonstrate that the vacuum satisfies this definition that the fitted HEPA filter is individually tested and certified. Staff found that local hardware stores offer for sale "HEPA-like" vacuums with filters that are lot (batch) tested, which do not satisfy this definition of HEPA Vacuum. In addition, HEPA vacuums are designed to be operated for either "dry" or both "wet and dry" cleanup of materials. A HEPA vacuum operated contrary to manufacturer's design or recommendations may have its filters damage or compromised. Prior to obtaining a HEPA vacuum, an owner or operator should consult with their vendor to ensure that the proper HEPA vacuum is selected for the housekeeping requirements needed when dealing with solid and liquid metal TACs.

Best Management Practices Requirements – Subdivision (f)

PAR 1426 creates a new subdivision, (f), for the use of Best Management Practices beginning January 1, 2023. A best management practice prescribes how an owner or operator shall conduct metal finishing and other ancillary operations to prevent the release or generation of fugitive dust that contain metals. This can occur when the tank solution leaves a process tank or rinse tank and the tank solution dries up. Specific operations or areas that are subject to the housekeeping requirements of Rule 1469 would be exempt from the corresponding rule requirement in PAR 1426 to avoid duplication.

Drip Trays, Collection Devices, or Containment Devices (f)(1), (f)(2), and (f)(3)

Paragraphs (f)(1) and (f)(2) require owners or operators to install and use drip trays, collection devices, or containment devices for automated or manual process lines. An automated line has tanks that are in a sequence where parts and equipment are submerged into a tank with an automated hoist. Drip trays, collection devices, and containment devices are designed to prevent dragout. Dragout is the fluid that drips from parts or equipment as it is removed from a process tank and is not collected or returned to the tank or separate rinse tank. Instead, the tank solution ends up on surfaces such as tank lips or walkways. These tank solutions can be carried out of the facility through vehicle or foot traffic or dried out and be carried out through cross drafts.

Paragraph (f)(3) requires collected tank solution to be returned to the tank, unless the tank solution is treated as waste or a spill. Staff has observed during the development of PAR 1426 and the most recent amendment to Rule 1469 in 2018 that drip trays are placed between tanks to prevent tank solutions from landing on surfaces. The drip trays return the collected tank solutions to the tanks.

Spray Rinsing (f)(4)

Paragraph (f)(4) prohibits owners or operators from spray rinsing parts or equipment that were previously in a process tank or rinse tank, unless the part or equipment are:

- Fully lowered inside a tank where the liquid is captured in the tanks
- Above a tank where all liquid is captured and returned to the tank that has splash guards that is free of holes, tears or openings; or
- For tanks located within a process line utilizing an overhead crane system that would be restricted by the installation of splash guards, a low pressure spray nozzle may instead be used and operated in a manner that all liquid flows off of the part or equipment and is returned back to the tank. A low pressure spray was determined to be 35 pounds per square inch based on the definition of low pressure for residential water pressure.

Tank Labeling (f)(5)

Paragraph (f)(5) requires owners or operators to label each tank within the tank process area that specifies the tank name or other identifier, South Coast AQMD permit number and tank number, bath contents, maximum concentration (in ppm) of all metals, rectification, operating temperature range, and any agitation methods used, if applicable. Tank labeling will help operators as well as staff identify tanks and ensure the appropriate operating conditions are maintained.

Barriers for Buffing, Grinding, and Polishing (f)(6)

Paragraph (f)(6) requires the installation of a barrier that separates the buffing, grinding, or polishing area from a process tank or rinse tank that is located in the same building enclosure. The requirement prevents the generation of particulates that could act as a transportation medium for metals.

Inspection and Maintenance of Add-On Pollution Controls (f)(7)

Paragraph (f)(7) was previously in Rule 1426 paragraph (d)(1), but is incorporated and restructured in best management practices. The requirement requires inspection and maintenance of add-on air pollution control equipment pursuant to the manufacturer schedule or at least once per calendar quarter. This requirement only applies to nickel, cadmium, and lead electroplating process tanks. Additional requirements to verify proper operation of add-on air pollution control equipment is anticipated in future rule developments or is specified in Rule 1469.

Air Sparging (f)(8)

Paragraph (f)(8) expands the air sparging prohibitions originally specified in paragraph (c)(4) of Rule 1426 to include all process tanks instead of just process tanks containing chromic acid. Process tanks cannot be air sparged when metal finishing is not occurring or while a dry chemical containing a metal is being added.

Recordkeeping – Subdivision (g)

Paragraph (g)(1) modifies the existing requirement in subparagraph (e)(1)(A) to expand the requirement to maintain ampere hour records for all process tanks with an ampere meter and not just the process tanks with a dedicated ampere meter for cumulative rectifier usage. There are instances where a rectifier would be used for multiple tanks and would not be dedicated to one

tank. To address this situation, the requirement was modified to remove the limitation on dedicated ampere meters.

Paragraph (g)(2) requires the owner or operator to photograph the ampere-hour reading of the ampere-hour prior to being replaced.

Paragraph (g)(3) requires that the owner or operator photograph the reading of the new ampere-hour meter immediately after installation.

Paragraph (g)(4) and (g)(5) requires maintaining of records to demonstrate compliance with housekeeping, best management practice, and recordkeeping requirements. Owners or operators would need to demonstrate that compliance with rule requirements are demonstrated by the effective dates and that periodic activities such as weekly cleaning requirements are being conducted. A checklist would satisfy this requirement.

Reporting – Subdivision (h)

Subdivision (h) specifies the requirements for an owner or operator of Metal Finishing facility as of January 1, 2022 to create and submit a Tank Inventory Report that is kept onsite. The Tank Inventory Report serves as a current list of process tanks with specific operating information that can assist both the operator and staff in identifying and obtaining an accurate count of process tanks and rinse tanks. The count of these tanks may assist in the development of future rules for metal finishing. The Tank Inventory Report is not a substitute for a permit nor will changes that are made in the Tank Inventory Report serve as a substitute for a permit modification. The owner or operator would still be required to comply with all applicable permitting requirements and permit conditions.

Tank Inventory Report (h)(1), (h)(2), and (h)(3)

Paragraph (h)(1) requires the owner or operator to create and keep a Tank Inventory Report onsite by January 1, 2022. It also requires the owner or operator to provide the Tank Inventory Report to South Coast AQMD staff upon request.

Subparagraphs (h)(1)(A) through (h)(1)(F) specifies the information to be included in the Tank Inventory Report. This information may be similar to what is submitted in a permit application, but it is not identical. Older permit application may not include the specific temperature range, the concentration in ppm, and the specific metal. All Metal Finishing facilities operating on or before January 1, 2022 must complete and submit a Tank Inventory Report.

Paragraph (h)(2) requires the owner or operator of a Metal Finishing facility to submit the above Tank Inventory Report by February 1, 2022. A facility is only required to submit a Tank Inventory Report once. As discussed in Chapter 1, a facility survey was sent to potentially affected facility owners or operators to gather information for PAR 1426. The survey requested information that would be included in the Tank Inventory Report. An owner or operator of a facility may review and update the submitted survey and resubmit to South Coast AQMD in order to satisfy the requirement of paragraph (h)(2).

Paragraph (h)(3) requires the owner or operator to provide an updated Tank Inventory Report, that reflects the current equipment at the facility, within 14 days of receiving a written request from the Executive Officer. An example is included in Appendix B – Sample Tank Inventory Report of this staff report.

Interim Requirements for Facilities – Subdivision (i)

As discussed in prior subdivisions, many of the existing rule requirements from Rule 1426 and have been re-organized in PAR 1426. Some requirements have a delayed implementation date before the owner or operator is required to comply with the new requirements. To avoid a potential backsliding of existing requirements until the future implementation date, subdivision (i) incorporates prior housekeeping, best management practices, and recordkeeping requirements existing in Rule 1426. These requirements would be effective until the requirements of subdivisions (e) and (f) become effective. These requirements would only apply to facilities conducting chromium, nickel, or lead electroplating, or chromic acid anodizing, which were already subject Rule 1426.

Exemptions – Subdivision (j)

Rule 1426 required facilities to submit process and tank information after the adoption of the rule. This requirement could be met through either through the submittal of a compliance report or by complying with the emission inventory requirements of Rule 1402 as the information submitted in an emission inventory for AB2588 would satisfy the intent of the Rule 1426's reporting requirements. Rule 1426 subdivision (f) exempts facilities that are in compliance with Rule 1426 from submitting an emission inventory pursuant to Rule 1402. The reporting requirement has been removed as the submittal dates have passed. Therefore the exemption to only submit data pursuant to either Rule 1426 or Rule 1402 is not needed and will be removed in PAR 1426. Exemptions for Process Tanks and Rinse Tanks (j)(1) through (j)(3).

The exemptions in paragraphs (j)(1) through (j)(3) are for:

- Process tanks with specified operating metal concentration
- Process tanks with a metal concentration that can vary, which includes Stripping, Etch, or Electropolishing Tanks
- Rinse tanks

Process tanks and rinse tanks may qualify for an exemption from certain requirements of PAR 1426 with a permit condition that limits the operating concentration of tank to be less than 1,000 ppm for each individual Metal. The permit condition may be added to an existing permit to operate through a permit modification. Additionally, there are other exemption options for process tanks and rinse tanks to demonstrate the tank would operate at a concentration less 1,000 ppm, such as analysis of the tank solution, records of tank solution change out, or designed in a manner where the metal concentration would not build up.

Process tanks with specified operating concentration are tanks with known tank solution where the metal concentration typically is maintained within a certain allowable percent. This can include electroplating or conversion coating tanks. Since the metal concentration in a tank solution is not expected to deviate from the specified operating concentration, records demonstrating that the tank solution in the tank that does not list any metals having a concentration above 1,000 ppm may be used to demonstrate the process tank qualifies for the exemption. An example of an acceptable record would be a Safety Data Sheet. Also, a one-time analysis of the tank solution may be used to demonstrate the process tank qualifies for the exemption.

