



# South Coast Air Quality Management District

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

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## A G E N D A

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MEETING, OCTOBER 1, 2021

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

**Pursuant to Assembly Bill 361, the Governing Board meeting will only be conducted via videoconferencing 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,,93128605044# or +12532158782,,93128605044#

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

**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.

*Cleaning the air that we breathe...*

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

**Americans with Disabilities Act and Language Accessibility**

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

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

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

## **CALL TO ORDER**

- Pledge of Allegiance
- Roll Call
- Election of Chair for Term January 2022 – January 2024
- Election of Vice Chair for Term January 2022 – January 2024
- Opening Comments: Ben J. Benoit, 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.

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Staff/Phone (909) 396-

## **CONSENT AND BOARD CALENDAR (Items 1 through 21)**

Note: Consent and Board Calendar items held for discussion will be moved to Item No. 22.

1. Approve Minutes of September 3, 2021 Board Meeting **Thomas/3268**
2. Set Public Hearings November 5, 2021 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations: **Nastri/3131**
  - A. Determine That 2021 Redesignation Request and Maintenance Plan for 2006 and 1997 24-Hour PM2.5 Standards for South Coast Air Basin Is Exempt from CEQA and Approve 2021 Redesignation Request and Maintenance Plan for 2006 and 1997 24-Hour PM2.5 Standards for South Coast Air Basin **Rees/2856**

The South Coast Air Basin (Basin) is currently designated as a serious nonattainment area for the 2006 24-hour average PM2.5 National Ambient Air Quality Standard (NAAQS). This 2021 PM2.5 Redesignation Request and Maintenance Plan includes a request to redesignate the Basin as an attainment area, a maintenance demonstration that the South Coast Air Basin will maintain the attainment status through 2035, a mechanism to verify continued attainment, a commitment to continue monitoring PM2.5, a contingency plan in case the standard is violated in the future, and provisions for contingency plan implementation. This action is to adopt the Resolution: 1) Determining that the 2021 Redesignation Request and Maintenance Plan for the 2006 and 1997 24-Hour PM2.5 Standards for South Coast Air Basin is exempt from the requirements of the California Environmental Quality Act; and 2) Approving the 2021 Redesignation Request and Maintenance Plan for the 2006 and 1997 24-Hour PM2.5 Standards for South Coast Air Basin, and directing staff to forward to CARB for approval and submission to U.S. EPA for inclusion in the SIP. (Reviewed: Mobile Source Committee, October 15, 2021)

- B. **Certify Final Subsequent Environmental Assessment for Proposed Rule 1109.1 – Emissions of Oxides of Nitrogen From Petroleum Refineries and Related Operations, Proposed Rule 429.1 – Startup and Shutdown Provisions at Petroleum Refineries and Related Operations, Proposed Amended Rule 1304 – Exemptions, Proposed Amended Rule 2005 - New Source Review for RECLAIM, and Proposed Rescinded Rule 1109 - Emissions of Oxides of Nitrogen from Boilers and Process Heaters in Petroleum Refineries; and Adopt Rules 1109.1 and 429.1, Amend Rules 1304 and 2005, and Rescind Rule 1109** **Nakamura/3105**

Proposed Rule 1109.1 (PR 1109.1) establishes NOx and CO emission limits for combustion equipment at petroleum refineries and facilities with operations related to petroleum refineries. PR 1109.1 includes alternative implementation and BARCT plans. Implementation of PR 1109.1 is expected to achieve 7 to 8 tons per day of NOx emission reductions. Proposed Rule 429.1 provides an exemption from the NOx and CO emission limits in PR 1109.1 during startup, shutdown, and certain maintenance events. Proposed Amended Rule 1304 and Proposed Amended Rule 2005 implement a narrow BACT exemption for PM and SOx emission increases associated with installation of new and modified add-on air pollution control equipment installations or modifications that are needed to meet the NOx limits under PR 1109.1. Proposed Rescinded Rule 1109 is obsolete with the adoption of PR 1109.1. This action is to adopt the Resolution: 1) Certifying the Final Subsequent Environmental Assessment for Proposed Rules 1109.1 and 429.1, Proposed Amended Rules 1304 and 2005, and Proposed Rescinded Rule 1109; and 2) Adopting Rules 1109.1 and 429.1, Amending Rules 1304 and 2005, and Rescinding Rule 1109. (Reviewed: Stationary Source Committee for PR 1109.1 September 18, 2020, February 29, March 19, June 18 and September 17, 2021; Stationary Source Committee for PR 429.1, PARs 1304 and 2005, and Proposed Rescinded Rule 1109 September 17, 2021)

**Items 3 through 8 -- Budget/Fiscal Impact**

3. Recognize Revenue, Transfer and Appropriate Funds, Amend Contract, Issue Purchase Orders, and Authorize Payment to Extend and Improve Rule 1180 Fenceline and Community Monitoring Program **Low/2269**

As part of MATES V, an optical tent air measurement system was deployed at the Phillips 66 Wilmington refinery by the Regents of University of California, Los Angeles (UCLA), to demonstrate its ability to monitor fugitive VOC emissions. After the MATES V study concluded, the optical tent was adopted by the refinery as part of their fenceline air monitoring system for Rule 1180 implementation with continued oversight provided by UCLA for quality assurance/quality control and reporting for this new technology. These actions are to recognize revenue, transfer and appropriate funds to amend an existing contract with UCLA to extend the operation of the optical tent at the Phillips 66 Wilmington refinery and for the continued operation of the Rule 1180 community monitoring network, issue purchase orders, and authorize payment for sales tax to FluxSense, Inc. to extend and improve the Rule 1180 Fenceline and Community Monitoring Program. (Reviewed: Administrative Committee, September 10, 2021; Recommended for Approval)

4. Recognize Revenue, Appropriate Funds, and Execute Contracts to Implement Air Quality Community Training in Eastern Coachella Valley **Rees/2856**

U.S. EPA will award South Coast AQMD a grant from the State Environmental Justice Cooperative Agreement Program to implement an Air Quality Academy to improve environmental literacy and air quality data in the Eastern Coachella Valley. The academy will provide training on sensors, air quality index, and actions to reduce air pollution exposure. This action is to recognize upon receipt up to \$200,000 in revenue into the General Fund and appropriate up to \$113,091 to the Planning, Rule Development & Area Sources, Science & Technology Advancement and Legislative, Public Affairs/Media Office FY 2021-22 and/or FY 2022-23 Budgets. South Coast AQMD will partner with Twenty-Nine Palms Band of Mission Indians and execute contracts with Desert Healthcare District and Foundation and Health Assessment and Research for Communities. (Reviewed: Administrative Committee, September 10, 2021; Recommended for Approval)

5. Execute Contract to Provide Recordkeeping and Administration Services for South Coast AQMD's 457 Deferred Compensation Plan **Olvera/2309**

South Coast AQMD sponsors an IRS-approved 457 deferred compensation program for its employees. On February 5, 2021, the Board approved the release of RFP #2021-11 for bundled services to administer the Deferred Compensation Plan. Based on the evaluation of proposals, this action is to execute a 5-year contract with Empower Retirement, LLC to provide recordkeeping and administration services for the 457 Deferred Compensation Plan. Funding for this contract will be generated through charges to participant accounts. (Reviewed: Administrative Committee, September 10, 2021; Recommended for Approval)

6. Appropriate Funds and Amend or Execute Contracts with Outside Counsel and Specialized Legal Counsel and Services **Gilchrist/3459**

This action is to appropriate \$480,000 from the General Fund Undesignated (Unassigned) Fund Balance to Legal's FY 2021-22 and/or FY 2022-23 Budgets, and amend or execute contracts for legal counsel for specialized, environmental, and other litigation. (Reviewed: Administrative Committee, September 10, 2021; Recommended for Approval)

7. Amend Section 60 (Harassment) of South Coast AQMD's Administrative Code **Gilchrist/3459**

This action is to amend Section 60 (Harassment) of South Coast AQMD's Administrative Code. (Reviewed: Administrative Committee, September 10, 2021; Recommended for Approval)

8. Issue Purchase Order for Ingres Relational Database Management System Software Support **Moskowitz/3329**

The Ingres Relational Database Management System is used for the implementation of the Central Information Repository database. This database is used by most enterprise-level software applications at South Coast AQMD and currently supports a suite of client/server and web-based applications known collectively as the Clean Air Support System (CLASS). CLASS applications are used to support all of South Coast AQMD's core activities. Licensing, maintenance and support for this software expires on November 29, 2021. This action is to issue a purchase order to Actian Corporation for a total amount not to exceed \$304,100. Funds for this expense are included in the FY 2021-22 Budget. (Reviewed: Administrative Committee: September 10, 2021; Recommended for Approval)

**Items 9 through 16 – Information Only/Receive and File**

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

This report highlights the August 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)

10. Hearing Board Report **Verdugo-Peralta/2500**

This reports the actions taken by the Hearing Board during the period of August 1 through August 31, 2021. (No Committee Review)

11. **Civil Filings and Civil Penalties Report** **Gilchrist/3459**
- This reports the monthly penalties from July 1, 2021 through August 31, 2021, and legal actions filed by the General Counsel's Office from July 1 through August 31, 2021. An Index of South Coast AQMD Rules is attached with the penalty report. (Reviewed: Stationary Source Committee, September 17, 2021)
12. **Lead Agency Projects and Environmental Documents Received** **Nakamura/3105**
- This report provides a listing of CEQA documents received by South Coast AQMD between August 1, 2021 and August 31, 2021, and those projects for which South Coast AQMD is acting as lead agency pursuant to CEQA. (No Committee Review)
13. **Rule and Control Measure Forecast** **Rees/2856**
- This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2021. (No Committee Review)
14. **Report of RFPs/RFQs Scheduled for Release in October** **Jain/2804**
- This report summarizes the RFPs/RFQs for budgeted services over \$100,000 scheduled to be released for advertisement for the month of October. (Reviewed: Administrative Committee, September 10, 2021)
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 action is to provide the monthly status report on major automation contracts and planned projects. (Reviewed: Administrative Committee, September 10, 2021)
16. **Annual Progress Report for AB 617 Community Emissions Reduction Plans** **Rees/2856**
- This report summarizes the results and actions taken from September 2019 to June 2021 to further reduce emissions in AB 617 communities designated in 2018 and 2019. (Reviewed: Stationary Source Committee, September 17, 2021)
- Item 17 -- Staff Presentation/Board Discussion/Receive and File**
17. **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, September 10, 2021)

**Items 18 through 21 -- Reports for Committees and CARB**

*Note: The Legislative, Mobile Source and Technology Committee meetings were cancelled in September. The next regular meeting of the Legislative Committee is October 8, 2021. The next regular meetings of the Mobile Source and Technology Committees are October 15, 2021.*

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|-----|---|-----------------------|------------------|
| 18. | Administrative Committee (Receive & File)                               | Chair: Benoit         | Nastri/3131      |
| 19. | Stationary Source Committee (Receive & File)                            | Chair: Benoit         | Aspell/2491      |
| 20. | Mobile Source Air Pollution Reduction Review Committee (Receive & File) | Board Liaison: Benoit | Katzenstein/2219 |
| 21. | California Air Resources Board Monthly Report (Receive & File)          | Board Rep: Kracov     | Thomas/2500      |
| 22. | <u>Items Deferred from Consent and Board Calendars</u>                  |                       |                  |

**PUBLIC HEARINGS**

- |     |  |               |
|-----|--|---------------|
| 23. | Determine That Proposed Amendments to Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces, Are Exempt from CEQA; and Amend Rule 1111 ( <b><i>Continued from September 3, 2021 Board meeting</i></b> ) | Nakamura/3105 |
|-----|--|---------------|

Rule 1111 establishes a NOx emission limit of 14 ng/J for residential and commercial gas furnaces. Proposed Amended Rule 1111 will extend the mitigation fee alternative compliance option end date from September 30, 2021 to September 30, 2023 for mobile home furnaces, and provide an exemption for downflow furnaces and furnaces at or above 100,000 btu/hr that are installed in high altitude areas. Proposed Amended Rule 1111 will also allow furnaces certified at 40 ng/J to be installed in high altitude areas for a limited time period if less than four manufacturers have compliant furnaces commercially available on October 1, 2021 for high altitude areas. This action is to adopt the Resolution: 1) Determining that the proposed amendments to Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces are exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces. (Reviewed: Stationary Source Committee, May 21 and June 18, 2021)

24. Determine That Proposed Rule 118.1 – Public Safety Provisions for Stationary Emergency Standby Engines and Proposed Amended Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines Are Exempt from CEQA, and Adopt Proposed Rule 118.1 and Amend Rule 1470 Nakamura/3105

Over the past several years, utilities have increased implementation of Public Safety Power Shutoff events where power lines are de-energized to reduce potential wildfires. As a result, critical service facilities have increased operation of emergency standby engines during Public Safety Power Shutoff events to provide continuous services to protect public health and safety. Proposed Rule 118.1 includes provisions for critical service facilities that operate an emergency standby engine during a Public Safety Power Shutoff event. Proposed Amended Rule 1470 provides an optional testing and maintenance schedule for water and sewage facilities with an emergency standby engine located in a very high fire hazard severity zone. This action is to adopt the Resolution: 1) Determining that Proposed Rule 118.1 - Public Safety Provisions for Stationary Emergency Standby Engines and Proposed Amended Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines, are exempt from the requirements of the California Environmental Quality Act; and 2) Adopting Proposed Rule 118.1 - Public Safety Provisions for Stationary Emergency Standby Engines and Amending Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines. (Reviewed: Stationary Source Committee, August 20, 2021)

25. Approve Terms & Conditions of Employment for South Coast AQMD Professional Unit Employees to Implement Management’s Last, Best and Final Offer Olvera/2309

South Coast AQMD management and the South Coast AQMD Professional Employees Association reached impasse in the bargaining process for a successor MOU. This action is to hold a public hearing regarding the impasse, and to implement South Coast AQMD’s Last, Best and Final Offer by approving Terms & Conditions of Employment for Professional Unit employees, which shall remain in effect until a successor MOU is approved. There is sufficient funding available in the FY 2021-22 Budget. (No Committee Review)

**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 1925894;
- 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;
- Natural Resources Defense Council, et al. v. City of Los Angeles, et al., San Diego Superior Court, Case No. 37-2021-00023385-CU-TT-CTL (China Shipping Case) (transferred from Los Angeles Superior Court, Case No. 20STCP02985);
- Terry Lee Williams v. SCAQMD, Los Angeles Superior Court Case No. 19STCV37587; and
- California Trucking Association v. South Coast Air Quality Management; the Governing Board of the South Coast Air Quality Management District; and Does 1 through 25, inclusive, Case No.: 2:21-cv-06341.

**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).

People of the State of California v. City of Fontana, San Bernardino Superior Court, Case No. CIVSB2121829.

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

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

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

**CONFERENCE WITH LABOR NEGOTIATORS**

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

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

**ADJOURNMENT**

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

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

All agendas are posted at South Coast AQMD Headquarters, 21865 Copley Drive, Diamond Bar, California, at least 72 hours in advance of the meeting. At the 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](mailto:cob@aqmd.gov), on or before 5:00 p.m. on the Tuesday prior to the Board meeting.

**ACRONYMS**

AQ-SPEC = Air Quality Sensor Performance Evaluation Center	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	OEHA = 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: OCTOBER 1, 2021

AGENDA NO. 1

MINUTES: Governing Board Monthly Meeting

SYNOPSIS: Attached are the Minutes of the September 3, 2021 meeting.

**RECOMMENDED ACTION:**

Approve Minutes of the September 3, 2021 Board Meeting.

Faye Thomas  
Clerk of the Boards

FT:cmw

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**FRIDAY, SEPTEMBER 3, 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:

Mayor Pro Tem Ben J. Benoit, Chair  
Cities of Riverside County

Senator Vanessa Delgado (Ret.), Vice Chair  
Senate Rules Committee Appointee

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

Gideon Kracov  
Governor's Appointee

Mayor Pro Tem Larry McCallon  
Cities of San Bernardino County

Veronica Padilla-Campos  
Speaker of the Assembly Appointee

Supervisor V. Manuel Perez  
County of Riverside

Mayor Pro Tem Carlos Rodriguez  
Cities of Orange County

Supervisor Janice Rutherford  
County of San Bernardino

Members absent:

Supervisor Sheila Kuehl  
County of Los Angeles

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

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

- Pledge of Allegiance: Led by Supervisor Rutherford
- Roll Call
- Opening Comments

Chair Benoit sadly reported the passing of former Governing Board Member and Montclair City Councilman Leonard Paulitz, and former California Congressman Jerry Lewis who authored the legislation that established the South Coast Air Quality Management District.

Supervisor Rutherford reflected on the legacy and contributions of Congressman Lewis in establishing the South Coast AQMD, and his continued support in securing funding for air quality efforts and advocacy for the Inland Empire region.

Mayor Pro Tem Cacciotti shared photos featuring electric school buses, commercial vehicles and lawn & garden equipment, and battery repurposing operations.

Executive Officer Wayne Nastri announced that Ron Moskowitz, Deputy Executive Officer/Chief Information Officer, was inducted into the CIO Hall of Fame. He recognized Mr. Moskowitz and the Information Management team for their hard work.

Mr. Nastri requested that the Board continue the public hearing on Agenda Item No. 34, Rule 1111 - Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces, to the October 1, 2021 Board meeting.

Chair Benoit asked if there was unanimous consensus to continue the Rule 1111 public hearing to October 1, 2021; hearing no objections, the request was approved. Chair Benoit announced that the public would be given an opportunity today to provide comments on the proposed amended rule.

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

Steven Goldsmith, Torrance Refinery Action Alliance (TRAA)  
Rosalie Preston, Friends of the Air, Earth and Water/Torrance resident  
Jane Alfonso, South Coast Interfaith Justice & Peace Committee/TRAA  
David Poster  
Charles Clendening, Torrance resident

Commented on the risks to public health and safety and the environment from an accidental release of modified hydrofluoric acid (MHF), noting that there are no mitigation

measures capable of protecting against a catastrophic release. Expressed frustration that the Torrance Refining Company and Valero Wilmington Refinery have not implemented voluntary enhancements in the alkylation unit at their refineries that they committed to installing in the proffer letters that the Board accepted in September 2019. Reported that the fire and explosion at the Philadelphia Energy Solutions Refinery in 2019 occurred due to failed mitigation measures that led to a large release of HF. Emphasized the availability of safer and more efficient alternatives to HF and urged the Board to adopt a regulation requiring that the two refineries convert from MHF to a safer alternative.

Connie Sullivan, TRAA, stated that the proffer letters that the Board accepted from the refineries forestalled the South Coast AQMD from passing a rule to phase out the use of HF at their facilities. She cited the explosion that occurred in an electrostatic precipitator unit at the Torrance refinery in 2015 that could have caused a potentially catastrophic release of modified HF, and emphasized that the only way to ensure the safety of communities is to phase out the use of HF.

Catherine Ronan, Los Angeles resident, urged the Board to adopt Proposed Rule 1109.1, to require that refineries install air pollution control equipment to reduce NOx emissions. She expressed concerns about the adverse impacts of NOx emissions to the health of residents in predominantly environmental justice communities, as well as refineries' contribution to climate change and smog in the South Coast region.

Emily Spokes, North East Los Angeles (NELA) Climate Collective, encouraged staff to include neighborhood councils in outreach efforts to get more community participation in air quality discussions, and offered to help in those efforts. She stated that extreme heat and poor air quality are preventing children from going outdoors and urged the Board to take this into consideration when making decisions. She also highlighted the Miyawaki Mini-Forest Method of planting tiny forests in small areas as a natural source for filtering air pollution.

Andrea Garcia, Montebello resident, expressed concerns about an unpleasant odor over the city of Montebello the past two months and requested that South Coast AQMD investigate the issue further. Chair Benoit advised the commenter to report the problem through South Coast AQMD's toll free number (1-800-CUT-SMOG) to initiate the complaint process.

Jan Victor Andasan, East Yard Communities for Environmental Justice (EYCEJ)  
Alison Hahm, Communities for a Better Environment (CBE)  
Wendy Miranda, CBE  
Francis Yang, My Generation Campaign - Sierra Club  
Byron Chan, Earthjustice  
Jeremy Santos, Cal Poly Pomona MBA student  
Diana Sanchez, EYCEJ  
Faraz Rizvi, Center for Community Action and Environmental Justice (CCA EJ)  
Yassi Kavezade, Sierra Club  
Lionel Mares, Sierra Club/Sun Valley resident

Gabriela Mendez, CCAEJ/Riverside County resident  
Angie Balderas, Sierra Club  
Al Sattler, San Pedro resident  
Julia May, CBE

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Expressed frustration with repeated delays and weakening of PR 1109.1. Commented on the harmful health effects of NOx emissions that burden residents in frontline communities near refineries. Urged the Board to adopt a strong refinery rule PR 1109.1.

Tom Hazelleaf, Seal Beach resident, expressed concerns with the economic, medical and human costs that would result from an HF release. He emphasized that refineries around the world use safer alternatives to HF and manage to be profitable without risking human life and health.

Fatima Iqbal-Zubair emphasized the adverse health effects to residents that live near refineries. She noted that the additional safeguards that the refineries offered to install are still in progress and do not address all potential sources. She requested that the Board urge the refineries to put other measures in place that will offer real protections to the communities.

Isabel B., Torrance resident, expressed disappointment with the proffer letters that were accepted from the refineries in 2019. She urged the Board to cancel the proffer letters and endorse action by the U.S. EPA to require the conversion from HF in all refineries to a safer alternative.

Oscar Espino-Padron, Earthjustice, remarked about the over 1,200 signatures and comments from residents that were submitted to the Board this week expressing frustration with the repeated delay of PR 1109.1 and urging adoption of a strong PR 1109.1 for refineries.

Dr. Genghmun Eng commented on documents obtained by the Public Employees for Environmental Responsibility about an incident at the Valero Memphis Refinery in 2012 where one worker was killed and another injured after being exposed to HF. He urged the Board to read the documents as they highlight how things can go wrong and support the idea that the only way to make HF less dangerous is to phase out its use. (Submitted Written Comments)

Chris Chavez, Coalition for Clean Air/AB 617 Wilmington, Carson, West Long Beach Community Steering Committee Member, urged the Board to adopt a strong refinery rule (PR 1109.1.) The refinery rule is an opportunity to achieve significant reductions in NOx emissions, which is needed to get into attainment of the ozone standards. He also expressed support for phasing out modified HF, noting that the two refineries in California that use modified HF are located close to each other and are both very close to significantly impacted environmentally burdened communities.

Elliott Gonzales commented on health and environmental consequences linked to oil refineries and expressed support for regulating the industry.

Written Comments Submitted re: Rule 1109.1 by:

One letter submitted by Zarah Patriana, Earthjustice; along with the names of 1,213 California residents in support of the letter.

One letter submitted by Sierra Club, along with 560 digital signatures.

**CONSENT AND BOARD CALENDAR**

1. Approve Minutes of August 6, 2021 Board Meeting
2. Set Public Hearing October 1, 2021 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations

Determine That Proposed Rule 118.1 – Public Safety Provisions for Stationary Emergency Standby Engines and Proposed Amended Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines Are Exempt from CEQA, and Adopt Proposed Rule 118.1 and Amend Rule 1470

**Items 3 through 13 -- Budget/Fiscal Impact**

3. Execute Agreement to Establish Wildfire Smoke Clean Air Centers Incentive Pilot Program, Recognize Funds, Release RFP, Execute Contracts, and Reimburse General Fund
4. Approve Additional Funding for Residential Electric Lawn Mower Rebate Program
5. Amend Awards for Zero-Emission Yard Tractor Replacements and for Ocean-Going Vessel Retrofit and Execute Contract for Capture and Control System for Oil Tankers Project Support
6. Amend Awards Under Year 22 Carl Moyer and Surplus Off-Road Opt-In for NOx (SOON) Programs, and Transfer Funds for Development of Carl Moyer Program Grant Management System
7. Issue RFP for Legislative Representation in Washington, D.C.

8. Appropriate Funds for Consultant Services for South Coast AQMD's Environmental Justice Outreach and Initiatives and Clean Air Program for Elementary Students and Why Healthy Air Matters Program
9. Appropriate Funds for Planning, Organizing, and Facilitating South Coast AQMD's Martin Luther King, Jr. Day of Service Forum and Cesar Chavez Day of Remembrance
10. Amend FY 2021-22 Budget to Address Operational Needs, and Add/Revise Job Titles for Various Class Specifications
11. Authorize Purchase of Microsoft Office 365
12. Amend Contract to Provide Short- and Long-Term Systems Development, Maintenance and Support Services
13. Approve Contract Modification and Bifurcation of Award and Issue RFP as Approved by MSRC

**Items 14 through 22 – Information Only/Receive and File**

14. Legislative, Public Affairs and Media Report
15. Hearing Board Report
16. Civil Filings and Civil Penalties Report
17. Lead Agency Projects and Environmental Documents Received
18. Rule and Control Measure Forecast
19. FY 2020-21 Contract Activity
20. Report of RFQs Scheduled for Release in September
21. Status Report on Regulation XIII – New Source Review

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

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.

Item No. 13 was held for comment and discussion.

MOVED BY MCCALLON, SECONDED BY DELGADO, AGENDA ITEM NOS. 1 THROUGH 12 AND 14 THROUGH 22, APPROVED AS RECOMMENDED, BY THE FOLLOWING VOTE:

AYES: Bartlett, Benoit, Buscaino, Cacciotti, Delgado, Kracov, McCallon, Padilla-Campos, Perez, Rodriguez, and Rutherford

NOES: None

ABSENT: Kuehl and Richardson

**Item 23 -- Staff Presentation/Board Discussion**

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

Jill Whynot, Chief Operating Officer, gave an overview of the presentation on Item No. 23 to provide an update on economic indicators and South Coast AQMD metrics and economic implications.

Mayor Pro Tem Rodriguez inquired about an apparent increase in emissions in October. Ms. Whynot responded that staff will look into this and respond to the Board member.

Al Sattler expressed concern that refinery throughput is viewed as a positive economic indicator given its harmful effects to the planet.

PRESENTATION ONLY; NO ACTION REQUIRED

**Items 24 through 32 -- Reports for Committees and CARB**

- 24. Administrative Committee
- 25. Investment Oversight Committee
- 26. Legislative Committee
- 27. Mobile Source Committee
- 28. Stationary Source Committee
- 29. Technology Committee
- 30. Mobile Source Air Pollution Reduction Review Committee
- 31. California Air Resources Board Monthly Report *(The August 26-27, 2021 CARB Board meeting was canceled; therefore, this item was pulled.)*
- 32. Report to Legislature and CARB on South Coast AQMD's Regulatory Activities for Calendar Year 2020

MOVED BY MCCALLON, SECONDED BY DELGADO, AGENDA ITEMS 24 THROUGH 30 AND 32, APPROVED AS RECOMMENDED, RECEIVING AND FILING THE COMMITTEE AND MSRC REPORTS AND APPROVING THE LEGISLATIVE COMMITTEE'S RECOMMENDATIONS ON LEGISLATION AS SET FORTH BELOW, BY THE FOLLOWING VOTE:

AYES: Bartlett, Benoit, Cacciotti, Delgado, Kracov, McCallon, Padilla-Campos, Perez, Rodriguez, and Rutherford

NOES: None

ABSENT: Buscaino, Kuehl and Richardson

**LEGISLATIVE COMMITTEE'S RECOMMENDATIONS**

<b>Agenda Item</b>	<b>Recommendation</b>
AB 339 (Lee) Local government: open and public meetings	Support if Amended
AB 361 (Rivas) Open meetings: local agencies: teleconferences	Support

**33. Items Deferred from Consent and Board Calendar**

13. Approve Contract Modification and Bifurcation of Award and Issue RFP as Approved by MSRC

Council Member Buscaino recused himself from Item No. 13 because of a campaign contribution from BNSF Railway, which is involved in this Item. He left the Zoom meeting during this item.

MOVED BY MCCALLON SECONDED BY CACCIOTTI, AGENDA ITEM 13 APPROVED AS RECOMMENDED, BY THE FOLLOWING VOTE:

AYES: Bartlett, Benoit, Cacciotti, Delgado, Kracov, McCallon, Padilla-Campos, Perez, Rodriguez, and Rutherford

NOES: None

ABSTAIN: Buscaino

ABSENT: Kuehl and Richardson

**PUBLIC HEARING**

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

Board Member Kracov recused himself from Item No. 34 due to a potential conflict of interest. He left the Zoom meeting during the public comments on Proposed Rule 1111.

Staff recommended to deliver the staff presentation on PAR 1111 at the October Public Hearing. The public hearing was opened, and the following individuals addressed the Board on Item 34.

Fernando Gaytan, Earthjustice, expressed opposition to the proposed amendment that provides an exemption for natural-gas-fired, fan-type central furnaces installed in high-altitude communities. He urged the South Coast AQMD to continue working with furnace manufacturers to seek cleaner alternatives for all mountain communities. (Submitted Written Comments)

Chris Chavez, Coalition for Clean Air, expressed concern that the South Coast AQMD is considering weakening an existing rule and stated that emission reductions are needed to achieve attainment of the National Ambient Air Quality Standards.

Resa Barillas, California League of Conservation Voters, expressed concern that granting an exemption to industry will set a precedent. She also expressed disappointment that the rule is being delayed.

The public hearing on Item 34 was continued to the October 1, 2021 Board meeting.

Written Comments Submitted by:

Evan Brown, San Bernardino resident

Kory Griggs, Indoor Weather HVAC

Daniel Seeley, Dan Seeley's Heating & Air Conditioning

Mike Marcotte, M&M Mechanical Services Inc.

Kirk Avarell, Cantrell's Heating and Air Conditioning

One letter signed and submitted by: David Diaz, MPH, Active SGV; Fernando Gaytan, Earthjustice; Leah Louis-Prescott, Rocky Mountain Institute; Matthew Gough, Sierra Club; Cora Went, Sunrise Movement Los Angeles.

Board Member Kracov requested an update on the Governing Board Retreat. Mr. Nastri announced that the joint Board Retreat with CARB will be held on September 16-17, 2021 at the Hyatt Regency Resort & Spa in Indian Wells. The meeting will be held in a hybrid format and can be attended in-person or remotely. Mr. Nastri described the safety precautions that will be in place to address health and safety concerns.

## **CLOSED SESSION**

The Board recessed to closed session at 10:45 a.m., pursuant to Government Code sections:

### CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

- 54956.9(a) and 54956.9(d)(1) to confer with its counsel regarding pending litigation which has been initiated formally and to which the South Coast AQMD is a party. The actions are:

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

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

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

California Trucking Association v. South Coast Air Quality Management; the Governing Board of the South Coast Air Quality Management District; and Does 1 through 25, inclusive, Case No.: 2:21-cv-06341.

### CONFERENCE WITH LEGAL COUNSEL – INITIATING LITIGATION

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

People of the State of California v. City of Fontana, San Bernardino Superior Court, Case No. CIVSB2121829.

### CONFERENCE WITH LABOR NEGOTIATORS

- 54957.6 to confer with labor negotiators:

Agency Designated Representative: A. John Olvera, Deputy Executive Officer – Administrative & Human Resources;

Employee Organization(s): Teamsters Local 911, and South Coast AQMD Professional Employees Association; and

Unrepresented Employees: Designated Deputies and Management and Confidential employees.

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 11:35 a.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on September 3, 2021.

Respectfully Submitted,

Faye Thomas  
Clerk of the Boards

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

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Ben J. Benoit, Chair

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**ACRONYMS**

- 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
- RFP = Request for Proposals
- RFQ = Request for Quotations
- U.S. EPA = United States Environmental Protection Agency

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BOARD MEETING DATE: October 1, 2021

AGENDA NO. 2

PROPOSAL: Set Public Hearing November 5, 2021 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations:

A. Determine That 2021 Redesignation Request and Maintenance Plan for 2006 and 1997 24-Hour PM2.5 Standards for South Coast Air Basin Is Exempt from CEQA and Approve 2021 Redesignation Request and Maintenance Plan for 2006 and 1997 24-Hour PM2.5 Standards for South Coast Air Basin

The South Coast Air Basin (Basin) is currently designated as a serious nonattainment area for the 2006 24-hour average PM2.5 National Ambient Air Quality Standard (NAAQS). This 2021 PM2.5 Redesignation Request and Maintenance Plan includes a request to redesignate the Basin as an attainment area, a maintenance demonstration that the South Coast Air Basin will maintain the attainment status through 2035, a mechanism to verify continued attainment, a commitment to continue monitoring PM2.5, a contingency plan in case the standard is violated in the future, and provisions for contingency plan implementation. This action is to adopt the Resolution: 1) Determining that the 2021 Redesignation Request and Maintenance Plan for the 2006 and 1997 24-Hour PM2.5 Standards for South Coast Air Basin is exempt from the requirements of the California Environmental Quality Act; and 2) Approving the 2021 Redesignation Request and Maintenance Plan for the 2006 and 1997 24-Hour PM2.5 Standards for South Coast Air Basin, and directing staff to forward to CARB for approval and submission to U.S. EPA for inclusion in the SIP. (Reviewed: Mobile Source Committee, October 15, 2021)

B. Certify Final Subsequent Environmental Assessment for Proposed Rule 1109.1 - Emissions of Oxides of Nitrogen From Petroleum Refineries and Related Operations, Proposed Rule 429.1 - Startup and Shutdown Provisions at Petroleum Refineries and Related Operations, Proposed Amended Rule 1304 - Exemptions, Proposed Amended Rule 2005 - New Source Review for RECLAIM, and Proposed Rescinded Rule 1109 - Emissions of Oxides of Nitrogen from Boilers and Process Heaters in Petroleum Refineries; and Adopt Rules 1109.1 and 429.1, Amend Rules 1304 and 2005, and Rescind Rule 1109

Proposed Rule 1109.1 (PR 1109.1) establishes NO<sub>x</sub> and CO emission limits for combustion equipment at petroleum refineries and facilities with operations related to petroleum refineries. PR 1109.1 includes alternative implementation and BARCT plans. Implementation of PR 1109.1 is expected to achieve 7 to 8 tons per day of NO<sub>x</sub> emission reductions. Proposed Rule 429.1 provides an exemption from the NO<sub>x</sub> and CO emission limits in PR 1109.1 during startup, shutdown, and certain maintenance events. Proposed Amended Rule 1304 and Proposed Amended Rule 2005 implement a narrow BACT exemption for PM and SO<sub>x</sub> emission increases associated with installation of new and modified add-on air pollution control equipment installations or modification that are needed to meet the NO<sub>x</sub> limits under PR 1109.1. Proposed Rescinded Rule 1109 is obsolete with the adoption of PR 1109.1. This action is to adopt the Resolution: 1) Certifying the Final Subsequent Environmental Assessment for Proposed Rules 1109.1 and 429.1, Proposed Amended Rules 1304 and 2005, and Proposed Rescinded Rule 1109; and 2) Adopting Rules 1109.1 and 429.1, Amending Rules 1304 and 2005, and Rescinding Rule 1109. (Reviewed: Stationary Source Committee for PR 1109.1 September 18, 2020, February 29, March 19, June 18 and September 17, 2021; Stationary Source Committee for PR 429.1, PARs 1304 and 2005, and Proposed Rescinded Rule 1109 September 17, 2021)

The complete text of the proposed rule, staff report and other supporting documents will be available from the South Coast AQMD's publication request line at (909) 396-2001, or Mr. Derrick Alatorre - Deputy Executive Officer/Public Advisor, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765, (909) 396-2432, [dalatorre@aqmd.gov](mailto:dalatorre@aqmd.gov) and on the Internet ([www.aqmd.gov](http://www.aqmd.gov)) as of October 6, 2021.

**RECOMMENDED ACTIONS:**

Set public hearing November 5, 2021 to determine that the 2021 Redesignation Request and Maintenance Plan for the 2006 and 1997 24-Hour PM2.5 Standards for South Coast Air Basin is exempt from CEQA and to approve the 2021 Redesignation Request and Maintenance Plan for the 2006 and 1997 24-Hour PM2.5 Standards for South Coast Air Basin; and to certify the Final Subsequent Environmental Assessment for Proposed Rule 1109.1 – Emissions of Oxides of Nitrogen From Petroleum Refineries and Related Operations, Proposed Rule 429.1 – Startup and Shutdown Provisions at Petroleum Refineries and Related Operations, Proposed Amended Rule 1304 – Exemptions, Proposed Amended Rule 2005 - New Source Review for RECLAIM, and Proposed Rescinded Rule 1109 - Emissions of Oxides of Nitrogen from Boilers and Process Heaters in Petroleum Refineries; and Adopt Rules 1109.1 and 429.1, Amend Rules 1304 and 2005, and Rescind Rule 1109.

Wayne Natri  
Executive Officer

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BOARD MEETING DATE: October 1, 2021

AGENDA NO. 3

**PROPOSAL:** Recognize Revenue, Transfer and Appropriate Funds, Amend Contract, Issue Purchase Orders, and Authorize Payment to Extend and Improve the Rule 1180 Fenceline and Community Monitoring Program

**SYNOPSIS:** As part of MATES V, an optical tent air measurement system was deployed at the Phillips 66 Wilmington refinery by the Regents of University of California, Los Angeles (UCLA), to demonstrate its ability to monitor fugitive VOC emissions. After the MATES V study concluded, the optical tent was adopted by the refinery as part of their fenceline air monitoring system for Rule 1180 implementation with continued oversight provided by UCLA for quality assurance/quality control and reporting for this new technology. These actions are to recognize revenue, transfer and appropriate funds to amend an existing contract with UCLA to extend the operation of the optical tent at the Phillips 66 Wilmington refinery and for the continued operation of the Rule 1180 community monitoring network, issue purchase orders, and authorize payment for sales tax to FluxSense, Inc. to extend and improve the Rule 1180 Fenceline and Community Monitoring Program.

**COMMITTEE:** Administrative, September 10, 2021; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Recognize revenue up to \$200,000 upon receipt from the Phillips 66 Company into the General Fund;
2. Appropriate up to \$200,000 from the General Fund Undesignated (Unassigned) Fund Balance to Science & Technology Advancement's (STA) FY 2021-22 Budget (Org 44), Services & Supplies Major Object and authorize the Executive Officer to use these funds to amend the current contract with the Regents of University of California, Los Angeles (UCLA) to continue to provide quality assurance/quality control (QA/QC) and reporting on the operation of the optical tent air monitoring system at the Phillips 66 Wilmington Refinery for two additional years;

3. Transfer and appropriate funds up to \$169,218.75 from the Rule 1180 Special Revenue Fund (78) to STA's FY 2021-22 Budget (Org 42), Capital Outlays Major Object, and authorize the payment of up to \$169,218.75 to FluxSense, Inc. (FluxSense) for sales tax related to the purchase of ten optical multi-pollutant analyzers using the existing purchase order;
4. Transfer and appropriate up to \$45,000 from the Rule 1180 Special Revenue Fund (78) to STA's FY 2021-22 Budget (Org 42), Capital Outlays Major Object, as listed in Table 1; and
5. Authorize the Procurement Manager, in accordance with South Coast AQMD Procurement Policy and Procedure, to issue sole source purchase orders for the following as listed in Table 1 and described in this letter:
  - a. One air monitoring station container from Martin Container, Inc. (Martin Container) not to exceed \$25,000;
  - b. Up to three replacement air conditioning systems including installation from KLM HVAC & Refrigeration (KLM HVAC) for Rule 1180 community air monitoring stations in an amount not to exceed \$20,000; and
  - c. Data review and QA/QC services from FluxSense for optical multi-pollutant systems at Rule 1180 community air monitoring stations in an amount not to exceed \$100,000.

Wayne Natri  
Executive Officer

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## **Background**

### *Optical Tent Air Monitoring System*

In 2018-2019, South Coast AQMD conducted the fifth Multiple Air Toxics Exposure Study (MATES V) to collect information on air toxics and their associated health risks based on long-term monitoring at ten fixed locations throughout the South Coast Air Basin. To complement fixed site monitoring, in October 2017 the Board authorized several Advanced Monitoring projects using state-of-the-art technologies to conduct enhanced air toxics monitoring in communities near refineries. As part of this advanced monitoring, the Board authorized staff to execute a contract with UCLA to design, build and deploy an optical tent air monitoring system. The optical tent system was developed and then installed at the Phillips 66 Wilmington refinery to demonstrate its ability to detect fugitive emissions of VOCs and other gaseous species from storage tanks. After the MATES V study ended, the optical tent system was adopted by the refinery as part of their fence-line air monitoring system used to satisfy Rule 1180 fence-line monitoring requirements and South Coast AQMD continued to obtain information on the use of this emerging technology with operational assistance from UCLA to provide QA/QC and

reporting on the integrity of this emerging technology. UCLA's contractual obligations for the operation of the optical tent system will end in October 2021. The continued operation of the optical tent is mutually beneficial to South Coast AQMD and the Phillips 66 Company, who has agreed to fund its operation for two additional years and to work with UCLA and South Coast AQMD to further explore its technical capabilities for research purposes. The optical tent system will also be used by the Phillips 66 Wilmington refinery as part of their fenceline monitoring to satisfy Rule 1180 requirements.

#### *Rule 1180 Program*

Rule 1180 - Refinery Fenceline and Community Air Monitoring, was adopted by the Board in December 2017 and requires all seven major refineries in the Basin to measure levels of various air pollutants at their fenceline. This Rule also establishes a fee schedule to fund a community air monitoring network developed and operated by South Coast AQMD to provide air quality information to the public about the potential impact of refinery emissions in their communities.

The Rule 1180 refinery fenceline and community air monitoring network began operation in January 2020. To satisfy the Rule 1180 air monitoring requirements, advanced optical remote sensing, auto-gas chromatograph and traditional analyzers have been deployed at all fenceline and community air monitoring sites, making this monitoring network the first of its kind in terms of complexity and technologies deployed.

The community air monitoring network is comprised of ten air monitoring stations operating instruments under controlled environmental conditions. Each station is equipped with an air conditioning system to assure stable temperature and relative humidity and minimal disruption in the operation of the monitoring equipment.

The VOC and other air toxic pollutant data produced by this community network is displayed on the Rule 1180 Public website, and used to issue public air quality notifications. The implementation of appropriate data validation and QA/QC procedures are of the utmost importance to ensure the data generated by all analyzers are of the highest quality.

#### Sales Tax Payment (FluxSense)

In July 2019, the Board authorized the Procurement Manager to issue a purchase order for up to ten optical multi-pollutant analyzers from FluxSense in an amount not to exceed \$2,193,125. FluxSense provided invoices with four-milestone payments for long-lead items required to manufacture the analyzers which did not include the requisite sales tax for Los Angeles County of 9.5 percent. FluxSense is now requesting payment for the associated sales tax. When this issue was brought to our attention, the Board authority to spend these funds had expired and the funds were transferred back to

Fund (78). Therefore, this request is to transfer and appropriate up to \$169,218.75 from Fund (78) to the Science & Technology FY 2021-22 (Org 42) Capital Outlays account for the sale tax payment to FluxSense.

### **Proposal**

#### *Optical Tent Air Monitoring System*

This action is to recognize revenue up to \$200,000 from the Phillips 66 Company into the General Fund. This action is also to appropriate up to \$200,000 from the General Fund Undesignated (Unassigned) Fund Balance to STA's FY 2021-22 Budget (Org 44), Services & Supplies Major Object and to use these funds to amend the current contract with the Regents of University of California, on behalf of UCLA, to continue operation of the optical tent air monitoring system at the Phillips 66 Wilmington Refinery for two additional years.

#### *Rule 1180 Program – Community Air Monitoring Network*

This action is to transfer and appropriate up to \$45,000 from the Rule 1180 Special Revenue Fund (78) into STA's FY 2021-22 Budget (Org 42) for expenditures in the Capital Outlays Major Object to support air monitoring activities required under Rule 1180, as shown in Table 1.

#### *Rule 1180 Program – Sales Tax Payment*

This action is to transfer and appropriate funds up to \$169,218.75 from the Rule 1180 Special Revenue Fund (78) to STA's FY 2021-22 Budget (Org 42), Capital Outlays Major Objects as shown in Table 1, and authorize the payment of up to \$169,218.75 to FluxSense for the sales tax related to the purchase of ten optical multi-pollutant analyzers.

#### Proposed Purchases through Sole Source

This action is to purchase the following equipment to improve and extend operational efficiency, as listed in Table 1, using the procurement method noted in the Recommended Actions.

#### *Air Monitoring Station Container*

An air monitoring container will be used to house air monitoring equipment at one of South Coast AQMD's community air monitoring sites. Martin Container is a local business located in Compton that has extensive expertise in manufacturing steel containers for air monitoring purposes. The majority of South Coast AQMD air monitoring containers have been manufactured by this vendor and the vendor is uniquely qualified to manufacture containers that completely satisfy Rule 1180 community monitoring requirements. The cost for one container shall not exceed \$25,000. Sufficient funds for this purchase are available in Fund (78).

### *Replacement Air Conditioning*

Spare air conditioning systems are needed for installation in case of failure of one or more of the existing air conditioning systems at any of the Rule 1180 community air monitoring sites. KLM HVAC is a small local business in Long Beach, and they have extensive expertise in the installation, service and repair of air conditioning systems at South Coast AQMD air monitoring stations. KLM HVAC have in-depth understanding of controlled environments required to operate air monitoring instrumentation, and they are uniquely qualified to select and install the appropriate air conditioning equipment. The cost for the purchase and installation of up to three replacement air conditioning systems shall not exceed \$20,000. Sufficient funds for this purchase are available in Fund (78).

### *Annual Data Review and QA/QC Services*

Ongoing data review and QA/QC services for optical multi-pollutant analyzers installed at the Rule 1180 community sites will ensure the reliability and accuracy of the real-time community air monitoring data and air quality notifications. FluxSense is the sole-source provider of this equipment and related software due to the use of proprietary technology and vendor's unique expertise. The cost for annual data quality assurance service shall not exceed \$100,000. Sufficient funds are available in the Services and Supplies Major Object in the Adopted FY 2021-22 Budget for the Rule 1180 program.

### **Sole Source Justification**

Section VIII.B.2 of the Procurement Policy and Procedure identifies four major provisions under which a sole-source award may be justified. The request for sole source purchases from Martin Container and KLM HVAC are made under Sections VIII.B.2.d(6): Projects requiring compatibility with existing specialized equipment, and VIII.B.2.b: The cost of labor for preparation of the described documents exceeds the possible savings that could be derived from such detailed documents. Martin Container and KLM HVAC are small local businesses that are established vendors with South Coast AQMD, have been providing containers and air conditioning systems compatible with existing air monitoring stations and equipment, and have been providing reliable services to support air monitoring efforts for the last decade.

The request for sole source purchase order for FluxSense is made under Sections VIII.B.2.c(1): The unique experience and capabilities of the proposed contractor or contractor; VIII.B.2.c(2): The project involves the use of proprietary technology. FluxSense is the only contractor who provides both extractive DOAS and extractive FTIR instruments with the required specifications, including proprietary software and, therefore, is uniquely qualified to provide data QA/QC services for the Rule 1180 community network.

**Benefits to South Coast AQMD**

Funding for the optical tent system and continued implementation of Rule 1180 community air monitoring will allow the South Coast AQMD to continue to understand the effectiveness of the optical tent system and to fulfill the requirements of Rule 1180 and the legislative directives of AB 1647, which will result in benefits to environmental justice communities and others working and residing in the Basin near refineries.

**Resource Impacts**

Phillips 66 Company will fully support the continued operation of the optical tent system at the Phillips 66 Wilmington Refinery for an additional two years. The initial payments received from refineries under Rule 1180 provide sufficient resources to establish the required community air monitoring program. Rule 301 annual fees will provide sufficient resources for ongoing community air monitoring operation and maintenance. The balance in the Rule 1180 Special Revenue Fund and the Adopted FY 2021-22 Budget for the Rule 1180 program have sufficient funds to support the activities described in this Board letter.

**Table 1  
FY 2021-22 Proposed Sole Source Expenditures for Rule 1180**

<b>Description</b>	<b>Appropriation from Fund 78</b>	<b>Included in FY 2021-22 Adopted Budget</b>	<b>Estimated Quantity</b>	<b>Total Estimated Amount</b>
<b>Capital Outlays</b>				
Air Monitoring Station Container	\$25,000	\$0	1	\$25,000
Air Conditioning Systems	\$20,000	\$0	Up to 3	\$20,000
<b>Total Capital Outlay Expenditures</b>				<b>\$45,000</b>
<b>Services and Supplies</b>				
Annual Data QC Services	\$0	\$100,000	1	\$100,000
<b>Total Services and Supplies Expenditures</b>				<b>\$100,000</b>

BOARD MEETING DATE: October 1, 2021

AGENDA NO. 4

**PROPOSAL:** Recognize Revenue, Appropriate Funds, and Execute Contracts to Implement Air Quality Community Training in the Eastern Coachella Valley

**SYNOPSIS:** U.S. EPA will award South Coast AQMD a grant from the State Environmental Justice Cooperative Agreement Program to implement an Air Quality Academy to improve environmental literacy and air quality data in the Eastern Coachella Valley. The academy will provide training on sensors, air quality index, and actions to reduce air pollution exposure. This action is to recognize upon receipt up to \$200,000 in revenue into the General Fund and appropriate up to \$113,091 to the Planning, Rule Development & Area Sources, Science & Technology Advancement and Legislative, Public Affairs/Media Office FY 2021-22 and/or FY 2022-23 Budgets. South Coast AQMD will partner with Twenty-Nine Palms Band of Mission Indians and execute contracts with Desert Healthcare District and Foundation and Health Assessment and Research for Communities.

**COMMITTEE:** Administrative, September 10, 2021; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Recognize up to \$200,000 in EPA State Environmental Justice Cooperative Agreement Program (SEJCA) revenue into the General Fund, upon receipt, and as set forth in Table 1, appropriate up to \$113,091 to the Planning, Rule Development & Area Sources (26), Science & Technology Advancement (44), and Legislative, Public Affairs/Media (35) FY 2021-22 and/or FY 2022-23 Budgets. (excludes \$86,909 in Salaries and Benefits already included in the adopted budget); and
2. Authorize the Executive Officer to execute and/or amend contracts, and issue solicitations and purchase orders to implement air quality community training for the Eastern Coachella Valley in accordance with the South Coast AQMD Procurement Policy and Procedure for items listed in Table 1.