Certain process tanks such as stripping, etch, and electropolishing tanks may start with concentrations less than 1,000 ppm of each individual metal but due to the function of the tank,

metals may be removed from the part and go into the tank solution gradually increasing metal concentrations. As the concentration may vary, periodic analysis of the tank solution may be used to demonstrate the process tank qualifies for the exemption or records of tank solution change-out would need to be retained, such as photographs or work orders.

Rinse tanks that follow process tanks will gradually accumulate metals from the process tank solution still adhering to the parts or equipment which accumulate in the rinse tank water. As discussed in Chapter 1, rinse tanks may be static where the metal concentration can build up or be part of the counter-flow system. A rinse tank that is designed to be continuously refreshed or connected to an on-site water treatment system where the metals are removed would also qualify for an exemption. As the concentration may vary, periodic analysis of the tank solution may be used to demonstrate the process tank qualifies for the exemption or records of tank solution change-out would need to be retained, such as photographs or work orders. In general, rinse tanks accumulate metals slower than stripping, etch, or electropolish tanks so the tank solution change out or testing interval is at least once every 12 calendar months rather than at least once every six calendar months.

Duplicate Requirements with Rule 1469 (j)(4) through (j)(6)

Where possible, requirements that affected hexavalent chromium tanks at a Rule 1469 facility were incorporated in PAR 1469. Paragraphs (j)(4) through (j)(6) are exemptions needed to avoid duplicate requirements in PAR 1426. These exemptions specify building enclosures, areas, materials or equipment rather than the tanks, with the exception for tank labeling (f)(5) which was required to keep specific labeling requirements for nickel, cadmium, and lead tanks that were not in Rule 1469.

Duplicative Requirements with Rule 1420 (j)(7)

Paragraph (j)(7) exempts total enclosures that are subject to Rule 1420 from duplicate requirements of subdivision (d).

Metal Removal Fluid (j)(8)

Paragraph (j)(8) exempts buffing, grinding, or polishing operations which are conducted under a continuous flood of metal removal fluid. The application of metal removal fluid has been demonstrated to reduce fugitive emissions. This exemption is applicable for buffing, grinding, or polishing operations of materials other than hexavalent chromium, nickel, cadmium or lead, such as aluminum or copper.

Appendices

The following appendices are proposed to be removed as they listed the requirements for a report that is no longer required.

Appendix 1 – Content of Initial Compliance Report

Appendix 2 – Content of Compliance Report

CHAPTER 3 – SUMMARY OF PROPOSED AMENDED RULE 1469

OVERVIEW OF PAR 1469

PAR 1426 requirements build upon Rule 1469's requirements for building enclosures, housekeeping, and best management practices. Unlike Rule 1469 requirements, PAR 1426 requirements apply to metal finishing tanks regardless of if the tanks were heated, air sparged, or electrified. Rule 1469's requirements were specific to a chromic acid anodizing or chromium electroplating tank, a Tier I Hexavalent Chromium Tank, a Tier II Hexavalent Chromium Tank, or a Tier III Hexavalent Chromium Tank. Depending on the classification of tank, different requirements would be applicable. PAR 1426 includes additional requirements on these tanks. However, PAR 1426 would create duplicate requirements, where a tank could be subject to the same requirements in PAR 1426 and Rule 1469. During the rule development process for PAR 1426, South Coast staff introduced different approaches to exempt facilities and tanks from the requirements of PAR 1426 to avoid duplicate requirements with Rule 1469. Stakeholders commented that this approach was confusing. As a result, staff decided to incorporate the PAR 1426 requirements for specific hexavalent chromium tanks located at Rule 1469 facilities into PAR 1469. The hexavalent chromium requirements for tanks subject to Rule 1469 would be contained in PAR 1469, while the nickel, cadmium, and lead requirements would be in PAR 1426. Additionally, PAR 1469 would correct a definition and table reference. The compliance dates for the new requirements in PAR 1469 would be identical to PAR 1426.

PROPOSED AMENDED RULE 1469

Definitions – Subdivision (c)

PAR 1469 modifies the following terms used in the proposed amendment. Please refer to PAR 1469 for actual definitions.

- DRAGOUT (modified)
- HIGH EFFICIENCY PARTICULATE ARRESTORS (modified)

DRAGOUT has been modified to include parts that were not only electroplated or anodized. The requirements to limit dragout has been revised to include Tier I, Tier II, or Tier III Hexavalent Chromium Tanks. The parts originating from these tanks may not be electroplated or anodized, but the liquid coming off them can still contain hexavalent chromium.

High Efficiency Particulate Arrestors (HEPA) has been modified to remove reference to dioctyl phthalate (DOP). The specific testing method to use dicotyl pthalate was included in the Rule 1469 2018 amendment to specify the type of HEPA filters that could be used¹. However, dicotyl phthalate has been determined to be a carcinogen² and is no longer used. PAR 1469 would allow the use of other chemicals or methods to test the HEPA filters and not the restrict the test testing to use DOP.

¹ U.S. EPA. (n.d.). Air Pollution Cocntrol Technology Fact Sheet. <https://www3.epa.gov/ttnatc1/dir1/ff-hepa.pdf>. Retrieved February 12, 2021, from <https://www3.epa.gov/ttnatc1/dir1/ff-hepa.pdf>

² Rowdhwal, S. S. S., & Chen, J. (2018). Toxic Effects of Di-2-ethylhexyl Phthalate: An Overview. *BioMed Research International*, 2018, 1–10. <https://doi.org/10.1155/2018/1750368>

Requirements – Subdivision (d)

PAR 1469 adds requirements to building enclosures that contain a Tier I Hexavalent Chromium Tank to prevent cross draft and to address openings that are facing a sensitive receptor, which are identical to the building enclosure requirements in PAR 1426 for Process Tanks and Rinse Tanks. Tier II and Tier III Hexavalent Chromium Tanks are subject to more restrictive building enclosure requirements in Rule 1469 subdivision (e). Tier I Hexavalent Chromium Tanks that share a building enclosure with a Tier II or Tier III Hexavalent Chromium Tank would be subject to the more restrictive building enclosure requirements and no further action is needed to ensure compliance with this requirement.

Housekeeping Requirements – Subdivision (f)

PAR 1469 housekeeping requirements would include Tier I, Tier II, or Tier III Hexavalent Chromium tanks and areas surrounding these tanks instead of just chromium electroplating or chromic acid anodizing tanks, which is consistent with the PAR 1426 requirements. The surfaces that would be required to be cleaned on a weekly basis is not anticipated to change as these surfaces are already subject to cleaning requirements in Rule 1469. Therefore, the requirements would be effective upon date of adoption.

Paragraph (f)(10) has been added to require the storage of equipment that may have been in contact with hexavalent chromium in either a closed container or an enclosed storage area to minimize fugitive emissions. The date of implementation of this requirement would be in Appendix 11 – Implementation Schedules and would be the same effective date as PAR 1426 for the corresponding requirement.

Best Management Practices Requirements – Subdivision (g)

PAR 1469 Best Management Practices have been amended to include Tier I, Tier II, and Tier III Hexavalent Chromium tanks with requirements to prevent dragout, minimize overspray from spray rinsing, and to install a barrier to separate buffing, grinding, and polishing operations from these tanks.

Rule 1469 requirements for dragout were limited to chromium electroplating and chromic acid anodizing tanks and spray rinsing requirements were limited to Tier II or Tier III Hexavalent Chromium Tank. However, tank solutions can leave a Tier I, Tier II, or Tier III Hexavalent Chromium Tank through dragout or spray rinsing where the tank solution dries up. Therefore, the PAR 1426 requirements have been included here.

Rule 1469 requirements to separate buffing, grinding, and polishing operations were limited to chromium electroplating and chromic acid anodizing operations. Consistent with PAR 1426, PAR 1469 expands this requirement to include Tier I, Tier II, and Tier III Hexavalent Chromium Tanks.

The existing Rule 1469 requirements would still be in effect upon the date of adoption, while the new requirements would be in effect according to the implementation schedule specified in Appendix 11 – Implementation Schedules and would be the same effective date as PAR 1426 for the corresponding requirement.

Appendices

Appendix 11 – Implementation Schedule was added to specify the implementation dates for the new requirements in PAR 1469, which would be the same as PAR 1426. The existing requirements for tanks under Rule 1469 would be effective upon the date adoption to avoid backsliding.

CHAPTER 4 – IMPACT ASSESSMENT

AFFECTED SOURCES

Based on site visits conducted by staff, South Coast AQMD permit database, and internet searches, there are a total of 339 facilities that conduct metal finishing, such as anodizing, passivation, or plating. Of the 339 facilities, 107 facilities are subject to PAR 1426 and PAR 1469, and 232 facilities are subject to PAR 1426, but not PAR 1469. As part of this rule development process, staff conducted site visits at 11 facilities, each with a variety of air pollution controls and operations. Beginning in 2019 and continuing into 2020, staff performed pre-arranged site visits at these facilities. Unfortunately, COVID-19 prevented further site visits after March 2020. The site visits focused on housekeeping, best management practices, emission control methods at electroplating and non-electroplating tanks, conditions of buildings containing process tanks. A facility survey was sent to the potentially affected facility to gather additional information for rulemaking.

EMISSIONS IMPACT

PAR 1426 affects 339 facilities conducting metal finishing that use hexavalent chromium, nickel, cadmium, or lead. Based on an evaluation of best available information for these facilities, many facilities have already implemented equivalent or more stringent methods to reduce fugitive emissions. However, it is anticipated that the implementation of PAR 1426 will reduce fugitive emissions from facilities that have not implemented building enclosure requirements, housekeeping requirements, and best management practices. This can include minimizing cross draft, reducing tank solutions from leaving the tank, and performing regular housekeeping to prevent the accumulation of a metal TAC.