Wayne Nastri  
Executive Officer

## **Background**

On April 30, 2020, U.S. EPA released Request for Applications (RFA) # EPA-OP-OEJ-20-02 to announce the availability of funds for “State Environmental Justice Cooperative Agreement Program (SEJCA)/COVID-19 Projects.” The RFA solicited proposals for projects designed to assist state, local and tribal agencies to work collaboratively with underserved communities to understand, promote and integrate approaches to meaningful and measurable improvements to public health conditions and the environment in environmental justice (EJ) communities. South Coast AQMD submitted a grant proposal for \$200,000 to establish partnerships to develop an Air Quality Academy to provide resources and training to improve environmental literacy and air quality data in the Eastern Coachella Valley (ECV). ECV is an environmental justice community in the Assembly Bill (AB) 617 Program.

On June 15, 2021, U.S. EPA informed staff that the South Coast AQMD’s proposal was selected for an award. South Coast AQMD anticipates receiving a grant award from U.S. EPA in September 2021.

## **Proposal**

Staff is seeking Board approval to recognize revenue and appropriate funds, execute contracts, and procure related services and supplies as listed in Table 1 - Proposed Appropriations for FY 2021-22 and/or 2022-23. The Board’s approval of these actions would initiate a project to establish an Air Quality Academy and publish a community environmental health report in collaboration with Twenty-Nine Palms Band of Mission Indians (Tribal Government), Desert Healthcare District and Foundation (DHD) (Healthcare Agency), and Health Assessment and Research for Communities (HARC) (Non-Profit) in the ECV. The project is outlined in the U.S. EPA SEJCA Grant proposal and focuses on the following objectives.

- 1) *Air Quality Training*  
Provide training to community members on the Air Quality Index (AQI) and actions to reduce air pollution exposure.
- 2) *Air Pollution Sensors*  
Provide training to community members on air pollution measurements and sensors and deploy air pollution sensors in the community.
- 3) *Community Environmental Health Report*  
Publish a community environmental health report that evaluates social and environmental justice disparities in the ECV community to inform future community work.

This project builds on existing community partnerships in place through the Assembly Bill (AB) 617 program. Representatives from the Twenty-Nine Palms Tribe and DHD are members of the ECV AB 617 Community Steering Committee. In collaboration with Twenty-Nine Palms Tribe and DHD, South Coast AQMD will develop training

modules for the Air Quality Academy. South Coast AQMD will also provide the blended AQI map tool, a Community Sensors Toolbox with informational materials about sensors and best practices for data collection and interpretation, and additional outreach in the ECV community through the AB 617 program. The Twenty-Nine Palms Tribe will conduct outreach and recruit community participants. DHD will help develop training modules and provide training for community health workers to mitigate health impacts from air pollution. HARC will analyze data (e.g., environmental, demographic) to complete the community environmental health report.

### **Sole Source Justification**

Section VIII.B.3 of the Procurement Policy and Procedure identifies four major provisions for justifying a sole source award funded, in whole or in part with federal funds. The request for sole source awards for the Desert Healthcare District and Foundation and Health Assessment and Research for Communities contracts and the purchase of 35 Purple Air PA-II sensors and eight Aeroqual AQY sensors are made under the provisions B.3.c, which states that the awarding federal agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-federal entity.

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

This work complements the ongoing efforts to partner with the community to address local air quality priorities through the AB 617 program, including providing information to reduce air pollution exposure in ECV and expanding the air quality sensor network. This project will strengthen South Coast AQMD's collaborative partnerships in ECV and improve air pollution data and data accessibility in these rural communities. Additionally, this project can serve as a model for future outreach and educational programs in this region.

### **Resource Impacts**

The \$200,000 in U.S. EPA funding will support the establishment of the Air Quality Academy to provide training that will improve environmental literacy and resources for the purchase of low-cost sensors to improve air quality data in ECV. The funding will also support outreach supplies used for the Air Quality Academy and contractual expenditures to conduct training and publish the community environmental health report. This project will also partially support the ECV Community Emission Reduction Plan efforts.

### **Attachment**

Table 1 – Proposed Appropriations for FY 2021-22 and/or 2022-23

**ATTACHMENT**

**Table 1  
Proposed Appropriations for FY 2021-22 and/or 2022-23**

<b>Account Description</b>	<b>Account Number</b>	<b>Organizational Unit</b>	<b>Estimated Expenditures</b>
<b>Services and Supplies Major Object</b>			
Low-cost PM2.5 sensors, 35 sensors	68300	STA	\$10,497
PM10/PM2.5 sensors, 8 sensors	68300	STA	\$27,440
Miscellaneous Outreach supplies	68100	LPAM	\$1,014
Travel	67800	PRDAS, STA, LPAM	\$7,060
Meeting logistics contracts	67450	LPAM	\$24,400
Site rental fees for sensors contracts	67350	STA	\$500
Clerical support for translation and training services	67460	PRDAS	\$7,580
Community Health Worker and Participant Support (Desert Healthcare District & Foundation) contract	67450	PRDAS	\$27,000
Data Evaluation and Reporting (Health Assessment and Research for Communities) contract	67450	PRDAS	\$6,600
Conference fees	69500	PRDAS	\$1,000
<b>Total Appropriation</b>			<b>\$113,091</b>
<b>Salaries and Benefits Major Object</b>			<b>\$86,909</b>
<b>Total Award</b>			<b>\$200,000</b>

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BOARD MEETING DATE: October 1, 2021

AGENDA NO. 5

**PROPOSAL:** Execute a Contract to Provide Recordkeeping and Administration Services for South Coast AQMD's Deferred Compensation Plans

**SYNOPSIS:** South Coast AQMD sponsors an IRS-approved 457 deferred compensation program for its employees. On February 5, 2021, the Board approved the release of RFP - #2021-11 for bundled services to administer the Deferred Compensation Plan. Based on the evaluation of proposals, this action is to execute a 5-year contract with Empower Retirement, LLC to provide recordkeeping and administration services for South Coast AQMD's 457(b), 401(a) and OBRA Deferred Compensation Plans. Funding for this contract will be generated through charges to participant accounts.

**COMMITTEE:** Administrative, September 10, 2021; Recommended for Approval

**RECOMMENDED ACTION:**

Authorize the Executive Officer to execute a contract with Empower Retirement, LLC, for a 5-year term beginning January 1, 2022, to provide recordkeeping and administration services for South Coast AQMD's 457(b), 401(a) and Omnibus Budget Reconciliation Act of 1990 (OBRA) Deferred Compensation Plans.

Wayne Natri  
Executive Officer

AJO:mm

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**Background**

On February 5, 2021, the Board approved the release of a Request for Proposals for Deferred Compensation Plan Recordkeeping and Administration Services for South Coast AQMD's 457(b), 401(a) and OBRA Plans. Services related to the RFP are currently provided by Empower Retirement ("Empower"), which acquired Massachusetts Mutual Life Insurance Company ("MassMutual") in January 2021.

To ensure a high level of service and a continuity of programs for Plan participants, the following minimum requirements were included in the RFP:

1. Currently provide recordkeeping and administration to a minimum of 25 governmental 457(b) plans, each with assets above \$100 million.
2. Currently provide recordkeeping and administration to a minimum of 25 governmental 401(a) plans.
3. Provided recordkeeping and administration services to governmental 457(b) plans for more than 10 years.
4. Able to provide fee disclosures similar to those required under ERISA 408(b)(2) to South Coast AQMD.
5. Able to provide fee disclosures similar to those required under ERISA 404(a)(5) to participants.
6. Able to administer and allow Roth contributions and in-plan conversions.
7. Able to offer a self-directed brokerage account.
8. Able to rebate revenue sharing payments to participants with balances in the fund.
9. Able to apply an asset-based fee determined by South Coast AQMD to participant accounts to offset recordkeeping and other plan expenses.

In addition to South Coast AQMD’s website, the RFP was posted in the Orange County Register, Los Angeles Times, San Bernardino Sun, and Riverside Press Enterprise. The RFP consisted of 234 questions divided into five categories: Provider Background, Plan Sponsor Services, Investment Platform, Fees, and Participant Experience, with numerous sub-categories. Questions regarding the RFP were due on February 19, 2021 and responses were posted on the website on March 3, 2021.

The following proposals were received in good order by the due date of March 19, 2021:

1. Empower Retirement, LLC
2. ICMA-RC (“ICMA”)
3. Nationwide Retirement Solutions, Inc. (“Nationwide”)
4. Prudential Retirement Insurance and Annuity Company (“Prudential”)
5. Voya Financial (“Voya”)

**Proposal**

The Deferred Compensation Committee (the Committee) worked with the Plan consultant, BFGS, to evaluate the proposals. Each Committee member scored the responses and an average was used to determine the overall score, based on the following factors:

Provider Background	10 points
Plan Sponsor Services	20 points
Investment Platform	20 points
Fees	30 points
Participant Experience	20 points

The Committee also sought advisory scoring on the Participant Experience section from a diverse group of six South Coast AQMD employees from various departments – Information Management, Finance, Legal, Clerk of the Board and Administrative & Human Resources; each having experience with the Plans. The employees evaluated the responses to the Participant Experience questions in the RFP. After review, the Committee accepted the scores and assigned them as the score for each proposal for the Participant Experience category.

At the Committee’s May 18, 2021 meeting, BFSG provided the Committee with its view on the strengths and weaknesses of the respondents based on the proposals received and answered Committee questions related to the services being proposed. BFSG did not provide suggested scoring. Following the presentation, the Committee finalized its scoring for the RFP and the final scores for proposals, from highest to lowest, were:

Empower	82.45
Voya	78.25
ICMA	76.60
Prudential	73.45
Nationwide	73.10

Empower scored the highest in all categories, except for Provider Background, where they came in second to ICMA. Their fee for the 457(b) and 401(a) plans tied with Voya for the lowest at 0.02 percent, which is 0.03 percent lower than the current fee. The current crediting rate and crediting rate floor on the Fixed Account were the highest of any of the respondents, which is important due to significant utilization of the account by Plan participants. Empower would also provide consistency and continuity to the Plans and the participants due to its familiarity with the current programs and the retention of key personnel from MassMutual.

Based on the evaluation and scoring of the proposals by the Committee and an employee advisory group, staff recommends awarding a five-year contract to Empower to provide recordkeeping and administration services for South Coast AQMD’s 457(b), 401(a) and OBRA Deferred Compensation Plans.

**Resource Impacts**

Funding for this contract will be generated through charges to participant accounts.

BOARD MEETING DATE: October 1, 2021

AGENDA NO. 6

**PROPOSAL:** Appropriate Funds and Amend or Execute Contracts with Outside Counsel and Specialized Legal Counsel and Services

**SYNOPSIS:** This action is to appropriate \$480,000 from the General Fund Undesignated (Unassigned) Fund Balance to Legal's FY 2021-22 and/or FY 2022-23 Budgets, and amend or execute contracts for legal counsel for specialized, environmental, and other litigation.

**COMMITTEE:** Administrative, September 10, 2021; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Appropriate \$480,000 from the General Fund Undesignated (Unassigned) Fund Balance to Legal's FY 2021-22 and/or FY 2022-23 Budgets, Services and Supplies Major Object, Professional and Special Services Account; and
2. Authorize the Chairman or the Executive Officer, depending on whether the amount exceeds \$100,000, to amend or execute contracts with legal counsel handling existing matters, as well as prequalified counsel approved by the Board, and specialized legal counsel and services, as the need arises.

Wayne Nastri  
Executive Officer

BTG:lal

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**Background**

The FY 2021-22 Adopted Budget includes \$246,001 for litigation expenses in environmental law, specialized legal areas, and other litigation. The total amount currently allocated will not cover current and anticipated costs of legal counsel and specialized counsel and services.

South Coast AQMD will require an additional amount of up to \$480,000 for these services. Money will be expended on lawsuits, legal proceedings, legal advice and other matters. These matters include, but are not limited to, defending the challenge to a

portion of South Coast AQMD's environmental analysis of the Tesoro Los Angeles Refinery Integration and Compliance project, defending the Warehouse ISR rule, litigating the China Shipping lawsuit, analyzing and addressing CEQA and RECLAIM issues, defending lawsuits, and other matters. In the Tesoro case, Tesoro has, and will continue to reimburse South Coast AQMD for attorney's fees and other costs once the case is completed. Accordingly, staff is requesting an appropriation of funds in the amount of \$480,000 for a total expected expenditure of \$726,001 this fiscal year.

**Proposal**

In order to defend ongoing litigation, and continue other legal work, it is necessary to appropriate additional funds for expenditures by outside counsel. It is expected that ongoing lawsuits and other legal work will require an additional \$480,000 for attorneys handling existing matters, prequalified counsel approved by the Board, and with specialized legal counsel and services, as the need arises.

**Resource Impacts**

Sufficient funds will be available in Legal's FY 2021-22 Budget upon approval of this Board letter. This action will bring the total amount of outside counsel costs approved by the Board in FY 2021-22 to \$726,001.

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BOARD MEETING DATE: October 1, 2021

AGENDA NO. 7

**PROPOSAL:** Amend Section 60 (Harassment) of the South Coast AQMD's Administrative Code

**SYNOPSIS:** This action is to amend Section 60 (Harassment) of the South Coast AQMD's Administrative Code

**COMMITTEE:** Administrative, September 10, 2021; Recommended for Approval

**RECOMMENDED ACTIONS:**

Amend Administrative Code Section 60 (Harassment) as set forth in Exhibit B.

Wayne Nastri  
Executive Officer

BTG:lal

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**Background**

The South Coast AQMD Administrative Code prescribes the responsibilities, conduct, and specified reimbursements of South Coast AQMD Board Members, Board Assistants and Consultants, and employees.

**Proposal**

This action is to approve amendments to the provision of South Coast AQMD's Administrative Code that address harassment and discrimination. Proposed amendments include expanding the section on harassment and adding sections to address discrimination and retaliation. The current version is attached in Attachment A. The proposed amended version is shown in Attachment B.

**Resource Impacts**

No fiscal impact.

**Attachments**

- A. Current Administrative Code Section 60 - Harassment
- B. Proposed Amended Administrative Code Section 60 - Harassment And Discrimination

## **Attachment A**

### **Section 60 – HARASSMENT AND DISCRIMINATION**

Sexual harassment is unacceptable conduct, which takes various forms. It is deliberate or repeated unsolicited verbal comments, questions, representations, or physical contacts of an intimate sexual nature that are unwelcome to the recipient. Sexual harassment can also take the form of making or threatening to make decisions affecting an employee's job on the basis of an acceptance or refusal of a request for sexual intimacy.

Sexual harassment is a form of employee misconduct that undermines the integrity of SCAQMD and the employment relationship. It has a negative impact on employee morale and interferes with the productivity of its victims and their co-workers. While it is not SCAQMD's intent to regulate employees' social interactions or relationships freely entered into, conduct constituting sexual harassment will not be tolerated and will be thoroughly investigated. Such investigation may result in appropriate disciplinary or corrective measures being taken.

## **Attachment B**

### **Section 60 – HARASSMENT AND DISCRIMINATION**

It is the policy of the South Coast AQMD to provide its employees, South Coast AQMD Board Members, South Coast AQMD Board Member Assistants and Consultants, and South Coast AQMD Hearing Board Members a work environment that is free from all forms of unlawful employment discrimination, harassment, and retaliation, and that promotes an atmosphere of mutual respect and professionalism.

South Coast AQMD will not tolerate in the workplace or in work-related situations: discrimination or harassment based on race, ethnicity, religion, color, national origin, ancestry, physical or mental disability, medical condition, genetic information, marital status, registered domestic partner status, pregnancy, sex (including childbirth, breast feeding, and related medical conditions), age, gender, gender identity or expression, sexual orientation, uniform service membership, veteran status, or any other characteristic protected by state or federal employment discrimination laws. This includes conduct by any employee, South Coast AQMD Board Member, South Coast AQMD Board Assistant or Consultant, South Coast AQMD Hearing Board Member, or any intern or other non-employee, such as contractors, vendors providing services to South Coast AQMD, members of the public, and others having business with South Coast AQMD. Further, South Coast AQMD does not tolerate unlawful discrimination or harassment by its employees of non-employees with whom South Coast AQMD has a business or service relationship. Retaliation against any individual for making a report, or for participating in an investigation under this policy is strictly prohibited.

#### **TYPES OF PROHIBITED CONDUCT**

By way of illustration only, and not limitation, some examples of conduct prohibited by this policy include:

- (1) Verbal Harassment – epithets, derogatory comments, slurs, unwanted comments, inappropriate jokes, unwanted invitations or sexual advances, threats, or negative stereotypes.
- (2) Physical Harassment – assault, touching, impeding or blocking movement, or any physical interference with normal work or movement.
- (3) Visual Forms of Harassment – derogatory posters, notices, cartoons, drawings, photographs, writings, graffiti, gestures, e-mails, and text messages.
- (4) Inappropriate Use of Technology – using the Internet, the e-mail system or telephone and/or voicemail systems, text messages, blogging or any other technological means to transmit, communicate, post or receive: (a) sexually-suggestive, pornographic or sexually explicit pictures, messages or materials or other materials prohibited by this policy; (b) or pictures, messages or other materials that denigrate, threaten, or show

hostility or aversion towards an individual or group based on race, national origin, sex, sexual orientation or any other protected characteristic under the law and this policy.

- (5) Retaliation by any of the above means for having reported harassment or discrimination, or having assisted another to report harassment or discrimination.

*Someone's intentions, such as not meaning to give offense or a belief that conduct was welcomed will not excuse behavior that is found to violate this policy.*

**Examples of Sexual Harassment:**

Sexual harassment includes a broad spectrum of conduct including harassment based on sex, gender, gender transition, gender identity or expression, and sexual orientation. By way of illustration only, and not limitation, some examples of unlawful and unacceptable behavior include:

- Unwanted sexual advances;
- Offering an employment benefit (such as a raise, promotion, or career advancement) in exchange for sexual favors, or threatening an employment detriment (such as termination or demotion) for an employee's failure to engage in sexual activity;
- Visual conduct, such as leering, making sexual gestures, and displaying or posting sexually suggestive objects, pictures, cartoons, or posters;
- Verbal sexual advances, propositions, requests, or comments;
- Sending or posting sexually-related messages, videos or messages via email, text, instant messaging, or social media;
- Verbal abuse of a sexual nature, graphic verbal comments about an individual's body, sexually degrading words used to describe an individual, and suggestive or obscene letters, notes, or invitations;
- Physical conduct, such as touching, groping, assault, or blocking movement;
- Physical or verbal abuse concerning an individual's gender, gender transition, gender identity, or gender expression; and
- Verbal abuse concerning a person's characteristics such as pitch of voice, facial hair or the size or shape of a person's body, including remarks that a male is too feminine or a woman is too masculine.

**Examples of Harassment Based on Other Protected Characteristics:**

South Coast AQMD strictly prohibits harassment concerning race, religion, disability, age, veteran status, or any other protected characteristic. By way of illustration only, and not limitation, such prohibited harassment includes:

- Racial or ethnic slurs, epithets, and any other offensive remarks;
- Inappropriate jokes, whether written, verbal, or electronic;
- Threats, intimidation, and other menacing behavior;
- Inappropriate verbal, graphic, or physical conduct;
- Sending or posting harassing messages, videos or messages via email, text, instant messaging, or social media; and
- Other harassing conduct based on one or more of the protected categories identified in this policy.

PROHIBITION AGAINST RETALIATION

South Coast AQMD is committed to prohibiting retaliation against those who themselves, or whose family members report, oppose, or participate in an investigation of alleged unlawful harassment, discrimination, or other wrongdoing in the workplace. By way of example only, participating in such an investigation includes, but is not limited to:

- Filing a complaint with a federal or state enforcement or administrative agency;
- Participating in or cooperating with a federal or state enforcement agency conducting an investigation of South Coast AQMD regarding alleged unlawful activity;
- Testifying as a party, witness, or accused regarding alleged unlawful activity;
- Making or filing an internal complaint with South Coast AQMD regarding alleged unlawful activity;
- Providing notice to South Coast AQMD regarding alleged unlawful activity;
- Assisting a person who is engaged in any of these activities.

South Coast AQMD is also committed to prohibiting retaliation against:

- those who request a reasonable accommodation for any known physical or mental disability;
- those who request a reasonable accommodation of their religious beliefs and observances; or

- an employee who is a victim of domestic violence, sexual assault, or stalking and requests leave time or changes in the workplace to ensure the employee's safety and well-being.

## REPORTING PROCESS

It is the responsibility of every employee to bring concerns and/or problems to the attention of a supervisor, a manager, a Human Resources Manager, an attorney in the General Counsel's Office, or the DEO/Administrative and Human Resources so that appropriate steps to address the situation may be taken. South Coast AQMD Board Members, South Coast AQMD Board Member Assistants and Consultants, and South Coast AQMD Hearing Board Members should bring concerns and/or problems to the attention of the South Coast AQMD Board Chair, the South Coast AQMD Board Vice-Chair, the General Counsel, the Executive Officer or the Clerk of the Board, so that appropriate steps to address the situation may be taken. South Coast AQMD takes all complaints of unlawful harassment, discrimination, or retaliation seriously and will not penalize or retaliate against an employee or anyone else in any way for reporting a harassment, discrimination, or retaliation problem in good faith.

An employee who believes that they have been harassed or discriminated against should immediately report such incidents to a supervisor, a manager, a Human Resources Manager, an attorney in the General Counsel's Office, or the DEO/Administrative and Human Resources. Others who believe that they have been harassed or discriminated against should immediately report such incidents to the attention of the South Coast AQMD Board Chair, the South Coast AQMD Board Vice-Chair, the General Counsel, the Executive Officer or the Clerk of the Board.

Any person who observes or overhears discrimination or harassment by another employee, supervisor, manager, or non-employee should report the incident immediately to the individual(s) listed above.

If a person believes that they have been retaliated against in violation of this policy, the person should immediately report the matter to the individual(s) listed above.

*Individuals are protected by law and South Coast AQMD policy from retaliation for opposing unlawful discriminatory practices, for filing a complaint under this policy or for filing a complaint with the state or federal agency charged with enforcing anti-discrimination laws, or for otherwise participating in any proceedings conducted by South Coast AQMD under this policy and/or by either of such governmental agencies.*

BOARD MEETING DATE: October 1, 2021

AGENDA NO. 8

**PROPOSAL:** Issue Purchase Order for Ingres Relational Database Management System Software Support

**SYNOPSIS:** The Ingres Relational Database Management System is used for the implementation of the Central Information Repository database. This database is used by most enterprise-level software applications at South Coast AQMD and currently supports a suite of client/server and web-based applications known collectively as the Clean Air Support System (CLASS). CLASS applications are used to support all of South Coast AQMD's core activities. Licensing, maintenance and support for this software expires on November 29, 2021. This action is to issue a purchase order to Actian Corporation for a total amount not to exceed \$304,100. Funds for this expense are included in the FY 2021-22 Budget.

**COMMITTEE:** Administrative, September 10, 2021; Recommended for Approval

**RECOMMENDED ACTION:**

Authorize the Procurement Manager to issue a purchase order to Actian Corporation (formerly Ingres Corporation) for Ingres Relational Database Management System software licensing, maintenance and support, for the period of November 30, 2021 through November 29, 2022, for a total amount not to exceed \$304,100.

Wayne Nastri  
Executive Officer

WN:RM:MH:HP:hlp

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**Background**

In December 2017, South Coast AQMD entered into a one-year licensing, maintenance and support agreement for Ingres Relational Database Management System (RDBMS) software. The RDBMS software runs on three database servers for production, development and ad hoc reporting. The production server hosts the Central Information Repository database. This database supports a collection of more than 30 client/server and web-based applications known as the Clean Air Support System (CLASS). The

CLASS application suite supports permit administration and processing of equipment-based and facility-based permits; emissions offsetting, monitoring and inventory management for New Source Review; RECLAIM and annual emission reporting operations; compliance-related complaint, inspection, assignment, notification, investigation and settlement operations; and financial accounts receivable operations. The development server supports software development for CLASS and other applications accessing the Central Information Repository. The decision support server supports CLASS system ad-hoc query and reporting and web-based inquiry applications. These applications are an integral component of South Coast AQMD's day-to-day responsibilities. The RDBMS software licensing, maintenance and support expires on November 29, 2021.

Ingres maintenance and support includes the following services:

Software Maintenance	Licensed product updates, enhancements, and repairs.
Software Support	Assistance in resolving online operating difficulties, system failures, Ingres application-related problems, potential system bugs, and installation and upgrade issues.

**Sole Source Justification**

Section VIII.B.2 of the Procurement Policy and Procedure identifies circumstances under which a sole source purchase award may be justified. This request for a sole source award is made under provision VIII.B.2.c.(2) because the project involves the use of proprietary technology, and provision VIII.B.2.c.(3) because the contractor has ownership of key assets required for project performance. Previous quotes indicated it would cost well over \$1 million to convert the CLASS applications to another relational database. Actian Corporation (formerly Ingres Corporation) is the sole manufacturer and provider of this software and therefore the only source for its maintenance and support licensing agreements.

**Proposal**

Staff recommends the issuance of a one-year purchase order for RDBMS software licensing, maintenance and support to Actian Corporation in an amount not to exceed \$304,100. Actian has performed well in the past, providing timely technical support, updates and patches.

**Resource Impacts**

Sufficient funds are available in Information Management's FY 2020-21 Budget, Services and Supplies Major Object, Professional and Special Services account.

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BOARD MEETING DATE: October 1, 2021

AGENDA NO. 9

REPORT: Legislative, Public Affairs and Media Report

SYNOPSIS: This report highlights the August 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 Natri  
Executive Officer

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## **BACKGROUND**

This report summarizes the activities of the Legislative, Public Affairs and Media Office for August. 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, 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 August.

### **COMMUNITY EVENTS/PUBLIC MEETINGS**

Each year, 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.

Staff attended and/or provided information and updates at the following August events and meetings:

#### **South Pasadena Chamber of Commerce**

On August 11, staff participated in the virtual South Pasadena Chamber of Commerce Legislative Committee meeting to provide information on South Coast AQMD's statement on the U.S. EPA Clean Trucks Plan, the Green Painter's Guide, and new interactive MATES V tools.

#### **Big Bear Chamber of Commerce**

On August 12, staff attended the virtual Big Bear Chamber Government Affairs Committee to provide information on the ACT Expo and opportunities to apply for incentive funds through the Volkswagen Environmental Mitigation Trust.

#### **San Gabriel Valley Council of Governments (SGVCOG)**

Staff participated in the virtual SGVCOG Energy, Environment and Natural Resources Committee meeting on August 18. Updates were provided on South Coast AQMD's WAIRE portal, Green Painter's Guide and MATES V.

#### **Harbor Association of Industry and Commerce (HAIC)**

On August 26, staff attended a virtual HAIC Government Affairs Committee meeting to announce the upcoming public workshop on the RECLAIM transition, Warehouse Actions and Investments to Reduce Emissions (WAIRE) portal and other updates.

### **Orange County Council of Governments (OCCOG)**

On August 26, staff attended the OCCOG virtual Board meeting with Mayor Pro Tempore Carlos Rodriguez and provided an update on the WAIRE program, including the online portal.

### **ENVIRONMENTAL JUSTICE (EJ) UPDATE**

The following are key EJ activities in which staff participated during August. These events and meetings involve communities affected disproportionately from adverse air quality impacts.

#### **Pacoima Community Initiative (PCI) Meeting**

On August 11, staff participated in the monthly PCI meeting to plan for the upcoming Resource Fair for families. Staff provided informational materials on the Clean Air Program for Elementary Students (CAPES).

#### **Young Leaders Advisory Council (YLAC)**

YLAC convened on August 18 for a virtual meeting, which included a presentation on CAPES and a discussion on future topics of interest. Members requested presentations on hydrogen fuel cell technology and the Indirect Source Rule for Rail Yards and Intermodal Facilities.

#### **7<sup>th</sup> Annual EJ Enforcement Symposium**

On August 18, staff attended the virtual 7<sup>th</sup> Annual EJ Enforcement Symposium hosted by the Los Angeles Environmental Justice Network. This session was one of five that will be hosted throughout the remainder of the year. The session was entitled, “New Avenues of Enforcement,” with a panel discussion on better cooperation and communication between regulators, prosecutors, and the community.

#### **Coachella Valley EJ Task Force**

Staff participated in the Coachella Valley EJ Enforcement Task Force virtual meeting on August 25. Members discussed the Identifying Violations Affecting Neighborhoods (IVAN) environmental monitoring system and issues related to the Salton Sea. Staff from California Department of Food and Agriculture presented on the Fertilizing Materials Inspection Program, an industry-funded initiative that ensures consumer products are safe and effective.

#### **Environmental Justice Advisory Group (EJAG)**

A virtual quarterly EJAG meeting was held on August 27. Staff provided updates on school air filtration projects and the EJ Community Partnership. Members informed the group about environmental matters in their communities.

## **AB 617 UPDATE**

The following are key AB 617 related activities in which staff participated during August. These events, workshops and meetings involve AB 617 communities to support the Community Steering Committees (CSCs), Community Air Monitoring Plans (CAMPs) and Community Emissions Reduction Plans (CERP).

### **South Los Angeles (SLA) CSC**

Approximately 60 people participated in the SLA CSC virtual meeting on August 5. A CSC co-lead provided a summary of the July meeting, highlighting the finalization of the charter. Staff presented information on the AB 617 SLA community website. Staff and co-leads facilitated an activity to gather more information about air quality concerns. The CSC finalized the following air quality priorities for the SLA Community Emissions Reduction Plan (CERP): mobile sources, auto body shops, oil and gas, toxics, and other industrial facilities. Staff provided an overview of potential CERP strategies and polled for interest in subcommittees to develop actions for each air quality priority. CARB gave an overview of mobile source emission trends, regulatory measures, CERP strategies and other tools for mobile sources.

### **CARB Community Air Protection Consultation Group**

Staff participated in a virtual AB 617 Community Air Protection Consultation Group meeting on August 12. Members of the Consultation Group include individuals representing EJ organizations, industry, academia, public health organizations, local government, and air districts. Community members asked for clarification of the role of the group, and made suggestions to resolve questions of authority and scope of the program.

### **Wilmington, Carson, West Long Beach (WCWLB) CSC**

Approximately 95 people participated in a virtual WCWLB CSC meeting on August 18. Committee members provided updates on the Draft Harbor Community Plan, upcoming Port of Los Angeles workshops for Low-NOx trucks and the spending plan, and a CARB air grant awarded to Coalition for Clean Air. Electrify America gave a presentation on the Green City Initiative. Staff provided an overview of outreach efforts in this community, the AB 617 2020-2021 Annual Progress Report, the implementation budget, Rule 1180 refinery monitoring results, refinery baseline measurements, and the Community Oil Wells Pilot Sampling Initiative. CARB presented the Advanced Clean Fleet and Transport Refrigeration Unit regulations under development.

### **San Bernardino/Muscoy (SBM) CSC**

Approximately 30 people participated in an SBM CSC meeting on August 19. CARB staff provided updates on truck idling sweeps and the Automated License Plate Reader system pilot study. Staff presented an update on “No Idling” signs, conducted a Jamboard activity to gather input on sign locations, and announced truck incentives workshops. Staff also provided an overview of the Annual Progress Report, details of

the AB 617 implementation budget and presented an update on the community air monitoring plan. Committee members discussed responsibility for installing “No Idling” signs and efforts to establish truck routes, and emission reductions from mobile source incentive projects and statewide measures.

**East LA, Boyle Heights, West Commerce (ELBHWC) CSC**

Approximately 67 people attended the AB 617 CSC virtual meeting for the ELBHWC community on August 26. Staff provided an overview of the AB 617 2020-2021 Annual Progress Report, the implementation budget, and CERP and CAMP progress on the air quality priority for truck traffic. CARB gave a presentation on the Portable Emission Acquisition System/Automated License Plate Recognition Pilot Study and the Advanced Clean Fleet and Transport Refrigeration Unit regulations under development. Committee members asked questions about a recent Notice of Violation issued to a rendering facility, air monitoring in the community, staff’s joint efforts with CARB to install no-idling signs, and recommended locations for CARB’s automated license plate pilot study.

**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.

There were no Speaker’s Bureau requests or visits in August.

**COMMUNICATION CENTER STATISTICS**

The Communication Center handles calls on South Coast AQMD’s main line, 1-800-CUT-SMOG®, the Spanish line, and after-hours calls to those lines. Total calls received in the month of August:

Calls to South Coast AQMD’s Main Line and 1-800-CUT-SMOG®	2,972
Calls to South Coast AQMD’s Spanish-language Line	52
Total Calls	3,024

**PUBLIC INFORMATION CENTER STATISTICS**

The Public Information Center (PIC) handles phone calls for general information. The PIC did not take walk-in requests in August 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 August is summarized below:

Calls Received by PIC Staff	9
Calls to Automated System	822
Total Calls	831

Email Advisories Sent	29,137
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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 August.

- Provided permit application assistance to 184 companies; and
- Processed 68 Air Quality Permit Checklists.

Types of businesses assisted:

- |                    |                          |                   |
|--------------------|--------------------------|-------------------|
| Architecture Firms | Engineering Firms        | Restaurants       |
| Auto Body Shops    | Gas Stations             | Retail Operations |
| Construction Firms | Manufacturing Facilities | Warehouses        |
| Dry Cleaners       | Offices                  |                   |

**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 August reports are listed below:

Major Media Interactions	210
Press Releases	18
News Carousel	4

## Major Media Topics:

- **Wildfire Preparedness:** Los Angeles Times and Spectrum News 1 interviewed staff regarding wildfire preparedness.
- **Special Air Quality Advisory:** Pitches were sent to local news outlets for the special air quality advisory due to northern wildfires, resulting in TV, radio, and print coverage. Univision, KCBS/CAL, KESQ, KCRW, KVCR and KPCC requested interviews to discuss smoke impacts and health effects. Staff participated, resulting in wide coverage among TV, radio, and print outlets. Newsweek requested a statement on the air quality impacts. A copy of the advisory was provided.
- **Smoke Advisories:** Pitches were sent to local news outlets regarding smoke conditions due to the South Fire and the Chaparral Fire, resulting in TV, radio, and print coverage. Southern California News Group inquired about smoke impacts due to the South Fire. The reporter was referred to the Mojave Desert AQMD. KPCC interviewed staff regarding the Chaparral Fire smoke advisory.
- **JETSI Project Press Release:** Pitches were sent to local news outlets for the announcement of 100 zero emission trucks near ports (known as JETSI). Pitching included a press release and event conducted during the ACT Expo, resulting in TV, radio, and print coverage. Copies of the press release were provided to FOX 11 and ABC7.
- **Hyperion Leak:** Southern California News Group submitted two inquiries regarding air quality measurements and health impacts from the Hyperion sewage leak. Written responses were provided. ABC inquired about complaint numbers and information regarding the Hyperion sewage leak. Written responses were provided.
- **Modified Hydrofluoric Acid (MHF):** Grist submitted questions regarding MHF for a video being produced. Written responses were provided.
- **Salton Sea:** NPR sent follow-up questions for an ongoing inquiry regarding AB 617 efforts in Eastern Coachella Valley near the Salton Sea. Written responses were provided.
- **Diesel Emissions:** California Current requested information on the tracking of diesel emissions in light of the Governor's proclamation regarding the power grid. Written responses were provided.
- **Hexavalent Chromium:** ProPublica inquired about reporting requirements for hexavalent chromium. Written responses are being prepared.
- **All American Asphalt:** Voice of OC inquired about complaint and inspection numbers near All American Asphalt in the past year. The reporter was asked to submit a Public Records Request. LA Weekly asked for clarification on the CEQA Notice of Exemption for All American Asphalt crumb rubber system. A written response was provided.
- **White House Executive Order:** News pitches were sent to local news outlets including the Executive Officer's statement on the White House Executive Order for electric vehicles.

- **Ports MOU:** The Los Angeles Times interviewed staff regarding a potential Memorandum of Understanding with the Ports. The Los Angeles Times submitted follow-up questions regarding attainment deadlines. A written response was provided. IWP News and KPCC requested information on the recent Ports MOU resolution approved by the Board. Written responses were provided.
- **CIO 100:** Staff participated in a panel discussion on “Making IT Innovations Meaningful” that aired at the CIO 100 Symposium.
- **Rulemaking:** Reuters inquired about rulemaking for particulate matter emissions at refineries. Requested additional information.
- **Air Quality Forecasts:** Spectrum News 1 requested updated KML mapping files for use during the evening weather forecast. The files were provided. A twice-daily transfer of files was arranged.
- **South Coast AQMD Employment Numbers:** Inland Empire Magazine inquired regarding the total number of South Coast AQMD employees living in the Inland Empire. A written response was provided.
- **Ozone Plan:** Reuters requested comment on a court ruling regarding the San Joaquin Valley state-level ozone. A written response was provided.

#### News Releases

- **South Coast AQMD Statement on White House Electric Vehicle Targets, August 6, 2021 (English and Spanish):** Informed residents of Executive Officer’s statement regarding President Biden’s Executive Order for EV targets.
- **South Coast AQMD Issues/Continues Advisory Due to Smoke from California Wildfires, August 23-25, 2021 (English and Spanish):** Informed residents of a special air quality advisory due to smoke from Northern and Central California wildfires.
- **South Coast AQMD Issues/Continues Smoke Advisory Due to South Fire Near Lytle Creek, August 25-26, 2021 (English and Spanish):** Informed residents of smoke impacts in San Bernardino County due to the South Fire.
- **South Coast AQMD Issues/Continues Smoke Advisory Due to Chaparral Fire - August 28-29, 2021 (English and Spanish):** Informed residents of a smoke advisory issued due to the Chaparral Fire.
- **South Coast AQMD Leads North America’s Largest Deployment of Class 8 Battery-Electric Trucks - August 31, 2021 (English and Spanish):** Posted information regarding the JETSI project.

**Social Media Notable posts:**

- **AQ Forecast (8/9):** 7,704 Twitter Impressions
- **AQ Forecast (8/16):** 13,144 Twitter Impressions
- **AQ Forecast (8/17):** 10,178 Twitter Impressions
- **Special AQ Advisory (8/23):** 25,026 Twitter Impressions
- **Advisory Update (8/25):** 23,838 Twitter Impressions
- **Advisory Update (8/24):** 19,510 Twitter Impressions
- **Wildfire Tips (8/25):** 11,981 Twitter Impressions
- **Chaparral Fire Smoke Advisory (8/28):** 22,032 Twitter Impressions
- **Chaparral Fire Smoke Advisory Extension (8/29):** 11,203 Twitter Impressions

**News Carousel:**

- **Choose a Low-VOC paint for your summer home projects, August 4, 2021:**  
Provided a link to the Green Painter's Guide.
- **South Coast AQMD's 2020 Annual Report is now Available, August 11, 2021:** Provided a link to the 2020 Annual Report.
- **Keep Up With the Latest News From South Coast AQMD:** Provides a link to latest edition of the Advisor newsletter.
- **The new WAIRE Program Online Portal is now live, August 12, 2021:**  
Provided a link with information on the new WAIRE POP portal for warehouse owners.

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

Due to COVID-19, outreach was conducted virtually in August utilizing web-based and other technologies to communicate with elected officials or staff from the following cities:

Alhambra	Glendora	Rancho Cucamonga
Anaheim	Industry	Riverside
Arcadia	Inglewood	Rosemead
Avalon	Irvine	San Dimas
Azusa	Irwindale	San Fernando
Baldwin Park	La Cañada Flintridge	San Gabriel
Big Bear Lake	La Habra	San Marino
Bradbury	La Puente	Santa Ana
Brea	La Verne	Santa Clarita
Buena Park	Laguna Niguel	Santa Fe Springs
Burbank	Lake Forest	Seal Beach
Carson	Long Beach	Sierra Madre
Claremont	Los Angeles	South El Monte
Colton	Mission Viejo	South Pasadena
Commerce	Monrovia	Stanton
Covina	Monterey Park	Temple City
Diamond Bar	Moreno Valley	Tustin
Duarte	Newport Beach	Walnut
El Monte	Pasadena	West Covina
Garden Grove	Perris	Yorba Linda
Glendale	Pomona	Yucaipa

Communication conducted in August 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 Diaz Barragán
- U.S. Representative Tony Cárdenas
- U.S. Representative Judy Chu
- U.S. Representative Jimmy Gomez
- U.S. Representative Raul Ruiz
- Senate President Pro Tempore Toni Atkins
- Senator Dave Min
- Senator Nancy Skinner
- Senator Bob Wieckowski
- Assembly Member Richard Bloom
- Assembly Member Adam Gray
- Assembly Member Jacqui Irwin

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

America Green Zone Alliance  
Avalon Chamber of Commerce  
Avalon Planning Commission  
Baldwin Hills Community Advisory Panel  
Big Bear Chamber of Commerce  
Burbank Chamber of Commerce  
California Department of Transportation  
California Fuel Cell Partnership  
California High-Speed Rail Authority  
California Hydrogen Coalition  
California School Board Association  
CARB  
Department of Toxic Substances Control  
Gateway Cities Council of Governments  
Glendale Chamber of Commerce  
Harbor Association of Industry and Commerce  
Industry Business Council, Los Angeles  
Inland Action  
Inland Valley Development Agency  
Los Angeles County Board of Supervisors  
Mountain Transit Board  
National Park Service  
Newport Beach Chamber of Commerce  
Omnitrans  
Ontario International Airport Board  
Orange County Business Council  
Orange County Council of Governments  
Regional Chamber of Commerce - San Gabriel Valley  
Riverside County Board of Supervisors  
Riverside Transit Agency  
Rosemead Chamber of Commerce  
San Bernardino County Board of Supervisors  
San Bernardino County Transportation Authority  
San Bernardino International Airport Authority  
San Fernando Chamber of Commerce  
San Fernando Valley Council of Governments  
San Gabriel Valley Council of Governments  
San Gabriel Valley Economic Partnership  
Santa Ana Chamber of Commerce  
Santa Clarita Chamber of Commerce

Santa Fe Springs Chamber of Commerce  
South Bay Cities Council of Governments  
South Pasadena Chamber of Commerce  
Southern California Association of Governments  
Western Riverside Council of Governments

In August, staff represented South Coast AQMD and/or provided updates or a presentation to the following community and educational groups and organizations:

Active San Gabriel Valley  
American Lung Association  
Asian Pacific Islander Forward Movement  
California for New Communities Education Fund  
Center for Asian Americans United for Self-Empowerment  
Clean Air Coalition of North Whittier and Avocado Heights  
Clean Healthy Air, Clean Healthy Altadena  
Habitat for Humanity  
Hacienda Heights Improvement Association  
Mujeres de la Tierra  
North Whittier Neighborhood Watch & Avocado Heights Association  
Orange County Interfaith Coalition for Environment  
Pasadena City College  
Pasadena Forward  
Pomona College  
San Gabriel Mountain Forever, Nature for All  
San Gabriel Valley Conservation Corps  
Sierra Club  
Taking Responsibility and Control, La Puente  
The Energy Coalition  
University of California, Riverside

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## **October 1, 2021 Governing Board Meeting**

### **Item 10 - Hearing Board Report**

The report of actions taken by the Hearing Board during the period of August 1, 2021 through August 31, 2021 was not available; therefore, this item was pulled from consideration and will be provided at the next Board meeting.

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BOARD MEETING DATE: October 1, 2021

AGENDA NO. 11

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This reports the monthly penalties from July 1, 2021 through August 31, 2021, and legal actions filed by the General Counsel's Office from July 1 through August 31, 2021. An Index of South Coast AQMD Rules is attached with the penalty report.

COMMITTEE Stationary Source, September 17, 2021, Reviewed

:

RECOMMENDED ACTION:

Receive and file.

Bayron T. Gilchrist  
General Counsel

BTG:ew

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	<u>Civil Filings</u>	<u>Violations</u>
1. Pama Management, Inc. dba Pama Management Company Los Angeles Superior Court – Pomona Case No. 21PSCV00564; Filed 7.9.21 (WBW) P66439 R. 1403 - Asbestos Emissions from Demolition/Renovation Activities		1
2. Pacific Pipeline System, LLC Los Angeles Superior Court – Long Beach Case No. 21LBCV00439; Filed 8.20.21 (WBW) P62970 R. 3002 – Title V Permit Requirements		1
		2 Violations

### **Attachments**

July and August 2021 Penalty Reports

Index of South Coast AQMD Rules and Regulations

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

**Settlement Penalty Report (07/01/2021 - 07/31/2021)**

**Total Penalties**

Civil Settlement:	\$172,664.00
MSPAP Settlement:	\$14,576.00
Hearing Board Settlement:	\$20,000.00
<b>Total Cash Settlements:</b>	<b>\$207,240.00</b>
<b>Fiscal Year through 07/31/2021 Cash Total:</b>	<b>\$207,240.00</b>

<b>Fac ID</b>	<b>Company Name</b>	<b>Rule Number</b>	<b>Settled Date</b>	<b>Init</b>	<b>Notice Nbrs</b>	<b>Total Settlement</b>
<b>Civil</b>						
191364	4021 ROYAL OAKS PLACE LLC	1403	07/27/2021	NS	P72951, P72954, P72956, P72959	\$7,500.00
107011	ACTIVE PLATING INC	203	07/27/2021	WW	P65417, P66294	\$4,800.00
800030	CHEVRON PRODUCTS CO.	1118, 1173, 1176, 3002	07/21/2021	BT	P64042, P64046, P65617, P67818, P67822, P67823	\$104,000.00
101530	COACHELLA VALLEY WATER DIST	203, 461	07/27/2021	SH	P63146	\$4,500.00
183441	JBS SWIFT FOODS	2202	07/27/2021	DH	P67014, P67016	\$3,789.00
151909	JONES COVEY GROUP, INC	221, 1166	07/27/2021	SH	P67423	\$3,000.00
186629	KB HOME SOUTHERN CALIFORNIA	203(a)	07/27/2021	SH	P67151, P67153, P67352	\$2,800.00
800236	LA CO. SANITATION DIST	1146.1, 3002	07/27/2021	WW	P66470	\$6,000.00
113873	MM WEST COVINA LLC	3002(c)(1)	07/27/2021	SH	P67508	\$500.00
139446	PROJECT NAVIGATOR/ASCON LANDFILL SITE RP	221(b), 402, 1166, H&S 41700	07/27/2021	NS	P65516, P65518	\$15,000.00
7371	SAN BER CNTY SOLID WASTE MGMT-MILLIKEN	221, 1150.1, 3002	07/27/2021	DH	P70415	\$650.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
175264	SYNERGY OIL AND GAS, LLC	203(b), 402, 463, 1176(e)(1), H&S 41700	07/27/2021	NS	P66540, P66545, P67916, P67927, P67931, P67937, P67947, P67948, P72965, P74333, P74336	\$20,125.00

**Total Civil Settlements: \$172,664.00**

#### Hearing Board

104234	SCAQMD v. Mission Foods	202, 203(b), 1153.1, 1303	07/21/2021	KCM	5400-4	\$10,000.00
104234	SCAQMD v. Mission Foods	202, 203(b), 1153.1, 1303	07/27/2021	KCM	5400-4	\$10,000.00

**Total Hearing Board Settlements: \$20,000.00**

#### MSPAP

189850	CUDAHY FUEL STOP	203(a)	07/29/2021	GC	P69022	\$800.00
144430	DOWNEY SHELL	203(b)	07/29/2021	TCF	P69620	\$2,500.00
127861	EXPERIAN INFORMATION SOLUTIONS INC	1146.1	07/29/2021	GC	P68564	\$3,251.00
116304	HIGHRIDGE CAR WASH	461(c)(3)(Q)	07/29/2021	GC	P69024	\$300.00
152386	JERRY'S AUTO SERVICE, INC	461	07/29/2021	GC	P68448	\$300.00
180676	KOMAL OIL INC	203(b), 461	07/29/2021	GC	P66383	\$300.00
185717	MENIFEE COLLISION CENTER	1151(d)(1)	07/29/2021	TCF	P68354	\$250.00
180366	NATROL LLC	1155, 203(a), 203(b)	07/29/2021	TCF	P68609	\$3,200.00
3578	PRUDENTIAL OVERALL SUPPLY	1146.1	07/29/2021	TCF	P69512	\$1,600.00
108901	QWIK STOP #5 "YASIN"	461(e)(2)	07/29/2021	TCF	P66382	\$1,200.00
29454	REDLANDS CITY, GARAGE	203(b), 461(e)(2)	07/29/2021	TCF	P69111	\$375.00
153542	SHELL STN, PALM SPGS SVC, M HOFFMAN	461(c)(3)(Q)	07/29/2021	TCF	P70154	\$500.00

**Total MSPAP Settlements: \$14,576.00**

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

**Settlement Penalty Report (08/01/2021 - 08/31/2021)**

**Total Penalties**

Civil Settlement:       \$54,000.00  
Criminal Referral Settlement:   \$13,463.86  
MSPAP Settlement:       \$12,330.00  
  
**Total Cash Settlements:**       \$79,793.86

**Fiscal Year through 08/31/2021 Cash Total:**   \$287,033.86

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
<b>Civil</b>						
108730	AVALON PREMIUM TANK CLEANING	402	08/18/2021	DH	P65060	\$2,250.00
184849	CLOUGHERTY PACKING, LLC	2012	08/18/2021	SH	P67366	\$4,500.00
170117	GLEN HELEN PARKWAY, LLC	203	08/25/2021	DH	P68256	\$1,250.00
84007	L.A.UNIF SCH DIST- SELLERY SPEC ED	1403	08/24/2021	WW	P65050	\$100.00
12428	NEW NGC, INC.	2012 Appendix A	08/27/2021	SH	P66856	\$2,000.00
188194	PAMA MANAGEMENT COMPANY	40 CFR 61.145, 1403	08/20/2021	WW	P66439	\$25,000.00
126060	STERIGENICS US, LLC	203(B), 1405	08/27/2021	JL	P66448, P70401	\$16,500.00
165192	TRIUMPH AEROSTRUCTURES, LLC	2004	08/20/2021	JL	P66911	\$900.00
188974	YOSI GABAY	1403	08/24/2021	BT	P67603	\$1,500.00
<b>Total Civil Settlements: \$54,000.00</b>						
<b>Criminal Referral</b>						
189394	VISTA GENERAL ENGINEERING CO. INC	1403	08/13/2021	TCF	P65431, P65432	\$13,463.86
<b>Total Criminal Referral Settlements: \$13,463.86</b>						

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
<b>MSPAP</b>						
169992	ALPHA ENERGY INC.	203(b), 461, H&S 41960.2	08/13/2021	GC	P69621	\$1,320.00
180417	CALPORTLAND COMPANY	13 CCR 2460	08/13/2021	GC	P63268	\$800.00
150796	CITY OF GARDENA	203(b)	08/10/2021	GC	P69502	\$2,400.00
151491	FIX AUTO MORENO VALLEY	203(b)	08/13/2021	GC	P69114	\$450.00
133524	GRANITE CONSTRUCTION COMPANY INC.	403, 403.1	08/27/2021	GC	P68270	\$1,700.00
55539	IMPERIAL BODY SHOP	203(b)	08/27/2021	GC	P65895	\$480.00
62862	IMPERIAL IRRIGATION DISTRICT/ COACHELLA	3002	08/27/2021	GC	P68264	\$850.00
180672	INFINEON TECHNOLOGIES AMERICAS CORP.	203	08/27/2021	GC	P69109	\$680.00
147201	JUNGHEE ENTERPRISE INC,ELEGANCE CLEANERS	1421	08/27/2021	GC	P69556	\$400.00
182036	MAXUM MARINE FUELS	203(b)	08/10/2021	TCF	P63889	\$1,600.00
103877	THE HERTZ CORPORATION	203(b)	08/27/2021	GC	P69551	\$850.00
175500	WHISPERING LAKES GOLF COURSE	461	08/13/2021	TCF	P69362	\$800.00
<b>Total MSPAP Settlements: \$12,330.00</b>						

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX**  
**JULY 2021 PENALTY REPORT**

**REGULATION II - PERMITS**

Rule 202           Temporary Permit to Operate  
Rule 203           Permit to Operate  
Rule 221           Plans

**REGULATION IV - PROHIBITIONS**

Rule 402           Nuisance  
Rule 461           Gasoline Transfer and Dispensing  
Rule 463           Storage of Organic Liquids

**REGULATION XI - SOURCE SPECIFIC STANDARDS**

Rule 1118           Emissions from Refinery Flares  
Rule 1146.1        Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters  
  
Rule 1150           Excavation of Landfill Sites  
Rule 1150.1        Emissions from Active Landfills  
Rule 1151           Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations  
Rule 1153.1        Emissions of Oxides of Nitrogen from Commercial Food Ovens  
Rule 1155           Particulate Matter Control Devices  
Rule 1166           Volatile Organic Compound Emissions from Decontamination of Soil  
Rule 1173           Fugitive Emissions of Volatile Organic Compounds  
Rule 1176           Sumps and Wastewater Separators

**REGULATION XIII - NEW SOURCE REVIEW**

Rule 1303           Requirements

**REGULATION XIV - TOXICS**

Rule 1403           Asbestos Emissions from Demolition/Renovation Activities

**REGULATION XXII ON-ROAD MOTOR VEHICLE MITIGATION**

Rule 2202           On-Road Motor Vehicle Mitigation Options

**REGULATION XXX - TITLE V PERMITS**

Rule 3002           Requirements for Title V Permits

**CALIFORNIA HEALTH AND SAFETY CODE**

41700            Violation of General Limitations

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX**  
**AUGUST 2021 PENALTY REPORT**

**REGULATION II - PERMITS**

Rule 203            Permit to Operate

**REGULATION IV - PROHIBITIONS**

Rule 402            Nuisance

Rule 403            Fugitive Dust

Rule 403.1         Wind Entrainment of Fugitive Dust

Rule 461            Gasoline Transfer and Dispensing

**REGULATION XIV - TOXICS**

Rule 1403          Asbestos Emissions from Demolition/Renovation Activities

Rule 1405          Control of Ethylene Oxide and Chlorofluorocarbon Emissions from Sterilization or Fumigation Processes

Rule 1421          Control of Perchloroethylene Emissions from Dry Cleaning Operations

**REGULATION XX REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)**

Rule 2004          Requirements

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

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

**CALIFORNIA CODE OF REGULATIONS**

13 CCR 2460      Portable Equipment Testing Requirements

**CALIFORNIA HEALTH AND SAFETY CODE**

41960.2           Gasoline Vapor Recovery

**CODE OF FEDERAL REGULATIONS**

40 CFR 61.145    Standard for Demolition and Renovation

[↑ Back to Agenda](#)

BOARD MEETING DATE: October 1, 2021

AGENDA NO. 12

REPORT: Lead Agency Projects and Environmental Documents Received

SYNOPSIS: This report provides a listing of CEQA documents received by South Coast AQMD between August 1, 2021 and August 31, 2021, and those projects for which South Coast AQMD is acting as lead agency pursuant to CEQA.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file.