PAR 1469 affects 107 facilities conducting chromium electroplating or chromic acid anodizing with hexavalent chromium. PAR 1469 facilities are subject to the recent 2018 amendment that addressed both point source and fugitive source emissions through building enclosure requirements, housekeeping requirements, and best management practices. PAR 1469 implements the PAR 1426 requirements to address fugitive source emissions of hexavalent chromium at facilities subject to Rule 1469.

Quantifying the fugitive source emission reductions in both PAR 1426 and PAR 1469 is difficult as there are no source tests or other ways to measure the reductions, however, monitoring data has demonstrated that ambient air concentrations of metals reduces after the implementation of measures such as the proposed requirements in PAR 1426.

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 ~~will be~~ has been prepared pursuant to CEQA Guidelines Section 15062, ~~and if the proposed project is approved, the Notice of Exemption will be electronically filed with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties 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:~~ 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 following weblink: <http://www.aqmd.gov/nav/about/public-notices/ceqa-notices/notices-of-exemption/noe---year-2021>. 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 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: <https://ceqanet.opr.ca.gov/search/recent>.

SOCIOECONOMIC IMPACT ASSESSMENT

California Health and Safety Code Section 40440.8 requires a socioeconomic impact assessment for proposed and amended rules resulting in significant impacts to air quality or emission limitations. This assessment shall include affected industries, range of probable costs, cost effectiveness of control alternatives, and emission reduction potential.

Rule 1426 (adopted in 2003) and Rule 1469 (recently amended in 2018) together regulate plating and anodizing metal finishing operations, which are processes that prepare or treat the surface of parts by submerging them into tanks. The solutions in these tanks often contain a metal that is classified as a TAC. Rule 1426 regulates five of these metal TACs - hexavalent chromium, nickel, cadmium, lead, and copper. Whereas, Rule 1469 regulates hexavalent chromium from only a subset of Rule 1426 facilities.

The proposed amendments to Rule 1426 are designed to minimize fugitive emissions from the tank solutions that contain hexavalent chromium, nickel, cadmium, or lead. PAR 1426 would require building enclosures, enhanced housekeeping, and best management practices needed to address fugitive metal TAC emissions, similar to those included in the 2018 amendments to Rule 1469 and other recently amended or adopted metal TAC rules.

Affected Facilities and Industries

PAR 1426 would affect a total of 339 facilities, out of which 232 are facilities only subject to PAR 1426 and the remaining 107 are facilities subject to both PAR 1426 and PAR 1469. Because of the similarities between the requirements in PAR 1426 and Rule 1469, 107 of the facilities subject to and in compliance with Rule 1469 would also be in compliance with many of the PAR 1426 requirements. As such, a facility subject to *both* PAR 1426 and PAR 1469 would have fewer modifications to existing operations, and thus, are expected to incur lower overall compliance costs. Table 6 presents the distribution of affected facilities by county and which rules apply.

Table 6 - Number of Facilities by County and Rule

County	Facilities Only Subject to PAR 1426	Facilities Subject to both PAR 1426 and PAR 1469
Los Angeles	140	77
Orange	68	26
Riverside	14	2
San Bernardino	10	2
Total	232	107

Compliance Costs

To analyze the costs associated with the rule amendments, staff used facility survey responses to estimate the potential compliance costs for the universe of affected facilities. The facility-specific information provided by facility operators in the written survey establishes a representative cross-section of the affected universe, and costs were estimated accordingly. Of the 339 total estimated potential facilities affected by PAR 1426, responses were received from approximately 10 percent of facilities (36 respondents out of 339 facilities included in the survey).²⁶ Of the survey responses, there were 25 facilities identified as facilities only subject to PAR 1426 and 11 facilities subject to both PAR 1426 and PAR 1469, which is representative of the proportion of facilities only subject to PAR 1426 and facilities subject to both PAR 1426 and PAR 1469.

Because the housekeeping and best-management practices in PAR 1426 apply to facility tanks and process areas, staff assumed an average for each facility based on survey responses and whether the facility is subject to PAR 1426 or both PAR 1426 and PAR 1469. These facility averages determined the range of costs associated with the proposed amended rule requirements. Facilities that are currently subject to Rule 1469 requirements are expected to incur fewer costs because the requirements in PAR 1426 are similar to those in Rule 1469.

The one-time costs of PAR 1426 were estimated by using tank counts provided in the survey responses. These tanks were then aggregated by whether the facility is subject to PAR 1426 or both PAR 1426 and PAR 1469. Table 7 presents the one-time capital costs for an average facility subject to both PAR 1426 and PAR 1469, while Table 8 presents the one-time capital costs for an average facility subject to only PAR 1426. These costs were estimated by multiplying the quantity of equipment needed (based on averages from the survey responses) by the unit cost of the item (based on staff research and vendor provided information). The estimated capital costs were annualized based on a 10-year equipment life and a four percent real interest rate. The total annual cost of complying with PAR 1426 and PAR 1469 for a facility already subject to Rule 1469 is estimated at \$972. The total annual cost of complying with PAR 1426 for a facility only subject to PAR 1426 is estimated at \$2,735.

²⁶ Rule staff sent out a facility survey to a list of approximately 350 potentially affected facilities on July 10, 2020 via email. Staff received 38 completed surveys however 2 of these were copper electroplating only facilities which were not included as copper was removed from the applicability of PAR 1426.

Table 7 - Estimated Annual Compliance Cost of PAR for a Facility Subject to both PAR 1426 and PAR 1469

Average Facility Subject to both PAR 1426 and PAR 1469			
	Quantity	Per unit cost	Subtotal
One-Time Costs (annualized over 10 yrs)			
Building Enclosure opening using plastic strip curtains	0*	\$ 6,000.00	\$ -
Drip Trays (for Process Tanks and Rinse Tanks)	9.7	\$ 425.00	\$509.70
Splash Guards (for Tier I and Rinse tanks)	9.5	\$ 375.00	\$437.12
Barrier between metal Tanks and BGP area	0*	\$ 1,500.00	\$ -
Tank Labels	0*	\$ 25.00	\$ -
Reporting one-time TIR (additional man-hours)	1.0	\$ 200.00	\$ 24.66
Recurring Costs (annual cost)			
Routine Cleaning	0*	\$ 2,500.00	\$ -
Recordkeeping (additional man-hours)	0*	\$ 313.00	\$ -
TOTAL			\$971.48

*Already compliant with Rule 1469

Table 8 - Estimated Annual Compliance Cost of PAR 1426 for a Facility Only Subject to PAR 1426

Average Facility Only Subject to PAR 1426			
	Quantity	Per unit Cost	Subtotal
One-Time Costs (annualized over 10 yrs)			
Building Enclosure opening using plastic strip curtains	1	\$6,000.00	\$ 739.75
Drip Trays (for Process Tanks and Rinse Tanks)	8.08	\$ 425.00	\$ 423.38
Splash Guards (for Tier I and Rinse tanks)	8.08	\$ 375.00	\$ 373.57
Barrier between metal Tanks and BGP area	0.6	\$1,500.00	\$ 110.96
Tank Labels	16.16	\$ 25.00	\$ 49.81
Reporting one-time TIR (additional man-hours)	1	\$ 200.00	\$ 24.66
Recurring Costs (annual cost)			
Routine Cleaning	0.28	\$2,500.00	\$ 700.00
Recordkeeping (additional man-hours)	1	\$ 313.00	\$ 313.00
TOTAL			\$2,735.13

The total annual compliance cost of PAR 1426 and PAR 1469 is estimated at \$738,500 across all 339 affected facilities.

Table 9 presents the total annual cost of PAR 1426 and PAR 1469. Manufacturing sector (North American Industrial Classification System or NAICS 31-33) bears the majority of the additional compliance costs.

Table 9 - Compliance Cost of PAR 1426 and PAR 1469 by Industry

2-,3-, or 4-digit NAICS	Industry Name	% of Total Cost	Annualized PAR 1426 and PAR 1469 Cost
23	Construction	0.74%	\$ 5,470.26
42	Wholesale trade	1.74%	\$ 12,883.46
31-33	Manufacturing	88.16%	\$ 651,048.55
44-45	Retail trade	0.87%	\$ 6,441.73
493	Warehousing and storage	0.37%	\$ 2,735.13
531	Real estate	0.50%	\$ 3,706.60
5111	Newspaper, periodical, book, and directory publishers	0.37%	\$ 2,735.13
5413	Architectural, engineering, and related services	1.61%	\$ 11,911.99
5417	Scientific research and development services	0.74%	\$ 5,470.26
5419	Other professional, scientific, and technical services	0.87%	\$ 6,441.73
5614, 5616, 5619	Business support services; Investigation and security services; Other support services	1.40%	\$ 10,327.64
6214, 6215, 6219	Outpatient, laboratory, and other ambulatory care services	0.37%	\$ 2,735.13
81	Other Services	2.25%	\$ 16,590.07
Total			\$ 738,497.67

Regional Macroeconomic Impacts

South Coast AQMD does not estimate regional macroeconomic impacts when the total annual compliance cost is less than one million current U.S. dollars as the Regional Economic Models Inc. (REMI)'s Policy Insight Plus Model is not able to reliably evaluate impacts that are so small relative to the baseline regional economy.

DRAFT FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE SECTION 40727

Requirements to Make Findings

California Health and Safety Code Section 40727 requires that prior to adopting, amending or repealing a rule or regulation, the 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 staff report.

Necessity

PAR 1426 and PAR 1469 are needed to reduce emissions of hexavalent chromium, nickel, cadmium, and lead from metal finishing operations.

Authority

The South Coast AQMD Governing Board has authority to adopt PAR 1426 and PAR 1469 pursuant to the California Health and Safety Code Sections 39002, 39650 et. seq., 40000, 40440, 40441, 40702, 40725 through 40728, 41508, and 41700.