Wayne Nastri  
Executive Officer

SR:SN:LS:MC

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**CEQA Document Receipt and Review Logs (Attachments A and B)** – Each month, 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 August 1, 2021 to August 31, 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 July reporting period is included as Attachment B. A total of 79 CEQA documents were received during this reporting period and 21 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 South Coast AQMD has been contacted regarding potential air quality-related environmental justice concerns. 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 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 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 August 1, 2021 to August 31, 2021, South Coast AQMD received 79 CEQA documents. Of the 98 documents listed in Attachments A and B:

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

(The above statistics are from August 1, 2021 to August 31, 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 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, 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 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 South Coast AQMD is lead agency and is currently preparing or has prepared environmental documentation. As noted in Attachment C, South Coast AQMD continued working on the CEQA documents for three active projects during August.

### **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**  
**August 1, 2021 to August 31, 2021**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Warehouse &amp; Distribution Centers</b> <b>LAC210819-12</b> Prologis Vermont and Redondo Project	The project consists of construction of a 340,298 square foot warehouse on 16 acres. The project is located on the northwest corner of Orchard Avenue and Redondo Beach Boulevard in the community of Harbor Gateway. Reference LAC200211-04 and LAC171201-01  Comment Period: 8/19/2021 - 10/4/2021 Public Hearing: N/A	Notice of Availability of a Draft Environmental Impact Report	City of Los Angeles	Under review, may submit written comments
<b>Warehouse &amp; Distribution Centers</b> <b>RVC210819-17</b> Panattoni Industrial-Island 6#	The project consists of construction of a 1,312,601 square foot warehouse on 70 acres. The project is located on the southwest corner of Ethanac Road and Evans Road.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/august/RVC210819-17.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/august/RVC210819-17.pdf</a> Comment Period: 8/19/2021 - 9/7/2021 Public Hearing: N/A	Site Plan	City of Menifee	South Coast AQMD staff commented on 8/24/2021
<b>Warehouse &amp; Distribution Centers</b> <b>RVC210819-18</b> Panattoni Industrial-Island 3#	The project consists of construction of a 1,167,711 square foot warehouse on 60 acres. The project is located on the southwest corner of Ethanac Road and Geary Street.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/august/RVC210819-18.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/august/RVC210819-18.pdf</a> Comment Period: 8/5/2021 - 8/26/2021 Public Hearing: N/A	Site Plan	City of Menifee	South Coast AQMD staff commented on 8/24/2021
<b>Warehouse &amp; Distribution Centers</b> <b>RVC210825-01</b> Beaumont Summit Station#	The project consists of construction of three warehouses totaling 2,557,555 square feet, 149,910 square feet of commercial and office uses, and 30.6 acres of open space on 188 acres. The project is located on the southwest corner of Cherry Valley Avenue and Fabian Lane.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/september/RVC210825-01.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/september/RVC210825-01.pdf</a> Comment Period: 8/25/2021 - 9/16/2021 Public Hearing: 9/16/2021	Site Plan	City of Beaumont	South Coast AQMD staff commented on 9/7/2021

\*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**  
**August 1, 2021 to August 31, 2021**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Warehouse &amp; Distribution Centers</i> <b>RVC210825-03</b> MA20004#	The project consists of demolition of nine existing buildings and construction of three warehouses totaling 2,112,112 square feet on 102.5 acres. The project is located near the southwest corner of Space Center Court and Hopkins Street. Reference RVC210715-01 and RVC200305-02  Comment Period: 8/25/2021 - 9/8/2021 Public Hearing: N/A	Site Plan	City of Jurupa Valley	Document reviewed - No comments sent for this document received
<i>Warehouse &amp; Distribution Centers</i> <b>SBC210810-06</b> Drake Drive Warehouse Project	The project consists of construction of a 104,850 square foot warehouse on 5.35 acres. The project is located at 473 East Drake Drive near the southeast corner of East Drake Drive and South Foisy Street in the designated AB 617 San Bernardino, Muscoy community.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/august/SBC210810-06.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/august/SBC210810-06.pdf</a>  Comment Period: 8/9/2021 - 8/30/2021 Public Hearing: 9/22/2021	Notice of Intent to Adopt a Mitigated Negative Declaration	City of San Bernardino	South Coast AQMD staff commented on 8/24/2021
<i>Warehouse &amp; Distribution Centers</i> <b>SBC210817-07</b> Fontana Corporate Center	The project consists of construction of two warehouses totaling 355,000 square feet on 18.5 acres. The project is located at 13592 Slover Avenue near the northwest corner of Slover Avenue and Mulberry Avenue.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/september/SBC210817-07.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/september/SBC210817-07.pdf</a>  Comment Period: 8/13/2021 - 9/13/2021 Public Hearing: 9/1/2021	Notice of Preparation	City of Fontana	South Coast AQMD staff commented on 9/1/2021
<i>Warehouse &amp; Distribution Centers</i> <b>SBC210819-13</b> First Industrial Warehouse Project	The project consists of construction of a 462,037 square foot warehouse on 21.96 acres. The project is located on the southeast corner of Alabama Avenue and Palmetto Avenue in the community of East Valley.  Comment Period: 8/19/2021 - 9/13/2021 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	County of San Bernardino	Document reviewed - No comments sent for this document received

# - Project has potential environmental justice concerns due to the nature and/or location of the project.  
Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
August 1, 2021 to August 31, 2021**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Airports</i> <b>LAC210818-03</b> Los Angeles International Airport (LAX) Airfield and Terminal Modernization Project#	Staff provided comments on the Draft Environmental Impact Report for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/march/LAC201029-01.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/march/LAC201029-01.pdf</a> . 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 LAC210527-06, LAC201029-01, LAC190619-11, and LAC190404-01  Comment Period: N/A Public Hearing: 10/7/2021	Final Environmental Impact Report	Los Angeles World Airports	Under review, may submit written comments
<i>Industrial and Commercial</i> <b>RVC210805-02</b> Markham Street Truck and Trailer Storage Facility	The project consists of construction of a truck yard facility with 247 parking spaces and a 700 square foot building on 9.5 acres. The project is located on the northwest corner of West Markham Street and North Perris Boulevard.  Comment Period: 8/4/2021 - 9/2/2021 Public Hearing: 9/15/2021	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Perris	Document reviewed - No comments sent for this document received
<i>Industrial and Commercial</i> <b>RVC210826-03</b> Conditional Use Permit No. 190014	The project consists of construction of a recreational motocross park with a 37,876 square foot building on 90.56 acres. The project is located on the northwest corner of Ethanac Road and State Route 74 in the community of Mead Valley.  Comment Period: 8/16/2021 - 9/21/2021 Public Hearing: 9/22/2021	Notice of Intent to Adopt a Mitigated Negative Declaration	County of Riverside	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 A  
INCOMING CEQA DOCUMENTS LOG  
August 1, 2021 to August 31, 2021**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Industrial and Commercial</i> <b>SBC210819-01</b> PROJ-2020-00205	The project consists of construction of a 71,008 square foot storage facility on 1.47 acres. The project is located near the southeast corner of North Bay Road and State Route 189 in the community of Lake Arrowhead.  Comment Period: 8/4/2021 - 8/20/2021 Public Hearing: N/A	Site Plan	County of San Bernardino	Document reviewed - No comments sent for this document received
<i>Waste and Water-related</i> <b>LAC210803-01</b> The Quincy	Staff provided comments on the Draft Removal Action Workplan for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/july/LAC210615-07.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/july/LAC210615-07.pdf</a> . The project consists of development of cleanup actions to excavate, transport, and dispose 153 cubic yards of soil contaminated with lead on 0.37 acres. The project is located near the southwest corner of West Pico Boulevard and Dewey Avenue in the City of Los Angeles. Reference LAC210615-07  Comment Period: N/A Public Hearing: N/A	Response to Comments	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received
<i>Waste and Water-related</i> <b>LAC210803-03</b> Biogas Renewable Generation Project	Staff provided comments on the Draft Program Environmental Impact Report for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/LAC200708-27.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/September/LAC200708-27.pdf</a> . The project consists of construction of a 12 megawatt power generation facility, a one mile natural gas pipeline, a one mile water pipeline, and two 70,000 gallon water tanks on a 2.2 acre portion of 95 acres. The project is located at 3001 Scholl Canyon Road on the northwest corner of North Figueroa Street and Scholl Canyon Road. Reference LAC200708-27, LAC190320-02, LAC180309-01, LAC170927-01, and LAC170912-01  Comment Period: N/A Public Hearing: 9/2/2021	Final Environmental Impact Report	City of Glendale	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 A**  
**INCOMING CEQA DOCUMENTS LOG**  
**August 1, 2021 to August 31, 2021**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Waste and Water-related</i> <b>LAC210810-04</b> Gatwick Group LLC Commerce Site	The project consists of development of cleanup actions to excavate, remove, and dispose 1,083 cubic yards of soil contaminated with tetrachloroethene and trichloroethene, and installation of a soil vapor extraction system on 12.4 acres. The project is located on the northeast corner of Sheila Street and Interstate 710 in the City of Commerce within the designated AB 617 East Los Angeles, Boyle Heights, West Commerce community. <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/august/LAC210810-04.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/august/LAC210810-04.pdf</a>  Comment Period: 8/2/2021 - 9/1/2021 Public Hearing: N/A	Draft Removal Action Workplan	Department of Toxic Substances Control	South Coast AQMD staff commented on 8/24/2021
<i>Waste and Water-related</i> <b>LAC210812-01</b> 1330 East Franklin Avenue	Staff provided comments on the Draft Site Summary Technical Memorandum for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/june/LAC210520-03.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/june/LAC210520-03.pdf</a> . The project consists of development of a land use covenant to restrict future uses to industrial and commercial uses and require five years of monitoring and inspection on six acres. The project is located at 1330 East Franklin Avenue near the southwest corner of East Franklin Avenue and Kansas Street in the City of El Segundo. Reference LAC210520-03  Comment Period: N/A Public Hearing: N/A	Response to Comments	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received
<i>Waste and Water-related</i> <b>LAC210825-02</b> Blake Avenue Homes	Staff provided comments on the Draft Removal Action Workplan for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/august/LAC210715-06.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/august/LAC210715-06.pdf</a> . The project consists of development of cleanup actions to remediate soil contaminated with volatile organic compounds and installation of a vapor intrusion mitigation system on 3.94 acres. The project is located on the southeast corner of West Blake Avenue and Rich Street in the community of Silver Lake-Echo Park-Elysian Valley within the City of Los Angeles. Reference LAC210715-06 and LAC150423-04  Comment Period: N/A Public Hearing: N/A	Response to Comments	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received

# - 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  
August 1, 2021 to August 31, 2021**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Waste and Water-related</i> <b>ORC210803-08</b> Groundwater Treatment Plants Phase B and Groundwater Supply Wells	The project consists of construction of five groundwater treatment systems and installation of five resin vessels 17 feet in height and 12 feet in diameter. The project includes five sites: 1) Willow Park Site located at 1617 West Crone Avenue on the northwest corner of West Crone Avenue and South Loara Street, 2) Downtown Site located at 123 East Ellsworth Avenue on the northwest corner of East Ellsworth Avenue and South Claudina Street, 3) Katella Avenue Site located at 2204 East Katella Avenue near the southeast corner of East Katella Avenue and South College Boulevard, 4) Brookhurst Site located at 1664 South Brookhurst Street near the southeast corner of South Brookhurst Street and Pacific Avenue, and 5) Santa Cruz Site located at 2035 South Santa Cruz Street near the southwest corner of South Santa Cruz and East Stanford Court.  Comment Period: 8/2/2021 - 8/31/2021 Public Hearing: 10/5/2021	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Anaheim	Document reviewed - No comments sent for this document received
<i>Waste and Water-related</i> <b>ORC210805-03</b> Prima Deshecha General Development Plan - Zone 4 Construction Projects	The project consists of removal of nine million cubic yards of hard rock material and installation of soil liners for future landfill uses on 1,530 acres. The project is located at 32250 La Pata Avenue on the southeast corner of La Pata Avenue and Stallion Ridge in the City of San Juan Capistrano. Reference ORC180816-09 <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/september/ORC210805-03.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/september/ORC210805-03.pdf</a>  Comment Period: 8/4/2021 - 9/17/2021 Public Hearing: N/A	Draft Supplemental Environmental Impact Report	Orange County Waste and Recycling	South Coast AQMD staff commented on 9/17/2021
<i>Waste and Water-related</i> <b>ORC210817-09</b> Oso Creek Water Reclamation Plant Improvement Project	The project consists of construction of two water treatment facilities with a combined capacity of 4.3 million gallons per day. The project is located at 27402 La Paz Road near the southeast corner of La Paz Road and Oso Creek Road in the City of Mission Viejo.  Comment Period: 8/12/2021 - 9/13/2021 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

# - 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  
August 1, 2021 to August 31, 2021**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Waste and Water-related</i> <b>ORC210819-08</b> Polo Cleaners	The project consists of development of cleanup actions to remediate soil and soil vapor contaminated with trichloroethylene and tetrachloroethylene and establish a land use covenant to restrict future uses to commercial and industrial uses on 1,500 square feet. The project is located at 23052 Alicia Parkway on the southwest corner of Alicia Parkway and Olympiad Road in the City of Mission Viejo.  Comment Period: 8/16/2021 - 9/14/2021 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> <b>RVC210824-04</b> Ion Exchange Treatment Plant 7991 Replacement Project	The project consists of construction of a groundwater treatment system with a capacity of 2,000 gallons per minute, an adsorption treatment system, sulfuric acid and caustic soda systems, pre-filters, and well pumps. The project is located near the northwest corner of Hammond Road and Johnson Street in the community of Mecca within Riverside County. The project is also located within the designated AB 617 Eastern Coachella Valley community.  Comment Period: 8/21/2021 - 9/20/2021 Public Hearing: 10/12/2021	Notice of Intent to Adopt a Mitigated Negative Declaration	Coachella Valley Water District	Under review, may submit written comments
<i>Waste and Water-related</i> <b>RVC210824-05</b> Santa Ana River Mainstem Project: Alcoa Dike	The project consists of construction of structural improvements to a 200 foot dike. The project is located near the southwest corner of Butterfield Drive and North Smith Avenue in the City of Corona. Reference RVC201217-01 and RVC181002-04  Comment Period: N/A Public Hearing: N/A	Final Supplemental Environmental Assessment/Addendum to Final Environmental Impact Report	United States Army Corps of Engineers	Document reviewed - No comments sent for this document received
<i>Waste and Water-related</i> <b>SBC210803-12</b> Sunshine Cleaners - Driftwood Village	The project consists of development of cleanup actions to remediate soil vapor contaminated with tetrachloroethene and install a soil vapor extraction system on eight acres. The project is located on the southwest corner of South Euclid Avenue and West Philadelphia Street in the City of Ontario.  Comment Period: 8/3/2021 - 9/2/2021 Public Hearing: N/A	Draft Removal Action Workplan	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received

# - Project has potential environmental justice concerns due to the nature and/or location of the project. Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
August 1, 2021 to August 31, 2021**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Waste and Water-related</i> <b>SBC210817-03</b> Lighting Resources, LLC	The project consists of modifications to an existing hazardous waste facility permit to update emergency contact information. The project is located at 805 East Francis Street near the northeast corner of East Francis Street and East Campus Avenue in the City of Ontario. Reference SBC210518-10, SBC210323-08, SBC181031-01, and SBC171107-09  Comment Period: N/A Public Hearing: N/A	Permit Modification	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received
<i>Utilities</i> <b>LAC210819-11</b> Grayson Repowering Project	This document includes additional cumulative environmental analyses for cultural and paleontological resources, energy, and wildfire for the project. The project consists of construction of a power generation facility with a capacity of 260 megawatts on 13.29 acres. The project is located at 800 Air Way on the southeast corner of Air Way and Flower Street. Reference LAC180313-06, LAC170919-02, and LAC161220-09  Comment Period: 8/6/2021 - 9/5/2021 Public Hearing: N/A	Partially Recirculated Draft Environmental Impact Report	City of Glendale	Document reviewed - No comments sent for this document received
<i>Utilities</i> <b>ORC210826-05</b> Oil and Gas Decommissioning Activities on the Pacific Outer Continental Shelf	The project consists of decommissioning and removal of 23 oil and gas platforms and associated pipelines. The project is located offshore eight nautical miles west of counties of Santa Barbara, Ventura, and Orange.  Comment Period: 7/23/2021 - 9/7/2021 Public Hearing: N/A	Notice of Intent to Prepare a Programmatic Environmental Impact Statement	United States Department of the Interior, Bureau of Safety and Environmental Enforcement	Document reviewed - No comments sent for this document received
<i>Utilities</i> <b>RVC210810-05</b> Arica and Victory Pass Solar Projects	The project consists of construction of a 3.2 mile photovoltaic energy generation interconnection line with a capacity of 230 kilovolts and two substations with a combined battery storage capacity of 465 megawatts on 3,800 acres. The project is located on the northeast corner of State Route 177 and Interstate 10 in the community of Desert Center within Riverside County. Reference RVC201008-01  Comment Period: 8/6/2021 - 9/20/2021 Public Hearing: N/A	Notice of Availability of a Draft Environmental Impact Report	California Department of Fish and Wildlife	Document reviewed - No comments sent for this document received

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**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
August 1, 2021 to August 31, 2021**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Retail</i> <b>RVC210818-01</b> O'Reilly Auto Parts	The project consists of construction of a 7,224 square foot retail building on 1.41 acres. The project is located near the southwest corner of Newport Road and Menifee Road.  Comment Period: 8/18/2021 - 9/9/2021 Public Hearing: N/A	Site Plan	City of Menifee	Document reviewed - No comments sent for this document received
<i>Retail</i> <b>RVC210824-03</b> Conditional Use Permit No. 180008	The project consists of construction of 9,115 square feet of retail and restaurant uses and a gasoline service station with six pumps on 2.15 acres. The project is located on the northwest corner of Elmwood Street and Clark Street in the community of Mead Valley. Reference RVC190201-05  Comment Period: 8/17/2021 - 8/26/2021 Public Hearing: 8/26/2021	Site Plan	County of Riverside	Document reviewed - No comments sent for this document received
<i>Retail</i> <b>RVC210826-04</b> Morningstar Village Shell Station	The project consists of a 6,100 square foot convenience store, a 4,800 square foot car wash facility, a gasoline service station with 12 pumps, and a 3,593 square foot fueling canopy on 6.81 acres. The project is located on the northwest corner of Winchester Road and Pourroy Road in the community of Winchester. <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/september/RVC210826-04.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/september/RVC210826-04.pdf</a>  Comment Period: 8/26/2021 - 10/1/2021 Public Hearing: N/A	Site Plan	County of Riverside	South Coast AQMD staff commented on 9/7/2021
<i>Retail</i> <b>SBC210819-05</b> ARCO Drive-Thru Carwash	The project consists of construction of a car wash facility. The project is located at 27727 Base Line Street on the southwest corner of Baseline Street and Seine Avenue.  Comment Period: 8/16/2021 - 8/31/2021 Public Hearing: N/A	Site Plan	City of Highland	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 A  
INCOMING CEQA DOCUMENTS LOG  
August 1, 2021 to August 31, 2021**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Retail</b> <b>SBC210819-06</b> Conditional Use Permit No. 21001	The project consists of construction of 9,050 square feet of restaurant uses. The project is located on the northeast corner of Baseline Street and Buckeye Street.  Comment Period: 8/16/2021 - 8/31/2021 Public Hearing: N/A	Site Plan	City of Highland	Document reviewed - No comments sent for this document received
<b>General Land Use (residential, etc.)</b> <b>LAC210803-05</b> Buena Vista Project	The project consists of construction of 986 residential units totaling 1,090,126 square feet, 23,800 square feet of restaurant uses, and 15,000 square feet of retail uses on 8.08 acres. The project is located near the northeast corner of North Spring Street and West College Street in the community of Central City North.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/august/LAC210803-05.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/august/LAC210803-05.pdf</a>  Comment Period: 8/2/2021 - 8/31/2021 Public Hearing: 8/18/2021	Notice of Preparation	City of Los Angeles	South Coast AQMD staff commented on 8/17/2021
<b>General Land Use (residential, etc.)</b> <b>LAC210803-07</b> 676 Mateo Street Project	The project consists of demolition of 47,000 square feet of existing structures, and construction of a 197,355 square foot building with 185 residential units, 23,380 square feet of commercial uses, 15,320 square feet of open space, and subterranean parking on 1.03 acres. The project is located near the southeast corner of Jesse Street and Mateo Street in the community of Central City North. Reference LAC201211-05 and LAC180223-03  Comment Period: N/A Public Hearing: 8/25/2021	Notice of Availability of a Final Environmental Impact Report	City of Los Angeles	Document reviewed - No comments sent for this document received
<b>General Land Use (residential, etc.)</b> <b>LAC210803-13</b> Brandywine Residential Development Project	The project consists of construction of 58 residential units on 2.96 acres. The project includes two sites: 1) Fruit Street Site located at 3717 Fruit Street near the northeast corner of Fruit Street and Foothill Boulevard and 2) Walnut Street Site located on the northwest corner of Walnut Street and B Street.  Comment Period: 7/26/2021 - 8/16/2021 Public Hearing: 9/8/2021	Notice of Intent to Adopt a Mitigated Negative Declaration	City of La Verne	Document reviewed - No comments sent for this document received

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**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
August 1, 2021 to August 31, 2021**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>General Land Use (residential, etc.)</b> <b>LAC210805-04</b> 11111 Jefferson Boulevard Mixed-Use Project	The project consists of construction of 230 residential units totaling 244,609 square feet on 3.43 acres. The project is located on the northeast corner of Sepulveda Boulevard and Jefferson Boulevard. Reference LAC210506-04 and LAC200917-02  Comment Period: N/A Public Hearing: 8/25/2021	Notice of Availability of a Final Environmental Impact Report	City of Culver City	Document reviewed - No comments sent for this document received
<b>General Land Use (residential, etc.)</b> <b>LAC210817-02</b> Prairie Station Multi-Family Residential Project	The project consists of construction of 400 residential units on 5.07 acres. The project is located at 11227 South Prairie Avenue on the northwest corner of South Prairie Avenue and West 113th Street.  Comment Period: 8/5/2021 - 8/24/2021 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Inglewood	Document reviewed - No comments sent for this document received
<b>General Land Use (residential, etc.)</b> <b>LAC210819-03</b> Affinity Project	The project consists of demolition of 45,912 square feet of existing structures, and construction of a 154,000 square foot building for medical uses and a 184,376 square foot assisted living facility with 95 rooms and subterranean parking on 3.3 acres. The project is located on the northwest corner of South Arroyo Parkway and East California Boulevard.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/september/LAC210819-03.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/september/LAC210819-03.pdf</a>  Comment Period: 8/5/2021 - 9/3/2021 Public Hearing: 8/11/2021	Notice of Preparation	City of Pasadena	South Coast AQMD staff commented on 9/1/2021
<b>General Land Use (residential, etc.)</b> <b>LAC210819-10</b> 5420 Sunset	The project consists of demolition of 100,796 square feet of existing commercial uses, and construction of an 845,868 square foot building with 735 residential units and subterranean parking on 6.75 acres. The project is located on the southeast corner of Sunset Boulevard and Western Avenue in the community of Hollywood. Reference LAC170628-02  Comment Period: 8/19/2021 - 10/4/2021 Public Hearing: N/A	Notice of Availability of a Draft Environmental Impact Report	City of Los Angeles	Document reviewed - No comments sent for this document received

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**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
August 1, 2021 to August 31, 2021**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>General Land Use (residential, etc.)</i> <b>ORC210817-11</b> Citrus Square Project	The project consists of construction of 98 residential units on 6.3 acres. The project is located on the northeast corner of Moody Street and Orange Avenue.  Comment Period: 8/18/2021 - 9/16/2021 Public Hearing: N/A	Mitigated Negative Declaration	City of Cypress	Document reviewed - No comments sent for this document received
<i>General Land Use (residential, etc.)</i> <b>ORC210824-02</b> El Camino Specific Plan	The project consists of construction of 95 residential units totaling 110,559 square feet, 37,851 square feet of retail and office uses, and a 3,271 square foot recreational facility on 7.3 acres. The project is located on the southeast corner of State Route 74 and El Camino Real Street.  Comment Period: 8/19/2021 - 9/20/2021 Public Hearing: 8/30/2021	Notice of Preparation	City of San Juan Capistrano	Under review, may submit written comments
<i>General Land Use (residential, etc.)</i> <b>RVC210810-03</b> Tentative Tract Map 37895	The project consists of subdivision of 61.6 acres for future development of 103 residential units. The project is located on the southeast corner of Laurel Canyon Road and Sherborn Street. Reference RVC140225-07  Comment Period: 8/2/2021 - 8/26/2021 Public Hearing: 8/26/2021	Site Plan	City of Corona	Document reviewed - No comments sent for this document received
<i>General Land Use (residential, etc.)</i> <b>RVC210812-02</b> Tentative Tract Map No. 38163	The project consists of subdivision of 191.4 acres for future development of 356 residential units. The project is located on the northwest corner of Keller Road and Winchester Road in the community of French Valley. Reference RVC210720-10, RVC110810-05, RVC100817-04, and RVC100126-07  Comment Period: 8/9/2021 - 8/19/2021 Public Hearing: 8/19/2021	Site Plan	County of Riverside	Document reviewed - No comments sent for this document received

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**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
August 1, 2021 to August 31, 2021**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>General Land Use (residential, etc.)</i> <b>RVC210818-02</b> MA21245	The project consists of construction of 104 residential units on 4.12 acres. The project is located near the northeast corner of Clay Street and Linares Avenue.  Comment Period: 8/18/2021 - 9/3/2021 Public Hearing: N/A	Site Plan	City of Jurupa Valley	Document reviewed - No comments sent for this document received
<i>General Land Use (residential, etc.)</i> <b>RVC210819-09</b> Monte Vista Ranch II Townhome Project	The project consists of construction of 64 residential units and an 18,800 square foot recreation center on 6.47 acres. The project is located on the southeast corner of Monte Vista Drive and Summer Sage Way.  Comment Period: 8/18/2021 - 9/18/2021 Public Hearing: N/A	Mitigated Negative Declaration	City of Wildomar	Document reviewed - No comments sent for this document received
<i>General Land Use (residential, etc.)</i> <b>SBC210812-03</b> Site Layout for a 16-Unit Apartment Community	The project consists of construction of 16 residential units totaling 13,335 square feet on 0.82 acres. The project is located at 11695 Canal Street near the northeast corner of Newport Avenue and Canal Street. Reference SBC201201-06  Comment Period: 8/11/2021 - 8/20/2021 Public Hearing: N/A	Site Plan	City of Grand Terrace	Document reviewed - No comments sent for this document received
<i>Plans and Regulations</i> <b>ALL210819-07</b> Corporate Average Fuel Economy (CAFE) Standards for Model Years 2024 to 2026	The project consists of nationwide revisions to fuel economy standards for passenger vehicles and light trucks for model years 2024 to 2026 to 48 miles per gallon in model year 2026. The project includes six designated AB 617 communities: 1) East Los Angeles, Boyle Heights, West Commerce, 2) Eastern Coachella Valley, 3) San Bernardino, Muscoy, 4) Southeast Los Angeles, 5) South Los Angeles, and 6) Wilmington, Carson, West Long Beach.  Comment Period: 8/10/2021 - 10/8/2021 Public Hearing: N/A	Notice of Availability of a Draft Supplemental Environmental Impact Statement	United States Department of Transportation, National Highway Traffic Safety Administration	Document reviewed - No comments sent for this document received

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**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
August 1, 2021 to August 31, 2021**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Plans and Regulations</b>  <b>LAC210803-09</b> The 2021-2029 Housing Element Update	The project consists of updates to the City's General Plan Housing Element to assess housing needs, densities, and development standards with a planning horizon of 2029. The project encompasses 13.3 square miles and is bounded by unincorporated areas of Los Angeles County to the north and south, State Route 27 to east, and City of Agoura Hills to the west. Reference LAC210209-05  Comment Period: 7/30/2021 - 9/13/2021 Public Hearing: 9/13/2021	Notice of Availability of a Draft Environmental Impact Report	City of Calabasas	Document reviewed - No comments sent for this document received
<b>Plans and Regulations</b>  <b>LAC210810-01</b> City of Azusa 2021-2029 Housing Element Update	The project consists of updates to the City's General Plan Housing Element to assess housing needs, densities, and development standards with a planning horizon of 2029. The project encompasses 9.68 square miles and is bounded by Los Angeles National Forest to the north, City of Glendora to the east, City of Covina to the south, and cities of Duarte and Irwindale to the west.  Comment Period: 8/6/2021 - 9/7/2021 Public Hearing: N/A	Notice of Intent to Adopt a Negative Declaration	City of Azusa	Document reviewed - No comments sent for this document received
<b>Plans and Regulations</b>  <b>LAC210817-05</b> Lomita Housing Element and Safety Element Updates	The project consists of updates to the City's General Plan to develop policies, goals, and programs to comply with state, regional, and local housing and safety requirements and guidelines with a planning horizon of 2029. The project encompasses 1.91 square miles and is bounded by cities of Torrance and Carson to the north, State Route 213 to the east, and unincorporated areas of Los Angeles County to the south and west.  Comment Period: 8/13/2021 - 9/14/2021 Public Hearing: N/A	Notice of Intent to Adopt a Negative Declaration	City of Lomita	Document reviewed - No comments sent for this document received
<b>Plans and Regulations</b>  <b>LAC210819-02</b> Hollywood Community Plan Update	The project consists of development of land use policies, designations, zoning, and ordinances to guide future commercial and residential development. The project encompasses 21.8 square miles and is bounded by cities of Burbank and Glendale to the north, Interstate 5 to the east, cities of West Hollywood and Beverly Hills to the south, and Sunset Boulevard to the west. Reference LAC191106-01, LAC181120-08, LAC160527-06, LAC160503-16, LAC111007-01, and LAC110308-06  Comment Period: N/A Public Hearing: N/A	Notice of Availability of a Final Environmental Impact Report	City of Los Angeles	Document reviewed - No comments sent for this document received

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**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
August 1, 2021 to August 31, 2021**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<p><i>Plans and Regulations</i></p> <p><b>ORC210824-01</b> Garden Grove Focused General Plan Update and Zoning Amendments</p>	<p>The project consists of updates to the City's General Plan to develop policies, goals, and guidelines for housing, land use, safety, and environmental justice elements with a planning horizon of 2040. The project encompasses 17.9 square miles and is bounded by cities of Cypress, Stanton, and Anaheim to the north, City of Orange to the east, cities of Santa Ana, Fountain Valley, and Westminster to the south, and cities of Seal Beach and Los Alamitos to the west. Reference ORC210706-07</p> <p style="text-align: center;">Comment Period: 8/23/2021 - 10/6/2021      Public Hearing: 10/7/2021</p>	<p>Notice of Availability of a Draft Environmental Impact Report</p>	<p>City of Garden Grove</p>	<p>Document reviewed - No comments sent for this document received</p>
<p><i>Plans and Regulations</i></p> <p><b>ORC210826-01</b> Housing Element Sixth Cycle Update (2021-2029)</p>	<p>The project consists of updates to the City's General Plan Housing Element to assess housing needs, densities, and development standards with a planning horizon of 2029. The project encompasses 11.12 square miles and is bounded by City of Orange to the north, unincorporated areas of Orange County to the east, City of Irvine to the south, and City of Santa Ana to the west.</p> <p style="text-align: center;">Comment Period: 8/24/2021 - 9/23/2021      Public Hearing: 9/14/2021</p>	<p>Notice of Intent to Adopt a Negative Declaration</p>	<p>City of Tustin</p>	<p>Document reviewed - No comments sent for this document received</p>
<p><i>Plans and Regulations</i></p> <p><b>RVC210810-02</b> Avenue 53 Re-Zone Project</p>	<p>The project consists of amendments to zoning and land use designations from manufacturing service uses to residential uses on 118 acres. The project is located on the southwest corner of 54th Avenue and Tyler Street in the designated AB 617 Eastern Coachella Valley community.</p> <p style="text-align: center;">Comment Period: 8/9/2021 - 8/30/2021      Public Hearing: 9/1/2021</p>	<p>Notice of Intent to Adopt a Negative Declaration</p>	<p>City of Coachella</p>	<p>Document reviewed - No comments sent for this document received</p>

# - Project has potential environmental justice concerns due to the nature and/or location of the project. Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.







**ATTACHMENT 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
<i>Waste and Water-related</i> <b>LAC210720-11</b> Industrial Service Oil Company	The project consists of modifications to an existing hazardous waste facility permit to construct two previously permitted tanks with a combined capacity of 40,300 gallons for fuel blending activities on 2.7 acres. The project is located at 1700 South Soto Street near the northeast corner of South Soto Street and East Washington Boulevard in the City of Los Angeles within the designated AB 617 East Los Angeles, Boyle Heights, West Commerce community. Reference LAC210401-09 and LAC180727-02 <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/august/LAC210720-11.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/august/LAC210720-11.pdf</a> Comment Period: 7/19/2021 - 8/19/2021 Public Hearing: N/A	Permit Modification	Department of Toxic Substances Control	South Coast AQMD staff commented on 8/11/2021
<i>Waste and Water-related</i> <b>LAC210729-02</b> Figueroa Property Remediation and Park Project	The project consists of development of cleanup activities to excavate, transport, and dispose 2,600 cubic yards of soil contaminated with lead and hydrocarbons, and import and backfill 5,850 cubic yards of clean soil for future park uses on 0.5 acres. The project is located at 5800 South Figueroa Street on the southeast corner of Figueroa Street and West 58th Street in the community of South Los Angeles within the designated AB 617 South Los Angeles community. <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/august/LAC210729-02.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/august/LAC210729-02.pdf</a> Comment Period: 7/29/2021 - 8/30/2021 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Los Angeles Department of Water and Power	South Coast AQMD staff commented on 8/24/2021
<i>Waste and Water-related</i> <b>ORC210715-08</b> Former Ford Aeronautics Facility	The project consists of development of cleanup actions to remediate soil gas and groundwater contaminated with volatile organic compounds, installation of a soil vapor extraction system and a sub-slab depressurization system, and ongoing monitoring and inspection on 200 acres. The project is located at 1000 Ford Road on the southeast corner of MacArthur Boulevard and Bonita Canyon Drive in the City of Newport Beach. <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/august/ORC210715-08.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/august/ORC210715-08.pdf</a> Comment Period: 7/15/2021 - 8/15/2021 Public Hearing: 7/29/2021	Draft Feasibility Study/Remedial Action Plan	Santa Ana Regional Water Quality Control Board	South Coast AQMD staff commented on 8/5/2021
<i>Institutional (schools, government, etc.)</i> <b>RVC210713-08</b> 2021 Long Range Development Plan	The project consists of development of strategies, actions, and programs to accommodate increases in enrollment capacity from 23,922 students to 35,000 students and 3.7 million square feet of academic buildings with a planning horizon of 2036 on 1,108 acres. The project is located on the southeast corner of Blaine Street and Watkins Drive in the City of Riverside. Reference RVC200708-14 <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/september/RVC210713-08.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/september/RVC210713-08.pdf</a> Comment Period: 7/14/2021 - 9/3/2021 Public Hearing: 8/4/2021	Notice of Availability of a Draft Environmental Impact Report	Regents of the University of California	South Coast AQMD staff commented on 9/2/2021

# - Project has potential environmental justice concerns due to the nature and/or location of the project.



**ATTACHMENT C**  
**ACTIVE SOUTH COAST AQMD LEAD AGENCY**  
**PROJECTS THROUGH AUGUST 31, 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 and South Coast AQMD staff has provided comments which are being addressed by the consultant.	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 30 comment letters were received. Two CEQA scoping meetings were held on September 13, 2018 and October 11, 2018 in the community and 153 oral comments were received. Responses to the comment letters and oral comments are being prepared and will be included in the Draft EIR. 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

[↑ Back to Agenda](#)

BOARD MEETING DATE: October 1, 2021

AGENDA NO. 13

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 Nastri  
Executive Officer

SLR:SN:IM:AK:ZS

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## **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 may have a substantial number of public comments.*
- + *This rulemaking will reduce criteria air contaminants and assist toward attainment of ambient air quality standards.*
- # *This rulemaking is part of the transition of RECLAIM to a command-and-control regulatory structure.*

The following table provides a list of changes since the previous Rule Forecast Report.

<b>219*</b>	<b>Equipment Not Requiring a Written Permit Pursuant to Regulation II</b>
<b>222</b>	<b>Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II</b>
<b>461</b>	<b>Gasoline Transfer and Dispensing</b>
<b>461.1</b>	<b>Mobile Refueling Gasoline Transfer and Dispensing</b>
Proposed Amended Rule 461, Proposed Rule 461.1, Proposed Amended Rule 219, and Proposed Amended Rule 222 are being moved from December 2021 to January 2022 due to staff resources.	
<b>429</b>	<b>Start-Up and Shutdown Exemption Provisions for Oxides of Nitrogen</b>
Proposed Amended Rule 429 is being moved from December 2021 to March 2022 to allow staff additional time to work with stakeholders.	
<b>1115</b>	<b>Motor Vehicle Assembly Line Coating Operations</b>
Proposed Amended Rule 1115 is being moved from January 2022 to 2 <sup>nd</sup> Quarter of 2022 to allow staff to work with stakeholders.	
<b>1147*+##</b>	<b>NOx Reductions from Miscellaneous Sources</b>
<b>1100#</b>	<b>Implementation Schedule for NOx Facilities</b>
Proposed Rule 1147 is being moved from January 2022 to March 2022 to allow additional time for staff to work with stakeholders.	
<b>1147.2*+##</b>	<b>NOx Reductions from Metal Melting and Heating Furnaces</b>
<b>1147*+##</b>	<b>NOx Reductions from Miscellaneous Sources</b>
Proposed Rule 1147.2 is being moved from December 2021 to February 2022 due to staffing resources.	
<b>2306</b>	<b>Emission Reductions from Indirect Sources at Railyards</b>
Proposed Rule 2306 is being moved from December 2021 to 3 <sup>rd</sup> Quarter of 2022 to allow staff additional time to work with stakeholders to develop a proposal.	

\* *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
November		
429.1 <sup>*+##</sup>	<p><b>Startup and Shutdown Provisions at Petroleum Refineries and Related Operations</b></p> <p>Proposed Rule 429.1 will establish start-up and shutdown provisions for petroleum refineries and facilities with operations associated with petroleum refineries.</p> <p style="text-align: center;"><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Elaine Shen 909.396.2715</i></p>	Other
1109 <sup>*+##</sup> 1109.1 <sup>*+##</sup>	<p><b>Emissions of Oxides of Nitrogen from Boilers and Process Heaters in Petroleum Refineries</b></p> <p><b>Emissions of Oxides of Nitrogen from Petroleum Refineries and Related Operations</b></p> <p>Proposed Rule 1109.1 will establish NOx emission limits to reflect BARCT for NOx emitting equipment at petroleum refineries and related operations, and include monitoring, reporting, and recordkeeping requirements. Rule 1109 is proposed to be rescinded.</p> <p style="text-align: center;"><i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AQMP/ AB 617 BARCT/ AB 617 CERP
1157.1	<p><b>Control of PM from Large Demolition Piles</b></p> <p>Proposed Rule 1157.1 will establish requirements to minimize PM emissions from large demolition piles including those with concrete from the demolition of buildings or roadways and associated crushing and grinding operations. The proposed rule may also require signage and advanced notification to nearby communities and South Coast AQMD prior to establishing an active site.</p> <p style="text-align: center;"><i>Victoria Moaveni 909.396.2455; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other
1304	<p><b>Exemptions</b></p> <p>Proposed Amended Rule 1304 will add a narrow exemption to address co-pollutant emissions associated with compliance with a BARCT requirement to reduce NOx emissions.</p> <p style="text-align: center;"><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	
2005	<p><b>New Source Review for RECLAIM</b></p> <p>Proposed Amended Rule 2005 will add a narrow exemption to address co-pollutant emissions associated with compliance with a BARCT requirement to reduce NOx emissions.</p> <p style="text-align: center;"><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	

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

**2021 MASTER CALENDAR (Continued)**

<b>Month</b>	<b>Title and Description</b>	<b>Type of Rulemaking</b>
<b>December</b>		
1134	<p><b>Emissions of Oxides of Nitrogen from Stationary Gas Turbines</b>                      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: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AQMP/ AB 617 BARCT
<b>January</b>		
219* 222 461 461.1	<p><b>Equipment Not Requiring a Written Permit Pursuant to Regulation II</b>  <b>Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II</b>  <b>Gasoline Transfer and Dispensing</b>  <b>Mobile Refueling Gasoline Transfer and Dispensing</b>                      Proposed Amended Rules 219 and 222 will modify permitting exemptions and registration requirements for mobile fueling operations, respectively. Proposed Amended 461 will remove requirements for mobile refueling operations and Proposed Rule 461.1 will establish requirements for retail and non-retail mobile refueling operations.  <i>Susan Nakamura 909.396.3105; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other
1135	<p><b>Emissions of Oxides of Nitrogen from Electricity Generating Facilities</b>                      Proposed Amended Rule 1135 will revise monitoring, reporting, and recordkeeping provisions to reflect amendments to rules regulating Continuous Emissions Monitoring Systems and ammonia slip limits. 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: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AQMP/ AB 617 BARCT

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

## 2022 MASTER CALENDAR

Month	Title and Description	Type of Rulemaking
<b>February</b>		
1153.1	<p><b>Emissions of Oxides of Nitrogen from Commercial Food Ovens</b> Proposed amendments to Rule 1153.1 may be needed to establish NO<sub>x</sub> BARCT limits for the RECLAIM transition. <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AQMP/ AB 617 BARCT
1147.2*+ <sup>#</sup>	<p><b>NO<sub>x</sub> Reductions from Metal Melting and Heating Furnaces</b> Proposed Rule 1147.2 will establish NO<sub>x</sub> emission limits to reflect Best Available Retrofit Control Technology for metal melting and heating furnaces and will apply to RECLAIM and non-RECLAIM facilities.</p>	AQMP/ AB 617 BARCT
1147*+ <sup>#</sup>	<p><b>NO<sub>x</sub> Reductions from Miscellaneous Sources</b> Proposed Amended Rule 1147 will remove equipment that will be regulated under Proposed Rule 1147.2. <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	
<b>March</b>	<b>Title and Description</b>	<b>Type of Rulemaking</b>
429	<p><b>Start-Up and Shutdown Exemption Provisions for Oxides of Nitrogen</b> 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>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other
1146.2 <sup>#</sup>	<p><b>Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters</b> Proposed Amended Rule 1146.2 will update the NO<sub>x</sub> emission limit to reflect Best Available Retrofit Control Technology. <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AQMP/ AB 617 BARCT
1147*+ <sup>#</sup>	<p><b>NO<sub>x</sub> Reductions from Miscellaneous Sources</b> Proposed Amended Rule 1147 will revise NO<sub>x</sub> emission limits to reflect Best Available Retrofit Control Technology for miscellaneous combustion sources and that will apply to RECLAIM and non-RECLAIM facilities.</p>	AQMP/ AB 617 BARCT
1100 <sup>#</sup>	<p><b>Implementation Schedule for NO<sub>x</sub> Facilities</b> Proposed Amended Rule 1100 will establish the implementation schedule for Rule 1147 equipment at NO<sub>x</sub> RECLAIM and former NO<sub>x</sub> RECLAIM facilities. <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	

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<sup>#</sup> Part of the transition of RECLAIM to a command-and-control regulatory structure

**2022 MASTER CALENDAR (Continued)**

<b>Month</b>	<b>Title and Description</b>	<b>Type of Rulemaking</b>
<b>March</b>		
1178	<p><b>Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities</b></p> <p>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 (CERP).</p> <p><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AB 617 CERP
<b>2<sup>nd</sup> Quarter</b>		
429.2	<p><b>Startup and Shutdown Exemption Provisions from Electricity Generating Facilities for Oxides of Nitrogen</b></p> <p>Proposed Rule 429.2 will address exemptions from NOx limits in Rule 1135 during startup and shutdown events.</p> <p><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other
1115	<p><b>Motor Vehicle Assembly Line Coating Operations</b></p> <p>Proposed amendments will address U.S. EPA RACT requirements.</p> <p><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other
1159.1	<p><b>Control of NOx Emissions from Nitric Acid Tanks</b></p> <p>Proposed Rule 1159.1 will establish requirements to reduce NOx emissions from nitric acid units that will apply to RECLAIM and non-RECLAIM facilities.</p> <p><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AQMP/ AB 617 BARCT
<b>3<sup>rd</sup> Quarter</b>		
1426.1	<p><b>Control of Hexavalent Chromium Emissions from Metal Finishing Operations</b></p> <p>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><i>Susan Nakamura 909.396.3105; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Toxics

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

**2022 MASTER CALENDAR (Continued)**

<b>Quarter</b>	<b>Title and Description</b>	<b>Type of Rulemaking</b>
<b>3<sup>rd</sup> Quarter</b> (Continued)		
1435*	<b>Control of Emissions from Metal Heat Treating Processes</b> Proposed Rule 1435 will establish requirements to reduce point source and fugitive toxic air contaminants including hexavalent chromium emissions from heat treating processes. Proposed Rule 1435 will also include monitoring, reporting, and recordkeeping requirements. <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i>	Toxics/ AB 617 CERP
1445*	<b>Control of Toxic Emissions from Laser Arc Cutting</b> Proposed Rule 1445 will establish requirements to reduce metal toxic air contaminant particulate emissions from laser arc cutting. <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i>	Toxics
Regulation XIII*#	<b>New Source Review</b> Proposed Amended Regulation XIII will revise New Source Review provisions to address facilities that are transitioning from RECLAIM to a command-and-control regulatory structure. Staff may be proposing a new rule within Regulation XIII to address offsets for facilities that transition out of RECLAIM. <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i>	AQMP
Regulation XX*#	<b>RECLAIM</b> Proposed Amended Regulation XX will address the transition of RECLAIM facilities to a command and control regulatory structure. <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i>	AQMP
2306	<b>Emission Reductions from Indirect Sources at Railyards</b> Proposed Rule 2306 will reduce emissions from indirect sources associated with railyards. <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i>	AQMP/ AB 617 CERP
<b>4<sup>th</sup> Quarter</b>	<b>Title and Description</b>	<b>Type of Rulemaking</b>
1118*	<b>Control of Emissions from Refinery Flares</b> 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: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i>	AQMP/ AB 617 CERP

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

**2022 MASTER CALENDAR (Continued)**

Quarter	Title and Description	Type of Rulemaking
4 <sup>th</sup> Quarter (Continued)		
1173	<p><b>Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants</b>                      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: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other/ AB 617 CERP
1450*	<p><b>Control of Methylene Chloride Emissions</b>                      Proposed Rule 1450 will reduce methylene chloride emissions from furniture stripping and establish monitoring, reporting, and recordkeeping requirements.  <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Toxics

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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><b>Definition of Terms</b> Proposed amendments may be needed to update and add definitions, and potentially modify exemptions. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other
103	<p><b>Definition of Geographical Areas</b> Proposed amendments are needed to update geographic areas to be consistent with state and federal references to those geographic areas. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other
209	<p><b>Transfer and Voiding of Permits</b> 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: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other
219	<p><b>Equipment Not Requiring a Written Permit Pursuant to Regulation II</b> 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: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other
223	<p><b>Emission Reduction Permits for Large Confined Animal Facilities</b> Proposed Amended Rule 223 will seek additional ammonia emission reductions from large confined animal facilities by lowering the applicability threshold. Proposed amendments will implement BCM-04 in the 2016 AQMP. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AQMP
317	<p><b>Clean Air Act Non-Attainment Fees</b> Proposed amendments may be needed to modify CAA Section 185 fees for non-attainment. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</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 <sup>#</sup>	<p><b>Liquid and Gaseous Air Contaminants</b>                      Proposed Amended Rule 407 will update SO<sub>x</sub> emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements.  <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AB 617 BARCT
410	<p><b>Odors from Transfer Stations and Material Recovery Facilities</b>                      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: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other
425	<p><b>Odors from Cannabis Processing</b>                      Proposed Rule 425 will establish requirements for control of odors from cannabis processing.  <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other
431.1 <sup>#</sup>	<p><b>Sulfur Content of Gaseous Fuels</b>                      Proposed Amended Rule 431.1 will assess exemptions, including RECLAIM, and update other provisions, if needed.  <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AB 617 BARCT/ AB 617 CERP
431.2 <sup>#</sup>	<p><b>Sulfur Content of Liquid Fuels</b>                      Proposed Amended Rule 431.2 will assess exemptions, including RECLAIM, and update other provisions, if needed.  <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AB 617 BARCT/ AB 617 CERP
431.3 <sup>#</sup>	<p><b>Sulfur Content of Fossil Fuels</b>                      Proposed Amended Rule 431.3 will assess exemptions, including RECLAIM, and update other provisions, if needed.  <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AB 617 BARCT/ AB 617 CERP

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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><b>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</b></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.</p> <p><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other
445*	<p><b>Wood Burning Devices</b></p> <p>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.</p> <p><i>Ian MacMillan 909.396.3244; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AQMP
462	<p><b>Organic Liquid Loading</b></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.</p> <p><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other
463	<p><b>Organic Liquid Storage</b></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.</p> <p><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other
468#	<p><b>Sulfur Recovery Units</b></p> <p>Proposed Amended Rule 468 will update SO<sub>x</sub> emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements.</p> <p><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AB 617 BARCT
469#	<p><b>Sulfuric Acid Units</b></p> <p>Proposed Amended Rule 469 will update SO<sub>x</sub> emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements.</p> <p><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AB 617 BARCT

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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 <sup>#</sup>	<p><b>Secondary Lead Smelters/Sulfur Oxides</b>                      Proposed Amended Rule 1101 will update SOx emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements.  <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AB 617 BARCT
1105 <sup>#</sup>	<p><b>Fluid Catalytic Cracking Units Sox</b>                      Proposed Amended Rule 1105 will update SOx emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements.  <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AB 617 BARCT/ AB 617 CERP
1110.2* <sup>++</sup>	<p><b>Emissions from Gaseous- and Liquid-Fueled Engines</b>                      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>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AQMP/ AB 617 BARCT
1111.1	<p><b>Zero-Emission Residential Furnaces</b>                      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: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AQMP
1113	<p><b>Architectural Coatings</b>                      Proposed amendments may be needed to clarify applicability of the rule with respect to potential delisted compounds.  <i>Dave DeBoer 909.396.2329; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other
1119 <sup>#</sup>	<p><b>Petroleum Coke Calcining Operations – Oxides of Sulfur</b>                      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: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AB 617 BARCT/ AB 617 CERP

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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
1121*	<p><b>Control of Nitrogen Oxides from Residential Type, Natural-Gas-Fired Water Heaters</b></p> <p>Proposed amendments may be needed further reduce NOx emissions from water heaters.</p> <p><i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AQMP
1121.1	<p><b>Zero Emission Residential Water Heaters</b></p> <p>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><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AQMP
1133.3	<p><b>Emission Reductions from Greenwaste Composting Operations</b></p> <p>Proposed Amended Rule 1133.3 will seek additional VOCs and ammonia emission reductions from greenwaste and foodwaste composting. Proposed amendments will implement BCM-10 in the 2016 AQMP.</p> <p><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AQMP
1138	<p><b>Control of Emissions from Restaurant Operations</b></p> <p>Proposed Amended Rule 1138 will further reduce emissions from char boilers.</p> <p><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	AQMP
1142	<p><b>Marine Tank Vessel Operations</b></p> <p>Proposed Amended Rule 1142 will address VOC and hydrogen sulfide emissions from marine tank vessel operations, applicability, noticing requirements, and provide clarifications.</p> <p><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other
1146	<p><b>Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters</b></p> <p>Proposed amendments to Rule 1146 may be needed to incorporate comments from U.S. EPA.</p> <p><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other
1146.1 <sup>#</sup>	<p><b>Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters</b></p> <p>Proposed amendments to Rule 1146.1 may be needed to clarify provisions for industry-specific categories and to incorporate comments from U.S. EPA.</p> <p><i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other

\* Potentially significant hearing

+ Reduce criteria air contaminants and assist toward attainment of ambient air quality standards

<sup>#</sup> Part of the transition of RECLAIM to a command-and-control regulatory structure

**2021 To-Be-Determined (Continued)**

2021	Title and Description	Type of Rulemaking
1148.1*	<p><b>Oil and Gas Production Wells</b>  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: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other/ AB 617 CERP
1148.2	<p><b>Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers</b>  Proposed amendments to Rule 1148.2 may be needed to improve notifications of well working activities to the community and to address other issues.  <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other/ AB 617 CERP
1166	<p><b>Volatile Organic Compound Emissions from Decontamination of Soil</b>  Proposed Amended Rule 1166 will update requirements, specifically concerning notifications and usage of mitigation plans (site specific versus various locations).  <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other
1168	<p><b>Adhesive and Sealant Applications</b>  Staff is considering possible amendments for foam insulation applications. Other amendments may also be needed.  <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other
1176	<p><b>VOC Emissions from Wastewater Systems</b>  Proposed Amended Rule 1176 will clarify the applicability of the rule to include bulk terminals under definition of “Industrial Facilities,” and streamline and clarify provisions.  <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other/ AB 617 CERP
1180	<p><b>Refinery Fenceline and Community Air Monitoring</b>  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: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other
1180.1	<p><b>Fenceline and Community Monitoring</b>  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: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</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><b>Asbestos Emissions from Demolition/Renovation Activities</b>  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: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Toxics
1404	<p><b>Hexavalent Chromium Emissions from Cooling Towers</b>  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: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Toxics
1405	<p><b>Control of Ethylene Oxide and Chlorofluorocarbon Emissions from Sterilization or Fumigation Processes</b>  Amendments may be needed to address ethylene oxide emissions from sterilization of medical equipment.</p> <p align="center"><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Toxics
1415 1415.1	<p><b>Reduction of Refrigerant Emissions from Stationary Air Conditioning Systems, and Reduction of Refrigerant Emissions from Stationary Refrigeration Systems</b>  Proposed Amended Rules 1415 and 1415.1 will align requirements with the proposed CARB Refrigerant Management Program and U.S. EPA's Significant New Alternatives Policy Rule provisions relative to prohibitions on specific hydrofluorocarbons.</p> <p align="center"><i>David De Boer 909.396.2329; CEQA: Michael Krause 909.396.2706; Elaine Shen 909.396.2715</i></p>	Other
1420	<p><b>Emissions Standard for Lead</b>  Proposed Amended Rule 1420 will update requirements to address arsenic emissions to close a regulatory gap between Rule 1420 and Rule 1407 - Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Ferrous Metal Melting Operations. 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: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Toxics
1420.1	<p><b>Emission Standards for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recycling Facilities</b>  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.</p> <p align="center"><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Toxics

\* 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
1420.2	<p><b>Emission Standards for Lead from Metal Melting Facilities</b>                      Proposed Amended Rule 1420.2 will update requirements to address arsenic emissions to close a regulatory gap between Rule 1420 and Rule 1407 - Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Ferrous Metal Melting Operations. Additional amendments may be needed to address monitoring and post closure requirements.  <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Toxics
1421	<p><b>Control of Perchloroethylene Emissions from Dry Cleaning Systems</b>                      Proposed amendments may be needed to address implementation issues.  <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Toxics
1455	<p><b>Control of Hexavalent Chromium Emissions from Torch Cutting and Welding</b>                      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: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Toxics
1460	<p><b>Control of Particulate Emissions from Metal Cutting and Shredding Operations</b>                      Proposed Rule 1460 will establish housekeeping and best management practices to minimize fugitive particulate emissions from metal cutting and shredding operations.  <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other
1466.1	<p><b>Control of Particulate Emissions from Demolition of Buildings and Structures with Equipment and Processes with Metal Toxic Air Contaminants</b>                      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.  <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Toxics
1472	<p><b>Requirements for Facilities with Multiple Stationary Emergency Standby Diesel-Fueled Internal Combustion Engines</b>                      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.  <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Toxics
1480	<p><b>Toxics Monitoring</b>                      Proposed amendments to Rule 1480 may be needed to remove fee provisions if they are incorporated in Regulation III.  <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706 and Socio: Elaine Shen 909.396.2715</i></p>	Toxics/ AB 617 CERP

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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
2202*	<p><b>On-Road Motor Vehicle Mitigation Options</b>  Proposed Amended Rule 2202 will streamline implementation for regulated entities, as well as reduce review and administration time for South Coast AQMD staff. Concepts may include program components to facilitate achieving average vehicle ridership (AVR) targets.  <i>Carol Gomez 909.396.3264; CEQA: Michael Krause 909.396.2706; Socio: Elaine Shen 909.396.2715</i></p>	Other
Regulation XXIII*+	<p><b>Facility-Based Mobile Sources</b>  Proposed rules within Regulation XXIII would reduce emissions from indirect sources (e.g., mobile sources that visit facilities).  <i>Ian MacMillan 909.396.3244; CEQA: Michael Krause 909.396.2706 Socio: Elaine Shen 909.396.2715</i></p>	AQMP/ Toxics/ AB 617 CERP
Regulation II, III, IV, XIV, XI, XIX, XXIII, XXIV, XXX and XXXV	<p>Various rule amendments may be needed to meet the requirements of state and federal laws, implement OEHHA’s 2015 revised risk assessment guidance, changes from OEHHA to new or revised toxic air contaminants or their risk values, address variance issues, 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.</p>	Other/ AQMP/ Toxics/ AB 617 BARCT/ AB 617 CERP

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

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BOARD MEETING DATE: October 1, 2021

AGENDA NO. 14

PROPOSAL: Report of RFQs/RFPs Scheduled for Release in October

SYNOPSIS: This report summarizes the RFQs/RFPs for budgeted services over \$100,000 scheduled to be released for advertisement for the month of October.

COMMITTEE: Administrative, September 10, 2021, Reviewed

RECOMMENDED ACTION:

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

Wayne Nasti  
Executive Officer

SJ:gp

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### **Background**

At its January 10, 2020 meeting, the Board approved a revised Procurement Policy and Procedure. Under the revised policy, RFQs/RFPs for budgeted items over \$100,000, which follow the Procurement Policy and Procedure, no longer require individual Board approval. However, a monthly report of all RFQs/RFPs over \$100,000 is included as part of the Board agenda package and the Board may, if desired, take individual action on any item. The report provides the title and synopsis of the RFQ/RFP, the budgeted funds available, and the name of the Deputy Executive Officer/Assistant Deputy Executive Officer responsible for that item. Further detail including closing dates, contact information, and detailed proposal criteria will be available online at <http://www.aqmd.gov/grants-bids> following Board approval on October 1, 2021.

### **Outreach**

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising the RFQs/RFPs and inviting bids will be published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside

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

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

**Proposal Evaluation**

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

**Attachment**

Report of RFQs/RFPs Scheduled for Release in October 2021

**October 1, 2021 Board Meeting  
Report on RFQs/RFPs Scheduled for Release on October 1, 2021**

**(For detailed information visit South Coast AQMD's website at  
<http://www.aqmd.gov/nav/grants-bids>  
following Board approval on October 1, 2021)**

**SPECIAL TECHNICAL EXPERTISE**

RFP #2022-06

Issue RFP for Janitorial Services for South Coast  
AQMD Headquarters

Olvera/2309

The current contract to provide janitorial services for South Coast AQMD Headquarters expires on February 28, 2022. This action is to issue an RFP to solicit bids from firms interested in providing this service to South Coast AQMD for a 34-month period, from March 1, 2022, through December 31, 2024. Funds for this service are included in the FY 2021-22 Budget and will be requested each fiscal year for the remainder of the contract term.

BOARD MEETING DATE: October 1, 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, September 10, 2021, Reviewed

**RECOMMENDED ACTION:**  
Receive and file.

Wayne Nasti  
Executive Officer

RMM:MAH:XC:dc

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### **Background**

Information Management (IM) provides a wide range of information systems and services in support of all South Coast AQMD operations. IM's primary goal is to provide automated tools and systems to implement Board-approved rules and regulations, and to improve internal efficiencies. The annual Budget and Board-approved amendments to the Budget specify projects planned during the fiscal year to develop, acquire, enhance, or maintain mission-critical information systems.

In light of COVID-19 and the related budget impact, we are evaluating all of our projects and delaying non-critical projects as long as possible.

### **Summary of Report**

The attached report identifies the major projects/contracts or purchases that are ongoing or expected to be initiated within the next six months. Information provided for each project includes a brief project description and the schedule associated with known major milestones (issue RFP/RFQ, execute contract, etc.).

### **Attachment**

Information Management Status Report on Major Ongoing and Upcoming Projects During the Next Six Months

**ATTACHMENT**

**October 1, 2021 Board Meeting**

**Status Report**

**Major Ongoing and Upcoming Projects for Information Management**

<b>Project</b>	<b>Brief Description</b>	<b>Estimated Project Cost</b>	<b>Completed Actions</b>	<b>Upcoming Milestones</b>
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	\$72,000	<ul style="list-style-type: none"><li>• RFP released March 5, 2021</li><li>• Contract Awarded June 4, 2021</li></ul>	<ul style="list-style-type: none"><li>• Complete Cybersecurity Assessment October 30, 2021</li></ul>
Phone System Upgrade	Upgrade components of the agency Cisco Unified Communications System that are past end of support	\$175,000	<ul style="list-style-type: none"><li>• RFQ released September 3, 2021</li></ul>	<ul style="list-style-type: none"><li>• Recommend Award December 3, 2021</li><li>• Complete upgrade March 31, 2022</li></ul>
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"><li>• Project charter released</li><li>• Task order issued, evaluated and awarded</li><li>• Project kickoff completed</li><li>• Requirements Gathering completed</li><li>• Fit Gap and Data Storage Analysis completed</li></ul>	<ul style="list-style-type: none"><li>• Architectural and Functional Design</li></ul>
South Coast AQMD Mobile Application Enhancements	Enhancement of Mobile Application to incorporate FIND	\$60,000	<ul style="list-style-type: none"><li>• Vision and Scope completed</li><li>• Task Order issued</li><li>• Project initiation completed</li></ul>	<ul style="list-style-type: none"><li>• System Design</li></ul>

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
Permitting System Automation Phase 2	Enhanced Web application to automate filing of permit applications, Rule 222 equipment and registration for IC engines; implement electronic permit folder and workflow for staff	\$525,000	<ul style="list-style-type: none"> <li>• Board approved initial Phase 2 funding December 2017</li> <li>• Board approved remaining Phase 2 funding October 5, 2018</li> <li>• Completed report outlining recommendations for automation of Permitting Workflow</li> <li>• Developed application submittals and form filing for first nine of 32 400-E forms</li> <li>• Completed application submittals and form filing for 23 types of equipment under Rule 222 for User Testing</li> <li>• Deployed to production top three most frequently used Rule 222 forms: Negative Air Machines, Small Boilers and Charbroilers</li> <li>• Completed requirements gathering for Phase II of the project (an additional 10 400-E-XX forms)</li> <li>• Development of Phase II additional 12 400-E-XX forms completed</li> <li>• Deployment to Stage of all 400-E-XX and Rule 222 forms for user testing completed</li> </ul>	<ul style="list-style-type: none"> <li>• Complete User Acceptance Testing and Deployment to production of Emergency IC Engines Form</li> <li>• Complete User Acceptance Testing and Deployment to Production of first ten 400-E-XX forms</li> <li>• Complete User Acceptance Testing and Deployment to Production of first 3 Rule 222 forms (Tar Pots, Cooling Towers, and Power Washers)</li> <li>• Complete User Acceptance Testing and Deployment to Production of remaining 19 Rule 222 forms</li> <li>• Additional twelve 400-E-XX forms</li> </ul>

<b>Project</b>	<b>Brief Description</b>	<b>Estimated Project Cost</b>	<b>Completed Actions</b>	<b>Upcoming Milestones</b>
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"> <li>• Project charter released</li> <li>• Task order issued, evaluated and awarded</li> <li>• Requirement gathering and system design completed</li> <li>• System setup and code development and user testing for Information Management completed</li> <li>• System setup and code development and User Acceptance Testing completed for Administrative and Human Resources and Technology Advancement Office completed</li> </ul>	<ul style="list-style-type: none"> <li>• Deploy to IM and AHR Divisions</li> <li>• Training and Integrated User Testing for other divisions</li> </ul>
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"> <li>• Draft Charter Document issued</li> <li>• Project Initiation completed</li> <li>• Task order issued</li> <li>• Deployed Phase I to production – applicant/third party registration and application submission</li> <li>• Deployment of additional forms and Evaluation module completed</li> <li>• Development of Program Survey completed</li> <li>• User Acceptance Testing completed</li> <li>• Solicitation closed April 30, 2021</li> </ul>	<ul style="list-style-type: none"> <li>• Phase II proposal approval from Proposition 1B team</li> </ul>
Carl Moyer Program GMS	Development of simplified and streamlined online Grant Management System (GMS) portal for Carl Moyer Program	\$116,275	<ul style="list-style-type: none"> <li>• Draft Charter Document issued</li> <li>• Project Initiation completed</li> <li>• Task order issued</li> </ul>	<ul style="list-style-type: none"> <li>• Development of Sprint 1 – Off Road Vehicle Application</li> </ul>

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
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"> <li>• Draft Charter Document issued</li> <li>• Project Initiation completed</li> <li>• Task order issued</li> <li>• Phase I deployed to production – applicant/third party registration and application submission</li> <li>• Customized GMS look and feel</li> <li>• Phase II AQMD staff to create new application on-line for applications received by mail completed</li> <li>• Deployment of staff evaluation module completed</li> </ul>	<ul style="list-style-type: none"> <li>• User acceptance testing of Phase II Calculation, Ranking, Messaging</li> <li>• Development of Contracting module</li> </ul>
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"> <li>• Project Charter approved</li> <li>• Project Initiation completed</li> <li>• Task Order issued</li> <li>• Project Kick-off completed</li> <li>• User requirements gathering for internal users Developed Full Business Process Model</li> <li>• Developed screens mock-ups completed</li> <li>• Reviewed proposed automation with EQUATE group completed</li> <li>• Proposal for system development approved</li> <li>• Completed development of Sprint 1 to 8</li> <li>• Internal User Testing completed</li> <li>• Completed overview of development progress to EQUATE Working Group.</li> <li>• Updated Source Test Tracking data model approved</li> </ul>	<ul style="list-style-type: none"> <li>• Deploy updated STTS data model and move application to Stage</li> <li>• Stakeholders Acceptance testing</li> <li>• Complete User Acceptance Testing and deployment to production</li> </ul>

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
VW Environmental Mitigation Action Plan Project	CARB has assigned South Coast AQMD to develop web applications for: 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"> <li>• Draft Charter Document issued</li> <li>• Project Initiation completed</li> <li>• Task order issued</li> <li>• Deployed Phase I to production completed</li> <li>• Phase II to production – Messaging, Evaluation, and Administration completed</li> <li>• Developed evaluation module and calculation module completed</li> <li>• Phase III - ZE Class 8 Application deployed to production</li> <li>• Deployed Phase III – Ranking</li> <li>• Deployed Combustion Freight On Road Form changes</li> <li>• Phase III – ZE Class 8 Application solicitation completed</li> <li>• Deployed Combustion Freight On Road Form changes</li> <li>• 2nd Combustion Freight On Road Solicitation completed</li> <li>• User Acceptance Testing for Phase III – Contracting completed</li> </ul>	<ul style="list-style-type: none"> <li>• User Acceptance Testing for Phase III – Inspection</li> </ul>
Warehouse Indirect Source Rule online reporting portal	Development of online reporting portal for Rule 2305 – Warehouse Indirect Source	\$250,000	<ul style="list-style-type: none"> <li>• Draft Charter Document issued</li> <li>• Project Initiation completed</li> <li>• Task order issued</li> <li>• Deployed Phase 1.1 – Warehouse Operations Notification submittal</li> </ul>	<ul style="list-style-type: none"> <li>• Development of Phase 1.2 – Warehouse Operations Notification evaluation</li> </ul>
Telecommunications Services	Select vendor(s) to provide local, long distance, telemetry, internet, cellular services, and phone system maintenance for a three-year period	\$750,000	<ul style="list-style-type: none"> <li>• RFP released September 3, 2021</li> </ul>	<ul style="list-style-type: none"> <li>• Request Board Approval December 3, 2021</li> <li>• Execute contract(s) January 31, 2022</li> </ul>

<b>Project</b>	<b>Brief Description</b>	<b>Estimated Project Cost</b>	<b>Completed Actions</b>	<b>Upcoming Milestones</b>
CLASS Database Software Licensing	Purchase Actian Ingres database software licensing, support and maintenance for the CLASS system for one-year period (November 30, 2021 through November 30, 2022)	\$280,000		<ul style="list-style-type: none"> <li>• Request Board Approval October 1, 2021</li> <li>• Execute contract(s) November 30, 2021</li> </ul>
Office 365 License Renewal	Acquire Office 365 Enterprise Agreement license renewal	\$350,000	<ul style="list-style-type: none"> <li>• Board approved Purchase September 3, 2021</li> </ul>	<ul style="list-style-type: none"> <li>• Execute contract(s) January 31, 2022</li> </ul>
Prequalified Vendors to Provide Computer, Network, Printer, Hardware and Software, and Audio Visual Equipment	Establish list of prequalified vendors to provide computer, network, printer hardware and software, and to purchase desktop computer hardware upgrades	\$400,000		<ul style="list-style-type: none"> <li>• Release RFQ November 5, 2021</li> <li>• Request Board Approval February 4, 2022</li> </ul>
AB 2766 – Motor Vehicle Subvention Program	Development of a web application reporting portal for AB 2766 Program	\$81,655	<ul style="list-style-type: none"> <li>• Draft Charter Document issued</li> <li>• Project Initiation completed</li> <li>• Task order issued</li> </ul>	<ul style="list-style-type: none"> <li>• Project Planning phase</li> </ul>

<b>Project</b>	<b>Brief Description</b>	<b>Estimated Project Cost</b>	<b>Completed Actions</b>	<b>Upcoming Milestones</b>
RYR-OSS API Integration	Development of integration API for RYR and third-party applications	\$115,026	<ul style="list-style-type: none"> <li>• Draft Charter Document issued</li> <li>• Project Initiation completed</li> <li>• Task order issued</li> </ul>	<ul style="list-style-type: none"> <li>• Phase 1 Sprint 1 – Security Portal Enhancement</li> <li>• Phase 2 Sprint 2 - RYR WCF Service endpoints</li> <li>• Phase 3 Sprint 4 – Creating .net core web API</li> <li>• Phase 3 Sprint 5 – end to end testing</li> </ul>

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

**Completed Projects**

Project	Date Completed
Warehouse Operations Notification Online Submittal Portal	August 6, 2021
Lawn and Garden Battery Incentive Program	August 5, 2021
Renewal of OnBase Software Support	July 15, 2021
FIND Map Search	June 30, 2021
Office 365 Implementation	May 30, 2021
CAPES (Clean Air Program for Elementary Students website	May 14, 2021
Renewal of HP Server Maintenance & Support	April 30, 2021
FIND enhancement to include Rule 222 equipment	April 14, 2021
Prop 1B Internal Evaluation Module	April 09, 2021
Lower Emission School Bus Internal Evaluation Module	April 09, 2021
Replace Your Ride Fund Management and Finance Integration	March 20, 2021
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

BOARD MEETING DATE: October 1, 2021

AGENDA NO. 16

PROPOSAL: 2021 Annual Progress Report for AB 617 Community Emissions Reduction Plans

SYNOPSIS: This report summarizes the results and actions taken from September 2019 to June 2021 to further reduce emissions in AB 617 communities designated in 2018 and 2019.

COMMITTEE: Stationary Source, September 17, 2021, Reviewed

RECOMMENDED ACTION:  
Receive and file.

Wayne Natri  
Executive Officer

SR:DG:DT:RD

---

### **Background**

Assembly Bill (AB) 617 was signed into law in July 2017, requiring new community-focused and community-driven action to reduce air pollution and improve public health in communities experiencing disproportionate burdens from exposure to air pollutants. South Coast AQMD Board recommended communities for the AB 617 Program to the CARB. CARB selected communities across the state for the AB 617 Program and selected three communities for the first year (referred to as 2018-designated communities) of the AB 617 Program and two additional communities in the second year (referred to as 2019-designated communities). These communities include:

#### *2018-designated AB 617 Communities*

- East Los Angeles, Boyle Heights, West Commerce (ELABHWC)
- San Bernardino, Muscoy (SBM)
- Wilmington, Carson, West Long Beach (WCWLB)

#### *2019-designated AB 617 Communities*

- Eastern Coachella Valley (ECV)
- Southeast Los Angeles (SELA)

Each AB 617 community established a Community Steering Committee (CSC) to develop a Community Emission Reduction Plan (CERP) that addresses the community's top air quality priorities through actions and goals to achieve emissions and exposure reductions. Following the development of the CERPs, the South Coast AQMD Board adopted the 2018-designated communities' CERPs on September 6, 2019, and the 2019-designated communities' CERPs on December 4, 2020. Additionally, the ECV CERP was adopted with a resolution for staff to continue working with the ECV CSC to add details to the ECV CERP. Therefore, on June 4, 2021, the South Coast AQMD Board amended the ECV CERP to incorporate additional details on pesticides and other air quality concerns raised by the CSC.

The CARB Board approved the CERPs for the 2018-designated communities on September 10, 2020, and the 2019-designated SELA community on May 20, 2021. The CARB Board will consider approval of the ECV CERP in September 2021.

The CERPs identify actions to reduce emissions and exposures to criteria air pollutants and toxic air contaminants in each community. Additionally, South Coast AQMD developed Community Air Monitoring Plans (CAMPs) that provided details about the air monitoring efforts in these communities and supplement the actions, goals, and strategies in the CERPs.

AB 617 and the CARB Community Air Protection Blueprint require air districts to prepare annual progress reports summarizing the results of implementing the CERPs.<sup>1, 2</sup> The attached report is based on the CARB Community Air Protection Blueprint Guidelines. It summarizes CERP implementation progress in 2018-designated and 2019-designated AB 617 communities in South Coast AQMD from September 6, 2019 to June 30, 2021. This report covers information on incentive funds distributed in the communities from January 1, 2019 to June 30, 2021, and air monitoring activities initiated by staff since June 2019. This report also summarizes the status (e.g., implementation milestones and completed elements) of the actions, goals and strategies implemented during the reporting periods above.

### **Public Process**

The Annual Progress Report was released for a public comment period between August 25, 2021 to September 1, 2021. The following table summarizes the comments received related to the Annual Progress Report.

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<sup>1</sup> Health and Safety Code Section 44391.2 (C)(7)

<sup>2</sup> California Air Resources Board "Community Air Protection Blueprint", 2018, <https://ww2.arb.ca.gov/capp-blueprint>.

General CSC Comments	Staff Response
<p>CSC members should have an opportunity to provide input on metrics for tracking the progress of CERP implementation.</p>	<p>Revisions to the key plan adjustments section of the 2021 Annual Progress Report commit staff to gather CSC input on tracking CERP implementation progress in advance of developing future annual progress reports.</p>
<p>Provide clarification on:</p> <ul style="list-style-type: none"> <li>a) methodology used to calculate emissions reductions related to mobile source incentive projects</li> <li>b) mobile air monitoring</li> <li>c) status of the list of low-VOC drought tolerant trees</li> <li>d) variation in baseline emissions between communities</li> <li>e) incentive funding sources</li> <li>f) community outreach conducted</li> </ul>	<ul style="list-style-type: none"> <li>a) The methodology to calculate emissions reductions from mobile source incentives is clarified in the “Emission Reductions Achieved Through June 2021.” The emission reductions presented in this report reflect the total anticipated emission reductions from allocated mobile source incentives.</li> <li>b) Mobile air monitoring is explained in the “Air Monitoring” section of the report.</li> <li>c) The list of low-VOC drought-tolerant trees is in development with collaborative partners. CARB’s AB 617 Annual Progress Reporting templates will be posted to the AB 617 web page by October 1, 2021 including details on this action’s status and others.</li> <li>d) Clarification on the variation in baseline emissions between communities is in the “Baseline Emissions” section of the report.</li> <li>e) The incentive funding sources are from Year 1, Year 2, and Year 3 Community Air Protection Program (CAPP) funds.</li> <li>f) Details on community outreach efforts during CERP implementation are in the “Outreach” section of the report.</li> </ul>
<p>Provide a detailed status update of all actions (e.g., monitoring), goals, and strategies in the ECV CERP.</p>	<p>CARB’s AB 617 Annual Progress Reporting templates will be posted on the AB 617 Webpage by October 1, 2021, that details the status of the CERP actions, goals, and strategies.</p>
<p>Provide a comprehensive review of rules and regulations in the “Rules and Regulation” section of the report.</p>	<p>The rules and regulation section of the report highlights rulemaking commitments in the CERP. Further, staff</p>

	will continue to work with the CSC to review rules and regulations upon CSC requests. Rules 403 – Fugitive Dust, 403.1 – Supplemental Fugitive Dust Requirements for Coachella Valley Sources, and Rule 444 – Open Burning have been reviewed with the ECV CSC.
Add a next steps and deadlines section to “Key CERP Implementation Highlights” (Figures 4-8) for each community.	The report captures highlights that have occurred in the reporting timeframe. The next steps and timelines are addressed in each of the CERPs and CSC meetings.
Provide the reduction target for the Warehouse ISR and update emission reduction targets in the CERP to reflect additional rules passed.	A discussion on Warehouse ISR and the resulting emission reductions are on page 15 of the report. Future annual progress reports will include emission reductions, where quantifiable, resulting from the actions in the CERPs.

Additional comments were received that are unrelated to the annual report (e.g., suggestions for future CERP implementation). Staff is meeting with the commenters to address these comments.

Staff will annually update the report when new information becomes available, including the community profile of each AB 617 community, metrics for tracking progress, qualitative assessments for CERP implementation, and key plan adjustments. In addition, the annual progress reports will continue to address the status of actions, goals and strategies for each CERP.

The attached report will be submitted to CARB in October 2021 and presented to the CARB Board to review and assess statewide AB 617 implementation in late 2021.

**Attachment**

2019 – 2021 Annual Progress Report for AB 617 Community Emissions Reduction Plans

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# DRAFT ANNUAL PROGRESS REPORT FOR AB 617 COMMUNITY EMISSIONS REDUCTION PLANS

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October 2021



South Coast Air Quality Management District

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
GOVERNING BOARD**

Chair: BEN J. BENOIT  
Mayor Pro Tem, Wildomar  
Cities of Riverside County

Vice Chair: VANESSA DELGADO  
Senate Rules Committee Appointee

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Supervisor, Fifth District  
County of Orange

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City of Los Angeles Representative

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Cities of Los Angeles County/Eastern Region

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Vice Mayor, City of Long Beach  
Cities of Los Angeles County/Western Region

CARLOS RODRIGUEZ  
Mayor Pro Tem, Yorba Linda  
Cities of Orange County

JANICE RUTHERFORD  
Supervisor, Second District  
County of San Bernardino

**EXECUTIVE OFFICER:**

WAYNE NASTRI

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## INTRODUCTION

Assembly Bill (AB) 617 was signed into law in July 2017, requiring new community-focused and community-driven action to reduce air pollution and improve public health in communities experiencing disproportionate burdens from exposure to air pollutants. The South Coast AQMD Governing Board recommends communities for the AB 617 program to the CARB Board. The CARB Board is responsible for selecting communities across the state for the AB 617 program. The CARB Board selected three communities in the first year (commonly referred to as 2018-designated communities) of the AB 617 program and two additional communities in the program's second year (commonly referred to as 2019-designated communities). These communities include:

### 2018-designated AB 617 Communities

- East Los Angeles, Boyle Heights, West Commerce (ELABHWC)
- San Bernardino, Muscoy (SBM)
- Wilmington, Carson, West Long Beach (WCWLB)

### 2019-designated AB 617 Communities

- Eastern Coachella Valley (ECV)
- Southeast Los Angeles (SELA)

Each AB 617 community established a Community Steering Committee (CSC) to develop a Community Emissions Reduction Plan (CERP) that addresses the community's top air quality priorities. Each CERP includes actions and goals to achieve emissions and exposure reductions. The South Coast AQMD Governing Board adopted a CERP for each 2018-designated community on September 6, 2019, and for each 2019-designated community on December 4, 2020. However, the South Coast AQMD Governing Board adopted a resolution for the ECV CERP that committed staff to continue working with the ECV CSC based on the community's request to amend the CERP with additional details for the CERP. The South Coast AQMD Governing Board adopted these details into the CERP on June 4, 2021.

The CARB Board approved the CERPs for the 2018-designated communities on September 10, 2020, and 2019-designated SELA community on May 20, 2021. The CARB Board is scheduled to consider approval of the ECV CERP in September 2021.

## BACKGROUND AND PURPOSE

AB 617 and the CARB Community Air Protection Blueprint<sup>1</sup> require air districts to prepare annual progress reports summarizing the results of CERP implementation.<sup>2</sup> This report summarizes the progress of CERP implementation for AB 617 communities in the South Coast AQMD from September 6, 2019, to June 30, 2021. Additionally, the report covers information on incentive

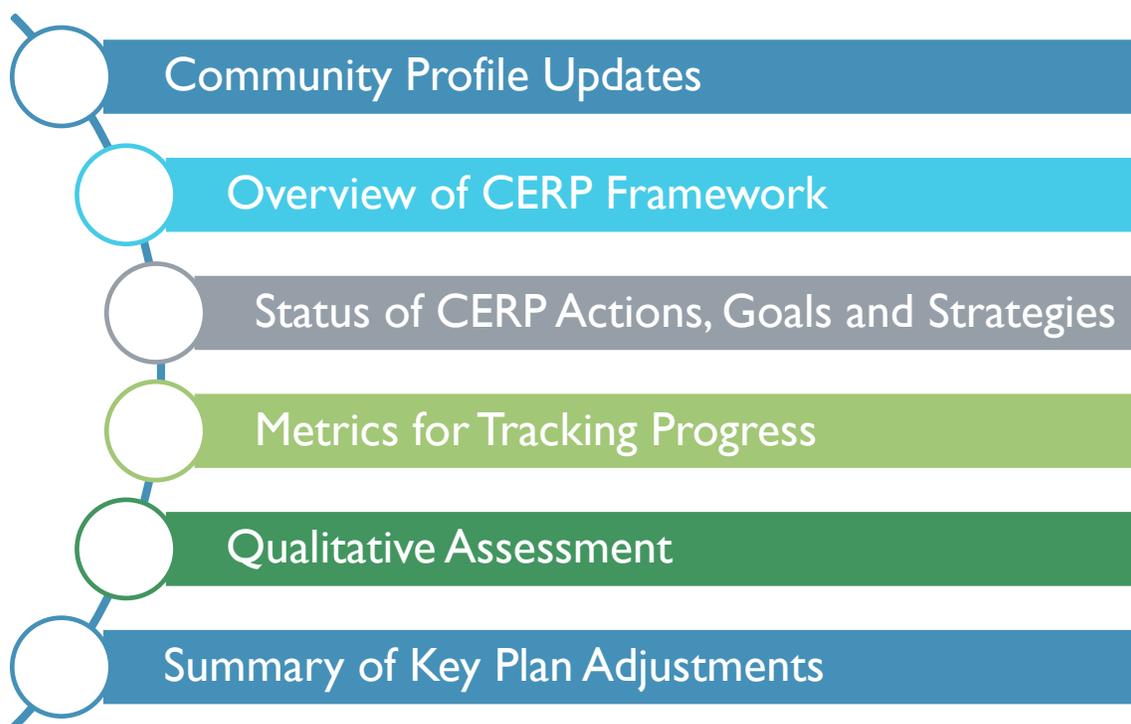
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<sup>1</sup> California Air Resources Board "Community Air Protection Blueprint", 2018, <https://ww2.arb.ca.gov/capp-blueprint>. Accessed August 3, 2021.

<sup>2</sup> Health and Safety Code Section 44391.2 (C)(7)

funds distributed in the communities from January 1, 2019, to June 30, 2021, and air monitoring activities initiated since June 2019. The CARB Community Air Protection Blueprint guidelines are the basis for this report. Figure 1 below summarizes the main components of these guidelines.

**Figure 1: Overview of CERP Annual Progress Report Requirements**



## COMMUNITY PROFILE UPDATES

Pollution sources and other factors, including public health data and socioeconomic factors, make up each AB 617 community profile. Specifically, data from CalEnviroScreen 3.0<sup>3</sup>, the Multiple Air Toxics Exposure Study (MATES) IV<sup>4</sup>, and SCAG inform the community profiles. Draft CalEnviroScreen 4.0<sup>5</sup> was released in February 2021, and MATES V<sup>6</sup> Final Report was released early August 2021. After the final CalEnviroScreen4.0 tool is released, South Coast AQMD staff will update the AB 617 community profiles to reflect the most up to date information from these sources.

<sup>3</sup> Office of Environmental Health Hazard Assessment (OEHHA) CalEnviroScreen 3.0, 2018, <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30>, Accessed August 20, 2021.

<sup>4</sup> South Coast AQMD, Multiple Air Toxics Exposure Study (MATES) IV, <http://www.aqmd.gov/home/air-quality/air-quality-studies/health-studies/mates-iv>, Accessed August 20, 2021.

<sup>5</sup> Office of Environmental Health Hazard Assessment (OEHHA) Draft CalEnviroScreen 4.0, 2018, <https://oehha.ca.gov/calenviroscreen/report/draft-calenviroscreen-40>, Accessed August 20, 2021.

<sup>6</sup> South Coast AQMD, Draft Multiple Air Toxics Exposure Study (MATES) V, <http://www.aqmd.gov/home/air-quality/air-quality-studies/health-studies/mates-v>, Accessed August 20, 2021.

## OVERVIEW OF CERP FRAMEWORK

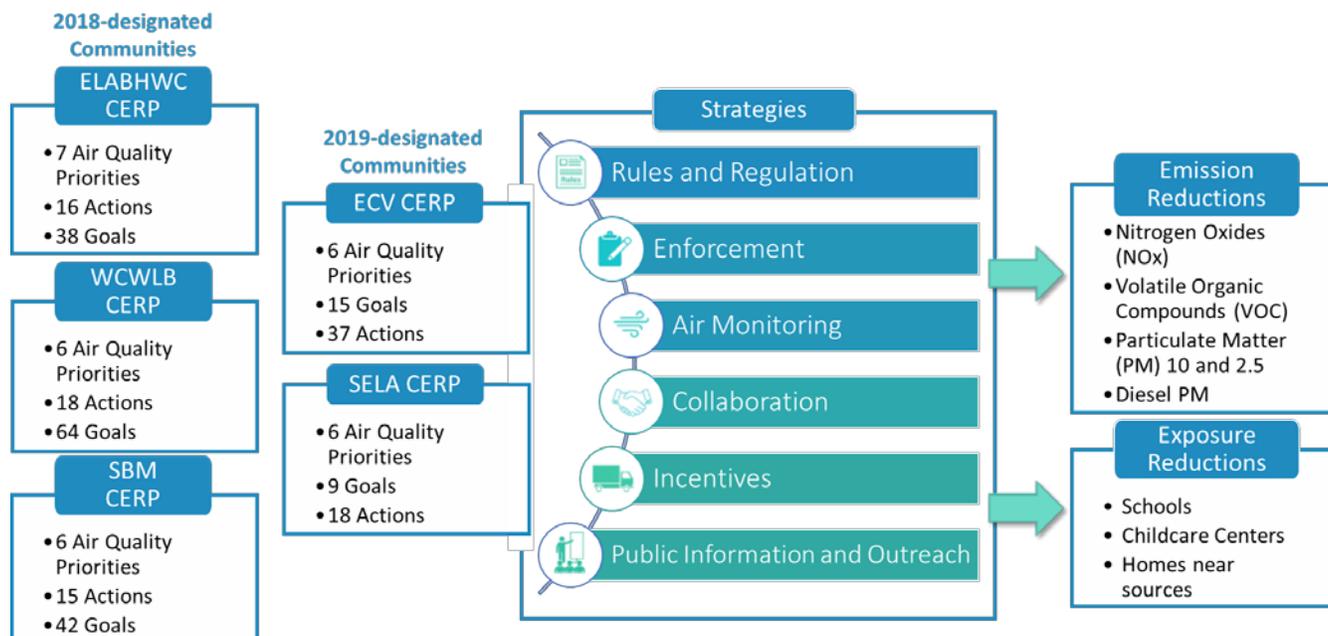
The air quality priorities for each AB 617 community were determined by the CSCs and identified in the CERPs. The air quality priorities for each community are in Figure 1 below.

**Figure 2: AB 617 Community Air Quality Priorities**

<i>2018-designated Communities</i>			<i>2019-designated Communities</i>	
<b>ELABHWC</b>	<b>WCWLB</b>	<b>SBM</b>	<b>ECV</b>	<b>SELA</b>
<ul style="list-style-type: none"> <li>• Neighborhood and Freeway Traffic</li> <li>• Railyards (On-site Emissions)</li> <li>• Metal Processing Facilities</li> <li>• Rendering Facilities</li> <li>• Auto Body Shops</li> <li>• Schools, Childcare Centers, Community Centers, Libraries, and Public Housing Projects</li> <li>• General Concerns about Industrial Facilities, including Waste Transfer Stations</li> </ul>	<ul style="list-style-type: none"> <li>• Refineries</li> <li>• Ports</li> <li>• Neighborhood Truck Traffic</li> <li>• Oil Drilling and Production</li> <li>• Railyards</li> <li>• Schools, Childcare Centers, and Homes</li> </ul>	<ul style="list-style-type: none"> <li>• Neighborhood Truck Traffic</li> <li>• Warehouses</li> <li>• Omnitrans</li> <li>• Railyards (On-site Emissions)</li> <li>• Concrete Batch, Asphalt Batch, and Rock and Aggregate Plants</li> <li>• Exposure Reduction at Schools, Childcare Centers, Community Centers, and Homes</li> </ul>	<ul style="list-style-type: none"> <li>• Salton Sea</li> <li>• Pesticides</li> <li>• Fugitive Road Dust and Off-Road</li> <li>• Open Burning and Illegal Dumping</li> <li>• Diesel Mobile Sources</li> <li>• Greenleaf Desert View Power Plant</li> </ul>	<ul style="list-style-type: none"> <li>• Truck Traffic and Freeways</li> <li>• Rendering Facilities</li> <li>• Green Spaces</li> <li>• Metals</li> <li>• Railyards and Locomotives</li> <li>• General Industrial Facilities</li> </ul>

To address these air quality priorities, each CSC developed a set of actions and goals to achieve emissions and exposure reductions. The actions and goals are implemented through six strategies, including rules and regulations, enforcement, air monitoring, collaboration, incentives, and public information and outreach. Figure 3 demonstrates the relationship between actions, goals, strategies, and emission and exposure reductions for each community.

**Figure 3: Overview of 2018-designated and 2019-designated Community Emissions Reduction Plans**



## STATUS OF CERP ACTIONS, GOALS AND STRATEGIES

As described in the background and purpose section above, this report summarizes the progress of CERP implementation in 2018-designated and 2019-designated AB 617 communities in the South Coast AQMD from September 6, 2019, to June 30, 2021. Additionally, the report covers information on incentive funds distributed in the communities from January 1, 2019, to June 30, 2021 and air monitoring activities initiated by staff from June 2019 to June 30, 2021. The Community Air Monitoring Plans (CAMPs) support the actions and goals in each respective CERP and are available at <http://www.aqmd.gov/nav/about/initiatives/community-efforts/environmental-justice/ab617-134/ab-617-community-air-monitoring#>. As part of the CARB Community Air Protection Blueprint, South Coast AQMD is required to provide to CARB a status update (e.g., implementation milestones and completed elements) of each community's CERP actions, goals, and strategies requiring implementation during the reporting periods identified above. CARB's AB 617 Annual Progress Reporting templates provide a complete status update of all actions, goals, and strategies for each community and will be posted to the respective AB 617 community webpages. The following sections provide a summary of these status updates. Since CERP implementation is an ongoing process, many actions are in the early steps of implementation. Therefore, the key highlights of CERP implementation in each community are presented in Figures 4 through 8 by CERP strategy: incentives, rules and regulations, outreach, air monitoring, enforcement, and collaboration.