Clarity

PAR 1426 and PAR 1469 are written or displayed so that its meaning can be easily understood by the persons directly affected by it.

Consistency

PAR 1426 and PAR 1469 are in harmony with and not in conflict with or contradictory to, existing statutes, court decisions or state or federal regulations.

Non-Duplication

PAR 1426 and PAR 1469 will not impose the same requirements as or in conflict with 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

By adopting PAR 1426 and PAR 1469, the South Coast AQMD Governing Board will be implementing, interpreting or making specific the provisions of the California Health and Safety Code Section 41700 (nuisance), and Federal Clean Air Act Section 112 (Hazardous Air Pollutants) and Section 116 (Retention of State authority).

COMPARATIVE ANALYSIS

California Health and Safety Code Section 40727.2 requires a comparative analysis of the proposed rule requirements with those of any Federal or District rules and regulations applicable to the same equipment or source category.

The proposed rule amendments do not affect chromium electroplating and chromic acid anodizing tanks. These proposed requirements in PAR 1426 also affect facilities subject to Rule 1469, which have hexavalent chromium containing tanks that are non-chromium electroplating or non-chromic acid anodizing tanks. As discussed in Chapter 1 and Chapter 3, these proposed requirements have been consolidated into PAR 1469, so that facilities subject to Rule 1469 have most, if not all, their requirements in one rule. PAR 1426 and PAR 1469 have been compared to the Federal NESHAP Subpart WWWW – Area Source Standards for Plating and Polishing Operations (commonly referred to as Subpart 6W). This is appropriate as the rule amendments do not affect chromium electroplating and chromic acid anodizing tanks, which are covered by the Federal NESHAP Subpart N. Staff is not aware of any other applicable regulations. Since the requirements in PAR 1426 build upon the existing requirements in Rule 1469, the comparative analysis only focuses on those changes from PAR 1426.

New requirements for building enclosure, housekeeping, and best management practices do not begin until January 1, 2023. Tank Inventory Reports are due by February 1, 2022 for a Metal Finishing facility existing prior to January 1, 2022.

Rule Element	PAR 1426	PAR 1469	NESHAP Subpart 6W
Applicability	Facilities that conduct Metal Finishing using hexavalent chromium, nickel, cadmium, or lead	Facilities that conduct chromium electroplating or chromic chromic acid anodizing	Plating and polishing facility that is an area source of hazardous air pollutant emissions
Processes	Anodizing, conversion coating, electroforming, electroless plating, electroplating, electroforming, electropolishing, etch, passivation, pre-dip, sealing, stripping	Chromium electroplating or chromic acid anodizing	Electroplating (other than chromium electroplating), non-electrolytic plating, non-electrolytic metal coating, dry mechanical polishing, electroforming, electropolishing
Building Enclosure Requirements: Enclosure Openings	Process Tanks and Rinse Tanks must be operated inside a building enclosure meeting the following requirements: <ul style="list-style-type: none"> • Close or limit openings that are on opposite ends of the building • Close any enclosure opening that directly faces and opens towards up to two sensitive receptors 	Tier I Hexavalent Chromium Tanks ²⁷ must be operated within a building enclosure meeting the following requirements: <ul style="list-style-type: none"> • Close or limit openings that are on opposite ends of the building • Close any enclosure opening that directly faces and opens towards up to two sensitive receptors 	None Specified
Building Enclosure Requirements: Buffing, grinding, and polishing	Conduct all buffing, grinding, and polishing operations within a building enclosure	No additional amendments proposed	None Specified

²⁷ Existing requirement for Tier II and Tier III Hexavalent Chromium Tanks, no amendments proposed

Rule Element	PAR 1426	PAR 1469	NESHAP Subpart 6W
Housekeeping: Storage of Chemicals	Store chemicals containing a Metal in a closed container in an enclosed storage space	No additional amendments proposed	None Specified
Housekeeping: Transport of Chemicals	Transport chemicals containing a Metal in a closed container to and from storage area and tank process area	Transport chemicals containing hexavalent chromium in a closed container to and from Tier I, Tier II, or Tier III Hexavalent Chromium Tanks that are not Chromium Electroplating or Chromic Acid Anodizing Tank(s) ²⁸	None Specified
Housekeeping: Cleaning	<ul style="list-style-type: none"> • Clean, using an approved method, or contain using a drip tray or other containment device, any liquid or solid material that may contain a Metal is spilled immediately and no later than one hour after being spilled • Clean, using an approved method, surfaces within the enclosed storage area, open floor area, walkways around Process Tanks or Rinse Tanks or any surface potentially contaminated with a Metal weekly. • Clean splashguards, drip trays, collection devices, or containment devices weekly • On days when buffing, grinding, or polishing are conducted, clean floors within 20 feet of a buffing, grinding or polishing workstation using an approved cleaning method, 	<ul style="list-style-type: none"> • No additional amendments proposed • Clean, using an approved method, surfaces within walkways around Tier I, Tier II, or Tier III Hexavalent Chromium Tanks that are not Chromium Electroplating or Chromic Acid Anodizing Tank(s)²⁸ • No additional amendments proposed • No additional amendments proposed 	<p>As practicable:</p> <ul style="list-style-type: none"> • Perform general good housekeeping, such as regular sweeping or vacuuming

²⁸ Existing requirement for Chromium Electroplating and Chromic Acid Anodizing Tanks, no additional amendments proposed.

Rule Element	PAR 1426	PAR 1469	NESHAP Subpart 6W
Housekeeping: Storage of Waste	Containers that contain Metal containing waste material shall be kept closed at all times except when being filled or emptied	No additional amendments proposed	None Specified
Housekeeping: Fabric Flooring	Eliminate all flooring or walkways in the tank process area that is made of fabric such as carpets or rugs where Metal containing materials can become trapped	No additional amendments proposed	None Specified
Housekeeping: Reusable Equipment	<ul style="list-style-type: none"> • Store reusable cleaning equipment and supplies when not in use in a closed container or enclosed storage area • Store reusable tank covers, hangers, anodes, and cathodes when they are not in place at tanks in a closed container or enclosed storage area 	<ul style="list-style-type: none"> • Store reusable cleaning equipment and supplies when not in use in a closed container or enclosed storage area • Store reusable tank covers, hangers, anodes, and cathodes when they are not in place at tanks in a closed container or enclosed storage area 	None Specified
Housekeeping: HEPA Vacuums	Ensure integrity of HEPA filters used in HEPA Vacuums	No additional amendments proposed	None Specified

Rule Element	PAR 1426	PAR 1469	NESHAP Subpart 6W
Best Management Practices: Dragout	<ul style="list-style-type: none"> For facilities with automated lines, drip trays or other containment devices must be used to ensure that liquid from a Process Tank or Rinse Tank does not fall through the space between tanks Facilities without automated lines must handle parts and equipment used to handle parts, so that liquid containing chromium is not dripped outside the Process Tanks or Rinse Tanks, unless the liquid is captured by a drip tray or other containment device 	<ul style="list-style-type: none"> For facilities with automated lines, drip trays or other containment devices must be used to ensure that liquid from a Tier I, Tier II, or Tier III Hexavalent Chromium Tank that is not a Chromium Electroplating or Chromic Acid Anodizing Tank²⁸ does not fall through the space between tanks Facilities without automated lines must handle parts and equipment used to handle parts, so that liquid containing chromium is not dripped outside Tier I, Tier II, or Tier III Hexavalent Chromium Tanks that are not Chromium Electroplating or Chromic Acid Anodizing Tank(s)²⁸, unless the liquid is captured by a drip tray or other containment device 	As practicable: <ul style="list-style-type: none"> Maximize the draining of bath solution back to the tank by extending drip time when removing parts, drain boards, or withdrawing parts slowly Minimize dragout of bath solution to allow tank solution to drip back into the tank (e.g., use of slotted barrels and tilted racks)

Rule Element	PAR 1426	PAR 1469	NESHAP Subpart 6W
Best Management Practices: Spray Rinsing	<ul style="list-style-type: none"> • Do not spray rinse parts or equipment that have any Metal containing liquid from Process Tanks or Rinse Tanks unless the parts or equipment are fully lowered inside a tank where the overspray and all liquid is captured inside the tank. • Alternatively the owner or operator may: <ul style="list-style-type: none"> ○ Install a splash guard that is free of holes, tears, or openings ○ For tanks located within a process line using an overhead crane system, a low pressure spray nozzle is used such that all liquid flows off of the part or equipment and into the tank 	<ul style="list-style-type: none"> • Do not spray rinse parts or equipment that have chromium containing liquid from Tier I Hexavalent Chromium Tanks²⁷ unless the parts or equipment are fully lowered inside a tank where the overspray and all liquid is captured inside the tank. • Alternatively the owner or operator may: <ul style="list-style-type: none"> ○ Install a splash guard that is free of holes, tears, or openings ○ For tanks located within a process line using an overhead crane system, a low pressure spray nozzle is used such that all liquid flows off of the part or equipment and into the tank 	None Specified
Best Management Practices: Labeling	Maintain clear labeling of each tank within the tank process area with a tank number or other identifier, South Coast AQMD permit number, bath contents, maximum concentration (ppm) of all Metals, operating temperature range, any agitation methods used	No additional amendments proposed	None Specified
Best Management Practices: Buffing, Grinding, or Polishing Areas	Install a barrier to separate the buffing, grinding, or polishing areas within a facility from all Process Tanks or Rinse Tanks	Install a barrier to separate the buffing, grinding, or polishing areas within a facility from all Tier I, Tier II, or Tier III Hexavalent Chromium Tanks that are not Chromium Electroplating or Chromic Acid Anodizing Tank(s) ²⁸	None Specified