**Figure 4– Key CERP Implementation Highlights for the ELABHWC Community****Incentives:**

- Approximately \$28.8 million was allocated for incentive projects (e.g., mobile source, air filtration and community-identified projects) through CARB's Community Air Protection Program (CAPP) Incentive Funds
- An estimated 48.8 tons per year (tpy) NOx, 0.6 tpy of PM, and more than 2 tpy of VOCs in emissions reductions
- CSC developed a school prioritization list based on CSC identified criteria for future air filtration system installations

**Rules and Regulations:**

- CARB Board adopted the Advanced Clean Truck Rule in June 2020
- South Coast AQMD Board adopted Rule 2305 – Warehouse Indirect Source Rule (ISR) in May 2021

**Outreach:**

- South Coast AQMD key recommendations incorporated into LA County's Draft Green Zones Ordinance
- Staff completed 26 Why Healthy Air Matters (WHAM) class presentations
- Staff initiated collaboration with AltaMed to conduct outreach to the community on reducing exposure to air pollution

**Monitoring:**

- Developed a map of metal processing facilities and provided it to the CSC in an Air Monitoring Status Update
- Ongoing mobile air monitoring measurements have been conducted since June 2019. Additional mobile air monitoring is being conducted by Aclima Inc.
- Development of a Community Air Monitoring Display tool that is available at <http://xappprod.aqmd.gov/AB617CommunityAirMonitoring/Home/Index/ELABHWC>

**Enforcement**

- Continued quarterly idling sweeps, totaling over 200 truck inspections
- Continued inspections were conducted at industrial/autobody, rendering, and metals facilities; some were informed by monitoring activities
- Conducted multiple inspections at rendering facilities, resulting in 10 Notices of Violation (NOV) that have since been resolved

**Collaboration**

- South Coast AQMD met with Los Angeles Department of Transportation (LADOT) and Los Angeles County Public Works to discuss truck routes and provide information that could help identify corridors to limit truck traffic

**Figure 5 – Key CERP Implementation Highlights for the WCWLB Community****Incentives:**

- Approximately \$80 million was allocated for incentive projects (e.g., mobile source projects, on-road infrastructure, school air filtration systems and community-identified projects) through CARB's Community Air Protection Program (CAPP) Incentive Funds
- An estimated 245.6 tpy NO<sub>x</sub>, 5.7 tpy of PM, and 9.3 tpy of VOCs in emissions reductions
- CSC developed a school prioritization list based on CSC identified criteria for future air filtration system installations

**Rules and Regulations:**

- CARB Board approved the Advanced Clean Truck Rule in June 2020
- CARB Board approved the Control Measure for Ocean-Going Vessels At-Berth (At-Berth Regulation) in August 2020
- South Coast AQMD Governing Board adopted Rule 2305 – Warehouse Indirect Source Rule (ISR) in May 2021

**Outreach:**

- Outreach to the Wilmington Neighborhood Council to provide an overview of truck idling enforcement and reporting air quality complaints
- Outreach to Carson High School as part of the Why Healthy Air Matters (WHAM) High School Education Program

**Monitoring:**

- Ongoing mobile air monitoring since June 2019 near refineries, railyard facilities, truck idling locations (identified by the community), oil wells, and at the ports to detect vessels and oil tanker leaks
- Development of a Community Air Monitoring Display tool that is available at <http://xapprod.aqmd.gov/AB617CommunityAirMonitoring/Home/Index/WCWLB>

**Enforcement**

- Investigations of oil wells, refineries, and petroleum tankers in the ports; some were informed by the monitoring activities above

**Collaboration**

- Collaboration with Long Beach Alliance for Children with Asthma (LBACA) to present asthma information and benefits of school air filtration systems to Long Beach Unified School District (LBUSD) Head Start staff and healthcare professionals, and Young Horizons Child Development Center staff

**Figure 6 – Key CERP Implementation Highlights for the SBM Community****Incentives:**

- Approximately \$22 million was allocated for incentive projects (e.g., mobile source projects, school air filtration systems and community-identified projects) through CARB's Community Air Protection Program (CAPP) Incentive Funds
- An estimated 80 tons per year (tpy) NO<sub>x</sub>, 1.3 tpy of PM, and 3.5 tpy of VOCs in emissions reductions
- CSC developed a school prioritization list based on CSC identified criteria for future air filtration system installations

**Rules and Regulations:**

- CARB Board adopted the Advanced Clean Truck Rule in June 2020
- South Coast AQMD Board adopted Rule 2305 – Warehouse Indirect Source Rule (ISR) in May 2021

**Outreach:**

- Staff completed 6 Why Healthy Air Matters (WHAM) class presentations, with 3 at San Bernardino High School and 3 at Arroyo Valley High School

**Monitoring:**

- Development of a Community Air Monitoring Display Tool that is available at <http://xappprod.aqmd.gov/AB617CommunityAirMonitoring/Home/Index/SBM>
- Mobile measurements conducted since June 2019, with additional mobile monitoring being conducted by Aclima Inc.
- 6 air quality sensors deployed at community-identified locations

**Enforcement**

- Continued quarterly idling sweeps, totaling over 140 inspections of idling trucks

**Collaboration**

- South Coast AQMD and CARB staff have been in collaboration to install "No Idling" signs in the community and conduct an Automated License Plate Recognition (ALPR) System pilot study

**Figure 7 – Key CERP Implementation Highlights for the ECV Community****Incentives:**

- Approximately \$30.2 million has been allocated for incentive projects (e.g., mobile source projects and community-identified projects) through CARB's Community Air Protection Program (CAPP) Incentive Funds
- An estimated 116.2 tons per year (tpy) NOX, 9.4 tpy of PM and 13.6 tpy of VOCs in emissions reductions

**Rules and Regulations:**

- CARB Board adopted the Advanced Clean Truck Rule in June 2020
- Continued enforcement of Rule 444 - Open Burning, including pre-burn inspections of all permitted fires

**Outreach:**

- The Department of Pesticides Regulation (DPR), in collaboration with U.S. EPA held a Pesticides Workshop on June 15-16, 2021, where South Coast AQMD staff presented
- Selected for the U.S. EPA State Environmental Justice Cooperative Agreement Program (SEJCA) grant to establish partnerships for air quality community training in ECV

**Monitoring:**

- 8 Monitoring Working Team (MWT) meetings have been held to discuss potential monitoring locations

**Collaboration**

- Initiated partnership with CARB, DPR, the Office of Environmental Health Hazard Assessment (OEHHA), and the Riverside County Agricultural Commissioner to address CSC concerns related to pesticides
- Pursued a collaborative partnership with the California Natural Resources Agency (CNRA) and the Imperial Irrigation District (IID) and provided comment on the Salton Sea Management Plan Draft Dust Suppression Action Plan to address concerns around the Salton Sea

**Figure 8 – Key CERP Implementation Highlights for the SELA Community****Incentives:**

- Approximately \$15.1 million was allocated for incentive projects (e.g., mobile source projects and community-identified projects) through CARB's Community Air Protection Program (CAPP) Incentive Funds
- An estimated 2.7 tons per year (tpy) NO<sub>x</sub>, 0.1 tpy of PM, and 0.01 tpy of VOCs in emissions reductions

**Rules and Regulations:**

- CARB Board adopted the Advanced Clean Truck Rule in June 2020
- South Coast AQMD Board adopted Rule 2305 – Warehouse Indirect Source Rule (ISR) in May 2021

**Outreach:**

- Worked with the CSC to identify approximately 10 local fleets and small businesses to provide information on incentive funding for zero-emission technology
- Provided information to the CSC and other interested parties on the Environmental Enhancement and Mitigation (EEM) Program Grant administered by the California Natural Resources Agency (CNRA)

**Monitoring:**

- Mobile measurements have been conducted near and around railyards and all identified rendering and metal processing facilities
- Mobile monitoring has been conducted on 10 different days throughout the community

**Enforcement**

- South Coast AQMD received 96 complaints for rendering facilities, resulting in facility inspections and 3 Notices of Violation (NOV)
- Continued inspections of metal processing facilities

**Collaboration**

- Initiated discussions to establish partnerships with land use, state and local agencies, and non-profit organizations (i.e., Altamed Consejo de Federaciones Mexicana (COFEM), Tree People, Gateway Cities Council of Governments (COG)) to develop a list of low-VOC, drought-tolerant trees

## Future CERP Implementation

The status updates within this report show the progress of each communities' actions required from CERP adoption to June 2021. The CERPs address the top air quality priorities in each of the designated communities over five years from adoption. In addition to the CERP actions expected to begin 3<sup>rd</sup> quarter 2021, many efforts in each of CERP are ongoing throughout CERP implementation (i.e., enforcement, incentives, outreach). Staff will provide an update on these actions in future Annual Progress Reports as CERP implementation continues.

## Metrics for Tracking Progress

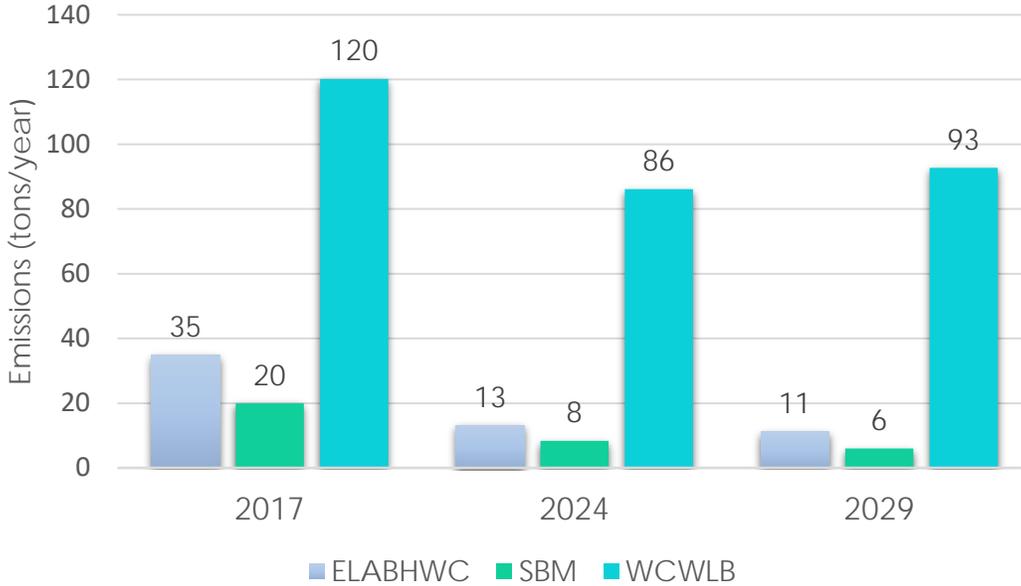
### Baseline Emissions

Per CARB guidance, the 2018-designated communities' CERP emissions baselines are 2017 and include milestone years 2024 and 2029, and the 2019-designated communities' CERP emissions baselines are 2018 and include milestone years 2025 and 2030. South Coast AQMD staff worked with CARB staff, the AB 617 Technical Advisory Group (TAG)<sup>7</sup>, and the CSCs to develop the baseline and forecasted emissions inventories for each milestone year. The baseline emissions in each AB 617 community may vary based on multiple factors, including the sources of air pollution (e.g., goods movement near the ports) and geographic extent (e.g., ECV Community Boundary is significantly larger than other AB 617 communities' boundaries). Thus, each CERP includes community-specific actions that address the local sources of air pollution (i.e., air quality priorities). While the sources of air pollution may differ, diesel particulate matter (DPM) is the largest contributor to toxic air contaminants in each community. Figures 9 and 10 show DPM emissions for the baseline and milestone years in each AB 617 community. These charts reflect emission reductions from rules already adopted prior to adoption of the CERPs and do not reflect any additional emission reductions that would result from the CERP actions. Additional baseline and milestone year emissions data for other pollutants are available in Chapter 5a of each CERP.

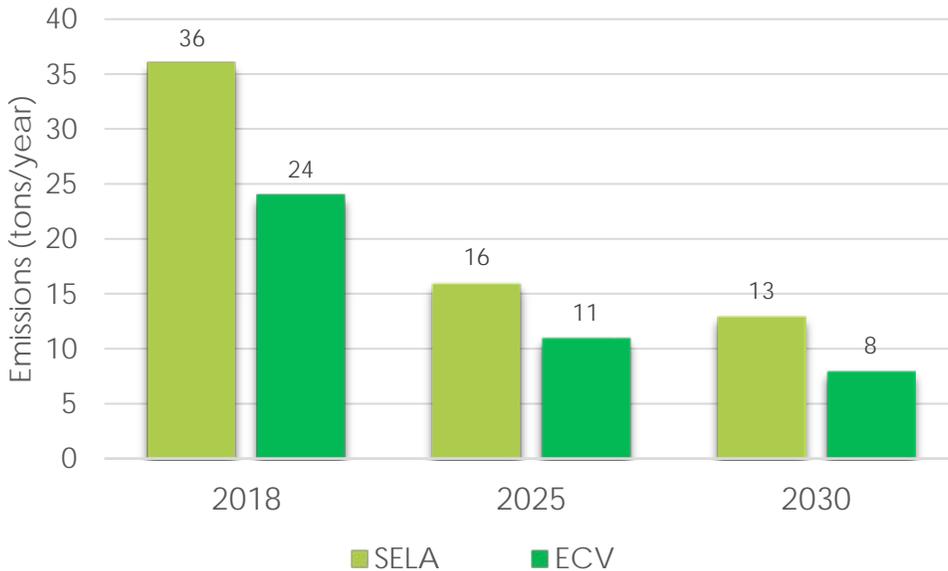
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<sup>7</sup> South Coast AQMD, Technical Advisory Group (TAG), <https://www.aqmd.gov/nav/about/initiatives/environmental-justice/ab617-134/technical-advisory-group>, Accessed August 20, 2021.

**Figure 9 – 2018-designated DPM Emissions by Community**



**Figure 10 – 2019-designated DPM Emissions by Community**



**Emission Reduction Targets**

The actions, goals, and strategies in the CERPs define a path to reduce air pollution from sources and provide additional protections at schools, childcare centers, and homes that reduce harmful air pollution exposure for the sensitive populations who spend time at these locations. In some instances, the actions, goals, and strategies reaffirm ongoing rule development efforts and provide new commitments for localized reductions, sharing emissions data, timelines, and other related information. Further, the actions, goals, and strategies in the CERPs prioritize emission

reductions and set forth emission reduction targets for the milestone years in each community. These emission reduction targets are summarized for 2018-designated and 2019-designated communities in Tables 1 and 2 below.

**Table 1 – Overview of 2018-designated Community Emissions Reduction Targets by 2024/2029\* (tons/year)**

AB 617 Community	NO <sub>x</sub>	SO <sub>x</sub>	VOC	DPM
ELABHWC	143/377	--	--	1.2/1.4
SBM	75.1/127.9	--	--	0.86/0.91
WCWLB <sup>8</sup>	606/3,207 <sup>9</sup>	--/11	21/64	9/20

\*Estimated emission reductions from regulations are subject to future assessments and regulatory analyses.

**Table 2 – Overview of 2019-designated Community Emissions Reduction Targets by 2025/2030\* (tons/year)**

AB 617 Community	NO <sub>x</sub>	DPM	PM10
ECV	54/115	1/2	--/2.4
SELA	155/297	1/3.5	--

\*Estimated emission reductions from regulations are subject to future assessments and regulatory analyses.

### Emission Reductions Achieved Through June 2021

The strategies (e.g., rules and regulations, enforcement, incentives, outreach) in the CERPs aim to achieve emission reductions. The total investments in mobile source incentives from January 2019 to June 30, 2021 and resulting emission reductions in the 2018-designated and 2019-designated AB 617 communities are provided in Table 3 – Mobile Source Incentives in 2018-

<sup>8</sup> Per CARB guidance, the emissions baseline was estimated for 2017, and milestone years 2024 and 2029.

However, the emission reductions for WCWLB in this table target a 2030 completion date, due to the complexity of the efforts. While the baseline emissions were not calculated for 2030, staff expect the emissions to be similar to the 2029 estimates.

<sup>9</sup> Based on maximum NO<sub>x</sub> emission reductions that may be reduced from Action 5 of WCWLB CERP Chapter 5b that is designed to achieve further reductions from refinery equipment through adoption of Proposed Rule 1109.1 – Refinery Equipment.

designated and 2019-designated AB 617 Communities, below. South Coast AQMD staff adheres to the Carl Moyer Program<sup>10</sup> and Prop 1B guidelines<sup>11</sup> for AB 617 project evaluations, including the methodology used to calculate emission reductions. Therefore, the emission reductions presented below reflect the total anticipated emission reductions from the allocated mobile source incentives. South Coast AQMD staff will provide updates on the progress of these and other reductions from other CERP strategies.

**Table 3 – Mobile Source Incentive Emission Reductions\* in 2018-designated and 2019-designated AB 617 Communities**

AB 617 Community	Total Incentives Distributed (millions of dollars)	NOX	PM	VOC
		tons per year		
<b>ELABHWC</b>	21	48.8	0.6	2.0
<b>SBM</b>	10	80	1.3	2.3
<b>WCWLB</b>	72.1	245.6	5.7	9.3
<b>ECV</b>	24.6	116.2	9.4	13.6
<b>SELA</b>	5.1	2.7	0.1	0.01

\*This table includes Year 1, Year 2, and Year 3 CAPP funds allocated to mobile source projects (including infrastructure projects). These reductions exclude community-identified projects.

Additional funding has been allocated to each community for community-identified projects (see Participatory Budgeting section below), which will result in additional emission or exposure reductions. Future progress reports will identify emission reductions achieved from community-identified projects. Some of the CERP emission reduction targets for the milestone year 2024 have been achieved (i.e., SBM, ECV) through the mobile source projects provided in Table 3. While this is a notable achievement of the CERP actions, the staff recognizes the need for additional emission reductions, given air pollution burdened on these communities. Therefore, staff will continue implementing the CERP actions to pursue additional emission reductions.

South Coast AQMD staff will continue to work with CARB staff, the AB 617 TAG, and CSCs to quantify future emission reductions achieved by the CERP. For example, CARB adopted the Advanced Clean Trucks Rule requiring truck manufacturers to transition from producing diesel trucks and vans to electric zero-emission trucks, including heavy-duty vehicles beginning in 2024. The Advanced Clean Trucks Rule is a strategy in the CERPs and accounted for in the emission reduction targets. Therefore, South Coast AQMD staff will work with CARB staff, the AB 617 TAG, and the CSC to quantify the emissions reductions from each CERP, based on the rule implementation schedule beginning in 2024. Similarly, some emission reductions have yet to be quantified at this time. For example, in May 2021, South Coast AQMD's Governing Board passed

<sup>10</sup> <http://www.aqmd.gov/home/programs/business/business-detail?title=heavy-duty-engines&parent=vehicle-engine-upgrades>. Accessed August 13, 2021.

<sup>11</sup> [http://www.aqmd.gov/home/programs/business/business-detail?title=goods-movement-emission-reduction-projects-\(prop-1b\)&parent=vehicle-engine-upgrades](http://www.aqmd.gov/home/programs/business/business-detail?title=goods-movement-emission-reduction-projects-(prop-1b)&parent=vehicle-engine-upgrades). Accessed August 13, 2021.

Rule 2305 – Warehouse ISR, which aims to reduce local and regional emissions of NO<sub>x</sub> and DPM associated with warehouses and mobile sources attracted to warehouses. Therefore, the emission reduction targets in the CERPs do not include emission reductions resulting from the Warehouse ISR; however, as rule implementation continues, staff will quantify, monitor, and track actions and investments of warehouses to quantify emission reductions.

Staff will continue to work with the CSCs and the TAG to refine emission reduction targets and provide information about community-level exposures to ambient air toxics when new information becomes available from community air monitoring efforts. For example, continuous metals air monitoring at Resurrection Church in the ELABHWC community and pesticide sampling and screening in ECV will provide information about community levels of air toxics and help track ambient air toxics levels.

## Qualitative Assessment

As described above, this report summarizes the progress of CERP implementation in 2018-designated and 2019-designated AB 617 communities in the South Coast AQMD from CERP adoption to June 30, 2021. In addition, this section provides a qualitative assessment of the CERP strategies (e.g., enforcement and air monitoring) implemented during the reporting period.

### ***Incentives***

As mentioned earlier in the report incentive funds are one strategy to achieve emission reductions for numerous actions in the CERPs. The Community Air Protection Program (CAPP) incentive funds are used for mobile source projects (see Table 3) and community-identified projects. Requests must be made to CARB to disburse the CAPP funds and follow CAPP Incentive Guidelines.<sup>12</sup> Community-identified projects are projects supported by an adopted CERP (e.g., air filtration systems in schools). Staff worked with the CSC to identify projects and additional details.

South Coast AQMD staff submitted a disbursement request for CAPP incentive funds to CARB to install air filtration systems for each of the 2018-designated communities. CARB approved this disbursement request. In October 2020, CARB staff revised the CAPP Incentive Guidelines to include community-identified projects as an option to distribute CAPP incentive funds. Prior to this revision, CAPP incentive funds were allocated through existing program guidelines, including the Carl Moyer Program and Proposition 1B Program. South Coast AQMD staff held a CAPP Incentives Strategy Meeting on October 15, 2020, in which all AB 617 designated communities attended. Staff presented an overview of CAPP incentive funds, existing guidelines used to allocate those funds, and solicited input from the CSCs on allocating future CAPP incentive funding. As a result, the remaining available Year 3 CAPP incentive funds were distributed among the communities based on CSC input and past investments.

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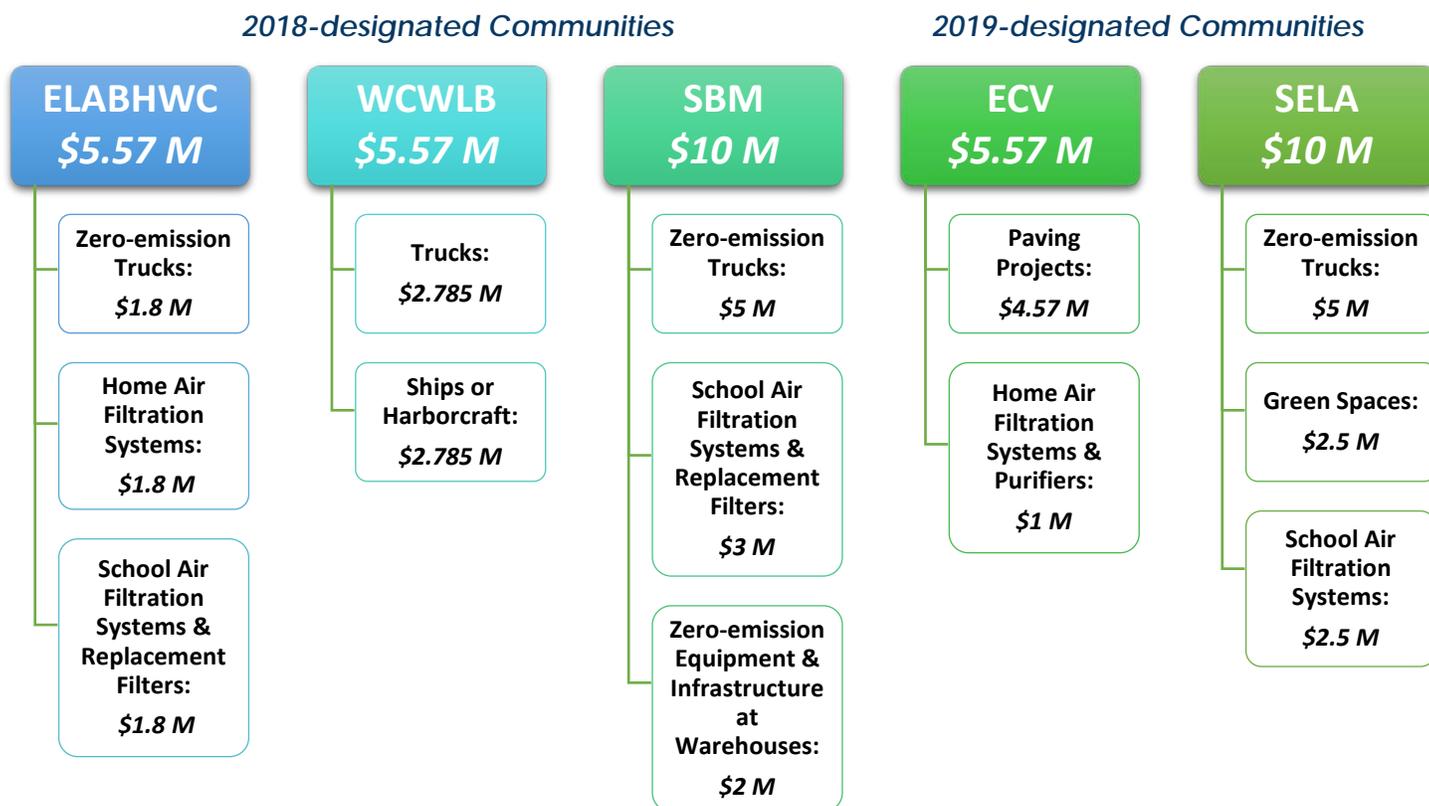
<sup>12</sup> CARB, Community Air Protection Incentives, <https://ww2.arb.ca.gov/our-work/programs/community-air-protection-incentives>, Accessed August 21, 2021.

Further, staff conducted community-specific participatory budgeting workshops to allow more CSC-led fund distribution of the remaining available Year 3 CAPP incentive funds (~\$37 million). Staff conducted multiple workshops in each community between December 2020 and April 2021 to prioritize community-identified projects and the funding levels for each project type. On April 29, 2021, South Coast AQMD staff submitted another disbursement request for Year 3 CAPP incentive funds to CARB for community-identified project categories in each of the 2018-designated and 2019-designated AB 617 communities. CARB approved this disbursement request. Staff will continue to work with the CSC and the appropriate entities to implement eligible community-identified projects in each community. A detailed breakdown of the Year 3 CAPP Incentive Fund distribution, along with a brief overview of participatory budgeting, is below.

### ***Participatory Budgeting***

During the incentives budgeting workshops mentioned above, staff gathered CSC input for community-identified projects. Staff presented information on eligible project types from actions in the CERPs, including the average cost based on past projects, expected emission reductions, and the difficulty of implementing those projects. Staff also surveyed the communities to identify the top priorities for community-identified projects and determine the distribution of remaining CAPP funds to each project type. Figure 11 – Community-Identified Projects Selected for AB 617 Communities shows the budgets allocated for each community and the community-identified projects prioritized by the CSCs.

**Figure 11 – Community-Identified Projects Selected for AB 617 Communities**



**Additional Funding Programs and Projects**

CARB’s Air Grants Program<sup>13</sup> and supplemental environmental projects<sup>14</sup> (SEPs) can provide funding to support CERP implementation. The Air Grants Program supports community-based organizations to participate and build capacity to become active partners in the AB 617 process. Several community-based organizations in the South Coast AQMD 2018-designated and 2019-designated AB 617 communities are awardees of the Air Grants Program. SEPs fund community-based projects from a portion of the penalties received during the settlement of enforcement actions.

- Air Grant Program awardees and summary of projects can be found here: <https://ww2.arb.ca.gov/our-work/programs/community-air-protection-program/community-air-grants/proposed-awardees>.

<sup>13</sup> CARB Community Air Grants: Proposed Awardees. <https://ww2.arb.ca.gov/our-work/programs/community-air-protection-program/community-air-grants/proposed-awardees>. Accessed August 14, 2020.

<sup>14</sup> CARB Supplemental Environmental Projects (SEPs). <https://ww2.arb.ca.gov/our-work/programs/supplemental-environmental-projects-seps/about>. Accessed September 1, 2020.

- SEPs that are currently being funded and implemented and/or completed can be found here: <https://ww2.arb.ca.gov/our-work/programs/supplemental-environmental-projects-seps/supplemental-environmental-project-sep-1>.

### **Enforcement**

The South Coast AQMD Office of Compliance and Enforcement (OCE) staff has made progress in conducting field activities and taking enforcement action. Field activities include community specific CERP actions, such as truck idling sweeps, complaint responses, evaluating and addressing notifications (e.g., equipment breakdowns or flaring), facility inspections, surveillance operations, and other daily functions carried out by OCE staff. Field activities may also consist of follow-up investigations when community air monitoring shows exceedances of a given pollutant.

Enforcement highlights for each community and a full status update for all CERP actions, goals, and strategies are presented earlier in this report. As an example of field activities, the results of truck idling sweeps in applicable AB 617 communities are in Table 4.

**Table 4 – Idling Truck Sweeps Conducted within 2018-designated and 2019-designated AB 617 Communities<sup>15</sup>**

Inspection Date	Number of Trucks Inspected	Certified Clean Idle Stickers	Notice of Violation
<b>ELABHWC</b>			
10/17/2019	24	0	0
10/18/2019	11	0	0
2/25/2020	17	10	1
5/19/2020	62	36	0
8/5/2020	39	16	0
11/3/2020	21	16	0
2/9/2021	17	4	0
5/4/2021	27	13	0
<b>SBM</b>			
9/26/2019	24	0	2
11/10/2019	11	7	0
3/31/2020	8	2	0
6/4/2020	18	16	0
12/3/2021	11	10	0
12/4/2021	5	4	0
3/24/2021	6	5	0
6/16/2021	11	10	0
<b>WCWLB</b>			

<sup>15</sup> Truck idling inspection locations were selected based on complaints received, CARB data sources, and locations prioritized by each respective CSC during the truck idling location prioritization activities conducted in October 2019.

Inspection Date	Number of Trucks Inspected	Certified Clean Idle Stickers	Notice of Violation
9/26/2019	75	2	0
1/28/2020	59	40	0
2/4/2020	0	0	0
4/29/2020	85	65	4
7/16/2020	43	21	0
9/2/2020	0	0	0
10/20/2020	65	32	0
2/3/2021	104	78	0
4/30/2021	74	45	3
<b>Totals:</b>	<b>817</b>	<b>432</b>	<b>10</b>

### ***Air Monitoring***

Air Monitoring is being conducted as outlined in the CAMPs for each of the AB 617 communities. The locations and types of pollutants monitored are unique to each community and determined through collaboration with the CSCs and guided by the CAMPs. Data collected from air monitoring provides valuable information about air pollution sources, types of pollutants, and air quality impacts in AB 617 communities. As an example, South Coast AQMD conducts mobile air monitoring in the communities. Mobile air monitoring uses specialized equipment to measure the ambient concentration of pollutants (e.g., gaseous) ideal for these communities because they survey a large area in a short period and identify air pollution hotspots. Monitoring data resulting from the implementation of the CAMPs also supports CERP implementation, such as enforcement activities (e.g., follow-up investigations, inspections).

To keep CSCs informed of monitoring conducted for the CAMPs and CERPs, South Coast AQMD staff developed interactive maps for each community that tracks the progress of monitoring activities. The interactive maps are available on the AB 617 community air monitoring webpages listed below.

- ELABHWC – <http://www.aqmd.gov/ab617/monitoring/elabhwc>
- SBM – <http://www.aqmd.gov/ab617/monitoring/sbm>
- WCWLB – <http://www.aqmd.gov/ab617/monitoring/wcwlb>
- ECV – <http://www.aqmd.gov/nav/about/initiatives/environmental-justice/ab617-134/ab-617-community-air-monitoring/communities/eastern-coachella-valley-community-air-monitoring>
- SELA – <http://www.aqmd.gov/ab617/monitoring/sela>

Additionally, South Coast AQMD staff created an Air Monitoring Data Display tool for the public to view monitoring data collected at the community level for each AB 617 community. The Air

Monitoring Data Display is available at  
<http://xappprod.agmd.gov/AB617CommunityAirMonitoring/Home>.

***Rules and Regulations***

Many of the CERPs also include a regulatory strategy to achieve emission reductions for mobile and stationary sources. Table 5 – Status of Rules Required to be Considered for CERPs from September 6, 2019, to June 30, 2021, provides a status update of rules that are identified in the CERPs as part of the strategy to achieve emission reduction targets.

**Table 5 – Status of Rules Required to be Considered for CERPs from  
September 6, 2019, to June 30, 2021**

Regulation	Purpose	Agency	AB 617 Community	Expected Public Hearing Date	Updated Public Hearing Date	Status of Development
Control Measure for Ocean-Going Vessels At-Berth (At-Berth Regulation)	The proposed regulation would take effect in 2021 and is designed to achieve further emissions from vessels at berth to reduce adverse health impacts to communities surrounding ports and terminals throughout California.	CARB	WCWLB	December 2019	8/27/2020	Regulation was approved by CARB's Board.
Advanced Clean Truck Regulation	This regulation is a requirement for truck manufacturers to sell zero-emission trucks in California and a one-time requirement for large entities to report about their facilities, types of truck services used, and fleet of vehicles.	CARB	ELABHWC, SBM, WCWLB, SELA	Early 2020	6/25/2020	Regulation was approved by CARB's Board.
Rule 2305 - Warehouse Indirect Source Rule (ISR) - Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program	This rule establishes a new regulatory program applicable to warehouses greater than 100,000 square feet. This rule provides a menu of potential compliance options for industry.	South Coast AQMD	ELABHWC, SBM, WCWLB, SELA	December 2020	May 2021	Rule 2305 was adopted by the South Coast AQMD Governing Board on May 7, 2021.

Regulation	Purpose	Agency	AB 617 Community	Expected Public Hearing Date	Updated Public Hearing Date	Status of Development
Railyard Indirect Source Rule (ISR)	Proposed Rule 2306 – ISR for New Intermodal Facilities would reduce regional and local emissions from new intermodal facilities by requiring the cleanest technologies feasible, including infrastructure to support zero- emission technologies and other measures that minimize air quality and public health impacts, consistent with the 2016 AQMP and the AB 617 Program	South Coast AQMD	ELABHWC, SBM, WCWLB, SELA	December 2020	December 2021	The public hearing dates have been delayed allowing more time to work with stakeholders and to incorporate modifications to the rulemaking process.
Memorandum of Understanding (MOU) for Marine Ports	Following Board’s direction, staff has been pursuing a MOU with the Ports based on the San Pedro Bay Ports Clean Air Action Plan (CAAP) measures.	South Coast AQMD	WCWLB	December 2019	TBD	The Ports MOU is under development and will be based on the CAAP measures.
Proposed Rule 1109.1 – Emissions of Oxides of Nitrogen from Petroleum Refineries and Related Operations	The purpose of this rule is to reduce emissions of NOx, while not increasing carbon monoxide (CO) emissions, from units at petroleum refineries and facilities with related operations to petroleum refineries.	South Coast AQMD	WCWLB	December 2020	Fourth quarter 2021	Staff has conducted multiple working group meetings with various stakeholders since September 6, 2019. The expected Board date has been moved to fourth quarter 2021.

## Collaboration

Collaboration with other public agencies and community groups is key to implementing the CERPs. Highlights of South Coast AQMD collaboration with other public entities and community groups initiated during this reporting period are outlined below.

- Participatory budgeting workshops were held with all five AB 617 communities, prioritizing what types of community-identified projects should be funded, and how much funding each project type should receive
- South Coast AQMD and CARB staff have been working to coordinate the installation of “No Idling” signs in the ELABHWC, WCWLB, and SBM communities
- South Coast AQMD and CARB staff have been coordinating an Automated License Plate Recognition (ALPR)/Portable Emissions Acquisition System (PEAQS) pilot study in ELABHWC and an ALPR Pilot study in SBM
- Staff established a collaborative partnership with the California Natural Resources Agency (CNRA) and the Imperial Irrigation District (IID) and provided comment on the Salton Sea Management Plan Draft Dust Suppression Action Plan to address concerns around the Salton Sea in ECV
- Staff has begun partnering with CARB, the Department of Pesticide Regulation (DPR), the Office of Environmental Health Hazard Assessment (OEHHA), and the Riverside County Agricultural Commissioner to address the ECV CSC’s concerns related to pesticides
- South Coast AQMD was selected for the U.S. EPA State Environmental Justice Cooperative Agreement Grant Program to improve environmental literacy and air quality data in ECV in partnership with Twenty-Nine Palms Band of Mission Indians, Desert Healthcare District and Foundation, and Health Assessment and Research for Communities
- Staff initiated discussions with AltaMed and Council of Mexican Federations in North America (COFEM) to conduct community outreach on air quality health risk advisories and asthma risk reduction for the ELABHWC community
- Staff met separately with Los Angeles Department of Transportation (LADOT) and Los Angeles (LA) County Public Works to discuss truck routes and provide information that could help identify corridors for which to limit truck traffic for the ELABHWC community
- Recommendations were submitted to the LA County Department of Regional Planning on their Proposed Green Zones Ordinance to help reduce emissions and air pollution exposure in ELABHWC community
- Discussions were held with LA County Department of Regional Planning to help institute a permit cross-check program between both agencies in the ELABHWC community
- South Coast AQMD and Los Angeles County Department of Public Health began discussions to develop outreach material for various actions for the WCWLB and ELABHWC CERPs

- South Coast AQMD worked with the Long Beach Alliance for Children with Asthma (LBACA) to develop, plan, and present asthma related outreach that discussed asthma triggers, air quality impacts in the WCWLB community, and identified the benefits of air filtration systems at schools
- South Coast AQMD staff initiated discussions with CalTrans staff to work towards the designation of clean truck lanes on the Interstate (I) - 710 freeway for the SELA community. Staff also worked with the SELA CSC to identify further detail implementation measures for General Industrial air quality priority (e.g., conduct community outreach and training on South Coast AQMD's FIND tool and how to file air quality complaints)
- Staff initiated discussions to establish partnerships with land use, state and local agencies, and non-profit organizations (i.e., Altamed, COFEM, TreePeople, Gateway Cities Council of Governments (COG)) to develop a list of low-VOC, drought-tolerant trees for the SELA community

## Public Information and Outreach

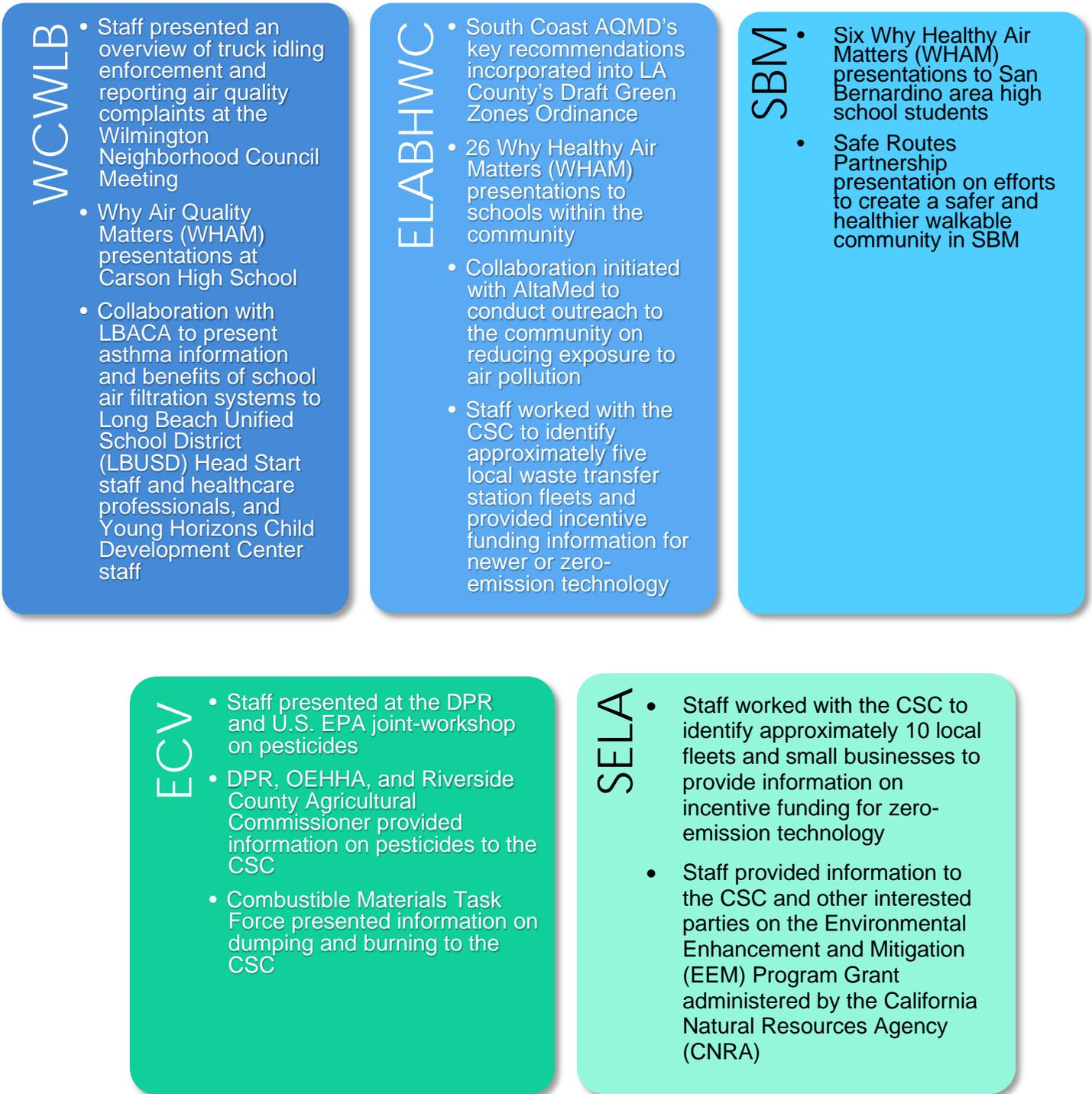
Public information and outreach have been a fundamental strategy utilized in the AB 617 program, from developing the CERPs to implementing them. In the CERP development phase for each community, staff provides an emissions inventory, sources of air pollution, and other relevant community information. These efforts were conducted in-person through community outreach events, in-community meetings with small groups and organizations, informational materials distributed in the community, and other platforms (e.g., phone, email, social media). Staff continues to conduct community outreach during CERP implementation through quarterly update CSC meetings, social media, email, phone calls. Since March 2020, South Coast AQMD outreach efforts have mostly transitioned to a virtual format in response to COVID-19 and related health orders. For example, in May of 2020, staff conducted outreach for Carl Moyer funding opportunities via webcast in place of public workshops in the community. Other examples include Why Healthy Air Matters (WHAM<sup>16</sup>) presentations that have continued virtually in each of the 2018-designated communities, which provide middle and high school students information on air quality issues. Despite the challenges of navigating a virtual environment, staff will continue to conduct public outreach, provide information as part of CERP implementation, and work with the CSCs to expand and strengthen AB 617 outreach efforts.

While most outreach efforts are ongoing, a list of key public outreach efforts conducted from September 6, 2019, to June 30, 2021, for CERP implementation is shown in Figure 12.

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<sup>16</sup> South Coast AQMD, Why Healthy Air Matters, <http://www.aqmd.gov/home/programs/education/wham>, Accessed August 22, 2021.

**Figure 12 – Key Public Outreach Efforts**



## SUMMARY OF KEY PLAN ADJUSTMENTS

During the development of the CERPs, staff worked with each CSC to develop actions, strategies, metrics, and timelines (e.g., expected start and completion). In some instances, adjustments to implementing the plan are necessary to address unforeseen circumstances. For example, staff adjusting outreach events to a virtual platform instead of in-person because COVID-19 restrictions limit in-person events or meetings. Below is a summary of key implementation adjustments to the CERPs.

- The implementation timelines written in the 2018-designated CERPs noted Rule 2305 – Warehouse ISR was scheduled to be considered for adoption by the South Coast AQMD’s Governing Board by early 2020; however, the rulemaking process experienced delays due to the COVID-19 pandemic. The purpose of the rule is to reduce local and regional emission reductions associated with warehouses larger than 100,000 square feet and the mobile sources attracted to them. Although delayed, South Coast AQMD staff continued to develop the rule which was adopted by the South Coast AQMD Governing Board on May 7<sup>th</sup>, 2021.
- The WCWLB, SBM, ELABHWC, and SELA CERPs include a regulatory strategy to develop an ISR to reduce air pollution from railyards. On the CERP implementation timeline, the Railyard ISR was scheduled to be considered by the South Coast AQMD Governing Board by December 2020. The public hearing dates have been delayed allowing more time to work with stakeholders and to incorporate modifications to the rulemaking process. The proposed Railyard ISR is currently scheduled for consideration by the Governing Board in the fourth quarter of 2021 and working group meetings are ongoing. South Coast AQMD staff continues to work with stakeholders (i.e., rail yard operators, communities, etc.) on proposed concepts for the Railyard ISR.
- The WCWLB CERP includes an action to bring Proposed Rule (PR) 1109.1 - Emissions of Oxides of Nitrogen from Petroleum Refineries and Related Operations to the South Coast AQMD Governing Board for consideration in 2020. The expected date for board consideration of PR 1109.1 has been delayed to the fourth quarter of 2021. Updates to the status of PR 1109.1 will be provided in future progress reports.
- Developing detailed implementation measures for the general industrial air quality priority in the SELA CERP
- Each of the CERPs use public information and outreach to address certain air quality priorities. Due to the COVID-19 pandemic and restrictions, some outreach efforts may be delayed. Staff has used a virtual platform for outreach efforts, when possible, to continue to implement the CERP actions.

South Coast AQMD staff is committed to continuing to complete the actions as outlined in the CERPs and providing updates to the CSC throughout CERP implementations. Future annual progress reports will continue to summarize the key implementation adjustments, as needed. Additionally, South Coast AQMD staff is committed to working with the CSC to identify and

evaluate metrics for tracking the progress of CERP implementation in future annual progress reports. Staff will share these metrics with the CSC in advance of the development of future progress reports.

# Budget and Economic Outlook Update

Board Meeting

October 1, 2021



# Presentation Topics

- Economic Indicators
- South Coast AQMD Metrics and Economic Implications
- Summary Charts

# Summary of Metrics – Monthly

Metric			
<b>State Economic Indicators</b>	<b>August 2020</b>	<b>August 2021</b>	<b>Notes</b>
<i>Statewide Refinery Activity (Million Barrels Crude Oil Input)</i>	36.6	41.1	
<i>Port TEU Throughput (Million TEUs)</i>	1.7	1.8	
<i>Statewide Unemployment</i>	12.3 %	7.5 %	
<b>South Coast AQMD</b>	<b>September 2020</b>	<b>September 2021</b>	
<i>Revenue</i>	\$12.3 million	\$9.9 million	(Sept 2021 Preliminary)
<i>Expenditures</i>	\$11.2 million	\$16.5 million	(Sept 2021 Preliminary)
<i>Vacancy Rate</i>	16.3 %	18.1 %	
<i>Permit Applications Received</i>	704	393	(Sept 2021 Preliminary)
<i>Expired or Potentially Expired Permits</i>	89	539	

# Summary of Metrics – Fiscal Year to Date

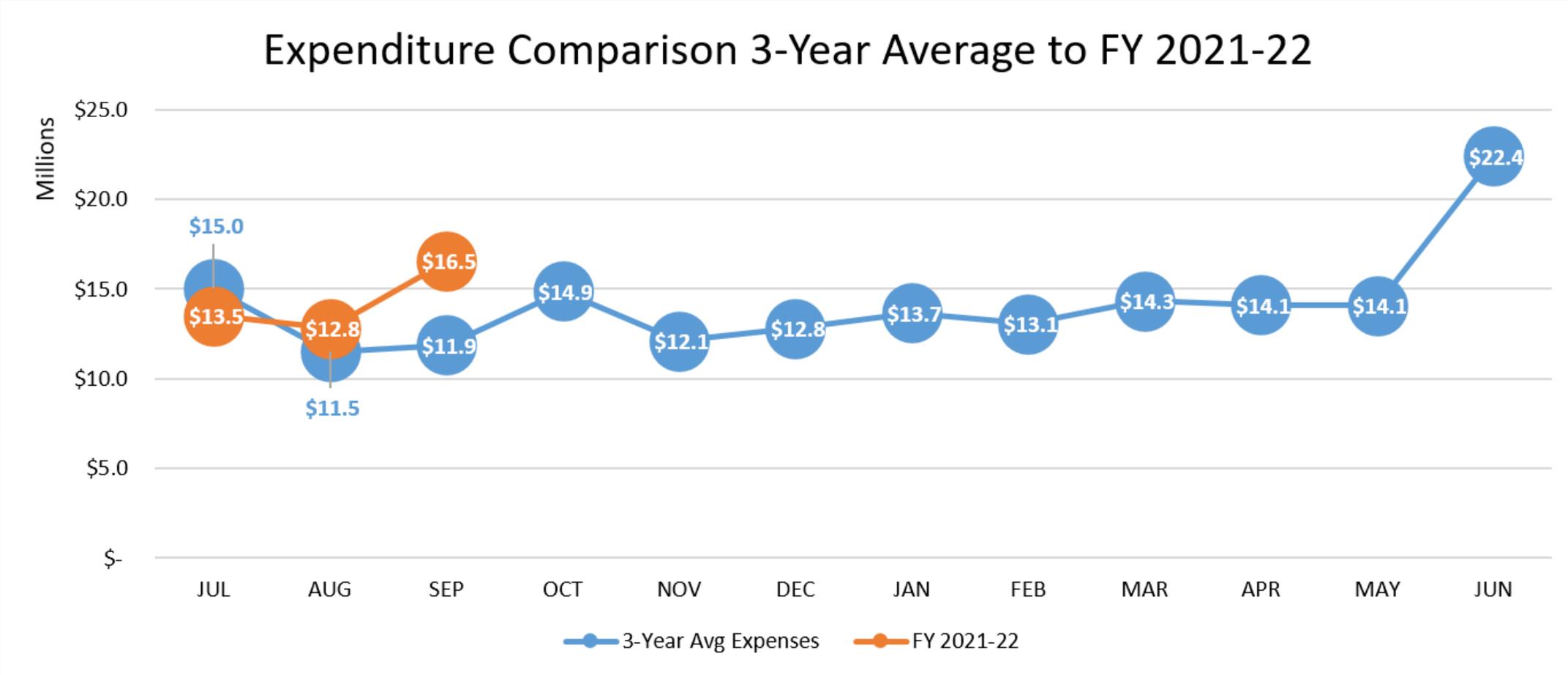
Metric			
<b>State Economic Indicators</b>	<b>Sept 2019 – Aug 2020</b>	<b>Sept 2020 – Aug 2021</b>	<b>Notes</b>
<i>Statewide Refinery Activity (Million Barrels Crude Oil Input)</i>	524	492	
<i>Port TEU Throughput (Million TEUs)</i>	16.2	20.5	
<b>South Coast AQMD</b>	<b>July –Sept 2020</b>	<b>July – Sept 2021</b>	
<i>Revenue</i>	\$50.8 million	\$49.7 million	(Sept 2021 Preliminary)
<i>Expenditures</i>	\$42.1 million	\$42.8 million	(Sept 2021 Preliminary)
<i>Permit Applications Received</i>	1,566	1,321	(Sept 2021 Preliminary)
<i>Expired or Potentially Expired Permits</i>	220	712	1 year to reinstate

# Revenue

## Revenue Comparison 3-Year Average to FY 2021-22



# Expenditures

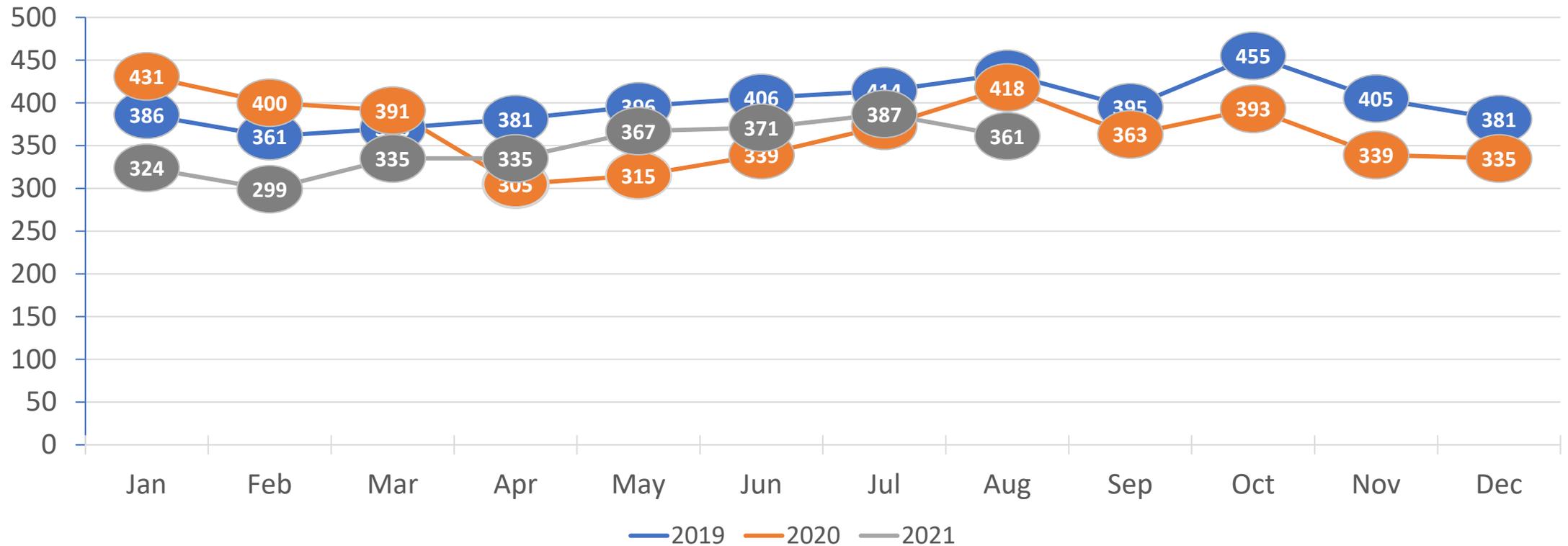


# Staffing Levels as of Sept 28, 2021

- 959 budgeted FTEs
- 174 vacant positions
- 785 filled positions
- 18.1 % vacancy rate
  - New inspectors and engineers starting soon
  - Will bring vacancy rate close to 15 %
  - Additional positions being filled

# Emission Trends

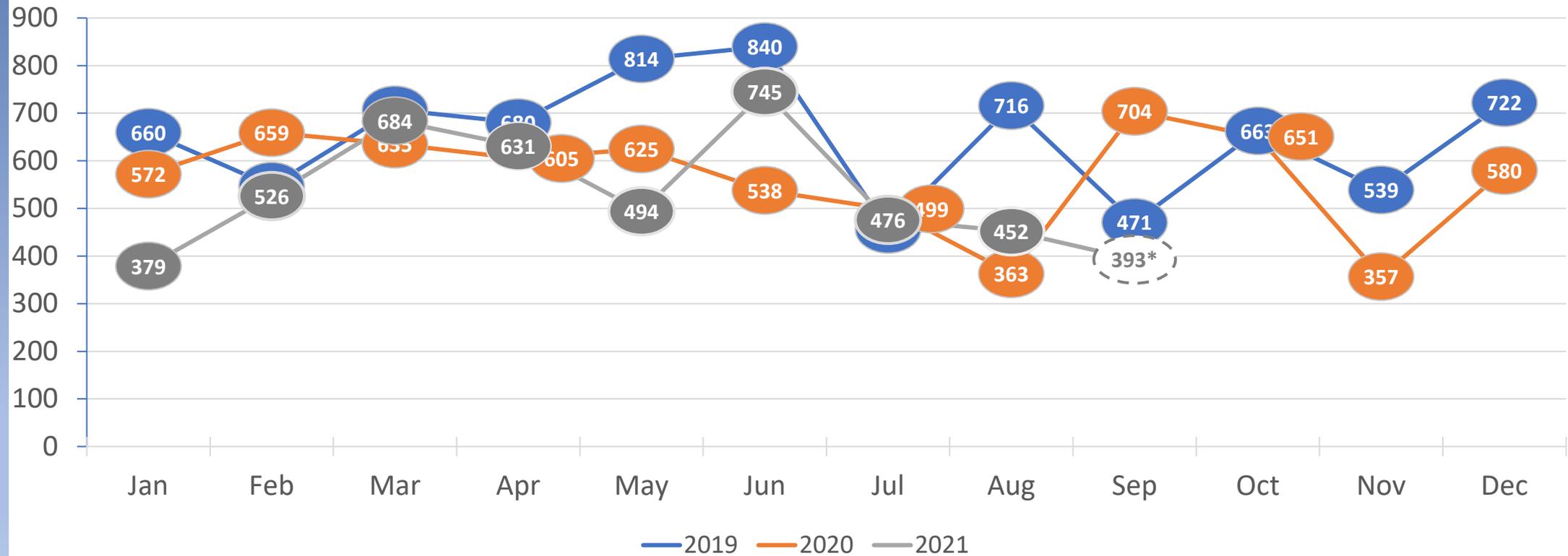
## NOx Emissions, RECLAIM Major Sources (tons)



As of September 28, 2021

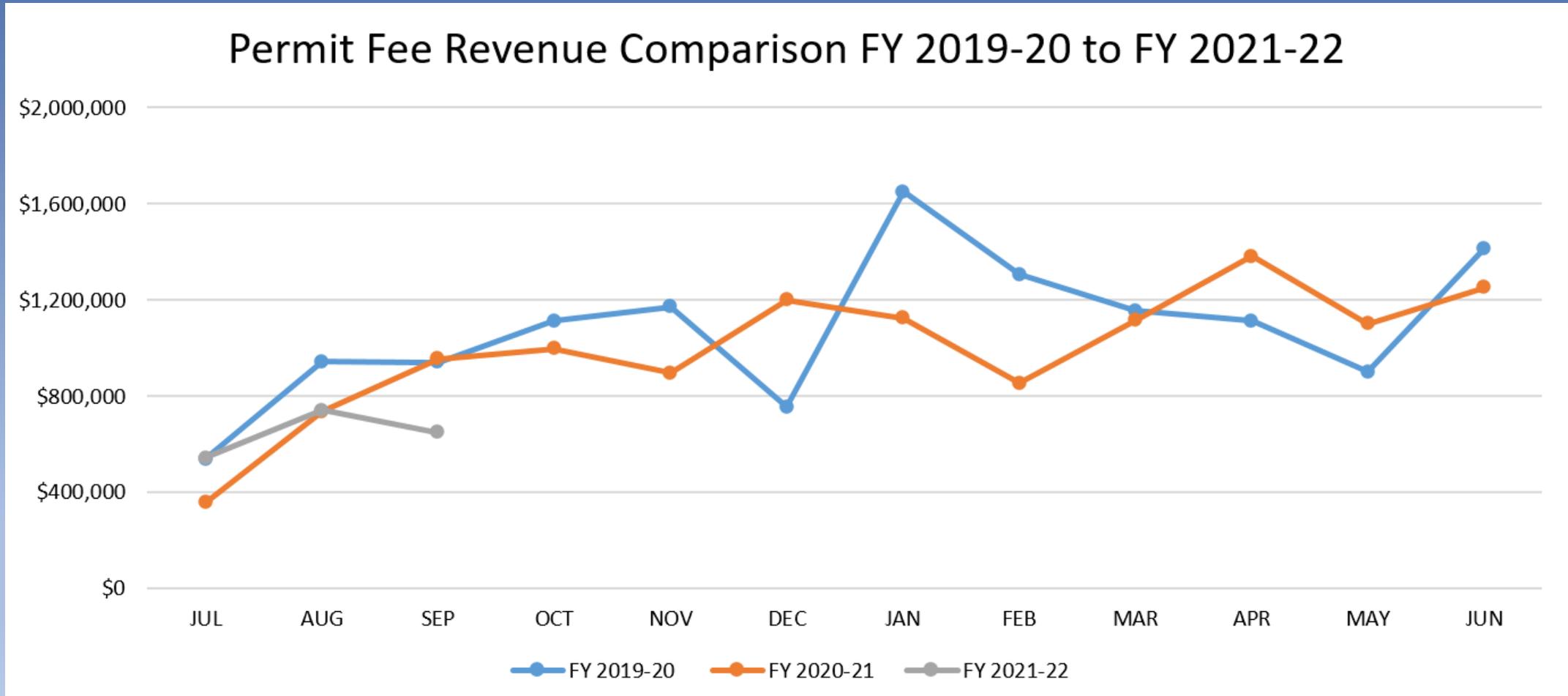
# Permit Activity

## Number of Applications Received per Month

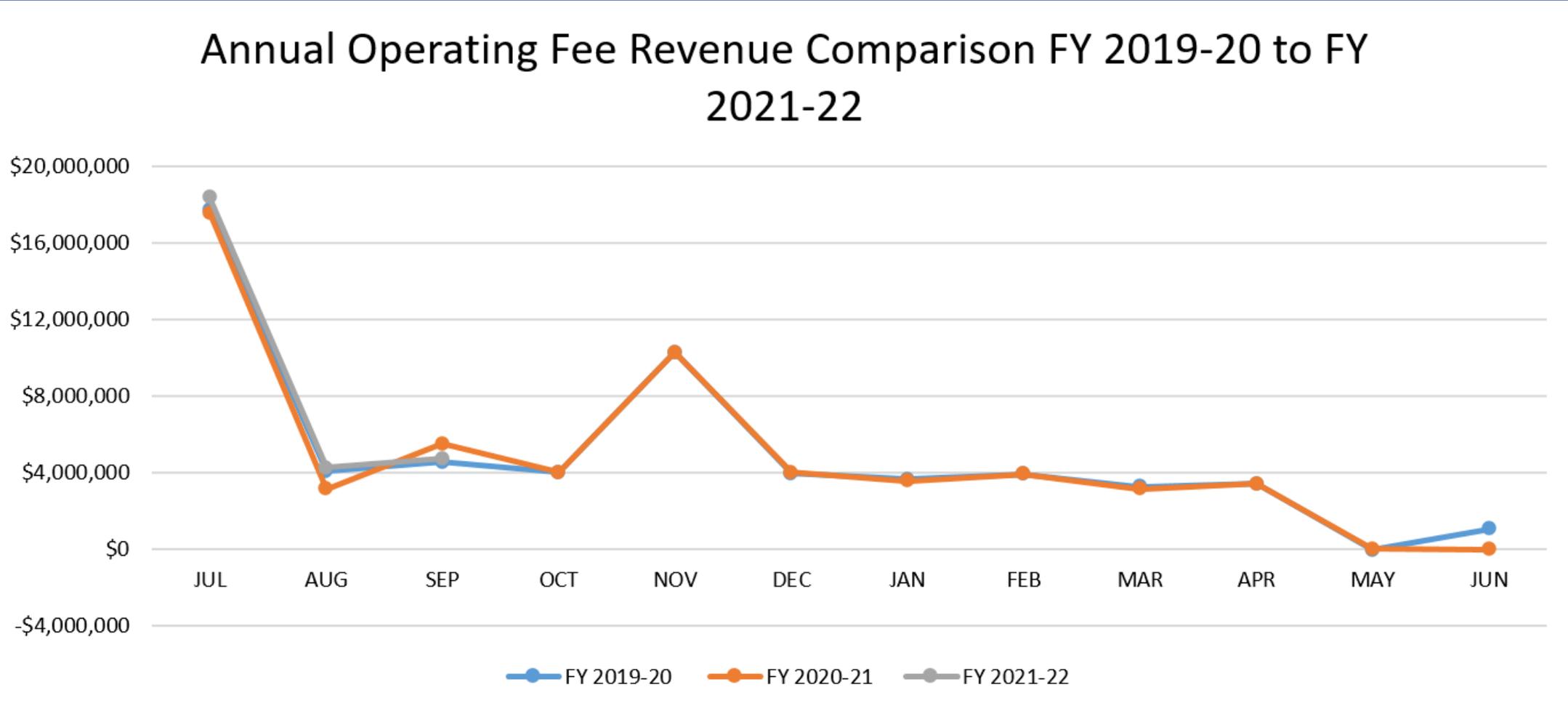


\*September 2021 numbers preliminary

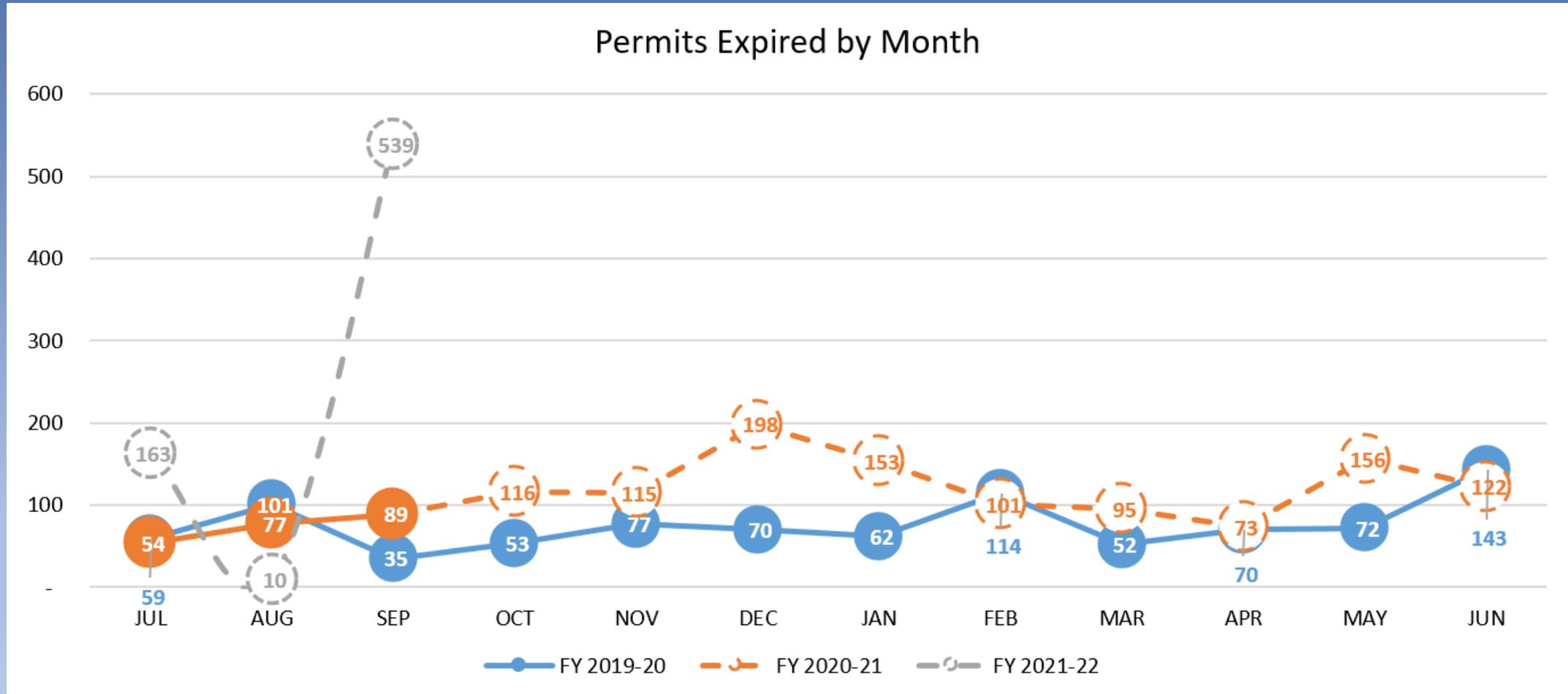
# Permit Revenue



# Annual Operating Fee Revenue



# Permits - Expired and Potentially Expired



Dotted lines represent permits that have time to be reinstated

# Summary of Metrics – Monthly

Metric			
<b>State Economic Indicators</b>	<b>August 2020</b>	<b>August 2021</b>	<b>Notes</b>
<i>Statewide Refinery Activity (Million Barrels Crude Oil Input)</i>	36.6	41.1	
<i>Port TEU Throughput (Million TEUs)</i>	1.7	1.8	
<i>Statewide Unemployment</i>	12.3 %	7.5 %	
<b>South Coast AQMD</b>	<b>September 2020</b>	<b>September 2021</b>	
<i>Revenue</i>	\$12.3 million	\$9.9 million	(Sept 2021 Preliminary)
<i>Expenditures</i>	\$11.2 million	\$16.5 million	(Sept 2021 Preliminary)
<i>Vacancy Rate</i>	16.3 %	18.1 %	
<i>Permit Applications Received</i>	704	393	(Sept 2021 Preliminary)
<i>Expired or Potentially Expired Permits</i>	89	539	

# Summary of Metrics – Fiscal Year to Date

Metric			
<b>State Economic Indicators</b>	<b>Sept 2019 – Aug 2020</b>	<b>Sept 2020 – Aug 2021</b>	<b>Notes</b>
<i>Statewide Refinery Activity (Million Barrels Crude Oil Input)</i>	524	492	
<i>Port TEU Throughput (Million TEUs)</i>	16.2	20.5	
<b>South Coast AQMD</b>	<b>July –Sept 2020</b>	<b>July – Sept 2021</b>	
<i>Revenue</i>	\$50.8 million	\$49.7 million	(Sept 2021 Preliminary)
<i>Expenditures</i>	\$42.1 million	\$42.8 million	(Sept 2021 Preliminary)
<i>Permit Applications Received</i>	1,566	1,321	(Sept 2021 Preliminary)
<i>Expired or Potentially Expired Permits</i>	220	712	1 year to reinstate

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BOARD MEETING DATE: October 1, 2021

AGENDA NO. 18

REPORT: Administrative Committee

SYNOPSIS: The Administrative Committee held a meeting remotely on Friday, September 10, 2021. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Ben J. Benoit, Chair  
Administrative Committee

JW:cb

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### **Committee Members**

Present: Chair Ben Benoit, Committee Chair  
Senator (Ret.) Vanessa Delgado, Vice Chair  
Mayor Pro Tem Michael Cacciotti  
Board Member Gideon Kracov  
Supervisor Janice Rutherford

### **Call to Order**

Chair Benoit called the meeting to order at 10:00 a.m.

### **DISCUSSION ITEMS:**

1. **Board Members' Concerns:** Supervisor Rutherford indicated that South Coast AQMD needs to maintain transparency and make all meeting materials available for the public. Wayne Nastri, Executive Officer, responded that staff will look into this and make sure to post meeting materials on the web.

Board Member Kracov asked for an update on the Board Retreat and safety precautions. Mr. Nastri indicated that the meeting will be a hybrid format and participation can be remote. Safety precautions include requiring masks inside the meeting room, temperature checks, and proof of vaccination or a negative

COVID-19 test, as well as making sure there is adequate space within the meeting rooms.

2. **Chair'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 October 1, 2021 Governing Board Agenda:** Chair Benoit inquired about the next cycle for Chair and Vice Chair and asked that this item be placed on the October Board agenda. Bayron Gilchrist, General Counsel, indicated there are no issues with that item being added to the October agenda.

Mr. Harvey Eder, Public Solar Power Coalition, expressed concerns for the agency and would like a special meeting for the public to have input on the election of Chair and Vice Chair.

5. **Approval of Compensation for Board Member Assistant(s)/Consultant(s):** There was no information to report.
6. **Update on South Coast AQMD Inclusion, Diversity and Equity Efforts:** Dr. Anissa Heard-Johnson, Diversity, Equity & Inclusion Officer, provided an update on agency efforts.

Dr. Heard-Johnson spoke about Hispanic Heritage Month, and creation of a think tank to address contemporary issues and increase critical thinking approaches to DEI problem solving.

Dr. Heard-Johnson also provided a list of events that will be taking place to highlight cultural expressions and interactive activity.

The pilot JEDI book club is starting September 21 and training for the newly forming JEDI Council will begin in October and continue through June 2022.

Dr. Heard-Johnson described the seven employee resource groups and mentioned that she is meeting with each division. She is looking forward to the Board Retreat discussion.

7. **Budget and Economic Outlook Update:** Jill Whynot, Chief Operating Officer, reported that there is no update since the report provided at the September 3 Board meeting.
8. **Status Report on Major Ongoing and Upcoming Projects for Information Management:** Ron Moskowitz, Chief Information Officer/Information

Management, reported that a cyber security assessment is underway. The assessment is to align the agency with industry cybersecurity framework and best practices to ensure confidentiality, integrity, and availability of the agency's information systems and data.

Chair Benoit asked for an update on a recent zoom bomber incident. Mr. Moskowitz indicated that staff have been very cautious to track IP addresses to identify and remove disruptions immediately.

Mr. Eder commented on general security and hacking.

9. **Report of RFPs/RFQs Scheduled for Release in October:** Sujata Jain, Chief Financial Officer, Finance, reported that this is a routine item to issue an RFP for the janitorial services for a contract starting March 2022.

**ACTION ITEMS:**

10. **Issue Purchase Order for Ingres Relational Database Management System Software Support:** Mr. Moskowitz reported that this is a standard annual request to issue a purchase order for Actian Corporation for Ingress database software licensing maintenance and support for one year. This database is used by many critical applications, and funds are available in the budget.

Moved by Cacciotti; seconded by Rutherford, unanimously approved.

Ayes: Benoit, Delgado, Cacciotti, Kracov, Rutherford

Noes: None

11. **Recognize Revenue, Transfer and Appropriate Funds, Amend Contract, Issue Purchase Orders, and Authorize Payment to Extend and Improve the Rule 1180 Fenceline and Community Monitoring Program:** Dr. Jason Low, ADEO, Science & Technology Advancement, reported that as part of the enhanced monitoring effort for MATES V, an optical tent measurement system was deployed by UCLA at the Philips 66 Wilmington Refinery to demonstrate its capability to monitor fugitive VOC emissions and is now continued to operate as part of the refinery's Rule 1180 fence line monitoring. These actions are to recognize revenue and appropriate funds to amend an existing contract with UCLA to extend the operation of the optical tent with the amount of up to \$200,000 and also up to \$45,000 for the continued operation of the Rule 1180 community air monitoring network, issue purchase orders for a station container, air conditioning units, and data review services, and authorize payment for sales tax of approximately \$170,000 to FluxSense Incorporated.

Moved by Cacciotti; seconded by Delgado, unanimously approved.

Ayes: Benoit, Delgado, Cacciotti, Kracov, Rutherford  
Noes: None

12. **Recognize Revenue, Appropriate Funds, and Execute Contracts to Implement Air Quality Community Training in the Eastern Coachella Valley:** Daniel Garcia, Planning & Rules Manager, Planning, Rule Development & Area Sources, reported that this item is to recognize \$200,000 in revenue into the General Fund and appropriate approximately \$113,000 to the Planning, Science and Technology Advancement, and Legislative and Public Affairs budgets for Fiscal Year 2021/2022 and Fiscal Year 2022/2023. Additionally, this item will authorize the Executive Officer to execute contracts for air quality community training in Eastern Coachella Valley. This training will be done in collaboration with Twentynine Palms Band of Mission Indians and the Desert Healthcare District.

Supervisor Rutherford inquired if we will be able to pursue this for other AB 617 communities as well. Mr. Nastri indicated that this was part of a competitive grant process. At this point, we are not sure we have the resources to expand this to other communities.

Chair Benoit added that if there is anything we can learn from this opportunity in the Coachella Valley, we should expand to other communities. He suggested that South Coast AQMD work with the Legislature.

Mr. Nastri mentioned that we are working to find a replacement for Dr. Ghosh, who was key in obtaining that grant. He emphasized that the AB 617 program is severely underfunded.

Board Member Kracov informed that CARB approved the Eastern Coachella Valley Community Emission Reduction Plan yesterday.

Mr. Eder commented on AB 617 communities, staff and program costs. Mr. Nastri indicated the AB 617 budget had been previously sent to Mr. Eder via email and U.S. mail.

Moved by Cacciotti; seconded by Delgado, unanimously approved.

Ayes: Benoit, Delgado, Cacciotti, Kracov, Rutherford  
Noes: None

13. **Execute Contract to Provide Recordkeeping and Administration Services for South Coast AQMD's 457 Deferred Compensation Plan:** John Olvera, DEO, Administrative & Human Resources, reported this item is to execute a contract to provide record keeping and administration services for deferred compensation plans. On February 5, the Board approved the release of an RFP for services to administer the plans and based on the evaluation of the five proposals received, staff's recommendation is to execute a five-year contract with Empower Retirement to provide record keeping and administration services. Funding for this contract will be generated through charges to participant accounts.

Moved by Cacciotti; seconded by Delgado, unanimously approved.

Ayes: Benoit, Delgado, Cacciotti, Kracov, Rutherford  
Noes: None

14. **Appropriate Funds and Amend or Execute Contracts with Outside Counsel and Specialized Legal Counsel and Services:** Bayron Gilchrist, General Counsel, Legal, reported that this action is to appropriate \$480,000 from the General Undesignated Unassigned Fund to Legal's Fiscal Year 2021/2022 and 2022/2023 budgets to amend and execute contracts for legal, specialized, environmental and other litigation.

Mr. Eder commented on outside counsel funds and staff equivalent resources.

Moved by Rutherford; seconded by Cacciotti, unanimously approved.

Ayes: Benoit, Delgado, Cacciotti, Kracov, Rutherford  
Noes: None

15. **Amend Section 60 (Harassment) of the South Coast AQMD Administrative Code:** Mr. Gilchrist reported that this action is to amend Section 60 of the Administrative Code. The prior version was brief and at the direction of several Board Members it has been made explicitly applicable to employees, Board Members and their consultants/assistants and Hearing Board Members.

Chair Benoit inquired if revisions cover all the different boards or elected Board Members and outside groups, such as the Local Government and Small Business Assistance Advisory Group. Mr. Gilchrist indicated it would cover the Hearing Board Members in terms of work environment, but the yearly training requirement would only apply to district employees, Board Members and consultants.

Supervisor Rutherford asked for clarification regarding reporting processes and how Hearing Board members would report issues. Mr. Gilchrist indicated the Clerk of the Board was intended to cover the Hearing Board Members.

Board Member Kracov asked for clarification on the prohibition against retaliation and if it also extends to protect persons who themselves may not have been harassed but who are reporting. Mr. Gilchrist confirmed that is the case.

Vice Chair Delgado thanked staff for bringing this forward and that it is important to her and other Board Members.

Chair Benoit confirmed that it is a living document and if needed could be updated.

Mr. Eder commented on the Hearing Board and training.

Moved by Delgado; seconded by Rutherford, unanimously approved.

Ayes: Benoit, Delgado, Cacciotti, Kracov, Rutherford  
Noes: None

**WRITTEN REPORT:**

16. **Local Government & Small Business Assistance Advisory Group Minutes for the June 11, 2021 Meeting:** The report was acknowledged and received.

**OTHER MATTERS:**

17. **Other Business:** There was no other business to report.
18. **Public Comment:** Mr. Eder commented on climate change, the need for solar conversion and that solar should be considered BARCT.
19. **Next Meeting Date:** The next regular Administrative Committee meeting is scheduled for October 8, 2021 at 10:00 a.m.

**Adjournment**

The meeting adjourned at 10:56 a.m.

**Attachment**

Local Government & Small Business Assistance Advisory Group Minutes for June 11, 2021



# South Coast Air Quality Management District

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

## LOCAL GOVERNMENT & SMALL BUSINESS ASSISTANCE ADVISORY GROUP FRIDAY, JUNE 11, 2021 MEETING MINUTES

### MEMBERS PRESENT:

Mayor Pro Tempore Carlos Rodriguez, LGSBA Chairman (Board Member)  
Mayor Rachelle Arizmendi, City of Sierra Madre  
Paul Avila, P.B.A. & Associates  
Geoffrey Blake, Metal Finishers of Southern California  
John DeWitt, JE DeWitt, Inc.  
Bill LaMarr, California Small Business Alliance  
Rita Loof, RadTech International  
Eddie Marquez, Roofing Contractors Association  
David Rothbart, Los Angeles County Sanitation Districts

### MEMBERS ABSENT:

Supervisor Janice Rutherford (Board Member)  
Felipe Aguirre  
Todd Campbell, Clean Energy  
LaVaughn Daniel, DancoEN

### OTHERS PRESENT:

Mark Abramowitz  
Harvey Eder  
Matt Holder, Board Member Consultant (*Rodriguez*)  
Debra Mendelsohn, Board Member Consultant (*Rutherford*)  
Mathew Watson  
Janet Whittick

### SOUTH COAST AQMD STAFF:

Jill Whynot, Chief Operating Officer  
Derrick Alatorre, Deputy Executive Officer  
Sarah Rees, Ph.D., Deputy Executive Officer  
Lisa Tanaka O'Malley, Assistant Deputy Executive Officer  
Daphne Hsu, Principal Deputy District Counsel  
Victor Yip, Assistant Deputy Executive Officer  
Anthony Tang, Information Technology Supervisor  
Paul Wright, Senior Information Technology Specialist  
Van Doan, Air Quality Specialist  
Elaine Joy Hills, Air Quality Specialist  
Stacy Day, Legislative Assistant  
Aisha Reyes, Senior Administrative Secretary

### **Agenda Item #1 – Call to Order/Opening Remarks**

Chair Carlos Rodriguez called the meeting to order at 11:31 a.m.

Chair Rodriguez encouraged the committee to be mindful of opportunities to provide input and asked Mr. Derrick Alatorre to provide information on the actions advisory groups can take. Mr. Alatorre responded that other advisory groups under his unit are the Young Leadership Advisory Council (YLAC) and Environmental Justice Advisory Group (EJAG). Both groups met before the Warehouse Indirect Source Rule (ISR) item on the board agenda and had requested a briefing on the ISR and the opportunity to take a position. Both also held special meetings the week after their regularly scheduled meetings and voted to take a position of support. The groups wrote a letter to the board on their own without any assistance or input from South Coast AQMD staff. There have been letters written previously on behalf of advisory groups and that is how they can participate. Board members on the committees can act as a liaison.

Ms. Rita Loof asked if the committee bylaws allow positions to be taken and Mr. Derrick Alatorre responded that the charter was amended to allow that.

### **Agenda Item #2 – Approval of May 14, 2021 Meeting Minutes**

Chair Rodriguez called for approval of the May 14, 2021 meeting minutes. Except for Mr. DeWitt and Mr. Rodriguez abstained, the minutes were approved unanimously.

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

None.

### **Agenda Item #4 – Budget and Economic Outlook**

Ms. Jill Whynot provided an update on South Coast AQMD's budget and economic outlook.

Mr. David Rothbart mentioned that he has spoken with Mr. Jason Aspell in permitting about the vacancy rate and delays in getting permits issued. Ms. Whynot said there are interview panels scheduled within the next few weeks and 12 engineer positions have been approved to be filled. The process to fill positions has been changed to fill them while employees are still here, rather than waiting until after they are vacated. There is a focus on hiring engineers and inspectors. The productivity per engineer is equal now to before the pandemic, even while teleworking. We are also using resources from employees who promoted or transferred to other departments and rearranging staff.

Mr. Bill LaMarr stated that small businesses are not going to return quick as they fell during the pandemic. Many factors are contributing to this including the indecision at the federal level as to funding and recovery funds, breakdowns in the supply chain, and unemployment insurance payments. He asked that this be taken into consideration on future monthly reports.

Chair Rodriguez asked if tracking of permit timing exists. Ms. Whynot responded that there is a permit tracking dashboard available to the public, including anyone who has submitted applications for a permit. It indicates if an application is waiting for further information, the status, and what steps are remaining. In terms of overall tracking, there is a general sense of time, but in terms of quantification there is none. Several types of permits are available online if public notice is not needed and they can be ascertained quickly.

Mr. Harvey Eder made public comment and requested more detailed numbers about the damage to the economy from the pandemic and political economic crisis. Mr. Eder also made general comments about unemployment numbers, climate change, and the economy.

**Agenda Item #5 – Update on the Cap-and-Trade Program**

Dr. Sarah Rees provided an update on California’s Cap-and-Trade Program to reduce Greenhouse Gas (GHG) emissions.

Mr. Rothbart asked about California Air Resource Board’s (CARB’s) proposal to electrify mobile sources in California. Dr. Rees responded that California needs to push hard on electrifying mobile sources and other heavy-duty sectors.

Ms. Loof referenced page 15 of the presentation and inquired about the specific activities included in the \$704 million figure. Dr. Rees responded that the results are available through CARB in the cap-and-trade program results. It is a cumulative amount and represents a lot of community-based initiatives.

*Action Item #1: Provide link to report containing cap-and-trade program results.*

Mr. Eder made a public comment about the auction.

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

No comments.

**Agenda Item #7 – Other Business**

Ms. Loof indicated that one of the items in the goals and objectives for this group is Rule 219: Equipment Not Requiring A Written Permit Pursuant to Regulation II, which is coming up for amendment in the next few months and provided some background. She previously requested a report and progress updates but has not received either and staff also reported they had no update. She was told that there are 108 facilities that have been impacted, wanted to find out which facilities they are, and was told by public records to submit 108 separate public records requests. Chair Rodriguez asked about possibly streamlining the 108 public records requests. Mr. Alatorre said he will check with public records on the process for getting the requested information on the facilities and will also check with staff if there are any Rule 219 updates to provide. If there are no updates, then a summary could be provided of the last update. Chair Rodriguez asked for the item to be added to the August agenda and either a report of new information or a recap can be provided. Ms. Loof stated she will want feedback from committee colleagues if and how the rule would impact their industries.

*Action Item #2: Confirm process with public records department for getting names of 108 facilities.*

*Action Item #3: Follow up with staff on status/update of Rule 219.*

*Action Item #4: Agendize update and/or status of Rule 219 in August meeting.*

Mr. LaMarr stated at today’s Administrative Committee meeting, a Governing Board Retreat was mentioned and requested more details. Ms. Whynot responded that September 16 and 17 are being held, the venue is to be determined, it will take place in the desert area, and staff is working on agenda topics with the Governing Board Chair.

Mr. Rothbart brought up the possibility of resurrecting the Home Rule Advisory Group (HRAG) and transferring those topics to this group as brought up in a previous meeting. Mr. Alatorre stated he would look into bringing some HRAG items over, but they have not had a meeting in a couple years. Chair Rodriguez mentioned he is open to discussion on this if the topics fall within the parameters of the goals and objectives for this group.

***Action Item #5:** Research possibility of transferring Home Rule Advisory Group to Local Government and Small Business Assistance Advisory Group.*

Mr. Eder made a comment about Ms. Loof's comments regarding "EB" and general comments about solar.

Ms. Loof clarified for Mr. Eder that "EB" refers to electron beams.

**Agenda Item #8 – Public Comment**

None.

**Agenda Item #9 – Next Meeting Date**

The next regular LGSBA Advisory Group meeting is scheduled for Friday, August 13, 2021 at 11:30 a.m.

**Adjournment**

The meeting adjourned at 12:59 p.m.

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BOARD MEETING DATE: October 1, 2021

AGENDA NO. 19

REPORT: Stationary Source Committee

SYNOPSIS: The Stationary Source Committee held a meeting remotely on Friday, September 17, 2021. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Ben J. Benoit, Chair  
Stationary Source Committee

JA:cr

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### **Committee Members**

Present: Mayor Pro Tem Ben J. Benoit (Chair)  
Supervisor Sheila Kuehl (Vice Chair)  
Senator Vanessa Delgado (Ret.)  
Board Member Veronica Padilla-Campos  
Vice Mayor Rex Richardson  
Supervisor Janice Rutherford

### **Call to Order**

Chair Benoit called the meeting to order at 12:10 p.m.

### **INFORMATIONAL ITEMS:**

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

Daniel Garcia, Planning and Rules Manager/Planning, Rule Development and Area Sources, provided an overview of the 2021 AB 617 Annual Progress Report for the 2018- and 2019-designated communities. Mr. Garcia summarized the actions implemented from each communities' Community Emission Reduction Plans (CERPs). Additionally, Mr. Garcia summarized the estimated emission reductions from CERP implementation, comments from Community Steering Committee members on the annual progress report, and staff responses.

Chris Chavez, Coalition for Clean Air, thanked staff for their work on the AB 617 process and recommended that the CERPs have a role in local decisions at other agencies.

**2. Summary of Proposed Rule 1109.1 – Emissions of Oxide of Nitrogen from Petroleum Refineries and Related Operations, Proposed Rescinded Rule 1109 – Emissions of Oxides of Nitrogen from Boilers and Process Heaters in Petroleum Refineries, Proposed Rule 429.1 – Startup and Shutdown Provisions at Petroleum Refineries and Related Operations, Proposed Amended Rule 1304 – Exemptions, and Proposed Amended Rule 2005 – New Source Review for RECLAIM**

Susan Nakamura, Assistant Deputy Executive Officer/Planning, Rule Development and Area Sources, presented an update of Proposed Rule (PR) 1109.1, which establishes NO<sub>x</sub> and CO emission limits for combustion equipment at petroleum refineries and facilities with related operations.

Michael Morris, Planning and Rules Manager/Planning, Rule Development and Area Sources, provided a summary for Proposed Amended Rule 429.1 – Startup and Shutdown Provisions at Petroleum Refineries and Related Operations. Mr. Morris summarized the proposed amendments that provide exemptions and provisions for startup, shutdown, and certain maintenance activities. He also provided a summary of Proposed Amended Rules 1304 and 2005, which provides a narrow BACT exemption for PM<sub>10</sub> and SO<sub>x</sub> emission increases that can occur from installation of pollution controls needed to meet NO<sub>x</sub> limits under PR 1109.1.

Michael Krause, Planning and Rules Manager/Planning, Rule Development and Area Sources, summarized potential environmental and socioeconomic impacts associated with implementation of the proposed and proposed amended rules and discussed key remaining issues. Rule 1109 is proposed to be rescinded, as it is no longer needed if PR 1109.1 is adopted.

Supervisor Kuehl expressed concern regarding the flexibility provided for refineries to implement less expensive options than BARCT and the long implementation timelines for BARCT. She expressed support for a stronger rule with fewer allowances for dirtier equipment but acknowledged the complexity of the rule and the importance of making compliance possible and developing a workable rule as expeditiously. Supervisor Kuehl and supports the adoption of these rules in November.

Public comments were provided by the following:

Elliot Gonzales, public commenter  
Grace Lorentzen, public commenter  
Alicia Rivera, Communities for a Better Environment -Wilmington Team  
Maria Serafin, public commenter  
Veronica Salazar, public commenter  
Mandeera, Pacific Environment  
Jan Victor, East Yard Communities for Environmental Justice  
Lilia Ocampo, public commenter  
Oscar Espino-Padron, Earthjustice  
Julia May, Communities for a Better Environment  
Maria Vargas, Communities for a Better Environment  
Maria Gonzales, Communities for a Better Environment  
Lidia Silva, public commenter  
Helen Haro, public commenter  
Sofia, public commenter

All expressed the need for a strong refinery rule by November 2021, with requirements to add control equipment. They stated that cost-effectiveness is less important than protecting public health. The rule has the potential to save lives, reduce health costs and create jobs. They expressed concern regarding long implementation timelines, the use of old polluting equipment at refineries, and that the rule was long overdue.

Chris Chavez, Coalition for Clean Air, expressed support for a strong refinery rule and urged the South Coast AQMD to go even further in the rule development, especially with the positive socioeconomic impact report showing the economic benefits and public health benefits associated with passing this rule. Mr. Chavez expressed concerns about the proposed deadlines which will not achieve full implementation until 2031, which does not meet the AB 617 BARCT 2023 implementation deadline and that the region will struggle to meet the 2031 and 2037 deadlines for ozone; and expressed concern about the large amount of flexibility provided to refineries in the proposed rule.

Alicia Rivera, Communities for a Better Environment, commented that the rule has weakened over time, but still has the potential to achieve major NO<sub>x</sub> reductions. Ms. Rivera expressed support for rule adoption by November in a stronger form that would require the tightest standard applied to every piece of equipment at the refinery. She does not support allowing compliance plans where some equipment can have even higher limits, but if these are part of the rule, there should be public access and review of plans.

Oscar Espino-Padron, Earthjustice, commented on the long time for development of PR 1109.1, the various concessions provided to refineries in this process, and that implementation of PR 1109.1 has the potential to save hundreds of lives and improve the health and quality of life for thousands of residents in the region. He asked that the rule be finalized and adopted in November.

Julia May, Communities for a Better Environment, expressed concern about the flexibilities provided to refineries through conditional emission limits and an alternative compliance plans, especially in the B-Cap, where creative calculations can be used to hide large emissions, which has the potential to undermine public health. Ms. May asked for public access to review plan details and stated that community groups need technical support from the South Coast AQMD in the review.

Michael Carroll, Latham & Watkins, expressed opposition to the characterization that the rule is not a strong rule and has weakened over time. He stated the changes are part of the rule development process and sometimes initial proposals change as the information gets more accurate. He commented on the necessity of the flexibilities of mechanisms in the rule to meet the stringent NOx emission limits and that PR 1109.1 is establishing the most stringent NOx limits for major petroleum refineries in the country.

Patty Senecal, Western States Petroleum Association, commented on the long PR 1109.1 development timeline being proportionate to high complexity and cost of the proposed rule. She stated that the flexibility options in the proposed rule are critical to achieve the stringent standards in the proposed rule.

Harvey Eder, Public Solar Power Coalition, expressed the need for a conversion to solar technologies and to phase out fossil fuels.

Senator Delgado expressed support for staff and stakeholders effort. Board Member Padilla-Campos acknowledged the significant public health benefits, the high number of new jobs through implementation of PR 1109.1 and the need to protect the health and safety of the endangered frontline community. She further indicated that refineries are the largest stationary source of pollution in the Basin and encouraged the passing of the proposed rule in November 2021.

### **WRITTEN REPORTS:**

#### **3. 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 Notice of Violation Penalty Summary**

The report was acknowledged by the committee.

**4. Notice of Violation Penalty Summary**

The report was acknowledged by the committee.

**OTHER MATTERS:**

**8. Other Business**

There was no other business.

**9. Public Comment Period**

Mr. Eder expressed support for total solar conversion and concerns about climate change.

**10. Next Meeting Date**

The next Stationary Source Committee meeting is scheduled for Friday, October 15, 2021 at 10:30 a.m.

**Adjournment**

The meeting was adjourned at 1:54 p.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 –September 17, 2021**

Mayor Pro Tem Ben J. Benoit .....	South Coast AQMD Board
Senator Vanessa Delgado (Ret.).....	South Coast AQMD Board
Supervisor Sheila Kuehl .....	South Coast AQMD Board
Board Member Veronica Padilla-Campos.....	South Coast AQMD Board
Vice Mayor Richardson.....	South Coast AQMD Board
Supervisor Janice Rutherford .....	South Coast AQMD Board
Tom Gross .....	Board Consultant (Benoit)
Loraine Lundquist .....	Board Consultant (Kuehl)
Debra Mendelsohn.....	Board Consultant (Rutherford)
Mark Taylor.....	Board Consultant (Rutherford)
Mike Buckantz.....	Quemetco
Michael Carroll.....	Latham & Watkins
Chris Chavez .....	Coalition for Clean Air
David Chetkowski .....	World Oil
Ramine Cromartie .....	WSPA
Harvey Eder.....	Public Solar Power Coalition
Oscar Espino-Padron .....	Earthjustice
Robert Glass .....	Goodman Manufacturing
Julia May .....	Communities for a Better Environment
Bridget McCann .....	Chevron
Dan McGivney .....	Southern California Gas Co
Bethmarie Quiambao.....	Southern California Edison
Alicia Rivera.....	Communities for a Better Environment
David Rothbart .....	LACSD
Patty Senecal .....	WSPA
Jan Victor.....	East Yard Communities for Environmental Justice
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
Mark Henninger.....	South Coast AQMD staff
Michael Krause.....	South Coast AQMD staff
Jason Low .....	South Coast AQMD staff
Terrence Mann.....	South Coast AQMD staff
Ian MacMillan .....	South Coast AQMD staff
Matt Miyasato.....	South Coast AQMD staff
Michael Morris .....	South Coast AQMD staff
Ron Moskowitz .....	South Coast AQMD staff

**ATTACHMENT 1**

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
STATIONARY SOURCE COMMITTEE**

**Attendance –September 17, 2021**

Wayne Nastri .....	South Coast AQMD staff
Susan Nakamura .....	South Coast AQMD staff
Lisa Tanaka O'Malley .....	South Coast AQMD staff
Sarah Rees .....	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

## **September 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.

<b>Item</b>	<b>Discussion</b>
Video Conference with U.S. EPA and CARB – July 29, 2021	<ul style="list-style-type: none"> <li>• Discussed rule development concepts for Proposed Amended Rule 2005 and Proposed Rule 1109.1</li> </ul>
Video Conference with U.S. EPA and CARB – August 5 2021	<ul style="list-style-type: none"> <li>• Discussed rule development concepts for Proposed Amended Rule 2005 and Proposed Rule 1109.1</li> </ul>
Video Conference with U.S. EPA and CARB – August 6, 2021	<ul style="list-style-type: none"> <li>• Discussed co-pollutant strategies for Proposed Amended Rule 1304</li> </ul>
Video Conference with CARB – August 10, 2021	<ul style="list-style-type: none"> <li>• Discussed rule development concepts for Proposed Amended Rule 2005</li> </ul>
Video Conference with CARB – August 13, 2021	<ul style="list-style-type: none"> <li>• Discussed rule development concepts for Proposed Rule 1109.1</li> </ul>

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

**Settlement Penalty Report (07/01/2021 - 07/31/2021)**

**Total Penalties**

Civil Settlement:	\$172,664.00
MSPAP Settlement:	\$14,576.00
Hearing Board Settlement:	\$20,000.00
<b>Total Cash Settlements:</b>	<b>\$207,240.00</b>
<b>Fiscal Year through 07/31/2021 Cash Total:</b>	<b>\$207,240.00</b>

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
<b>Civil</b>						
191364	4021 ROYAL OAKS PLACE LLC	1403	07/27/2021	NS	P72951, P72954, P72956, P72959	\$7,500.00
107011	ACTIVE PLATING INC	203	07/27/2021	WW	P65417, P66294	\$4,800.00
800030	CHEVRON PRODUCTS CO.	1118, 1173, 1176, 3002	07/21/2021	BT	P64042, P64046, P65617, P67818, P67822, P67823	\$104,000.00
101530	COACHELLA VALLEY WATER DIST	203, 461	07/27/2021	SH	P63146	\$4,500.00
183441	JBS SWIFT FOODS	2202	07/27/2021	DH	P67014, P67016	\$3,789.00
151909	JONES COVEY GROUP, INC	221, 1166	07/27/2021	SH	P67423	\$3,000.00
186629	KB HOME SOUTHERN CALIFORNIA	203(a)	07/27/2021	SH	P67151, P67153, P67352	\$2,800.00
800236	LA CO. SANITATION DIST	1146.1, 3002	07/27/2021	WW	P66470	\$6,000.00
113873	MM WEST COVINA LLC	3002(c)(1)	07/27/2021	SH	P67508	\$500.00
139446	PROJECT NAVIGATOR/ASCON LANDFILL SITE RP	221(b), 402, 1166, H&S 41700	07/27/2021	NS	P65516, P65518	\$15,000.00
7371	SAN BER CNTY SOLID WASTE MGMT-MILLIKEN	221, 1150.1, 3002	07/27/2021	DH	P70415	\$650.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
175264	SYNERGY OIL AND GAS, LLC	203(b), 402, 463, 1176(e)(1), H&S 41700	07/27/2021	NS	P66540, P66545, P67916, P67927, P67931, P67937, P67947, P67948, P72965, P74333, P74336	\$20,125.00

**Total Civil Settlements: \$172,664.00**

#### Hearing Board

104234	SCAQMD v. Mission Foods	202, 203(b), 1153.1, 1303	07/21/2021	KCM	5400-4	\$10,000.00
104234	SCAQMD v. Mission Foods	202, 203(b), 1153.1, 1303	07/27/2021	KCM	5400-4	\$10,000.00

**Total Hearing Board Settlements: \$20,000.00**

#### MSPAP

189850	CUDAHY FUEL STOP	203(a)	07/29/2021	GC	P69022	\$800.00
144430	DOWNEY SHELL	203(b)	07/29/2021	TCF	P69620	\$2,500.00
127861	EXPERIAN INFORMATION SOLUTIONS INC	1146.1	07/29/2021	GC	P68564	\$3,251.00
116304	HIGHRIDGE CAR WASH	461(c)(3)(Q)	07/29/2021	GC	P69024	\$300.00
152386	JERRY'S AUTO SERVICE, INC	461	07/29/2021	GC	P68448	\$300.00
180676	KOMAL OIL INC	203(b), 461	07/29/2021	GC	P66383	\$300.00
185717	MENIFEE COLLISION CENTER	1151(d)(1)	07/29/2021	TCF	P68354	\$250.00
180366	NATROL LLC	1155, 203(a), 203(b)	07/29/2021	TCF	P68609	\$3,200.00
3578	PRUDENTIAL OVERALL SUPPLY	1146.1	07/29/2021	TCF	P69512	\$1,600.00
108901	QWIK STOP #5 "YASIN"	461(e)(2)	07/29/2021	TCF	P66382	\$1,200.00
29454	REDLANDS CITY, GARAGE	203(b), 461(e)(2)	07/29/2021	TCF	P69111	\$375.00
153542	SHELL STN, PALM SPGS SVC, M HOFFMAN	461(c)(3)(Q)	07/29/2021	TCF	P70154	\$500.00

**Total MSPAP Settlements: \$14,576.00**

**SOUTH COAST AQMD'S RULES AND REGULATIONS INDEX  
FOR JULY 2021 PENALTY REPORT**

**REGULATION II - PERMITS**

Rule 202 Temporary Permit to Operate  
Rule 203 Permit to Operate  
Rule 221 Plans

**REGULATION IV - PROHIBITIONS**

Rule 402 Nuisance  
Rule 461 Gasoline Transfer and Dispensing  
Rule 463 Storage of Organic Liquids

**REGULATION XI - SOURCE SPECIFIC STANDARDS**

Rule 1118 Emissions from Refinery Flares  
Rule 1146.1 Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters  
Rule 1150 Excavation of Landfill Sites  
Rule 1150.1 Emissions from Active Landfills  
Rule 1151 Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations  
Rule 1153.1 Emissions of Oxides of Nitrogen from Commercial Food Ovens  
Rule 1155 Particulate Matter Control Devices  
Rule 1166 Volatile Organic Compound Emissions from Decontamination of Soil  
Rule 1173 Fugitive Emissions of Volatile Organic Compounds  
Rule 1176 Sumps and Wastewater Separators

**REGULATION XIII - NEW SOURCE REVIEW**

Rule 1303 Requirements

**REGULATION XIV - TOXICS**

Rule 1403 Asbestos Emissions from Demolition/Renovation Activities

**REGULATION XXII ON-ROAD MOTOR VEHICLE MITIGATION**

Rule 2202 On-Road Motor Vehicle Mitigation Options

**REGULATION XXX - TITLE V PERMITS**

Rule 3002 Requirements for Title V Permits

**CALIFORNIA HEALTH AND SAFETY CODE**

41700 Violation of General Limitations

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

**Settlement Penalty Report (08/01/2021 - 08/31/2021)**

**Total Penalties**

Civil Settlement:       \$54,000.00  
Criminal Referral Settlement:   \$13,463.86  
MSPAP Settlement:       \$12,330.00  
  
**Total Cash Settlements:       \$79,793.86**

**Fiscal Year through 08/31/2021 Cash Total:   \$287,033.86**

<b>Fac ID</b>	<b>Company Name</b>	<b>Rule Number</b>	<b>Settled Date</b>	<b>Init</b>	<b>Notice Nbrs</b>	<b>Total Settlement</b>
<b>Civil</b>						
108730	AVALON PREMIUM TANK CLEANING	402	08/18/2021	DH	P65060	\$2,250.00
184849	CLOUGHERTY PACKING, LLC	2012	08/18/2021	SH	P67366	\$4,500.00
170117	GLEN HELEN PARKWAY, LLC	203	08/25/2021	DH	P68256	\$1,250.00
84007	L.A.UNIF SCH DIST- SELLERY SPEC ED	1403	08/24/2021	WW	P65050	\$100.00
12428	NEW NGC, INC.	2012 Appendix A	08/27/2021	SH	P66856	\$2,000.00
188194	PAMA MANAGEMENT COMPANY	40 CFR 61.145, 1403	08/20/2021	WW	P66439	\$25,000.00
126060	STERIGENICS US, LLC	203(B), 1405	08/27/2021	JL	P66448, P70401	\$16,500.00
165192	TRIUMPH AEROSTRUCTURES, LLC	2004	08/20/2021	JL	P66911	\$900.00
188974	YOSI GABAY	1403	08/24/2021	BT	P67603	\$1,500.00
<b>Total Civil Settlements: \$54,000.00</b>						
<b>Criminal Referral</b>						
189394	VISTA GENERAL ENGINEERING CO. INC	1403	08/13/2021	TCF	P65431, P65432	\$13,463.86
<b>Total Criminal Referral Settlements: \$13,463.86</b>						

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
<b>MSPAP</b>						
169992	ALPHA ENERGY INC.	203(b), 461, H&S 41960.2	08/13/2021	GC	P69621	\$1,320.00
180417	CALPORTLAND COMPANY	13 CCR 2460	08/13/2021	GC	P63268	\$800.00
150796	CITY OF GARDENA	203(b)	08/10/2021	GC	P69502	\$2,400.00
151491	FIX AUTO MORENO VALLEY	203(b)	08/13/2021	GC	P69114	\$450.00
133524	GRANITE CONSTRUCTION COMPANY INC.	403, 403.1	08/27/2021	GC	P68270	\$1,700.00
55539	IMPERIAL BODY SHOP	203(b)	08/27/2021	GC	P65895	\$480.00
62862	IMPERIAL IRRIGATION DISTRICT/ COACHELLA	3002	08/27/2021	GC	P68264	\$850.00
180672	INFINEON TECHNOLOGIES AMERICAS CORP.	203	08/27/2021	GC	P69109	\$680.00
147201	JUNGHEE ENTERPRISE INC,ELEGANCE CLEANERS	1421	08/27/2021	GC	P69556	\$400.00
182036	MAXUM MARINE FUELS	203(b)	08/10/2021	TCF	P63889	\$1,600.00
103877	THE HERTZ CORPORATION	203(b)	08/27/2021	GC	P69551	\$850.00
175500	WHISPERING LAKES GOLF COURSE	461	08/13/2021	TCF	P69362	\$800.00
<b>Total MSPAP Settlements: \$12,330.00</b>						

**SOUTH COAST AQMD'S RULES AND REGULATIONS INDEX  
FOR AUGUST 2021 PENALTY REPORT**

**REGULATION II - PERMITS**

Rule 203            Permit to Operate

**REGULATION IV - PROHIBITIONS**

Rule 402            Nuisance  
Rule 403            Fugitive Dust  
Rule 403.1         Wind Entrainment of Fugitive Dust  
Rule 461            Gasoline Transfer and Dispensing

**REGULATION XIV - TOXICS**

Rule 1403         Asbestos Emissions from Demolition/Renovation Activities  
Rule 1405         Control of Ethylene Oxide and Chlorofluorocarbon Emissions from Sterilization or Fumigation Processes  
Rule 1421         Control of Perchloroethylene Emissions from Dry Cleaning Operations

**REGULATION XX REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)**

Rule 2004         Requirements  
Rule 2012         Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions  
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

**CALIFORNIA CODE OF REGULATIONS**

13 CCR 2460      Portable Equipment Testing Requirements

**CALIFORNIA HEALTH AND SAFETY CODE**

41960.2           Gasoline Vapor Recovery

**CODE OF FEDERAL REGULATIONS**

40 CFR 61.145    Standard for Demolition and Renovation

[↑ Back to Agenda](#)

BOARD MEETING DATE: October 1, 2021

AGENDA NO. 20

REPORT: Mobile Source Air Pollution Reduction Review Committee

SYNOPSIS: The Mobile Source Air Pollution Reduction Review Committee held a meeting remotely on Thursday, September 16, 2021. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Ben J. Benoit  
South Coast AQMD Representative  
to MSRC

MMM:AK:CR:av

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### **Meeting Minutes Approved**

The MSRC approved the minutes of the May 20, 2021 meeting. The approved minutes are attached (*Attachment 1*).