Rule Element	PAR 1426	PAR 1469	NESHAP Subpart 6W
Recordkeeping	<ul style="list-style-type: none"> • Record Ampere-hour meter equipped at a Process Tank for each calendar month and the total for each calendar year • Prior to replacement of an Ampere-hour meter photograph the actual Ampere-hour reading • Following the installation of a new Ampere-hour meter photograph the actual Ampere-hour reading • Maintain records to demonstrate compliance with other requirements 	<ul style="list-style-type: none"> • No additional amendments proposed 	<ul style="list-style-type: none"> • Maintain records of: <ul style="list-style-type: none"> ○ Startup of tank pH ○ Additions of fume suppressant ○ Inspections of add-on air pollution control devices ○ Operating hours of a tank ○ Times when tank is covered • Maintain records onsite for two years • Retain records for at least five years
Reporting	<ul style="list-style-type: none"> • Maintain Tank Inventory Report for Process Tanks and Rinse Tanks • Submit Tank Inventory Report • Update Tank Inventory Report upon request from Executive Officer 	<ul style="list-style-type: none"> • No additional amendments proposed • No additional amendments proposed • No additional amendments proposed 	<ul style="list-style-type: none"> • Submit an Initial Notification of Compliance Status <ul style="list-style-type: none"> ○ List of sources ○ Metals used ○ Methods used to comply with the applicable management practices • Submit an amended Notification of Compliance Status within 30 day of changes
Interim Requirements	Existing requirements (not new rule language)	None Specified	None Specified

APPENDIX A: RESPONSE TO COMMENTS

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1. Metal Finishing Association of Southern California (MFASC) Comment Letter (04/09/20)
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4. Bob Schneider Comment Letter (02/02/21)

Metal Finishing Association of Southern California (MFASC) Comment Letter, submitted 04/09/2020

April 9, 2020

Dr. William A. Burke, Chair
South Coast Air Quality Management District Governing Board
21865 Copley Drive
Diamond Bar, CA 91765

Dear Chair Burke -

The Metal Finishing Association of Southern California [MFASC] appreciates the consideration the South Coast Air Quality Management District is giving to the impact the COVID-19 pandemic is having not only on public health but also the economic viability of businesses including metal finishers and our workers.

Following the discussion during the April 3 Meeting of the Governing Board, MFASC as a stakeholder has had a candid and timely conversation about the COVID-19 pandemic this week with district staff including Susan Nakamura and others on the district's policy and rulemaking team.

In our conversation, MFASC explained that all metal finishing companies are suffering significant losses in sales, temporary closures, and employees unwilling to work. It is quite unfortunate to state that we do not expect some shops to survive this recession.

The backbone of our industry is aerospace, and the COVID-19 pandemic is hitting this sector very hard. For instance, Boeing recently closed two major aircraft assembly facilities indefinitely – Seattle and South Carolina - where the 747, 767, 777, and 787 models are manufactured. In addition, those facilities that do not serve aerospace are experiencing serious disruption. Many have lost the majority of their customers.

The timing of this unprecedented pandemic is particularly tough. Many companies are still spending time and money complying with the comprehensive and costly mandates of Rule 1469. The equipment is more expensive than anticipated, and is taking longer to be installed and permitted.

Financial assistance remains problematic. Significant shops are thus far unable to apply for loans under the Payroll Protection Act because either their banks are not offering such loans or their banks have established criteria that the companies do not meet – for example, a limitation on the number of employees.

The stress in both time and energy the pandemic places on the key personnel makes them less available to participate in the regulatory process. Significant resources are necessarily dedicated to human resource issues including increased housekeeping and cleaning, social distancing in the workplace, separation of departments, and accommodations for workers with health issues.

The upside to these developments is that facilities will be operating less frequently and therefore there will be a decrease in emissions. It is anticipated that this situation will persevere several more months, perhaps a year or more.

For these reasons, MFASC is requesting forbearance during this time as the district considers the timeframe for new rulemakings such as Rules 1469.1 and 1426 that will significantly impact our shops. In our conversation with district this week, we agreed to stay in touch and provide timely updates.

Thank you for your consideration of our request. We would be pleased to discuss at your convenience.

Sincerely,

Bryan Leiker

Bryan Leiker, Executive Director
MFASC

C: Members, SCAQMD Governing Board
Wayne Nastri, SCAQMD Executive Officer

MFASC, P.O. Box 6547, Burbank, CA 91510 877-238-9490

Response to Metal Finishing Association of Southern California (MFASC) Comment Letter, submitted 04/09/2020

Staff conducted the development of PAR 1426 and PAR 1469 in a robust public process using virtual meetings to allow stakeholders to join remotely to help increase participation and to remain consistent with South Coast AQMD's COVID-19 policies. PAR 1426 and PAR 1469 balance the need for emissions reductions with the financial burdens that the COVID-19 pandemic has had on industry by allowing for a longer lead time for compliance whereby proposed requirements for building enclosure, housekeeping, and best management practices are not effective until January 1, 2023. MFASC representatives actively participated during the rule development process provided input on proposed amendments.

Metal Finishing Association of Southern California (MFASC) Comment Letter, submitted 10/02/20



October 2, 2020

Dr. William A. Burke, Chairman
 Governing Board
 South Coast Air Quality Management District
 21865 Copley Drive
 Diamond Bar, CA 91765

COVID-19 Pandemic and 2020 District Rulemakings Impacting Metal Finishing Facilities

Governing Board Chair Burke –

The Metal Finishing Association of California [MFASC] desires to communicate to the Governing Board the serious challenges the COVID-19 pandemic continues to present to our workers and families, as well as the operations of our member facilities and industry.

We remain in continual dialogue with the District staff regarding these issues.

The pandemic has necessitated a redirection of our attention, efforts, and resources to protect the health of our workers and their families with numerous critical measures including personal accommodations, safe distancing, heightened cleaning, temperature checks, and other actions. Productivity is of course impacted, and new worker protection laws have been enacted with unknown impacts on our businesses.

The pandemic has caused a downturn in the economy, impacting our customers in the aerospace and airline industries, as well as our customers desiring decorative plating. The effects vary from company to company, we estimate that business has been reduced between 30% and 40% and could very well decline further.

2-1

This unfortunate confluence of events is occurring while many of our members endeavor to comply with the significant new requirements associated with the implementation of Rule 1469 [Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations] that was revised in November of 2018 with MFASC’s active involvement. We continue to project that this rule will lead to a significant reduction in the number of facilities that are performing chromium electroplating and chromic acid anodizing.

MFASC is involved in additional proceedings that would impose additional costs and obligations during this period of time. The California Air Resources Board is developing an updated chrome air toxic control measure that could impose requirements and restrictions that exceed those contained in Rule 1469. The State Water Resources Control Board has issued orders to facilities state-wide, requiring sampling to determine any presence of PFAS [*Per- and Polyfluoroalkyl Substances*] which were previously required by the state for years.

2-2

I | PO Box 6547, Burbank, CA 91510-6547 877-238-9490

Dr. William A. Burke
South Coast Air Quality Management District
October 2, 2020

MFASC urges the District to take these developments and context into consideration as we move forward with additional rulemakings that will impact metal finishing facilities, specifically PAR 1426 [*Emissions from Metal Finishing Operations*] and PAR 1469.1 [*Spraying Operations Using Coatings Containing Chromium*], plus additional rulemakings that could commence next year with associated new mandates and costs.

2-2
cont.

Several new housekeeping requirements and best management practices requirements are being considered that are appropriate additions to these rulemakings. Other concepts, such as measuring air velocity at both the entrance of a spray booth and the air filter face, are not necessary – but quite costly - to confirm collection efficiency.

2-3

MFASC will continue to be engaged as these rulemakings continue. We remain optimistic that at some point in the future we will overcome the pandemic and its impacts. Unfortunately, that time is not yet upon us.

Sincerely,

Justin Guzman
Justin Guzman
President

Wesley Turnbow
Wesley Turnbow
Past President, Committee Chair

Bryan Leiker
Bryan Leiker
Executive Director

C: Members, Governing Board
Wayne Nastri, Executive Officer

Responses to Metal Finishing Association of Southern California (MFASC) Comment Letter, submitted 10/02/20

- 2-1 Response: Balancing the need for emissions reductions with the financial burdens that the COVID-19 pandemic has had on industry, PAR 1426 and PAR 1469 allow for a longer lead time for compliance such that proposed requirements for building enclosure, housekeeping, and best management practices are not effective until January 1, 2023. PAR 1426 builds upon the requirements in Rule 1469. Based on an analysis of the affected facilities, almost all Rule 1469 facilities already meet the PAR 1426 requirements for building enclosure, housekeeping, and best management practices, unlike facilities only subject to Rule 1426. Based on the Socioeconomic Impact Assessment contained in the Chapter 4 of this Staff Report, it is not expected that PAR 1426 and PAR 1469 will lead to a significant reduction in the number of facilities.
- 2-2 Response: South Coast AQMD staff has been following the CARB Chrome Plating ATCM update process and is aware of the Water Board's recent order to require testing at Rule 1469 facilities. As explained in Response to Comment 2-1, recognizing the challenges faced by facilities as a result of the pandemic, the requirements for building enclosure, housekeeping, and best management practices are not effective until January 1, 2023.
- 2-3 Response: PAR 1426 and PAR 1469 do not have requirements to measure air velocities nor confirm collection efficiency. Future, separate rulemaking would address point source emissions from metal finishing where verifying the operation of an add-on air pollution control device is appropriate.

Bob Schneider Comment Letter, submitted 11/24/20

PROPOSED AMENDED RULE 1426
EMISSIONS FROM METAL FINISHING OPERATIONS
Version November 24, 2020

Bob Schneider
15011 Turtle Pond Ct.
Chino Hills, CA 91709
Email trsvcs@hotmail.com
Phone: (909) 263-1459

Subject: Comments or Corrections to be considered for PAR Rule 1426.