### **Contract Modification Requests**

The MSRC considered two contract modification requests and took the following actions:

1. City of Gardena, Contract #MS18027, which provides \$365,000 to install new limited access CNG station, modify maintenance facility and train technicians, a 16-month term extension; and
2. City of San Bernardino, Contract #ML18177, which provides \$279,088 to procure two medium-duty and three heavy-duty zero emission vehicles, install two public access and one limited access EV charging stations, a two-year term extension with the contingency that the City expedite work on the infrastructure elements of the project.

### **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 July 29 through August 25, 2021 is attached (*Attachment 2*).

### **Attachments**

1. Approved May 20, 2021 Meeting Minutes
2. July 29 through August 25, 2021 Contracts Administrator's Report



**MOBILE SOURCE AIR POLLUTION REDUCTION REVIEW  
COMMITTEE THURSDAY, May 20, 2021 MEETING MINUTES**  
21865 Copley Drive, Diamond, Bar, CA 91765

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  
John Dutrey, representing Regional Rideshare Agency  
Jed Leano, representing Southern California Association of Governments (SCAG)  
Tim Shaw, representing Orange County Transportation Authority (OCTA)  
Sydney Vergis, representing California Air Resources Board (CARB)  
Linda Krupa (Alt.), representing RCTC  
Mark Yamarone (Alt.), representing Los Angeles County Metropolitan Transportation Authority (Metro)

**MEMBERS ABSENT:**

Steve Veres, representing Metro  
Mark Henderson (Alt.), representing SCAG  
Lisa Bartlett (Alt.), representing OCTA  
Lucinda Negrete (Alt.), representing CARB  
Ray Marquez (Alt.), representing Regional Rideshare Agency  
John Valdivia (Alt.), representing SBCTA

**MSRC-TAC MEMBERS PRESENT:**

Chair AJ Marquez, representing Orange County Board of Supervisors  
Adriann Cardoso, representing OCTA  
Derek Winters, representing CARB  
Kelly Lynn, representing SBCTA  
Nicole Soto, representing Regional Rideshare Agency  
Steven Lee, representing Metro  
Tim Olson, representing Air Pollution Control Expert  
Vicki White, representing South Coast AQMD

**OTHERS PRESENT:**

Claire Garcia  
Danae Christerson  
Jennifer Farinas  
Lorraine Lundquist  
Louis Zhao  
Ramine Cromartie  
Roupen Karakouzian

Tricia Almiron

**SOUTH COAST AQMD STAFF & CONTRACTORS PRESENT:**

Aaron Katzenstein, Assistant Deputy Executive Officer  
Alejandra Vega, MSRC Administrative Liaison  
Anish Pathak, Financial Analyst  
Anthony Tang, Information Technology Specialist  
Cynthia Ravenstein, MSRC Contracts Administrator  
Daphne Hsu, Sr. Deputy District Counsel  
Donna Vernon, Secretary  
John Kampa, Financial Services Manager  
Joseph Impullitti, Technology Demonstration Manager  
Josephine Lee, Sr. Deputy District Counsel  
Lane Garcia, Program Supervisor  
Leah Alfaro, MSRC Contracts Assistant  
Marjorie Eaton, Secretary  
Matt Mackenzie, MSRC Contracts Assistant  
Matt Miyasato, Deputy Executive Officer  
Paul Wright, Information Technology Specialist  
Penny Shaw Cedillo, Sr. Administrative Secretary  
Ray Gorski, MSRC Technical Advisor-Contractor  
Todd Warden, Sr. Public Information Specialist

**CALL TO ORDER**

- Chair McCallon called the meeting to order at 2:00 p.m.
- Roll call was taken at the start of the meeting.
- Chair McCallon asked for opening comments.

There were no opening comments.

- Election of MSRC Chair and Vice Chair

Nominations for the Chair and Vice-Chair positions were opened. MSRC Member Ben Benoit nominated MSRC Chair Larry McCallon to serve as Chair for another term and MSRC Member Brian Berkson to serve as Vice Chair. No further nominations were offered; no objections were voiced.

- Chair McCallon asked for disclosures.

Item #10 – MSRC Member Tim Shaw commented he does not have a financial interest, but is required to identify for the record that he is a Member of the Board of Directors for the Orange County Transit Authority which is involved in this item.

Item #7 – MSRC Member John Dutrey commented he does not have a financial interest, but is required to identify for the record that he is a Board Member for Omnitrans, which is involved in this item.

Item #5 – MSRC Member John Dutrey will recuse himself from this item because he has done some consulting for the City of Eastvale.

Item #7 – MSRC Member Larry McCallon commented he does not have a financial interest, but is required to identify for the record that he is an alternate Board Member for Omnitrans, which is involved in this item.

MSRC Member Sydney Vergis recommended to take Item #8 off the Consent Calendar and send it back to TAC to go through the details and bring it back for recommendation to the MSRC.

Larry McCallon commented that Item #8 was a result of having items go before the South Coast AQMD Board and having many comments from people who are concerned about the fact that we are giving contracts to Amazon and concerned about the labor issues. They were concerned that any contracts issued through the MSRC include the labor law provisions that are included in South Coast AQMD contracts. In his opinion, this is a rather routine item that doesn't require TAC looking at it since it is a contractual matter relative to issuing contracts and South Coast AQMD does all the contracting.

Sydney Vergis commented that because the issues have not been discussed in this group nor the TAC, she is not familiar with the issues, does not know what the role of the Labor and Workforce Development Board is and does not know what the ramifications are with future MSRC contracts, it seems worthwhile for those who are not part of that discussion to have an opportunity to look at this further.

Chair Larry McCallon, with no objections, removed Item #8 from the Consent Calendar and moved it to the next agenda.

**CONSENT ITEMS (Items 1 through 7):**

**Information Only – Receive and File**

**1. Minutes of the February 18, 2021 MSRC Meeting**

Moved by Benoit; seconded by Leano; under approval of Consent Calendar Items #1 through #7; item unanimously approved.

Ayes: Benoit, Berkson, Dutrey, Leano, McCallon, Shaw, Vergis, Yamarone

Noes: None

Action: Staff will include the minutes of the February 18, 2021 MSRC Meeting in the MSRC Committee Report for the June 4, 2021 South Coast AQMD Board meeting.

**2. MSRC Contracts Administrator's Report**

The MSRC AB 2766 Contracts Administrator's Report for March 25 through April 28, 2021 was included in the agenda package.

Moved by Benoit; seconded by Leano; under approval of Consent Calendar Items #1 through #7, item unanimously approved.

Ayes: Benoit, Berkson, Dutrey, Leano, McCallon, Shaw, Vergis, Yamarone

Noes: None

Action: Staff will include the MSRC Contracts Administrator's Report in the MSRC Committee Report for the June 4, 2021 South Coast AQMD Board meeting.

**3. Financial Report on AB 2766 Discretionary Fund**

A financial report on the AB 2766 Discretionary Fund for April 2021 was included in the agenda package to be received and filed.

Moved by Benoit; seconded by Leano; under approval of Consent Calendar Items #1 through #7, item unanimously approved.

Ayes: Benoit, Berkson, Dutrey, Leano, McCallon, Shaw, Vergis, Yamarone

Noes: None

Action: No further action is required.

**For Approval – As Recommended**

**4. Consider Location Change for One Charging Station and 6-Month No-Cost Term Extension by City of Bellflower, Contract #ML12091 (Install EV Charging Infrastructure)**

The City requests to locate one of the charging stations at Simms Park in Bellflower in order to meet ADA requirements. Additionally, the City requests a six-month term extension to complete the installation at Simms Park.

Moved by Benoit; seconded by Leano; under approval of Consent Calendar Items #1 through #7, item unanimously approved.

Ayes: Benoit, Berkson, Dutrey, Leano, McCallon, Shaw, Vergis, Yamarone  
Noes: None  
Action: MSRC Staff will amend the above contract accordingly.

**5. Consider Increased Scope by City of Eastvale, Contract #ML16040 (Install EV Charging Infrastructure)**

The City requests to increase the number of charging stations from 12 to 16, at no additional cost to the MSRC.

Moved by Benoit; seconded by Leano; under approval of Consent Calendar Items #1 through #7, item approved.

Ayes: Benoit, Berkson, Leano, McCallon, Shaw, Vergis, Yamarone  
Recusal: Dutrey  
Action: MSRC Staff will amend the above contract accordingly.

**6. Consider 27-Month No-Cost Term Extension by City of South Pasadena Contract #ML18092 (Procure Two Light-Duty ZEVs and Install EV Charging Infrastructure)**

The City requests a 27-month extension due to limited staffing, changes in organizational structure, and COVID-19 related delays in the selection of a contractor and completing construction.

Moved by Benoit; seconded by Leano; under approval of Consent Calendar Items #1 through #7, item unanimously approved.

Ayes: Benoit, Berkson, Dutrey, Leano, McCallon, Shaw, Vergis, Yamarone  
Noes: None  
Action: MSRC Staff will amend the above contract accordingly.

**7. Consider Modified Project Scope by Omnitrans, Contract #ML18180 (proposed) (Modify Vehicle Maintenance Facility and Train**

**Technicians)**

Omnitrans requests to modify the design of the improvements to their vehicle maintenance facility. The originally approved design specified in the proposed contract relied upon a larger number of pieces of equipment to support the updated methane detection system, with Omnitrans required to install at least five exhaust fans and two purging fans as well as at least fourteen radiant heaters. Omnitrans has re-evaluated the system design and proposes to use more centralized systems to achieve the same results, with no change to the MSRC's contribution to the project.

Moved by Benoit; seconded by Leano; under approval of Consent Calendar Items #1 through #7, item unanimously approved.

Ayes: Benoit, Berkson, Dutrey, Leano, McCallon, Shaw, Vergis, Yamarone

Noes: None

Action: MSRC Staff will amend the above contract accordingly.

**ACTION ITEMS (Item 9-11):****FYs 2016-18 Work Program****9. Update on MSRC's Hydrogen Infrastructure Partnership Program**

Ray Gorski, MSRC Technical Advisor, presented with the goal of bringing the MSRC up to speed on what is happening with a Work Program element dating back to the 2016-18 Work Program. This will provide background on the Hydrogen Infrastructure Partnership Program, its status, and an explanation of why we are still in discussions even though it's from the 2016 Work Program. The presentation will also give a preview of potential upcoming events that will begin as early as June but potentially extend through the September meeting.

No MSRC action is required today about utilization of unallocated funding which you may or may not want to apply to this Work Program category. This is an actionable item to the extent that you choose to provide the MSRC-TAC and staff guidance.

This is one of many infrastructure programs over the course of the MSRC's thirty-year history, everything from natural gas through electric vehicle service equipment and hydrogen. But this approach was unique in that the MSRC viewed this as a partnership program and the MSRC saw its role as helping sister agencies with their efforts to promote hydrogen refueling infrastructure within the South Coast AQMD's jurisdiction. The MSRC was intended to be that last increment of funding that could help a project, which had already been vetted by agencies such as the California Energy Commission (CEC), CARB or the South Coast AQMD, get over the top. MSRC devised a program to have a set pot of money available such that when the strategic partners needed funds, money was available. A PON (Program

Opportunity Notice) was selected providing a high level of flexibility as opposed to a Program Announcement or a Request for Proposals which have more defined boundaries.

The PON was released on April 6, 2018 with a \$3,000,000 targeted funding amount, with \$500,000 set aside, as a geographic funding minimum, for each of the four counties that comprise the South Coast District. The original intent was to be open for two years, however, as some projects neared completion but were not ready, there was a decision to extend the Program to April 9, 2021. The Program is now closed.

To date, the MSRC has awarded \$1,000,000 to the University of California Irvine. This award is met with a total of \$800,000 from two strategic partners, CEC and South Coast AQMD, each contributing co-funding towards this project. This is a station expansion and completely under contract. Subsequently, we have received two additional concept papers and the MSRC did authorize in a previous meeting the submittal of full proposals. Cal State Los Angeles has a \$1,000,000 request and San Bernardino County Transportation Authority (SBCTA) has a \$1,662,000 request, both in the final stages of the MSRC-TAC review process with recommendations coming forward for consideration at the June meetings. The \$3,662,000 total amount of these three proposals--one that has been fully awarded and two that are in final consideration--exceeds the targeted funding amount by \$662,000. At this point in time, this Work Program element is oversubscribed.

We did receive three additional concept papers towards the end of the solicitation period. The submitters are Air Products; Nikola, a manufacturer of electric class 8 tractors; and Clean Energy. We do not know what the requested amounts will be because these are concept papers only and the MSRC has not yet authorized the request of full proposals. The amounts requested most likely will not be out of line with the previous funding requests.

At June meeting, the MSRC will be asked to take action on the two proposals that have been received from Cal State Los Angeles and the SBCTA. The MSRC may also receive a request from the MSRC-TAC to have full proposals submitted by the three additional PON respondents. This definitely would require the MSRC to consider using funding from their unallocated balance.

If the MSRC authorizes submittal of proposals for the three additional projects, how much funding would we anticipate being needed above the current \$3,000,000? \$4,000,000 to \$5,000,000. That probably will be the request for funding that would come in from the three additional applicants.

How much money does the MSRC currently have in its unallocated funds? \$4.162 million which is the residual balance in FYs 2018-21 Work Program, \$2.3 million

from an Inland Ports project that cannot move forward with their project, and the \$2.477 million unused portion of the Event Center Program. In total today you have approximately \$8.94 million dollars in unallocated balance which the MSRC can utilize at its discretion.

It would be beneficial for the MSRC-TAC and staff to know whether or not the course that the hydrogen program is currently on fits within your priorities. To fund all the projects is going to take money above and beyond your current targeted funding amount. We do not want to go back and request full proposals from prospective applicants if this is not in keeping with your priorities for the use of your remaining Discretionary Funds.

Other options which are available for the \$8.94 million in unallocated funds include rolling them into the next Work Program, commencing on July 1, 2021. Or there could be a reservation of funding for a possible back up list from your Last Mile program which was just recently released; we expect projects to be brought forth for your consideration starting in the September/October 2021 timeframe. There are multiple options available to you on how you utilize your unallocated funding.

If we are on the right track, we will continue to move ahead with the TAC and the Subcommittee and bring back recommendations starting in June 2021. However, if continued activity on this course is not within your priorities, we can discontinue efforts to pursue full proposals from the additional three respondents to the PON. That would wrap up the program for final consideration at your next meeting.

Chair McCallon asked to remind members about what Inland Ports project was declined for \$2.3 million.

Ray Gorski answered there was a project put forward by Sea Logix. They were proposing to replace approximately 50% of their current diesel Class 8 tractor fleet with near-zero natural gas tractors, and the MSRC awarded \$2.3 million to have them initiate that project. The Inland Ports program had a focus on the warehouse and distribution network within the Inland Empire so those trucks were obligated to truck goods containers from the maritime ports out to warehouse and logistics facilities in San Bernardino and Riverside counties. We have been notified by the project applicant/awardee they cannot guarantee at this time they could meet the minimum number of trips which would be required to actually service logistic facilities in the Inland Empire. Due to business reasons, they might need to deploy those trucks in other geographic areas. They respectfully and regretfully had to decline the \$2.3 million. This is a disappointment because it was a large-scale program, however, the MSRC has funded \$28 million.

Chair McCallon asked for comments and questions.

Jed Leano asked staff if we have anything in codified provisions that give guidance on what is an appropriate amount of roll over from one Work Program to the next and is there any precedent that a certain amount of unspent funds being rolled over is in excess? How much capital do we want unspent rolling over to a new three-year Work Program?

Ray Gorski answered there is no provision in the Health and Safety Code which specifies what the MSRC can and cannot do as it pertains to their Discretionary Fund. The MSRC can utilize that money in one Work Program year, or as it has been demonstrated in prior Work Programs, aggregate multiple years of funding to do large scale programs. It is up to the MSRC's discretion. When the MSRC has taken relatively large residual balances and rolled them forward, it was in anticipation of using those for larger scale programs, as the MSRC did in their FYs 2018-21 Work Program with their overall goods movement focus. There's no statutory obligation but the MSRC has demonstrated that they like to deploy money to achieve air pollutant reductions in a timely manner so that it improves health for everyone in this South Coast AQMD region.

Jed Leano asked Legal counsel to confirm there are no reversion principles here that would trigger if there is unspent funding being rolled over. He has dealt with this all the time in other agencies that he sits on; basically you know that x amount needs to be spent or it's at risk in the next cycle of budgeting. He would like to make sure there are no reversion provisions here.

Daphne Hsu replied that she is not aware of any reversion principles.

Chair McCallon stated that it has not been an issue in the past.

Brian Berkson stated he has made comments in the past about our prior Work Programs and what happens when funds do not get spent and has talked about this many times over the last couple of years. He is concerned about bringing back the new applicants or applicants that have not even gone through the whole process right now on a 2016-18 Work Program. Our focus at MSRC has changed. With the extra money we may be wanting to look at other options, and maybe there is something more to bolstering the current Work Program that we are on or maybe for the future Work Program. He is not necessarily inclined to favor just bringing in the three other applicants under a Work Program which started in 2016. That was a long time ago and our focus has changed.

John Dutrey asked if the three applicants are ready to go on the hydrogen?

Ray Gorski answered they have made representations that they are ready to go, with the knowledge that the amount of funding which the MSRC may award could impact the overall scope of their project. Two of them, for all intents and purposes,

are in the business of providing gaseous fuels so it would be within their current business enterprise for them to move forward quickly with hydrogen station development. The third applicant is a manufacturer of fuel cell electric heavy-duty trucks and their intention is to implement a convenient refueling station for fuel cell tractors which are serving zero emission goods movements between the Inland Empire and the Ports of Long Beach and Los Angeles. Understand that there is always infrastructure permitting and other issues which need to be addressed and those take time for any infrastructure program. Representations have been received that they are committed and ready to partner with the MSRC to implement these stations as fast as possible.

John Dutrey commented that they are advanced in their scope and it sounds like staff is comfortable with the scope within the mission of this organization. Has TAC reviewed and have they had discussion on this?

Ray Gorski answered the TAC had preliminary discussions; he presented to them at their last meeting a presentation that was like today's. At that time, it was acknowledged that the Hydrogen Infrastructure Partnership Program is approaching its full funding level of \$3 million and that any additional actions taken by the TAC would require the MSRC to tap into unallocated funding. There is a hesitancy to request full proposals without your authorization. We would seek that in June, but we want to make sure that you are aware that in doing so, by definition, would require tapping into those unallocated funds.

John Dutrey commented that being the new person, he feels as though if we have other projects that staff and TAC highly recommend that are ready to go or almost ready to go; his feeling is let us get money out there for good projects and not hold on to the money and wait for other projects perhaps that may or may not come. Go back to TAC and bring it back to MSRC next meeting for recommendation.

Chair McCallon stated that is the plan.

Tim Shaw commented the important criteria that we need to be considering are our mission of clean transportation and the environmental benefits. If we are deciding on using funds for this program or that idea or this idea, he is not sure he understands the environmental benefits of option A, B, and C, and does not know if that is something that the TAC is going to be giving us. Seems to him that environmental improvements would be the important criteria of what is getting us the best bang for our buck in using these funds. Is this part of the analysis that will we see next month?

Ray Gorski answered absolutely. Depending on the recommendation from the MSRC-TAC, what we will present you next month is a description of the project and what its nexus is to the overall efforts of the MSRC. With some knowledge now,

each of the three proposed stations has a nexus to your current goods movement program in that they are all targeting heavy-duty hydrogen fuel cell trucks which would be utilized to perform drayage service, container movements, within the greater Los Angeles basin including out to the Inland Empire. Even though it came from a prior year's Work Program (2016-18), the projects that are being proposed would support enabling the deployment of hydrogen fuel cell Class 8 tractors for conducting goods movement within the South Coast AQMD.

Sydney Vergis commented how exciting it is that there are such wonderful zero emission projects that are ready to go, particularly on the hydrogen side, when the rapid transformation of heavy-duty trucks in the freight sector is really needed. The Governor's Executive Order has mandated that we move towards 100% of the on-road fleet being zero emission by 2035. That's not 100% of sales, that's 100% of the fleet. She would like to underscore general support that not only it is great to have such great zero emission options but also to be cognizant of the infrastructure needs that come along with that mandate. General enthusiasm and support, thank you for the presentation Ray.

Ben Benoit agrees with Sydney. This is much needed and when he looked at the current program, we have done a lot of great stuff on electrification, but we get regular comments at AQMD that we are slipping behind on the hydrogen side and especially in the Inland Empire. As someone who drove a hydrogen-powered car for a couple of years, there are very few station options out here. None of these are in my area, but at least certainly in the Inland Empire by Larry and that is an area that needs more. Will the public have access to the stations because that is an important thing? Would like to ask staff or TAC if they feel it would be appropriate to cap each project at a million dollars, so that if we were to keep going on this, seems to be a number that at least gets these projects moving and maybe we could get one more project out of that extra funding if there were to be someone else that came forward. He is interested to hear what the TAC has to say as far as a full recommendation to the body, as long as it continues to allow these types of projects and again with hydrogen, we are two steps behind, especially in the Inland Empire. Exciting to see projects coming that way.

Chair McCallon agrees with Ben. He is a big proponent of hydrogen fuel cells. He thinks that is really the future if it gets rid of the problem of what you do with used batteries, etc. We may have an electrical generation problem, providing all the electricity needed for electrical vehicles. A lot of companies are beginning to generate hydrogen and will bring down the cost. There is a real infrastructure problem, especially in the Inland Empire, relative to hydrogen refueling stations and we need to try to fix that somehow. He thinks the consensus would be to go ahead and receive some proposals on the PON and review at the next meeting. Would the proposals be in and evaluated in June, Ray?

Ray Gorski answered at June meeting, you will have two proposals on which you will be asked to take final consideration. Then also there is the possibility, based upon the final deliberations that are ongoing, that the TAC will request authorization to have three additional full proposals submitted and those will be brought back for your attention in August timeframe.

Chair McCallon asked if the SBCTA proposal is for the Arrow service?

Ray Gorski answered that is correct. A recommendation will be brought for final consideration at June meeting.

Chair McCallon commented on the concern about having available access to public, etc. SBCTA has tried to address this concern.

Ray Gorski answered that is correct. As a result of Subcommittee deliberations, we have been working with SBCTA. SBCTA has submitted responses, those have been evaluated by the Subcommittee, and will be moving to TAC at their June meeting, then on to MSRC June meeting.

- Chair McCallon asked for public comment on this item.  
There were no members of the public who wished to speak on this item.

#### **10. Consider Application Received under Major Event Center Transportation Program Announcement**

As an element of their FYs 2018-21 Work Program, the MSRC originally allocated \$6,500,000 to the Major Event Center Transportation Program with the goal of reducing a significant number of automobile trips and their associated air pollutant emissions by shifting attendees of major event center functions out of their personal automobiles and onto zero and near-zero emission transportation alternatives. A Program Announcement was released on April 5, 2019 with a closing date of March 30, 2021. To date, the MSRC has awarded a total of \$3,820,682. One additional application which met the criteria for evaluation was received prior to the deadline and is being brought forward for consideration. Orange County Transportation Authority (OCTA) is requesting \$289,054 in MSRC funding assistance to implement special transit service to the 2022 Orange County Fair. The Major Event Center Subcommittee has reviewed OCTA's application and recommends approval of a \$289,054 award.

Ray Gorski presented on behalf of Steven Lee, Event Center Subcommittee Chair. The recommendation from the MSRC-TAC is to award OCTA and their Orange County Fair Express service \$289,054 for the 2022 Fair season. The MSRC has partnered with OCTA in prior years to implement this transportation service. This is an alternative to accessing the Orange County Fair using your personal car. You can be picked up using an OCTA bus at either a transportation facility, transportation

hub, Park and Ride or other stations listed in the staff report. There are approximately seven different locations. The attributes would be like previous Orange County Fair Express implementation. OCTA will deploy approximately eight new hydrogen fuel cell zero emission full size transit buses, as well as near-zero CNG buses. This will run for a five-week period on weekends. Ridership has gone up year over year as people become familiar with the service, they realize how convenient it is not to have to worry about parking or parking fees when visiting the Orange County Fair. 2021 ridership is uncertain, that is why OCTA is requesting the funding be applied to their 2022 season. This request for \$289,054 will be matched by no less than \$433,581.

Brian Berkson asked because of COVID and lack of ridership and people afraid to get back on buses and trains, do we have any minimum standards for OCTA? That OCTA would have to have a certain number of people that board or is it that we hope for the best?

Ray Gorski answered it would have been easier had we not had COVID because we had a historical projection of the ridership based upon year over year increases. Had the program been going forward under normal circumstances, the ridership would have more than been adequate to achieve the air quality benefits which are being solicited under this work program category. COVID changes the dynamic and that is why we are looking to see how 2021 goes and how much of their ridership returns and then over the course of the next year see how overall transit ridership improves. There is always the opportunity for MSRC to work with OCTA if things appear to be not achieving the air quality benefits that the program set out to achieve, we have a little bit of time before we need to make decision, it will be interesting to see how transit ridership improves over the next 12 months overall.

Brian Berkson commented that is what he wanted to hear. Also, he hopes we see people getting back out there now that vaccines are available. Hopefully, everything comes back to normal by next year.

Sydney Vergis expressed concerns over funding of combustion transportation. We are operating in a new zero emission landscape. Communities need zero emission now for public health; it is here in terms of technology readiness. It often pencils out financially for those who are operating those vehicles. We are a leader, as a state, when it comes to zero emission economy, we have a lot of zero emission bus manufacturers located here. If we are talking about showcasing zero emission technologies, through this program and through this funding that is great; I am all in. I would like to flag regarding OCTA, based on their publicly available Innovative Clean Transit Rollout Plan, it is public that their next purchase of zero emission buses will not be until 2029 so if we are talking about helping them buy more zero emission buses before that and accelerating those benefits to communities, I am all in, but if we are paying for combustion again, I am out. Natural gas is not operating

in the field the way we thought it would. Combustion is still combustion, and it still leaves the near-source health risks that we all are concerned about.

Chair Larry McCallon understands the concerns, however, the buses will take many cars off the road and reduce vehicle miles travelled which is also another state goal.

Sydney Vergis commented that she was familiar with the state goals. The way we are referring to combustion vehicles is kind of a misnomer. For the money that we are offering to spend here, we could be partnering with them to get another zero emission bus on the road. In the long-term, not just for a near-term experience, we also have an opportunity to be showcasing to the riders, all the wonderful benefits that zero emission can provide.

John Dutrey commented since he sits on a bus board making every case to purchase zero emission buses, but it would be nice if the state of California could provide all the public bus agencies additional funding or much more funding to purchase them. The key thing here is trying to encourage people to get out of cars and take public transit to get to events. We have had much success with the Dodgers and LA Metro.

Moved by Dutrey; seconded by Benoit; item is approved.

Ayes: Benoit, Berkson, Dutrey, Leano, McCallon, Shaw, Yamarone

Noes: Vergis

Action: This award will be placed on the June 4, 2021 South Coast AQMD Board agenda for approval.

#### **11. Update on Partnership with South Coast AQMD and Regional Partners on Large-Scale Zero Emission Demonstration**

In December 2020, the MSRC authorized an allocation of up to \$8,000,000 for partnership with South Coast AQMD and other regional partners on behalf of the Regional Zero & Near Zero Emission Truck Collaborative in a proposal seeking funding under the joint CARB/CEC “Zero-Emission Drayage Truck and Infrastructure Pilot Project” solicitation.

Joseph Impullitti presented that the proposal was successful and South Coast AQMD was awarded \$26.9 million dollars by CARB and CEC to deploy 100 commercial Class 8 battery electric trucks and infrastructure.

The project involves two fleets. Each fleet will have 50 battery electric trucks, one based in Ontario and one in South El Monte. Both fleets will utilize the I-710 corridor for drayage and regional short haul applications. The project would also include a ZEV workforce plan and training courses, community and stakeholder outreach and data collection and analysis.

Project goals and benefits for both CEC and CARB include advancing Class 8 battery electric truck technology, assessing the feasibility of having many trucks at a single fleet location and what the impacts of that would be, supporting economies of scale for the original equipment manufacturers (OEMs), achieving criteria and greenhouse gas emission reductions, assisting CARB with compliance of Advanced Clean Truck Fleet regulations, and addressing concerns of residents and disadvantaged communities. South Coast AQMD goals include providing NOx reductions towards attainments of ozone standards and enabling us to transition towards zero emission technologies at ports and in large fleets.

Joseph Impullitti presented the total cost allocation for trucks. CARB is contributing equal amounts to NFI and Schneider. The fleets are putting in each \$6 million for trucks. The MSRC's \$8 million will be allocated \$3,000,000 to NFI and \$5,000,000 to Schneider. For South Coast AQMD's \$3,952,625 contribution, we are going to Technology Committee tomorrow and then the Board on June 4, 2021 for approval. The Ports each putting in \$1.5 million.

The breakdown of per-truck cost was reviewed. The fleets are contributing \$120,000 which is approximately what a base diesel truck would cost, and the other costs of the vehicle are being absorbed by all our funding partners, CARB, MSRC, South Coast AQMD, and the Ports.

With respect to total project funding, CARB awarded \$16 million, nearly \$11 million was awarded from CEC, NFI's contribution is \$16.7 million, Schneider's is \$8.6 million, MSRC \$8 million, South Coast AQMD \$5.6 million, and in addition South Coast AQMD will put aside \$10 million to cover any shortfalls in partner cost share. This is a requirement of CARB. Edison through its Charge Ready Program will contribute \$5 million towards the infrastructure and the Ports are each putting in \$1.5 million.

Joseph Impullitti presented the fleets' cost share split. Each fleet is contributing \$6 million towards the cost of the trucks. NFI, who is going to have a micro grid at its site, is contributing towards those costs. Schneider is not having a micro grid; they will just have the EVSE at their site. NFI will purchase land and building a purpose-built facility for servicing their electric trucks. There are electricity costs that Schneider is contributing to.

Other project partners were presented along with their contributions to the program. GNA will contribute media and communications and will work on the ZEV workforce plan. EPRI will do the charger performance analysis and impacts to the grid. Ricardo will do data collection from the trucks and fleet analysis. LACI will contribute to the workforce plan, do some of the workforce performance metrics and stakeholder outreach. The Coalition for Clean Air will do disadvantaged communities outreach where a lot of these trucks will be operating. Rio Hondo and

San Bernardino Valley Colleges will have a ZEV education and training program. Calstart will be looking at charger pricing analysis and fleet case studies and UCR's CE-CERT will be doing eco-routing applications for the fleets for their battery electric trucks.

Tim Shaw commented for interest of transparency he is also employed by Rio Hondo College.

John Dutrey asked how many trucks will be put through this program?

Joseph Impullitti answered 100 trucks, 50 at each location: a combination of Daimler's E Cascadia Class 8 trucks and Volvo's VNR Class 8 trucks.

John Dutrey asked about the infrastructure that both companies are contributing to, does that allow them to expand to do more electrical trucks as they purchase them in the future?

Joseph Impullitti answered that it depends on utilization. There will need to be some off-site charging. Closer to the Ports, they can do some opportunity charging to increase the amount of turns they can do per day.

Chair McCallon commented that this is a good program. With all the partners that are involved, looking at this at Technology Committee tomorrow. An exciting program.

Matt Miyasato thanked the MSRC for providing a significant amount of cost share to this project. South Coast AQMD is one of the main proponents of electric trucks. We want to see electric trucks as bad as anyone in the state or the world. It is good to have this regional partnership behind us and could not be more pleased to partner with the MSRC. Thank you. Also, would like to thank CARB for putting the trust in us to do this big program. Sydney, thank you and your team.

Sydney Vergis commented that they are very excited and looking forward to this one hitting the ground.

Chair McCallon commented that this is a very exciting program and partnership. Looking forward to the disadvantaged community part of the project, as these trucks go through the most impacted communities in both Los Angeles and San Bernardino areas.

Joseph Impullitti commented that both Rio Hondo and San Bernardino Valley Colleges have developed some programs for technicians to work on these trucks so that's part of the workforce development, developing the talent we need to support these vehicles.

Ben Benoit commented that this is an exciting project. It has all the different aspects we need from the onsite maintenance to supporting local schools to supporting the environmental justice communities. It's an all-out win all the way around and he's really proud to be pushing money in this direction. He hopes to see it do very well so that we can start replicating this in other areas for sure.

John Dutrey commented about South Coast AQMD's warehouse rule and the importance of zero emission trucks more than ever. If this demonstration is very successful what does that do for the industry? Especially for electric trucks, will it cause confidence among operators? Will it cause the price of electric trucks to decline and become more affordable to purchase?

Joseph Impullitti answered all of the above. From a previous demonstration project that we have done with Daimler and Volvo, the reception from the operators, the drivers, is overwhelmingly very positive. They like the quietness, the lack of diesel smell and vibration. For the manufacturers, this gives them a chance to see what it is going to take in their dealership networks to support a large number of vehicles deployed out in the field all at the same time, in the same area. It is good for the operators; it is good for the fleets and good for the OEMs and of course the cost. This is just the beginning; some big projects are planned this year with CARB's 800 Truck Project. We are going to see a lot of these trucks deployed over the next year.

Tim Shaw commented he is very proud of Rio Hondo college which is offering a bachelor's degree in Automotive Technology. Not a lot of community colleges offer bachelor's degrees, but they received special dispensation to offer an actual bachelor's degree in automotive technology. Many students are taking advantage of this program.

Brian Berkson commented he loves the project. As he talked about earlier, this is a massive undertaking and he is really looking forward to the results. The residents of Jurupa Valley and Mira Loma, in particular, will be very excited to see any trucks being swapped out for zero emission vehicles. When will the trucks be delivered, when will they be operational?

Joseph Impullitti answered most will be delivered in between 2022 and 2023. Initial time will be needed to put together the projects also for the infrastructure to be put in place so that when the trucks are delivered, they can start operating.

Brian Berkson asked if any rough idea by the time 2022/2023 hits how many new zero emission semi-trucks could be produced per year. There are several manufacturers and each can produce a certain number of trucks. Is there any information out there?

Joseph Impullitti answered that we have asked the OEMs and they keep that very close to the vest. It's highly proprietary information, they do not like their competitors knowing what their capabilities are. Every time we bring it up, they say they can provide whatever customers want. Volvo has integrated the VNR into their plant in New River, VA and Daimler has done the same at their plant in Portland, OR.

Matt Miyasato commented to be clear, we have a handful of large OEMs. The trucks cost three to four times more than a conventional vehicle and so they are planning on production capacity which is well under their maximum for diesel. So, let's assume 200 per manufacturer, so we are talking about 1,000 trucks probably in the next two years. This pilot will help determine the optimal truck architecture and how to do a large fleet deployment. That starts the ball rolling to higher volumes and lower prices. It is critical that this be successful, and we are doing everything we can to make sure that that happens. In the next few years, you are going to need some initiatives which the state is providing in order to get volumes and a significant number of trucks deployed.

Brian Berkson thanked Matt for his answer. Even though it is a ballpark number, it is a number in the back of his mind.

### **OTHER BUSINESS:**

**12. Other Business** – No other business was introduced.

### **PUBLIC COMMENT PERIOD**

No comments were made on non-agenda items.

### **ADJOURNMENT**

The meeting adjourned at 3:08 p.m.

### **NEXT MEETING**

Thursday, June 17, 2021 at 2:00 p.m.

[Prepared by Marjorie Eaton]

MSRC Agenda Item No. 2

**DATE:** September 16, 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 July 29 to August 25, 2021.

**RECOMMENDATION:** Receive and file report

**WORK PROGRAM IMPACT:** None

**Contract Execution Status**

**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 with the South Coast AQMD Board Chair for signature.

On April 2, 2021, the SCAQMD Governing Board approved five awards under the Zero and Near-Zero Emission Cargo Handling Equipment at Warehouse, Distribution and Intermodal Facilities in Riverside and San Bernardino Counties Program and ten awards under the Zero and Near-Zero Emission Trucking to Warehouse, Distribution and Intermodal Facilities in Riverside and San Bernardino Counties Program. These contracts are under development, undergoing internal review, or with the prospective contractor for signature.

On June 4, 2021, the SCAQMD Governing Board approved an award under the Major Event Center Transportation Program. This contract is under development.

On August 6, 2021, the SCAQMD Governing Board approved an award under the Hydrogen Infrastructure Partnership 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 4 are in “Open/Complete” status.

#### ***FY 2010-11 Invoices Paid***

No invoices were paid during this period.

#### ***FY 2011-12 Work Program Contracts***

4 contracts from this work program year are open, and 11 are in “Open/Complete” status.

#### ***FY 2011-12 Invoices Paid***

No invoices were paid during this period.

#### ***FYs 2012-14 Work Program Contracts***

10 contracts from this work program year are open, and 24 are in “Open/Complete” status. One contract passed into “Open/Complete” status during this period: County of Los Angeles Department of Public Works, Contract #ML14024 – Maintenance Facility Modifications. One contract closed during this period: County of Los Angeles Internal Services Department, Contract #ML14030 – Bicycle Racks, Outreach & Education.

#### ***FYs 2012-14 Invoices Paid***

2 invoices totaling \$146,000.00 were paid during this period.

#### ***FYs 2014-16 Work Program Contracts***

31 contracts from this work program year are open, and 30 are in “Open/Complete” status. One contract closed during this period: City of San Fernando, Contract #ML16076 – Installation of EV Charging Infrastructure.

#### ***FYs 2014-16 Invoices Paid***

No invoices were paid during this period.

#### ***FYs 2016-18 Work Program Contracts***

97 contracts from this work program year are open, and 44 are in “Open/Complete” status. One contract passed into “Open/Complete” status during this period: City of Los Angeles, Bureau of Street Affairs, Contract #ML18086 – Install 60 EV Charging Stations.

3 invoices totaling \$345,000.00 were paid during this period.

#### ***FYs 2018-21 Work Program Contracts***

5 contracts from this work program year are open.

3 invoices totaling \$4,666.85 were paid during this period.