Item 1 - Paragraph (c) Definitions, (7) ENCLOSED STORAGE AREA

Remove the word Enclosed from the definition Enclosed Storage Area and removed the part of the definition “to prevent metals from being emitted into the atmosphere.”

Summary

The word Enclosed implies that the storage area must be surrounded with a wall or barrier and have a roof of some type just as in the definition of “Building Enclosure.” Storage areas are regulated by the CUPA, Fire Code, Building Code, OSHA Regulations, DTSC Hazardous Waste Regulations and to some degree the facility Storm Water Permit. These storage regulations require containers to be properly labeled, cleaned and containers closed unless materials are being added or removed. Hazardous materials must be properly segregated from non-compatible materials dissimilar materials. These requirements are intended to prevent spills and contact with rain so that there will be no releases to the environment.

A Storage Enclosure as described in this definition will not by its-self-prevent emissions as described as the purpose for the “Storage Enclosure.” Emissions are prevented by proper handling and storage of containers that are clean, properly labeled and inside of containment. The agencies that are responsible for ensuring that businesses properly store and handle hazardous materials and waste conduct regular, typically annual inspections.

Later in this regulation there is a requirement at (e) Housekeeping (2) which I propose changing the word spill proof to “closes” which would also apply to the storage of chemicals that contain metal. (4) Clean, using an approved cleaning method, weekly: (A) Surfaces within an ~~enclosed~~ storage area; These paragraphs add a new level of protection if one of the existing storage requirements is not properly followed.

The storage requirements imposed by the regulations listed above plus the added housekeeping requirement accomplish the intent of the Storage Enclosure.

If the Rule keeps the definition “Storage Enclosure” a better description of what an “Enclosure” means should be supplied so a facility would know if new structure will be required. That structure description would need to be consistent with the Building and Fire Codes which I have mentioned before are some of the source regulations for hazardous materials storage areas.

3-1

PROPOSED AMENDED RULE 1426
EMISSIONS FROM METAL FINISHING OPERATIONS
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Item 2 - Paragraph (e) Housekeeping Requirements

Replace the words “spill proof” throughout with the word “closed.”

Beginning [90 Days After Date of Rule Adoption], an operator of a facility performing metal finishing shall:

- (1) Store chemicals that may contain a metal in a ~~spill proof~~ closed container in an enclosed storage area when not in use;
- (2) Use a ~~spill proof~~ closed container when transporting substances listed in paragraph (e)(1) between an enclosed storage area and tank process area;
- (5) Store waste materials that may contain a metal in a ~~spill proof~~ container that is kept closed at all times except during filling or emptying unless materials are being added or removed.

3-2

Summary

The term spill proof is not specific or a reasonable term unless the rule can define what a spill proof container is. Containers used to store chemicals must be compatible with the materials they hold, and best management practices would require that they are closed to prevent spills or releases unless materials are being added or removed.

Item 3 - (f) Best Management Practices

- (2) “liquid that is collected shall be returned back to the tank(s)”

Add “or disposed of as hazardous waste or moved to a treatment or recycling system.”

3-3

Summary

Many metal finishing systems are required to meet quality standards required for aerospace or military use. These standards do not allow materials that are not new materials or have been potential contaminated to be placed into a plating baths or rinse tanks. If not covered under these specifications, they have a potential of causing quality problems during the metal finish process.

Item 4 – Paragraph (f) Best Management Practices

- (7) Not conduct compressed air cleaning or drying operations within 15 feet of any process tank unless:

Add (C) Compressed air cleaning or drying operations are directed away from the process tanks or in a manner that does not increase emissions.

3-4

Add (D) or over a rinse tank to ensure that water removed from on the parts is directed back into the rinse tank as long as there is a barrier between the rinse tank and the next none rinse process tank.

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<p>Summary</p> <p>Using air in this manner would not cause vapors that are released from a tank to be directed away from any hood or other collection device. Blowing the parts off over the rinse tanks would also reduce the potential of dragout.</p>	3-4 cont.
<p>Item 5 – Paragraph (h) Reporting</p> <p>(1) An owner or operator of a facility performing metal finishing shall submit a Tank Inventory Report to the Executive Officer by the following deadline:</p> <p>Summary - This paragraph is not needed, if any of the changes listed in this section are made to a metal finishing line a Permit Modification is required.</p>	3-5
<p>Item 6 – Paragraph (g) Recordkeeping (1)</p> <p>(1) An owner or operator of a metal finishing process that has a PTC or PTO that requires a limit of annual ampere-hours must install an ampere meter equipped to record the actual cumulative rectifier usage for each calendar month and the total for each calendar year. The ampere hours must be recorded and maintained as stated in the permit conditions.</p> <p>Summary – This change would make Rule 1426 consistent with Annual Ampere Hours Definition in Rule 1469. By providing this language the need for an ampere meter and the requirement for when it must be read and recorded is clarified. There should be no need for a facility to record ampere hours just because a meter is present. Ampere readings and ampere meters should only be required when listed on a permit condition intended to limit emissions.</p>	3-6
<p>Item 7, Paragraph (i) Exemptions – Add section (3)</p> <p>(3) Tanks which are not metal finishing tanks or are not part of a metal finishing process line shall be exempt from the requirements of subdivisions (d), (e), and (f).</p> <p>Summary</p> <p>In a manufacturing facility there are many types of “tanks” that are used for a variety of purposes that have nothing to do with metal finishing. In some cases, these tanks are permitted under other SCAQMD rules although some are not. Permitted or unpermitted tanks that have nothing to do with metal finishing should not be captured by this rule. Examples of these tanks are heat treating quench tanks, parts wash and rinse tanks that are not part of the metal finishing process, lubricant dip tanks, chemical storage tanks, inspection tanks such as water burst test tanks, ultrasonic test tanks, storm water catch tanks, tanks that are used on machines to supply materials on demand. There is a long list of other tank type containers that could fall under this rule without a better definition.</p>	3-7

Responses to Bob Schneider Comment Letter, submitted 11/24/20

- 3-1 Response: The definition of Enclosed Storage Area in PAR 1426 has been restored and is the same as Rule 1426 and Rule 1469, which is:

ENCLOSED STORAGE AREA means any space or structure used to contain material that prevents its contents from being emitted into the atmosphere.

Enclosed Storage Area was an existing term in Rule 1426 and it was used in storage requirements of material to prevent its contents from being emitted into the atmosphere. The definition is retained in PAR 1426, as the purpose of PAR 1426 is to prevent fugitive emissions. The term Enclosed Storage Area allows facilities to implement a storage method that complies with PAR 1426 and other agencies storage requirements. Staff is not aware of any conflicts with the definition use in Rule 1426 or Rule ~~1426~~1469 with other agencies. Staff has observed at facilities subject to Rule 1469 the storage of chemicals often within a building enclosure itself, typically in their own dedicated room or in a chemical storage cabinet that are not subject to cross drafts.

This definition is similar to Enclosed Storage Area definition that is used in CARB's ATCM for Chromium Plating and Chromic Acid Anodizing Facilities, which is:

“Enclosed storage area” means any space or structure used to contain material that prevents its contents from being emitted into the atmosphere. This includes cabinets, closets or sheds designated for storage.

As Rule 1426 and Rule 1469 facilities are currently complying with the requirement and no additional amendments are being proposed, there are no foreseeable impacts or conflicts with regulations by other agencies.

- 3-2 Response: PAR 1426 was revised to require the use of a closed container, except when contents are being added or removed. The term “spill-proof” has been removed.
- 3-3 Response: PAR 1426 paragraph (f)(3) was added to allow an option for the facilities to treat the liquid as waste.

- 3-4 Response: The proposed amendments to prohibit compressed air cleaning and drying has been removed as these activities were determined to impact the collection of an add-air pollution control device. PAR 1426 is intended to address fugitive emissions from metal finishing. Future, separate rulemaking would address point source emissions, which may include a prohibition on compressed air cleaning and drying.
- 3-5 Response: The information requested in a Tank Inventory Report is not always found in a facility's permit to operate or permit application. The submittal of a Tank Inventory Report is a one time submittal for metal finishing facilities existing as of January 1, 2022 and serves as an inventory of the metal finishing tanks at a facility.
- 3-6 Response: This is an existing requirement and PAR 1426 removes the limitation that this requirement is only for tanks with a "dedicated" ampere-hour meter. There are some ampere-hour meters that are shared between multiple tanks, but the intent of the existing requirement was to record the rectifier usage for all tanks.
- 3-7 Response: PAR 1426 applicability has been revised to be Metal Finishing facilities using Metals. The definition of Metal Finishing has been revised to specify the type of operations that would be considered Metal Finishing. This includes Anodizing, Conversion Coating, Electroforming, Electroless Plating, Electroplating, Electropolishing, Etch, Passivation, Pre-Dip, Sealing, or Stripping. By specifying the type of processes that are considered Metal Finishing, PAR 1426 avoids including tanks that are not for metal finishing even if they are located at a Metal Finishing facility.

Bob Schneider Comment Letter (02/02/21)

PROPOSED AMENDED RULE 1426
EMISSIONS FROM METAL FINISHING OPERATIONS

February 2, 2021

Bob Schneider
15011 Turtle Pond Ct.
Chino Hills, CA 91709
Email trsvcs@hotmail.com
Phone: (909) 263-1459

Subject: Comments or Corrections to be considered for PAR 1426.

Paragraph (c) Definition, (9) ENCLOSED STORAGE AREA

ENCLOSED STORAGE AREA means any space within a structure used to contain material or equipment to prevent Metals from being emitted into the atmosphere.

This definition is referenced in Section (e) Housekeeping Requirements (1) Store chemicals that may contain a Metal in a closed Container with a Fitted Lid in an Enclosed Storage Area when not in use.

Summary

During the January 21 workshop several comments were made regarding this definition. The word "Within" in the definition as I understand it requires storage to be inside a facility or building.

It is my observation that most companies use outdoor storage for their chemicals, and there are many good reasons for this having to do with health, safety and compliance. Outdoor hazardous materials storage is often in detached storage units, bermed and covered storage areas, or free-standing storage units that hold one or more drums. The smaller storage units are typically covered with tarps, integrated lids or clam shells so that the outdoor storage meets stormwater regulations. These outdoor storage units are regulated by the Fire Code just as is indoor storage.

The types of materials used on a plating line are either solids or liquids. They are often acids or alkalis (corrosives) or possibly toxics or oxidizers. Each of these materials have specific storage limits in the Fire Code inside or outside. If a facility is required to bring storage inside, and these limits are exceeded, the facility will be required to build a storage room that meets the Fire Code. A storage room inside a building must have features such as fire rated walls, high density sprinklers, and an underground tank to contain water from 20 min of sprinkler discharge and containment. Indoor storage areas would also require natural or mechanical ventilation. If there isn't sufficient natural ventilation, mechanical ventilation will be needed based on the hazard of the material stored.

PROPOSED AMENDED RULE 1426
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Concerns

If a regulated storage room is required it would be very costly to the facility, take up room which could be otherwise better used and may not achieve the objectives in PAR 1426. Not every facility will have this problem. It will depend on the quantity and number of materials stored, the hazard levels of the materials, if a building has a sprinkler system and other variables.

Storage of Hazardous Materials are regulated by the Fire Code and the Fire Marshall. There will likely be many situations where it will not be possible for a facility to meet the ENCLOSED STORAGE AREA definition as it is currently written and the Fire Code.

Conclusion

The purpose of the ENCLOSED STORAGE definition is “to prevent metals from being emitted into the atmosphere.”

It would be better to state the standard that is to be met in the rule and have the facility develop the method they can take to best achieve it. The housekeeping standards in the rule can then be used to enforce it through regularly inspections and cleaning.

I previously mentioned the Storm Water regulations. They require a facility to minimize discharges of pollutants into the storm water. The regulation provides guidance to facilities but generally allows each facility to determine their method of meeting the standard:

“For the purposes of this General Permit, the requirement to implement (Best Management Practices) BMPs “to the extent feasible” requires Dischargers to select, design, install and implement BMPs that reduce or prevent discharges of pollutants in their storm water discharge in a manner that reflects best industry practice considering technological availability and economic practicability and achievability.”

Response to Bob Schneider Comment Letter (02/02/21)

The definition of Enclosed Storage Area in PAR 1426 has been restored and is the same as Rule 1426 and Rule 1469, which is:

ENCLOSED STORAGE AREA means any space or structure used to contain material that prevents its contents from being emitted into the atmosphere.

Enclosed Storage Area was an existing term in Rule 1426 and it was used in storage requirements of material to prevent its contents from being emitted into the atmosphere. The definition is retained in PAR 1426, as the purpose of PAR 1426 is to prevent fugitive emissions. The term Enclosed Storage Area allows facilities to implement a storage method that complies with PAR 1426 and other agencies storage requirements. Staff is not aware of any conflicts with the definition use in Rule 1426 or Rule 1426 with other agencies. Staff has observed at facilities subject to Rule 1469 the storage of chemicals often within a building enclosure itself, typically in their own dedicated room or in a chemical storage cabinet that are not subject to cross drafts.

This definition is similar to Enclosed Storage Area definition that is used in CARB's ATCM for Chromium Plating and Chromic Acid Anodizing Facilities, which is:

“Enclosed storage area” means any space or structure used to contain material that prevents its contents from being emitted into the atmosphere. This includes cabinets, closets or sheds designated for storage.

As Rule 1426 and Rule 1469 facilities are currently complying with the requirement and no additional amendments are being proposed, there are no foreseeable impacts or conflicts with regulations by other agencies. PAR 1426 does not require a dedicated room within a building enclosure. A chemical storage cabinet may be used. A designated storage area with the building enclosure would also meet the requirements.

APPENDIX B: SAMPLE TANK INVENTORY REPORT

Sample Tank Inventory Report for Rule 1426

A. Facility Information

A1. Facility ID		A2. Facility Name				
A3. Facility Contact		A4. Title				
A5. Phone #		A6. Email				
A7. Street Address			A8. City		A9. Zip Code	
A10. Mailing Address	<input type="checkbox"/> Same as above else specify:		A11. City		A12. Zip Code	
A13. Operating Schedule (e.g., 8 hr/day; 5 days/week)	__ hrs/day at __ days/week					
A14. Do you claim confidentiality of data? (If Yes, see instructions below)					<input type="checkbox"/> YES <input type="checkbox"/> NO	
<small><i>Pursuant to the California Public Records Act, any documentation are public records and may be disclosed to a third party. If you wish to claim certain limited information as exempt from disclosure because it qualifies as a trade secret, as defined in the District's Guidelines for Implementing the California Public Records Act, you must make such claim at the time of submittal to the District. Check "Yes" if you claim that this form or its attachments contain confidential information.</i></small>						

Instructions for Process Tank and Rinse Tank Information

Please complete the tank information for tanks

Process Tank Type¹ – Indicate the operation occurring in the tank. Examples include:

- *Anodizing*: electrolytic process by which an oxide layer is produced on the surface of a part.
- *Conversion Coating*: process of converting the surface of a part into a coating using a chemical or electro-chemical process. An example would be chromate conversion coating.
- *Electroforming*: process of electroplating onto a mandrel or template that is subsequently separated from the electrodeposit formed part.
- *Electroless Plating*: process of autocatalytic or chemical reduction of aqueous metal ions plated onto a part.
- *Electroplating*: process by which a layer of metal is electrodeposited onto a part.
- *Electropolishing*: process to smooth, polish, deburr, or clean a part using an electrolytic bath solution.
- *Etch*: process to remove material from the surface of a part.
- *Passivation*: process of forming an oxide layer onto a part.
- *Pre-dip*: process to prepare or activate a part's surface immediately prior to introduction into another metal finishing tank.
- *Sealing*: process of hydrating to fill or plug the pores of a coating by immersing an anodized part in a tank solution.
- *Stripping (Electrolytic)*: process of removing an existing metal layer from a part using an electrical current.
- *Stripping (Chemical)*: process of removing an existing metal layer from a part using either an acidic or caustic bath to remove a metal layer without the use of an electrical current.
- *Rinse*: tank where a part is partially or fully submerged into a liquid to remove any residual solution from a Process Tank.
- *Rinse using counterflow or with metal treatment*: tanks where metal concentrations are actively being diluted or removed them from solution.

Bath Contents³² – Indicate the metals and their concentration.

- Metals concentrations: value(s) should be for the concentration as the metal such as “hexavalent chromium (Cr+6)” and not as a compound such as sodium dichromate. Provide the maximum concentration that the tank is operated or permitted to operate at, whichever is higher.
- Units: metal concentration must be presented in parts-per-million (ppm). Note: 10,000 ppm = 1.0 WT%

Agitation Method³ – Indicate the method that agitates the tank. Examples include:

- Air Sparged (air injection into bath solution)
- Mechanical (manually or automatic mixer or paddle)
- Eductors: (water jet pumps, utilize kinetic energy to cause the flow of fluid)

When Agitation Occurs⁴– Indicate when agitation occurs (e.g., before, during, after, etc).

B. Process or Rinse Tank Information (make copies of this page as necessary)

Tank Name	Process Tank Type ¹	Bath Contents ²	Tank Bath Temp (°F)	Agitation Method ³
	<input type="checkbox"/> Anodizing <input type="checkbox"/> Conversion Coating <input type="checkbox"/> Electroforming <input type="checkbox"/> Electroless Plating <input type="checkbox"/> Electroplating <input type="checkbox"/> Electropolishing <input type="checkbox"/> Etch <input type="checkbox"/> Passivation <input type="checkbox"/> Pre-dip <input type="checkbox"/> Sealing <input type="checkbox"/> Stripping (chemical) <input type="checkbox"/> Stripping (electrolytic) <input type="checkbox"/> Rinse <input type="checkbox"/> Rinse using counterflow or with metal treatment <input type="checkbox"/> Other (Specify below): _____	<div style="border: 1px solid black; padding: 2px; display: inline-block;">Maximum Metal Concentration</div> <input type="checkbox"/> Cr ⁺⁶ ____ ppm <input type="checkbox"/> Ni ____ ppm <input type="checkbox"/> Cd ____ ppm <input type="checkbox"/> Pb ____ ppm <input type="checkbox"/> Other (Specify)	<input type="checkbox"/> Not heated (i.e., ambient) Minimum: Maximum:	<input type="checkbox"/> None <input type="checkbox"/> Air sparged <input type="checkbox"/> Eductor <input type="checkbox"/> Mechanical
<i>Is this tank exempt from Rule 1426?</i> <input type="checkbox"/> No <input type="checkbox"/> Yes based on 1426(j) _____			Rectifier	When Agitation Occurs⁴
South Coast AQMD: Permit Number and Tank ID			<input type="checkbox"/> Not rectified Capacity: _____ amps	<input type="checkbox"/> Pre Process <input type="checkbox"/> During Process <input type="checkbox"/> Other: _____
<input type="checkbox"/> None Permit Number: _____				
Tank Name	Process Tank Type ¹	Bath Contents ²	Tank Bath Temp (°F)	Agitation Method ³
	<input type="checkbox"/> Anodizing <input type="checkbox"/> Conversion Coating <input type="checkbox"/> Electroforming <input type="checkbox"/> Electroless Plating <input type="checkbox"/> Electroplating <input type="checkbox"/> Electropolishing <input type="checkbox"/> Etch <input type="checkbox"/> Passivation <input type="checkbox"/> Pre-dip <input type="checkbox"/> Sealing <input type="checkbox"/> Stripping (chemical) <input type="checkbox"/> Stripping (electrolytic) <input type="checkbox"/> Rinse <input type="checkbox"/> Rinse using counterflow or with metal treatment <input type="checkbox"/> Other (Specify below): _____	<div style="border: 1px solid black; padding: 2px; display: inline-block;">Maximum Metal Concentration</div> <input type="checkbox"/> Cr ⁺⁶ ____ ppm <input type="checkbox"/> Ni ____ ppm <input type="checkbox"/> Cd ____ ppm <input type="checkbox"/> Pb ____ ppm <input type="checkbox"/> Other (Specify)	<input type="checkbox"/> Not heated (i.e., ambient) Minimum: Maximum:	<input type="checkbox"/> None <input type="checkbox"/> Air sparged <input type="checkbox"/> Eductor <input type="checkbox"/> Mechanical
<i>Is this tank exempt from Rule 1426?</i> <input type="checkbox"/> No <input type="checkbox"/> Yes based on 1426(j) _____			Rectifier	When Agitation Occurs⁴
South Coast AQMD: Permit Number and Tank ID			<input type="checkbox"/> Not rectified Capacity: _____ amps	<input type="checkbox"/> Pre Process <input type="checkbox"/> During Process <input type="checkbox"/> Other: _____
<input type="checkbox"/> None Permit Number: _____				

ATTACHMENT H



South Coast Air Quality Management District

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

SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

PROJECT TITLE: PROPOSED AMENDED RULE 1426 – EMISSIONS FROM METAL FINISHING OPERATIONS AND PROPOSED AMENDED RULE 1469 – HEXAVALENT CHROMIUM EMISSIONS FROM CHROMIUM ELECTROPLATING AND CHROMIC ACID ANODIZING OPERATIONS

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.

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, upon posting, may be accessed via the following weblink: <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 following weblink: <http://www.aqmd.gov/nav/about/public-notices/ceqa-notices/notices-of-exemption/noe---year-2021>. 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.

**NOTICE OF EXEMPTION FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

To: Governor's Office of Planning and Research -
State Clearinghouse
1400 Tenth St, Suite 222
Sacramento, CA 95814-5502

From: South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Project Title: Proposed Amended Rule 1426 – Emissions from Metal Finishing Operations, and Proposed Amended Rule 1469 – Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations

Project Location: The proposed project is located within the South Coast Air Quality Management District's (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 and the non-Palo Verde, Riverside County portion of the Mojave Desert Air Basin.

Description of Nature, Purpose, and Beneficiaries of Project: South Coast AQMD is proposing amendments to Rule 1426 to reduce fugitive emissions of hexavalent chromium, nickel, cadmium, and lead from metal finishing facilities that have tanks containing one or more of these metals by establishing building enclosure requirements to prevent emissions due to cross drafts; and housekeeping requirements and best management practices to minimize or prevent the accumulation of metal toxic air contaminants from tank solutions on surfaces as a result of spills, splashes, drips and dragout. Due to the relatively low health risks, copper is proposed to be removed from Rule 1426 requirements. In order to prevent duplicative requirements as well as streamline implementation, Rule 1426 amendments which are applicable to facilities with hexavalent chromium tanks subject to Rule 1469 have been incorporated into Proposed Amended Rule 1469. Other amendments to Rule 1469 are proposed to remove a reference to a chemical that is no longer used for testing high efficiency particulate arrestor (HEPA) filters and to update a table reference. Clarifying updates to definitions, recordkeeping, reporting, and exemptions in both Rules 1426 and 1469 are also proposed.

Public Agency Approving Project:
South Coast Air Quality Management District

Agency Carrying Out Project:
South Coast Air Quality Management District

Exempt Status: CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption

Reasons why project is exempt: South Coast AQMD, as Lead Agency, has reviewed the proposed project pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. The only physical modifications that may occur as a result of the proposed project are associated with implementing the building enclosure requirements, which may be achieved without involving construction or via minimal construction activities, depending on the affected facility. Further, the removal of copper metal finishing tanks and operations from Rule 1426 is expected to have no adverse effect on the environment. Compared to hexavalent chromium, nickel, cadmium or lead, copper has only acute non-cancer health effects at a higher relative concentration and the fugitive emissions of copper from these operations are not anticipated to cause acute health effects. For these reasons, it can be seen with certainty that implementing the proposed project would not cause 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: April 2, 2021

CEQA Contact Person:
Kevin Ni

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(909) 396-3982

Rule Contact Person:
Min Sue

Phone Number:
(909) 396-3241

Email:
msue@aqmd.gov

Fax:
(909) 396-3982

Date Received for Filing: _____

Signature: _____

(Signed Upon Board Approval)

Barbara Radlein
Program Supervisor, CEQA
Planning, Rule Development, and Area Sources



Proposed Amended Rule 1426

Emissions from Metal Finishing Operations

Proposed Amended Rule 1469

Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations

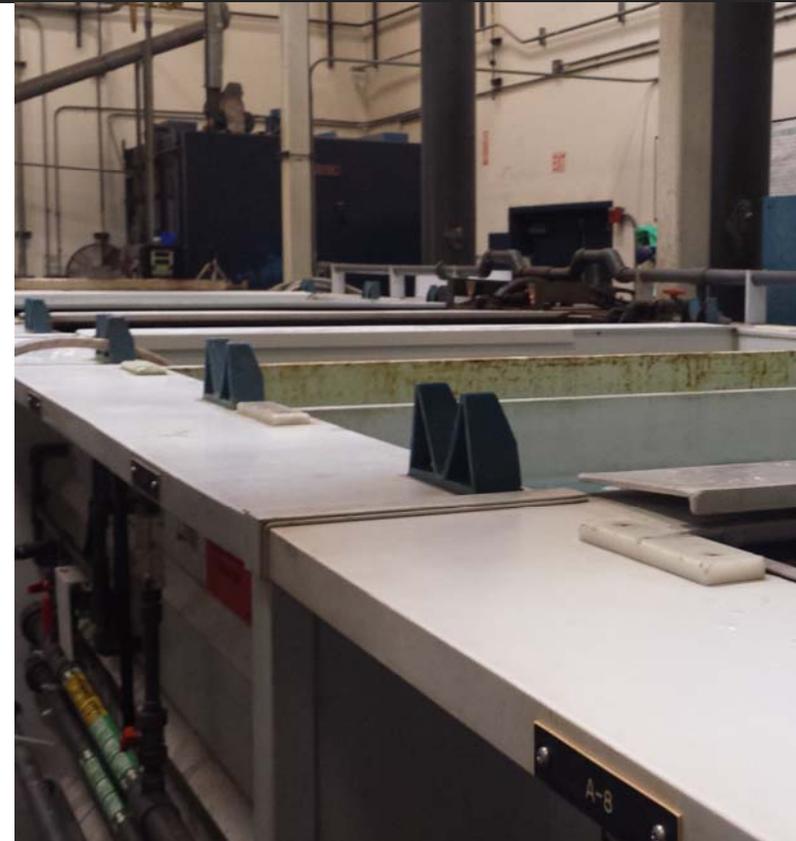


Board Meeting

April 2, 2021

Background – Metal Finishing Operations

- Metal finishing is the surface treatment of a metal piece to give it desired characteristics and supports many industries such as aerospace, automotive, industrial equipment, and household fixtures
- Currently two rules cover metal finishing facilities
 - Rule 1469 – Chromium electroplating and anodizing operations
 - Rule 1426 – Other metal finishing operations not covered under Rule 1469



Proposed Amended Rule 1426 (PAR 1426)

- PAR 1426 will address fugitive emissions of hexavalent chromium, nickel, cadmium, and lead from metal finishing operations through requirements for:
 - Building enclosures
 - Housekeeping
 - Best management practices
- PAR 1426 balances the need for fugitive emission reductions with economic challenges faced by facilities due to COVID-19 by allowing longer implementation lead times
- Rulemaking included six Working Group Meetings



Key Requirements for PAR 1426 and PAR 1469*



Building Enclosures

- Address cross draft where metal finishing operations occur at a facility
- Provide additional protection for sensitive receptors and schools



Enhanced Housekeeping

- Use approved cleaning methods
- Clean up spills within an hour
- Conduct routine cleaning of specific areas outside the tank where tank solutions can accumulate



Best Management Practices

- Minimize dragout using drip trays or other collection devices
- Minimize overspray while spray rinsing parts
- Prohibit air sparging of tanks when metal finishing is not occurring

Effective
January 1,
2023

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* To avoid duplicate requirements and streamline implementation, PAR 1426 requirements for applicable hexavalent chromium tanks are incorporated into PAR 1469 with the same implementation date

Implementation Costs for PAR 1426 and PAR 1469

- Approximately 340 facilities would be covered by PAR 1426 and PAR 1469
- On average, costs to facilities would range from \$1,000 to \$3,000 per year
- Facilities subject to Rule 1469 already complying with many of key requirements
- Key requirements with cost of implementing PAR 1426 and PAR 1469 include:

Building Enclosures

- Closing of building openings (e.g. installation of plastic strip curtains)
 - Prevent cross draft
 - Facing the nearest sensitive receptor and school within 1,000 feet

Housekeeping Requirements

- Use approved cleaning methods (e.g. HEPA vacuum or wet mop)
- Conduct housekeeping activities (e.g. cleaning areas within 15 feet of tanks) on a regular schedule

Best Management Practices

- Install drip trays
- Use splashguards or spray rinse containment
- Use barriers to separate buffing, grinding, and polishing areas from tanks
- Add tank labels

Recommended Actions

- Staff is not aware of any key issues
- Recommend:
 - Determine that Proposed Amended Rule 1426 and Proposed Amended Rule 1469 are exempt from California Environmental Quality Act; and
 - Amend Rule 1426 and Rule 1469