#### ***Administrative Scope Changes***

One administrative scope change was initiated during the period from July 29 to August 25, 2021:

- City of Rialto, Contract #ML18159 (Procure 9 Light-Duty ZEVs and Install EV Charging) – One-year term extension

**Attachments**

- FY 2007-08 through FYs 2018-21 (except FY 2009-10) Contract Status Reports



## AB2766 Discretionary Fund Program Invoices

July 29 to August 25, 2021

Contract Admin.	MSRC Chair	MSRC Liaison	Finance	Contract #	Contractor	Invoice #	Amount
<i>2012-2014 Work Program</i>							
8/18/2021	8/20/2021	8/24/2021		MS14079	Waste Resources, Inc.	2	\$10,000.00
8/4/2021	8/4/2021	8/11/2021		MS14072	San Bernardino County Transportation Authority	4	\$136,000.00
<b>Total: \$146,000.00</b>							
<i>2016-2018 Work Program</i>							
8/24/2021				MS18124	County Sanitation Districts of Los Angeles Count	32272	\$275,000.00
7/30/2021	8/4/2021	8/5/2021		ML18034	City of Calabasas	Final	\$50,000.00
8/19/2021	8/20/2021	8/24/2021	8/24/2021	MS18125	U.S. Venture	002 -FINAL	\$20,000.00
<b>Total: \$345,000.00</b>							
<i>2018-2021 Work Program</i>							
8/11/2021	8/20/2021	8/24/2021		MS21002	Better World Group Advisors	WG-MSRC1	\$843.70
8/4/2021	8/4/2021	8/5/2021		MS21006	Geographics	21-22521	\$373.00
7/30/2021	8/4/2021	8/5/2021		MS21002	Better World Group Advisors	WG-MSRC1	\$3,450.15

**Total: \$4,666.85**

**Total This Period: \$495,666.85**



## FYs 2008-09 Through 2018-21 AB2766 Contract Status Report

9/9/2021

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<b><i>FY 2008-2009 Contracts</i></b>									
<b><i>Declined/Cancelled Contracts</i></b>									
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
<b>Total: 10</b>									
<b><i>Closed Contracts</i></b>									
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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
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?
<b>FY 2010-2011 Contracts</b>									
<b>Open Contracts</b>									
ML11029	City of Santa Ana	9/7/2012	3/6/2020	3/6/2023	\$262,500.00	\$75,000.00	Expansion of Existing CNG Station, Install N	\$187,500.00	No
<b>Total: 1</b>									
<b>Declined/Cancelled Contracts</b>									
ML11038	City of Santa Monica	5/18/2012	7/17/2018		\$400,000.00	\$0.00	Maintenance Facility Modifications	\$400,000.00	No
MS11013	Go Natural Gas, Inc.				\$150,000.00	\$0.00	New CNG Station - Huntington Beach	\$150,000.00	No
MS11014	Go Natural Gas, Inc.				\$150,000.00	\$0.00	New CNG Station - Santa Ana	\$150,000.00	No
MS11015	Go Natural Gas, Inc.				\$150,000.00	\$0.00	New CNG Station - Inglewood	\$150,000.00	No
MS11046	Luis Castro				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11047	Ivan Borjas				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11048	Phase II Transportation				\$1,080,000.00	\$0.00	Repower 27 Heavy-Duty Vehicles	\$1,080,000.00	No
MS11049	Ruben Caceras				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11050	Carlos Arrue				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11051	Francisco Vargas				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11053	Jose Ivan Soltero				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11054	Albino Meza				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11059	Go Natural Gas				\$150,000.00	\$0.00	New Public Access CNG Station - Paramou	\$150,000.00	No
MS11063	Standard Concrete Products				\$310,825.00	\$0.00	Retrofit Two Off-Road Vehicles under Showc	\$310,825.00	No
MS11070	American Honda Motor Company				\$100,000.00	\$0.00	Expansion of Existing CNG Station	\$100,000.00	No
MS11072	Trillium USA Company DBA Californi				\$150,000.00	\$0.00	New Public Access CNG Station	\$150,000.00	No
MS11077	DCL America Inc.				\$263,107.00	\$0.00	Retrofit of 13 Off-Road Diesel Vehicles with	\$263,107.00	No
MS11083	Cattrac Construction, Inc.				\$500,000.00	\$0.00	Install DECS on Eight Off-Road Vehicles	\$500,000.00	No
MS11084	Ivanhoe Energy Services and Develo				\$66,750.00	\$0.00	Retrofit One H.D. Off-Road Vehicle Under S	\$66,750.00	No
MS11088	Diesel Emission Technologies				\$32,750.00	\$0.00	Retrofit Three H.D. Off-Road Vehicles Under	\$32,750.00	No
MS11089	Diesel Emission Technologies				\$9,750.00	\$0.00	Retrofit One H.D. Off-Road Vehicle Under S	\$9,750.00	No
MS11090	Diesel Emission Technologies				\$14,750.00	\$0.00	Retrofit One H.D. Off-Road Vehicle Under S	\$14,750.00	No
<b>Total: 22</b>									
<b>Closed Contracts</b>									
ML11007	Coachella Valley Association of Gov	7/29/2011	7/28/2012		\$250,000.00	\$249,999.96	Regional PM10 Street Sweeping Program	\$0.04	Yes
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
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
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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS11065	Temecula Valley Unified School Distr	8/11/2012	1/10/2019		\$50,000.00	\$48,539.62	Expansion of Existing CNG Station	\$1,460.38	Yes
MS11066	Torrance Unified School District	11/19/2012	9/18/2018		\$42,296.00	\$42,296.00	Expansion of Existing CNG Station	\$0.00	Yes
MS11067	City of Redlands	5/24/2012	11/23/2018	11/23/2019	\$85,000.00	\$85,000.00	Expansion of Existing CNG Station	\$0.00	Yes
MS11068	Ryder System Inc.	7/28/2012	10/27/2018		\$175,000.00	\$175,000.00	New Public Access L/CNG Station (Fontana)	\$0.00	Yes
MS11069	Ryder System Inc.	7/28/2012	8/27/2018		\$175,000.00	\$175,000.00	New Public Access L/CNG Station (Orange)	\$0.00	Yes
MS11071	City of Torrance Transit Department	12/22/2012	1/21/2019	1/21/2020	\$175,000.00	\$175,000.00	New Limited Access CNG Station	\$0.00	Yes
MS11074	SunLine Transit Agency	5/11/2012	7/31/2012		\$41,849.00	\$22,391.00	Transit Service for Coachella Valley Festival	\$19,458.00	Yes
MS11079	Bear Valley Unified School District	2/5/2013	10/4/2019		\$175,000.00	\$175,000.00	New Limited Access CNG Station	\$0.00	Yes
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: 56**

**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
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: 4**

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	11/7/2021	\$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
ML12090	City of Palm Springs	10/9/2015	10/8/2021	9/8/2025	\$21,163.00	\$0.00	EV Charging Infrastructure	\$21,163.00	No
ML12091	City of Bellflower	10/5/2018	10/4/2019	12/30/2021	\$100,000.00	\$34,759.94	EV Charging Infrastructure	\$65,240.06	No

**Total: 4**

#### **Declined/Cancelled Contracts**

ML12016	City of Cathedral City	1/4/2013	10/3/2019		\$60,000.00	\$0.00	CNG Vehicle & Electric Vehicle Infrastructure	\$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
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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML12054	City of Palm Desert	9/30/2013	2/28/2015		\$77,385.00	\$77,385.00	EV Charging Infrastructure	\$0.00	Yes
ML12055	City of Manhattan Beach	3/1/2013	12/31/2018		\$10,000.00	\$10,000.00	One Medium-Duty Nat. Gas Vehicle	\$0.00	Yes
ML12056	City of Cathedral City	3/26/2013	5/25/2014		\$25,000.00	\$25,000.00	Regional Street Sweeping Program	\$0.00	Yes
ML12066	City of Manhattan Beach	1/7/2014	4/6/2015		\$5,900.00	\$5,900.00	Electric Vehicle Charging Infrastructure	\$0.00	Yes
MS12001	Los Angeles County MTA	7/1/2012	4/30/2013		\$300,000.00	\$211,170.00	Clean Fuel Transit Service to Dodger Stadium	\$88,830.00	Yes
MS12002	Orange County Transportation 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 Stadium	\$67,003.88	Yes
MS12004	USA Waste of California, Inc.	10/24/2013	11/23/2019		\$175,000.00	\$175,000.00	Construct New Limited-Access CNG Station	\$0.00	Yes
MS12005	USA Waste of California, Inc.	10/19/2012	8/18/2013		\$75,000.00	\$75,000.00	Vehicle Maintenance Facility Modifications	\$0.00	Yes
MS12006	Waste Management Collection & Re	10/19/2012	8/18/2013		\$75,000.00	\$75,000.00	Vehicle Maintenance Facility Modifications	\$0.00	Yes
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
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
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
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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS12074	Arcadia Unified School District	7/5/2013	9/4/2019		\$175,000.00	\$175,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS12076	City of Ontario, Housing & Municipal	3/8/2013	4/7/2015		\$75,000.00	\$75,000.00	Maintenance Facilities Modification	\$0.00	Yes
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: 61**

**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
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	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: 11**

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	4/12/2022	\$244,000.00	\$0.00	EV Charging and 7 H.D. LPG Vehicles	\$244,000.00	No
ML14021	Riverside County Regional Park and	7/24/2014	12/23/2016	9/30/2024	\$250,000.00	\$0.00	Bicycle Trail Improvements	\$250,000.00	No
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
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	\$1,023,566.17	Implement Various Signal Synchronization P	\$226,433.83	No
MS14079	Waste Resources, Inc.	9/14/2016	8/13/2022	2/13/2024	\$100,000.00	\$100,000.00	New Limited Access CNG Station	\$0.00	Yes
MS14083	Hacienda La Puente Unified School	7/10/2015	3/9/2022		\$175,000.00	\$175,000.00	New Limited Access CNG Station	\$0.00	No

**Total: 10**

#### **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
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
ML14023	County of Los Angeles Department o	10/2/2015	9/1/2017	3/1/2021	\$230,000.00	\$230,000.00	Maintenance Fac. Modifications-Westcheste	\$0.00	Yes
ML14024	County of Los Angeles Department o	10/2/2015	9/1/2017	9/1/2021	\$230,000.00	\$230,000.00	Maintenance Fac. Modifications-Baldwin Par	\$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
ML14030	County of Los Angeles Internal Servi	1/9/2015	3/8/2018	7/30/2021	\$425,000.00	\$216,898.02	Bicycle Racks, Outreach & Education	\$208,101.98	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML14031	Riverside County Waste Manageme	6/13/2014	12/12/2020		\$90,000.00	\$90,000.00	Purchase 3 H.D. CNG Vehicles	\$0.00	Yes
ML14034	City of Lake Elsinore	9/5/2014	5/4/2021		\$56,700.00	\$56,700.00	EV Charging Stations	\$0.00	Yes
ML14049	City of Moreno Valley	7/11/2014	3/10/2021		\$105,000.00	\$101,976.09	One HD Nat Gas Vehicle, EV Charging, Bicy	\$3,023.91	Yes
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
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
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
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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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: 47**

**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
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
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	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 Infr., 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
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
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
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

**Total: 22**

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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## FY 2014-2016 Contracts

### Open Contracts

ML16006	City of Cathedral City	4/27/2016	4/26/2022		\$25,000.00	\$0.00	Bicycle Outreach	\$25,000.00	No
ML16008	City of Pomona	9/20/2016	11/19/2022	5/19/2025	\$60,000.00	\$60,000.00	Purchase 3 Medium-Duty and 1 Heavy-Duty	\$0.00	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	9/4/2027	\$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
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	4/2/2024	\$20,000.00	\$0.00	Install EV Charging Infrastructure	\$20,000.00	No
ML16046	City of El Monte	4/1/2016	5/31/2021	5/31/2023	\$20,160.00	\$14,637.50	Install EV Charging Infrastructure	\$5,522.50	No
ML16047	City of Fontana	1/6/2017	8/5/2019	8/5/2022	\$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
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
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	\$653,998.86	Freeway Service Patrols	\$146,626.14	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	\$450,000.00	EV Charging Infrastructure	\$0.00	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	\$299,250.00	Repower 63 Existing Buses	\$645,750.00	No
MS16121	Long Beach Transit	11/3/2017	4/2/2024	11/30/2026	\$600,000.00	\$185,250.00	Repower 39 and Purchase 1 New Transit Bu	\$414,750.00	No
MS16123	Orange County Transportation Autho	12/7/2018	11/6/2023		\$91,760.00	\$0.00	Install La Habra Union Pacific Bikeway	\$91,760.00	No
MS16127	Los Angeles County MTA	6/29/2021		6/28/2022	\$2,500,000.00	\$0.00	Expansion of the Willowbrook/Rosa Parks Tr	\$2,500,000.00	No

**Total: 31**

### Declined/Cancelled Contracts

ML16014	City of Dana Point				\$153,818.00	\$0.00	Extend an Existing Class 1 Bikeway	\$153,818.00	No
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Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
ML16032	City of Azusa	9/9/2016	4/8/2019	4/8/2021	\$474,925.00	\$474,925.00	Implement a "Complete Streets" Pedestrian	\$0.00	No
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
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
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
ML16052	City of Rancho Cucamonga	9/3/2016	11/2/2019	3/31/2021	\$315,576.00	\$305,576.00	Install Two Class 1 Bikeways	\$10,000.00	No
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
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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
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
ML16076	City of San Fernando	2/21/2017	8/20/2021		\$43,993.88	\$43,993.88	Install EV Charging Infrastructure	\$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: 46**

#### 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

ML16007	City of Culver City Transportation De	10/6/2015	4/5/2023		\$246,000.00	\$246,000.00	Purchase 7 H.D. Nat. Gas Vehicles, EV Cha	\$0.00	No
ML16011	City of Claremont	10/6/2015	6/5/2022		\$90,000.00	\$90,000.00	Purchase 3 Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes
ML16012	City of Carson	1/15/2016	10/14/2022		\$60,000.00	\$60,000.00	Purchase 2 Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes
ML16013	City of Monterey Park	12/4/2015	7/3/2022	7/3/2024	\$90,000.00	\$90,000.00	Purchase 3 Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes
ML16016	City of Los Angeles Dept of General	2/5/2016	12/4/2022		\$630,000.00	\$630,000.00	Purchase 21 Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
ML16070	City of Beverly Hills	2/21/2017	6/20/2023		\$90,000.00	\$90,000.00	Purchase 3 H.D. Nat. Gas Vehicles	\$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
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?
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## 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	11/6/2026	\$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	\$50,000.00	Install EVSE	\$0.00	No
ML18036	City of Indian Wells	8/8/2018	5/7/2023		\$50,000.00	\$0.00	Install EV Charging Stations	\$50,000.00	No
ML18041	City of West Hollywood	8/8/2018	12/7/2023	6/7/2024	\$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	\$30,000.00	Purchase 9 Light-Duty ZEVs, 2 Med-Duty ZE	\$197,040.00	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 Medim-Dity ZEV and EV Chargi	\$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	4/28/2028	\$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	Install 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		\$375,000.00	\$250,000.00	Purchase 17 Heavy-Duty Vehicles	\$125,000.00	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
ML18090	City of Santa Clarita	5/9/2019	2/8/2023		\$122,000.00	\$118,978.52	Install Nine EV Charging Stations	\$3,021.48	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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML18092	City of South Pasadena	2/1/2019	1/31/2025		\$50,000.00	\$20,000.00	Procure Two Light-Duty ZEVs and Install EV	\$30,000.00	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
ML18098	City of Redondo Beach	2/1/2019	3/31/2023	3/31/2025	\$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	\$65,389.56	Purchase Two Light-Duty ZEVs and Install S	\$70.44	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	12/1/2022	\$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
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
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
ML18159	City of Rialto	12/13/2019	5/12/2024	5/12/2025	\$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
ML18166	City of Placentia	2/18/2021	5/17/2027		\$25,000.00	\$0.00	Purchase One Heavy-Duty Near-Zero Emis	\$25,000.00	No
ML18167	City of Beverly Hills	3/29/2019	6/28/2025		\$50,000.00	\$0.00	Purchase Two Heavy-Duty Near-Zero Emissi	\$50,000.00	No
ML18168	City of Maywood	3/29/2019	11/28/2022		\$7,059.00	\$0.00	Purchase EV Charging Infrastructure	\$7,059.00	No
ML18169	City of Alhambra	6/14/2019	8/13/2024		\$111,980.00	\$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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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	\$0.00	Purchase One Heavy-Duty Near-Zero Emiss	\$25,000.00	No
ML18179	City of Rancho Mirage	8/20/2021	2/19/2022		\$50,000.00	\$0.00	Traffic Signal Synchronization	\$50,000.00	No
MS18002	Southern California Association of G	6/9/2017	11/30/2018	12/30/2021	\$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	\$65,521.32	Design, Host and Maintain MSRC Website	\$6,931.68	No
MS18015	Southern California Association of G	7/13/2018	2/28/2021	8/31/2022	\$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	12/27/2022	\$500,000.00	\$285,073.44	Weekend Freeway Service Patrols	\$214,926.56	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
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	\$240,000.00	Expansion of Existing CNG Infrastructure/Me	\$0.00	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	\$275,000.00	Install New Limited-Access CNG Infrastructu	\$0.00	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: 95**

#### Pending Execution Contracts

ML18148	City of San Dimas				\$50,000.00	\$0.00	Implement Bike Share Program	\$50,000.00	No
MS18180	Omnitrans				\$83,000.00	\$0.00	Modify Vehicle Maintenance Facility and Trai	\$83,000.00	No

**Total: 2**

#### Declined/Cancelled Contracts

ML18075	City of Orange				\$25,000.00	\$0.00	One Heavy-Duty Vehicle	\$25,000.00	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
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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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: 18**

#### 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

**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 Vehicle Maintenance Facility and Trai	\$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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
ML18038	City of Anaheim	10/5/2018	5/4/2025	5/4/2026	\$151,630.00	\$147,883.27	Purchase 5 Light-Duty ZEVs and Install EVS	\$3,746.73	Yes
ML18039	City of Redlands	6/28/2018	7/27/2024	1/27/2025	\$87,000.00	\$63,190.33	Purchase 1 Medium/Heavy-Duty ZEV and In	\$23,809.67	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
ML18096	City of Highland	12/13/2019	8/12/2024		\$10,000.00	\$9,918.84	Purchase Light-Duty Zero Emission Vehicle	\$81.16	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
ML18143	City of La Habra	10/18/2019	9/17/2025	9/17/2027	\$80,700.00	\$80,700.00	Install Two EV Charging Stations	\$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
ML18155	City of Claremont	7/31/2019	9/30/2023		\$50,000.00	\$35,608.86	Install EV Charging Infrastructure	\$14,391.14	Yes
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	Yes
ML18157	City of Los Angeles Bureau of Street	6/21/2019	5/20/2027		\$85,000.00	\$85,000.00	Purchase One Medium-Duty ZEV	\$0.00	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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
MS18066	El Dorado National	12/6/2019	2/5/2026		\$100,000.00	\$100,000.00	Install 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
MS18125	U.S. Venture	5/9/2019	8/8/2025		\$200,000.00	\$200,000.00	Install New Limited-Access CNG Infrastructu	\$0.00	Yes

**Total: 47**

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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### FY 2018-2021 Contracts

#### Open Contracts

MS21002	Better World Group Advisors	11/1/2019	12/31/2022		\$265,079.00	\$101,167.65	Programmatic Outreach Services	\$163,911.35	No
MS21003	Orange County Transportation Autho	7/8/2020	5/31/2021		\$468,298.00	\$241,150.48	Provide Express Bus Service to the Orange	\$227,147.52	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
MS21005	Southern California Association of G	5/5/2021	1/31/2024		#####	\$0.00	Implement Last Mile Goods Movement Progr	#####	No
MS21006	Geographics	4/1/2021	6/20/2023		\$12,952.00	\$373.00	Hosting & Maintenance of the MSRC Websit	\$12,579.00	No
MS21014	Green Fleet Systems, LLC	8/31/2021	8/30/2027		\$500,000.00	\$0.00	Deploy up to 5 Near Zero Emission Trucks	\$500,000.00	No
MS21018	Pac Anchor Transportation, Inc.	8/17/2021	8/16/2027		\$2,300,000.00	\$0.00	Deploy up to 23 Near Zero Emission Trucks	\$2,300,000.00	No

**Total: 7**

#### Pending Execution Contracts

MS21007	Penske Truck Leasing Co., L.P.				\$1,160,000.00	\$0.00	Deploy 5 Zero-Emission Yard Tractors and	\$1,160,000.00	No
MS21008	CMA CGM (America) LLC				\$3,000,000.00	\$0.00	Deploy 2 Zero-Emission Rubber Tire Gantry	\$3,000,000.00	No
MS21009	ITS Technologies & Logistics, LLC				\$3,000,000.00	\$0.00	Deploy 12 Zero-Emission Yard Tractors and	\$3,000,000.00	No
MS21010	MHX, LLC				\$569,275.00	\$0.00	Deploy One Zero-Emission Overhead Crane	\$569,275.00	No
MS21011	RDS Logistics Group				\$808,500.00	\$0.00	Deploy 3 Zero-Emission Yard Tractors and	\$808,500.00	No
MS21012	Amazon Logistics, Inc.				\$4,157,710.00	\$0.00	Deploy up to 10 Zero-Emission and 100 Nea	\$4,157,710.00	No
MS21013	4 Gen Logistics				\$7,000,000.00	\$0.00	Deploy 40 Zero Emssions Trucks	\$7,000,000.00	No
MS21015	Premium Transportation Services, In				\$1,500,000.00	\$0.00	Deploy up to 15 Near-Zero Emissions Truck	\$1,500,000.00	No
MS21016	Ryder System, Inc.				\$3,169,746.00	\$0.00	Procure Two Integrated Power Centers and	\$3,169,746.00	No
MS21017	MHX, LLC				\$1,900,000.00	\$0.00	Deploy up to 10 Zero-Emission Trucks & Infr	\$1,900,000.00	No
MS21019	Volvo Financial Services				\$3,930,270.00	\$0.00	Lease up to 14 Zero-Emission Trucks and Pr	\$3,930,270.00	No
MS21021	CMA CGM (America) LLC				\$1,946,463.00	\$0.00	Deploy up to 13 Near Zero Emission Trucks	\$1,946,463.00	No
MS21022	Orange County Transportation Autho				\$289,054.00	\$0.00	Implement Special Transit Service to the Or	\$289,054.00	No

**Total: 13**

#### Declined/Cancelled Contracts

MS21020	Sea-Logix, LLC				\$2,300,000.00	\$0.00	Deploy up to 23 Near-Zero Emssions Trucks	\$2,300,000.00	No
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**Total: 1**

#### Closed Contracts

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
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**Total: 1**

[↑ Back to Agenda](#)

BOARD MEETING DATE: October 1, 2021

AGENDA NO. 21

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board held meetings on September 9, 2021 and September 23, 2021. The following are summaries of the meetings.

RECOMMENDED ACTION:

Receive and file.

Gideon Kracov, Member  
South Coast AQMD Governing Board

ft

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The California Air Resources Board (CARB or Board) held a meeting remotely on September 9, 2021 via a web-based videoconferencing service. The key item presented is summarized below.

### **DISCUSSION ITEM**

**21-8-1: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program - Community Emissions Reduction Program for Eastern Coachella Valley**

The Board adopted the Eastern Coachella Valley Community Emissions Reduction Plan (CERP) and directed the South Coast Air Quality Management District and CARB staff to continue to work with the community steering committee to define and implement strategies to reduce exposure to air pollution in the Eastern Coachella Valley. Key courses of action in the CERP include strategies to reduce emissions from traffic, including diesel trucks that traverse the area, and to improve air monitoring networks and notification systems for dust and pesticide application events. In addition, the CERP identifies funding opportunities that will be necessary to replace older diesel school buses and to incentivize the replacement of older high polluting on-road and off-road equipment.

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The California Air Resources Board (CARB or Board) held a meeting remotely on September 23, 2021 via a web-based videoconferencing service. The key items presented are summarized below.

### **DISCUSSION ITEMS**

#### **21-9-1: Public Meeting to Consider Coso Junction PM10 Maintenance Plan State Implementation Plan Submittal**

The Board adopted the proposed Coso Junction Second PM10 Maintenance Plan addressing the federal 150  $\mu\text{g}/\text{m}^3$  24-hour PM10 standard (PM10 standard) developed by the Great Basin Unified Air Pollution Control District. On September 3, 2010, the United States Environmental Protection Agency (U.S. EPA) designated Coso Junction as attainment for the PM10 standard and approved the first 10-year maintenance plan. Attainment of the PM10 standard was achieved through controls of windblown PM10 emissions from Owens Lake and other air pollution controls within Coso Junction. Coso Junction has continued to attain the PM10 standard since 2011. The Coso Junction second PM10 Plan demonstrates maintenance of the PM10 standard through 2030 and satisfies the Clean Air Act requirements for a second 10-year maintenance period.

#### **21-9-2: Public Meeting to Consider Sacramento County PM10 Maintenance Plan State Implementation Plan Submittal**

The Board adopted the proposed Sacramento County Second PM10 Maintenance Plan addressing the 150  $\mu\text{g}/\text{m}^3$  24-hour PM10 standard (PM 10 standard) developed by the Sacramento Metropolitan Air Quality Management District. On October 28, 2013, U.S. EPA designated Sacramento County as attainment for the PM10 standard and approved the first 10-year maintenance plan. Sacramento County has continuously attained the PM10 standard since 1998. Attainment of the PM10 standard was achieved through the enforcement of fugitive dust rules and adoption of a residential wood combustion program. The Second PM10 Maintenance Plan demonstrates maintenance of the PM10 standard through 2030 and satisfies the Clean Air Act requirements for the second 10-year maintenance period.

#### **21-9-3: Public Meeting to Hear an Update on the 2018 PM2.5 State Implementation Plan for the San Joaquin Valley and Consider a State Implementation Plan Revision for the 15 $\mu\text{g}/\text{m}^3$ Annual PM2.5 Standard**

The Board heard the third annual update on implementation of the San Joaquin Valley (Valley) comprehensive 2018 PM2.5 Plan adopted by the Board in January of 2019. In addition, the Board adopted a proposed State Implementation Plan revision (annual

PM2.5 SIP revision) for the 15 µg/m<sup>3</sup> annual PM2.5 standard. The Board also directed staff to return to the Board with contingency measure planning within a year. The 2018 PM2.5 Plan was developed jointly by CARB and the San Joaquin Valley Air Pollution Control District (District) to address four PM2.5 standards: the 15 µg/m<sup>3</sup> annual standard with an attainment date of 2020, the 65 µg/m<sup>3</sup> 24-hour standard with an attainment date of 2020, the 35 µg/m<sup>3</sup> 24-hour standard with an attainment date of 2024, and the 12 µg/m<sup>3</sup> annual standard with an attainment date of 2025. The update to the 2018 PM2.5 Plan informed the Board of the actions underway to implement the 2018 PM2.5 Plan including the agricultural equipment turnover program, the residential wood burning program, and the agricultural burning phase-out program. CARB and the District is meeting the commitment to reduce aggregate tons of NO<sub>x</sub> outlined in the 2018 Plan. CARB staff also informed the Board that the Valley attained the 65 µg/m<sup>3</sup> 24-hour standard in 2020 but did not attain the 15 µg/m<sup>3</sup> annual standard. Since the 2020 attainment date for the 15 µg/m<sup>3</sup> was no longer achievable, U.S. EPA recently proposed to disapprove the portions of the 2018 PM2.5 Plan pertaining to the 15 µg/m<sup>3</sup> annual standard attainment demonstration. CARB and the District worked together to develop the annual PM2.5 SIP revision which demonstrates that the Valley will meet the 15 µg/m<sup>3</sup> annual standard in 2023 with the implementation of District control measures and CARB's Heavy-Duty Inspection and Maintenance Program commitment.

**21-9-5: Public Hearing to Consider Proposed Amendments to the Airborne Toxic Control Measure for In-Use Diesel-Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets, and Facilities Where TRUs Operate**

The Board considered proposed amendments to the Airborne Toxic Control Measure for In-Use Diesel-Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets, and Facilities where TRUs operate (TRU ATCM). The Board adopted a resolution instructing staff to, among other things, bring the final proposed amendments back to the Board in the first quarter of 2022. The proposed amendments to the TRU ATCM were designed to reduce emissions and near-source health risk at facilities where TRUs operate. The proposed TRU ATCM will accomplish these goals by 1) transitioning diesel-powered truck TRUs to zero emissions beginning December 31, 2023 so that by 2030, all truck TRUs operating in California will be zero-emission; 2) setting a new particulate matter (PM) emission standard for newly manufactured TRU engines in other TRU categories beginning December 31, 2022; and 3) requiring newly manufactured TRUs to use refrigerants with a low global warming potential refrigerant also beginning December 31, 2022. The proposed amendments to the TRU ATCM will also require facility registration and reporting and expand TRU labeling requirements.

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**Attachments**

CARB September 9, 2021 and September 23, 2021 Meeting Agendas



# Public Meeting Agenda

**Thursday, September 9, 2021**

In accordance with Governor Newsom's Executive Order [N-08-21](#), the September 9, 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: 814 5432 4317

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 or Board) 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 9 de septiembre de 2021***

Spanish interpretation will be provided for the September 9, 2021, Board Meeting.

**Thursday, September 9, 2021 @ 4:00 p.m.**

**Discussion Item:**

**21-8-1: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program – Community Emissions Reduction Program for Eastern Coachella Valley**

*The community emissions reduction program was developed through a partnership between the South Coast Air Quality Management District and the Eastern Coachella Valley Community Steering Committee. The Board will consider the Eastern Coachella Valley*

Community Emissions Reduction Program as required by Assembly Bill 617 and will also consider adopting a California Environmental Quality Act exemption as part of its action.

- [More Information](#)
- [Public Meeting Notice](#)
- [Staff Report](#)
- [Item Summary](#)
- [Meeting Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

## **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](mailto:cotb@arb.ca.gov) no later than noon on the business day prior to the scheduled Board meeting.

**If you have any questions, please contact the Clerks' Office:**

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

[cotb@arb.ca.gov](mailto:cotb@arb.ca.gov) or (916) 322-5594

CARB Homepage: [www.arb.ca.gov](http://www.arb.ca.gov)

## **Special Accommodation Request**

Consistent with California Government Code section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format or another language;
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerks' Office at [cotb@arb.ca.gov](mailto:cotb@arb.ca.gov) or at (916) 322-5594 as soon as possible, but no later than 7 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

## **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 alterno u otro idioma
- Una acomodación razonable relacionados con una incapacidad

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor contacte la oficina del Consejo al (916) 322-5594 o por correo electronico al [cotb@arb.ca.gov](mailto:cotb@arb.ca.gov) lo más pronto posible, pero no menos de 7 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.



# Public Meeting Agenda

**Thursday, September 23, 2021**

In accordance with Governor Newsom's Executive Order [N-08-21](#), the September 23, 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: 883 1975 8093

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 or Board) 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 23 de septiembre de 2021](#)

Spanish interpretation will be provided for the September Board Meeting.

**Thursday, September 23, 2021 @ 9:00 a.m.**

## **Discussion Items:**

### **21-9-1: Public Meeting to Consider Coso Junction PM10 Maintenance Plan State Implementation Plan Submittal**

*The Board will consider adopting the proposed Coso Junction PM10 Maintenance Plan State Implementation Plan Submittal.*

- [More Information](#)
- [Public Meeting Notice](#)

- [Staff Report](#)
- [Item Summary](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

### **21-9-2: Public Meeting to Consider Sacramento County PM10 Maintenance Plan State Implementation Plan Submittal**

*The Board will consider adopting the proposed Second 10-Year Sacramento County PM10 Maintenance Plan State Implementation Plan Submittal.*

- [More Information](#)
- [Public Meeting Notice](#)
- [Staff Report](#)
- [Item Summary](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

### **21-9-3: Public Meeting to Hear an Update on the 2018 PM2.5 State Implementation Plan for the San Joaquin Valley and Consider a State Implementation Plan Revision for the 15 µg/m<sup>3</sup> Annual PM2.5 Standard**

*The Board will hear an update on the implementation of the 2018 PM2.5 State Implementation Plan (SIP) for the San Joaquin Valley and consider a SIP Revision for the 15 microgram per cubic meter annual PM2.5 standard.*

- [More Information](#)
- [Public Meeting Notice](#)
- [Staff Report](#)
- [Item Summary](#)
- [Meeting Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

### **21-9-5: Public Hearing to Consider Proposed Amendments to the Airborne Toxic Control Measure for In-Use Diesel-Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets, and Facilities Where TRUs Operate**

*The Board will consider staff's proposal for the Airborne Toxic Control Measure for In-Use Diesel-Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets, and Facilities Where TRUs Operate. The amendments are designed to achieve additional emission and health risk reductions by requiring zero-emission truck TRUs, a PM emission standard for newly-manufactured TRU engines, and the use of lower global warming potential refrigerant. This hearing will be the first of two planned Board hearings.*

- [Formal Rulemaking Webpage \(includes links to Notice, Staff Report, and Appendices\)](#)
  - [Public Meeting Notice](#)

- [Staff Report](#)
- [Item Summary](#)
- [Meeting Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public 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 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.

*South Coast Air Quality Management District v. City of Los Angeles, et al.*, Los Angeles County Superior Court, Case No. 20STCP02985.

*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. 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 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.

*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 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](mailto:cotb@arb.ca.gov) no later than noon on the business day prior to the scheduled Board meeting.

**If you have any questions, please contact the Clerks' Office:**

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

[cotb@arb.ca.gov](mailto:cotb@arb.ca.gov) or (916) 322-5594

CARB Homepage: [www.arb.ca.gov](http://www.arb.ca.gov)

## **Special Accommodation Request**

Consistent with California Government Code section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format or another language;
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerks' Office at [cotb@arb.ca.gov](mailto:cotb@arb.ca.gov) or at (916) 322-5594 as soon as possible, but no later than 7 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

## 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 alterno u otro idioma
- Una acomodación razonable relacionados con una incapacidad

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor contacte la oficina del Consejo al (916) 322-5594 o por correo electrónico al [cotb@arb.ca.gov](mailto:cotb@arb.ca.gov) lo más pronto posible, pero no menos de 7 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

BOARD MEETING DATE: October 1, 2021

AGENDA NO. 23

**PROPOSAL:** Determine That Proposed Amendments to Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces, Are Exempt From CEQA; and Amend Rule 1111  
*(Continued from September 3, 2021 Board meeting)*

**SYNOPSIS:** Rule 1111 establishes a NOx emission limit of 14 ng/J for residential and commercial gas furnaces. Proposed Amended Rule 1111 will extend the mitigation fee alternative compliance option end date from September 30, 2021 to September 30, 2023 for mobile home furnaces, extend the high-altitude ( $\geq 4,200$  feet above sea level) exemption end date from September 30, 2021 to March 31, 2022, and provide an exemption for downflow and large-sized ( $\geq 100,000$  btu/hr) condensing or non-condensing furnaces being replaced in the high-altitude areas. This action is to adopt the Resolution: 1) Determining that the proposed amendments to Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces are exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces.

**COMMITTEE:** Stationary Source, May 21 and June 18, 2021, Reviewed

**RECOMMENDED ACTIONS:**

Adopt the attached Resolution:

1. Determining that the proposed amendments to Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces, are exempt from the requirements of the California Environmental Quality Act; and
2. Amending Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces.

Wayne Natri  
Executive Officer

## **Background**

Rule 1111 - Reduction of NO<sub>x</sub> Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces, was adopted in December 1978 and establishes a nitrogen oxide (NO<sub>x</sub>) emission limit for residential and commercial gas-fired fan-type space heating furnaces. In 2009, Rule 1111 was amended to lower the NO<sub>x</sub> emission limit from 40 to 14 nanograms per Joule (ng/J), and again amended in 2014 to include a mitigation fee alternative compliance option to allow additional time for manufacturers to commercialize 14 ng/J furnaces. The rule applies to manufacturers, distributors, sellers and installers of such furnaces.

Rule 1111 has a staggered implementation schedule, depending on the furnace type. Condensing and non-condensing furnaces installed at elevations less than 4,200 feet above sea level were the first group of furnaces which had to meet the 14 ng/J NO<sub>x</sub> emission limit on October 1, 2019. On October 1, 2021 weatherized, mobile home, and condensing and non-condensing furnaces installed at elevations greater than or equal to 4,200 feet above sea level (high-altitude) must meet the 14 ng/J NO<sub>x</sub> emission limit.

Weatherized furnaces are developed for both residential and commercial applications. All seven manufacturers expect to meet the October 1, 2021 final compliance date for residential applications, and only one manufacturer projects a potential two-month delay for commercial applications. Staff is working with this manufacturer to identify a potential compliance option.

Mobile home furnaces are designed specifically and solely for installation to heat mobile homes that are also subject to standards by U.S. Department of Housing and Urban Development and Department of Energy. Currently none of the manufacturers have made any progress on the development of mobile home furnaces. Manufacturers suggested a January 1, 2023 compliance date to better align with other regulatory requirements

With regards to high-altitude furnaces (condensing and non-condensing), four manufacturers expect to have compliant furnaces available by October 1, 2021, for elevations from 7,500 to 7,800 feet, three of which expect to have all of their certified compliant units capable for high-altitude use. However, there are no compliant downflow models for altitudes higher than 5,400 feet, or for large-sized models with a heat input capacity rated at greater than 100,000 btu/hr available for elevations from 7,500 to 7,800 feet. Only two manufacturers will provide models rated at 100,000 btu/hr.

## **Public Process**

Staff has been conducting ongoing individual meetings with the seven manufacturers to monitor the rule implementation status. Two working group meetings were held on April 14, 2021 and June 3, 2021. Focused discussions on high-altitude installations were conducted on April 29, 2021 and June 9, 2021 with interested stakeholders including

furnace installers in the high-altitude areas. A Public Workshop was held on July 7, 2021.

### **Proposed Amendments**

Proposed Amended Rule 1111 (PAR 1111) will extend the mitigation fee alternative compliance option end date from September 30, 2021 to September 30, 2023 for mobile home furnaces. This proposal does not change the requirements for the mitigation fee or the recordkeeping and reporting requirements.

PAR 1111 will also extend the high-altitude ( $\geq 4,200$  feet above sea level) exemption end date from September 30, 2021 to March 31, 2022 and provide a permanent exemption for downflow and large-sized ( $\geq 100,000$  btu/hr) condensing and non-condensing furnaces, replacing existing furnaces in the high-altitude areas. The proposal includes recordkeeping and labeling requirements for those exemptions.

### **Key Issues**

Staff has worked with stakeholders through the rulemaking process to resolve issues. Some furnace installers located in high-altitude areas have commented that there is not a sufficient selection of 14 ng/J furnaces noting that one manufacturer only has two models for high-altitude areas and another manufacturer anticipates that their furnaces for high-altitude areas will be available by September 30, 2021. To address this concern, PAR 1111 extends the compliance date for six months, and exempts furnaces  $\geq 100,000$  Btu/hour and furnaces in the downflow configuration. A fifth manufacturer communicated that they are initiating high-altitude testing for their 14 ng/J furnaces. Staff is concerned that if furnaces located in high-altitude areas were permanently exempt from the 14 ng/J NO<sub>x</sub> limit, that the forgone NO<sub>x</sub> reductions would be 0.03 tons per year. Although this is small, this is not insignificant as there are entire source-specific rules that achieve similar NO<sub>x</sub> reductions.

### **California Environmental Quality Act (CEQA)**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3). A Notice of Exemption 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 filed for posting with the county clerk of Los Angeles, Orange, Riverside, and San Bernardino Counties. The Notice of Exemption will also 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 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>.

**Socioeconomic Impact Assessment**

PAR 1111 does not impose any additional requirements and will have no socioeconomic impacts.

**Resource Impacts**

Existing staff resources are adequate to implement the proposed rule amendments.

**Attachments**

- A. Summary of Proposal
- B. Key Issues and Responses
- C. Rule Development Process
- D. Key Contacts List
- E. Resolution
- F. Proposed Amended Rule 1111
- G. Final Staff Report
- H. Notice of Exemption
- I. Board Meeting Presentation

**ATTACHMENT A  
SUMMARY OF PROPOSAL**

**Proposed Amended Rule 1111 – Reductions of NO<sub>x</sub> Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces**

Summary of Proposed Amendments

- Extend the mitigation fee alternative compliance option end date from September 30, 2021 to September 30, 2023 for mobile home furnaces
- Extend the high-altitude ( $\geq 4,200$  feet above sea level) exemption end date from September 30, 2021 to March 31, 2022
- Provide an exemption for downflow and large-sized ( $\geq 100,000$  btu/hr) condensing or non-condensing furnaces, replacing existing furnaces in the high-altitude area

**ATTACHMENT B**  
**KEY ISSUES AND RESPONSES**

**Proposed Amended Rule 1111 – Reduction of NO<sub>x</sub> Emissions from Natural-Gas-Fired,  
Fan-Type Central Furnaces**

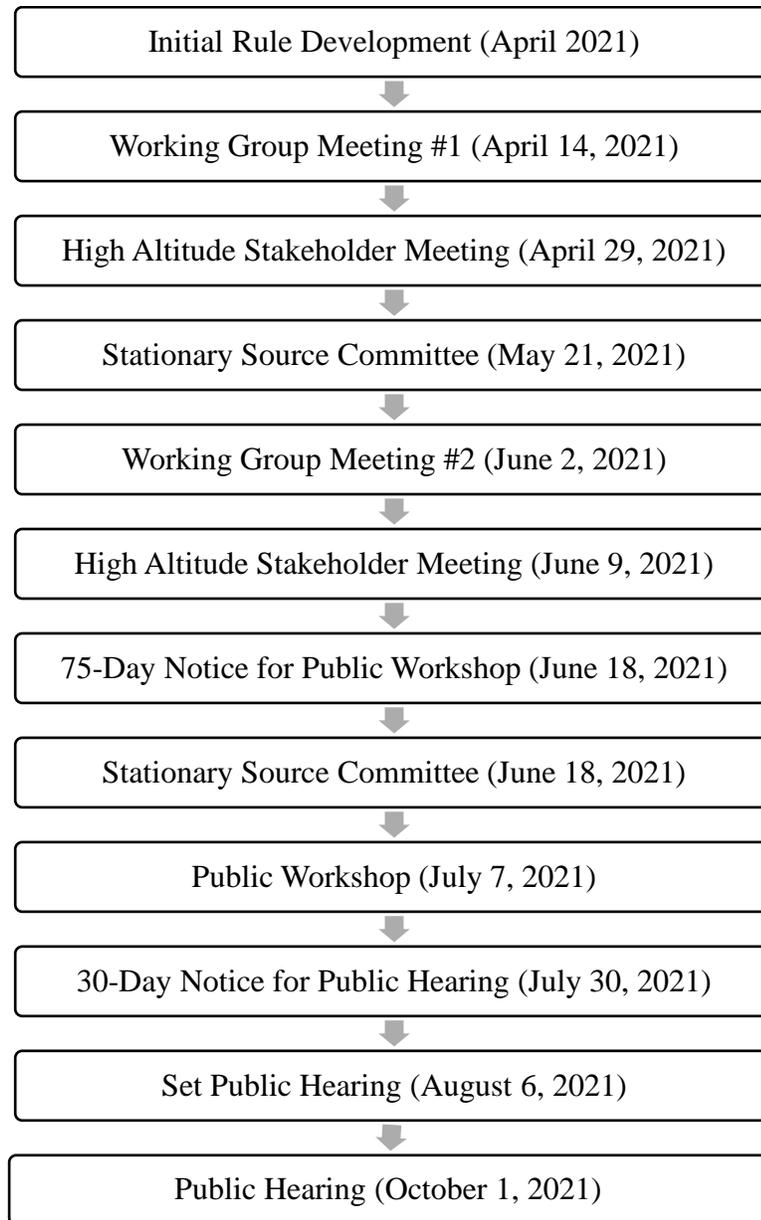
**Some furnace installers located in high altitude areas have commented that there is not a sufficient selection of 14 ng/J furnaces for the areas that they serve.**

- PAR 1111 extends the compliance date six months for condensing and non-condensing furnaces installed in high altitude areas to allow a fourth manufacturer to complete high-altitude testing
- PAR 1111 exempts furnaces  $\geq 100,000$  Btu/hour since there are only two manufacturers with furnaces of this size for high altitude areas
- PAR 1111 exempts furnaces in the downflow configuration since there are no downflow furnaces that have conducted high altitude testing
- Staff is concerned that if furnaces located in high altitude areas were permanently exempt from the 14 ng/J NO<sub>x</sub> limit, that the forgone NO<sub>x</sub> reductions would be 0.03 tons per year. Although this is small, this is not insignificant as there are entire source-specific rules that achieve similar NO<sub>x</sub> reductions.

## ATTACHMENT C

### RULE DEVELOPMENT PROCESS

#### Proposed Amended Rule 1111 – Reduction of NO<sub>x</sub> Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces



**Five (5) months spent in rule development**

**One (1) Public Workshop**

**Two (2) Working Group Meetings**

**Two (2) High Altitude Stakeholder Meetings**

**Ongoing individual meetings with stakeholders**

**ATTACHMENT D**  
**KEY CONTACTS LIST**

Rheem Manufacturing

Goodman Manufacturing Company

Johnson Controls

Trane Technologies

Lennox International Inc. (+Allied)

Nortek Global HVAC

Carrier Corporation

Bard Manufacturing

The Air Conditioning, Heating, and Refrigeration Institute (AHRI)

Ferguson Enterprises

US Air Conditioning Distributors

Indoor Weather, Heating, Air, and Refrigeration

SoCal Airflow Pros

M&M Mechanical

Dan Seeley's Heating & Air Conditioning

AC Pro

Burgeson's Heating and Air Conditioning

Baker Distributing

Russel Sigler Inc.

United Refrigeration

Howard Industries

## ATTACHMENT E

### RESOLUTION NO.21-\_\_\_\_\_

**A Resolution of the South Coast Air Quality Management District (South Coast AQMD) Governing Board determining that Proposed Amended Rule 1111 - Reduction of NO<sub>x</sub> Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces, is exempt from the requirements of the California Environmental Quality Act (CEQA).**

**A Resolution of the South Coast AQMD Governing Board amending Rule 1111 - Reduction of NO<sub>x</sub> Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces.**

**WHEREAS**, the South Coast AQMD Governing Board finds and determines that Proposed Amended Rule 1111 is considered a “project” as defined by CEQA; and

**WHEREAS**, the South Coast AQMD has had its regulatory program certified pursuant to Public Resources Code Section 21080.5 and CEQA Guidelines Section 15251(1), 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 implementation of the proposed project would result in delayed NO<sub>x</sub> emission reductions which are expected to be temporary and less than the South Coast AQMD air quality significance threshold for NO<sub>x</sub> and the amount of permanent NO<sub>x</sub> emission reductions forgone are negligible, whereby it can be seen with certainty that there is no possibility that proposed project may have any significant adverse effects on the environment, and is therefore, exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption; and

**WHEREAS**, the South Coast AQMD staff has prepared a Notice of Exemption for 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 on July 7, 2021 regarding Proposed Amended Rule 1111; and

**WHEREAS**, Proposed Amended Rule 1111, and supporting documentation, including but not limited to, the Notice of Exemption, the Final Staff Report, and the Board Letter were presented to the South Coast AQMD Governing Board and the South Coast AQMD Governing Board has reviewed and considered this information, and has taken and considered staff testimony and public comment prior to approving the project; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that no socioeconomic assessment is required under Health and Safety Code Section 40440.8(a) because there are no adverse socioeconomic impacts; and further that the proposed amended rule does not “significantly affect air quality or emissions limitations;” 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 1111 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 1111 will be submitted for inclusion into the State Implementation Plan; and

**WHEREAS**, Health and Safety Code Section 40727 requires that prior to adopting, amending, or repealing a rule or regulation, the South Coast AQMD Governing Board shall make findings of necessity, authority, clarity, consistency, non-duplication, and reference based on relevant information presented at the public hearing and in the Final Staff Report; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that a need exists to amend Rule 1111 to: (1) extend the mitigation fee alternative compliance option end date for mobile home furnaces, (2) temporarily extend the high-altitude (greater than or equal to 4,200 feet above sea level) exemption, and (3) provide an exemption for downflow and large-sized (rated at greater than or equal to 100,000

British thermal units per hour) condensing and non-condensing furnaces, replacing existing furnaces in the high-altitude areas; and

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

**WHEREAS**, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1111 is written or displayed so that its meaning can be easily understood by the persons directly affected by it; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1111 is in harmony with, and not in conflict with or contradictory to, existing federal or state statutes, court decisions, or regulations; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1111 does not impose the same requirements as any existing state or federal regulation and the proposed amended rule is necessary and proper to execute the powers and duties granted to, and imposed upon, the District; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1111 references the following statutes which the South Coast AQMD hereby implements, interprets or makes specific: Health and Safety Code Sections 40001(a) (rules to meet air quality standards); 40440(a) (rules to carry out the plan); and 40702 (adoption of rules and regulations); and

**WHEREAS**, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1111 does not make an existing emission limit or standard more stringent, and therefore the requirements of Health and Safety Code Section 40727.2 are satisfied; and

**WHEREAS**, a public hearing has been properly noticed in accordance with the provisions of Health and Safety Code Section 40725; and

**WHEREAS**, the South Coast AQMD Governing Board has held a public hearing in accordance with all provisions of law; and

**WHEREAS**, the South Coast AQMD Governing Board specifies the Manager of Proposed Amended Rule 1111, as the custodian of the documents or other materials which constitute the record of proceedings upon which the adoption of this proposed project is based, which are located at the South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, California; and

**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 Amended Rule 1111 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 Proposed Amended Rule 1111; 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 1111, as set forth in the Attachment F and incorporated herein by reference; and

**BE IT FURTHER RESOLVED**, that the Executive Officer is hereby directed to forward a copy of this Resolution and Proposed Amended Rule 1111 to the California Air Resources Board for approval and subsequent submittal to the U.S. Environmental Protection Agency for inclusion into the State Implementation Plan.

DATE: \_\_\_\_\_

\_\_\_\_\_  
CLERK OF THE BOARDS

ATTACHMENT F

(Adopted December 1, 1978)(Amended July 8, 1983)(Amended November 6, 2009)  
(Amended September 5, 2014)(Amended March 2, 2018)(Amended July 6, 2018)  
(Amended December 6, 2019)(Amended September 4, 2020)(PAR 1111 September  
2021)

**PROPOSED AMENDED RULE 1111. REDUCTION OF NO<sub>x</sub> EMISSIONS**  
**FROM NATURAL-GAS- FIRED, FAN-TYPE CENTRAL**  
**FURNACES**

(a) Purpose and Applicability

The purpose of this rule is to reduce NO<sub>x</sub> emissions from fan-type central furnaces, as defined in this rule. This rule applies to manufacturers, distributors, sellers, and installers of residential and commercial fan-type central furnaces, requiring either single-phase or three-phase electric supply, used for comfort heating with a rated heat input capacity of less than 175,000 BTU per hour, or, for combination heating and cooling units, a cooling rate of less than 65,000 BTU per hour.

(b) Definitions

- (1) ANNUAL FUEL UTILIZATION EFFICIENCY (AFUE) is defined in Section 10.1 of Code of Federal Regulations, Title 10, Part 430, Subpart B, Appendix N.
- (2) BTU means British thermal unit or units.
- (3) CONDENSING FURNACE means a high-efficiency furnace that uses a second heat exchanger to extract the latent heat in the flue gas by cooling the combustion gasses to near ambient temperature so that water vapor condenses in the heat exchanger, is collected and drained.
- (4) DOWNFLOW FURNACE means a condensing or non-condensing furnace installed in a configuration in which the furnace takes in cool air from the top, warms it, then releases the warm air through the ductwork below.
- (45) DUAL FUEL SYSTEM is a heating, ventilation, and air conditioning system utilizing a HEAT PUMP as the primary source of heating and cooling with a FAN-TYPE CENTRAL FURNACE serving as auxiliary heating.
- (56) FAN-TYPE CENTRAL FURNACE is a self-contained space heater using natural gas, or any fan-type central furnace that is in natural gas-firing

mode, providing for circulation of heated air at pressures other than atmospheric through ducts more than 10 inches in length that have:

- (A) a RATED HEAT INPUT CAPACITY of less than 175,000 BTU per hour; or
- (B) for combination heating and cooling units, a cooling rate of less than 65,000 BTU per hour.

~~(67)~~ HEAT INPUT means the higher heating value of the fuel to the furnace measured as BTU per hour.

~~(78)~~ HEAT PUMP means an all-electric device that utilizes condensation and evaporation of refrigerant to absorb and release heat for heating, ventilation, and air conditioning applications.

~~(89)~~ MOBILE HOME means a prefabricated structure on a permanently attached chassis.

~~(910)~~ MOBILE HOME FURNACE means a furnace designed specifically and solely for installation to heat a mobile home.

~~(4011)~~ NO<sub>x</sub> EMISSIONS means the sum of nitrogen oxide and nitrogen dioxide (oxides of nitrogen) in the flue gas, collectively expressed as nitrogen dioxide.

~~(4112)~~ RATED HEAT INPUT CAPACITY means the gross HEAT INPUT of the combustion device.

~~(4213)~~ RESPONSIBLE OFFICIAL means:

(A) For a corporation: a president or vice-president of the corporation in charge of a principal business function or a duly authorized person who performs similar policy-making functions for the corporation, or

(B) For a partnership or sole proprietorship: general partner or proprietor, respectively.

~~(4314)~~ SINGLE FIRING RATE means the burners and control system are designed to operate at only one fuel input rate and the control system cycles burners between the maximum heat output and no heat output.

~~(4415)~~ USEFUL HEAT DELIVERED TO THE HEATED SPACE is the AFUE (expressed as a fraction) multiplied by the heat input.

~~(4516)~~ VARIABLE FIRING RATE means the burners and control system are designed to operate at more than one fuel input rate and the control system cycles burners between two or more heat output rates and no heat output.

(17) WEATHERIZED means designed for installation outside of a building, equipped with a protective jacket and integral venting, and labeled for outdoor installation.

(c) Requirements

- (1) A manufacturer shall not, after January 1, 1984, manufacture or supply for sale or use in the South Coast Air Quality Management District fan-type central furnaces, unless such furnaces meet the requirements of paragraph (c)(3).
- (2) A person shall not, after April 2, 1984, sell or offer for sale within the South Coast Air Quality Management District fan-type central furnaces unless such furnaces meet the requirements of paragraph (c)(3).
- (3) Fan-type central furnaces shall:
  - (A) not emit more than 40 nanograms of oxides of nitrogen (calculated as NO<sub>2</sub>) per joule of useful heat delivered to the heated space; and
  - (B) be certified in accordance with subdivision (d) of this rule.
- (4) On or after October 1, 2012, a person shall not manufacture, supply, sell, offer for sale, or install, for use in the South Coast Air Quality Management District, fan-type central furnaces subject to this rule, unless such furnace complies with the applicable emission limit and compliance date set forth in Table 1 and is certified in accordance with subdivision (d) of this rule.

Table 1 – Furnace NOx Limits and Compliance Schedule

Compliance Date	Equipment Category	NOx Emission Limit (nanograms/Joule *)
October 1, 2012	Mobile Home Furnace	40
April 1, 2015	Condensing Furnace	14
October 1, 2015	Non-condensing Furnace	14
October 1, 2016	Weatherized Furnace	14
October 1, 2018	Mobile Home Furnace	14

\* Nanograms of oxides of nitrogen (calculated as NO<sub>2</sub>) per joule of useful heat delivered to the heated space

- (5) Any manufacturer of fan-type central furnaces regulated by this rule may elect to pay a per unit mitigation fee in lieu of meeting the 14

nanogram/Joule NOx emission limit in Table 1 of paragraph (c)(4) of this rule, provided the manufacturer complies with the following requirements:

- (A) Prior to the phase one mitigation fee start date specified in Table 2, pays a per unit mitigation fee of \$200 for each condensing furnace and \$150 for each other type of furnace distributed or sold into the South Coast AQMD, disregarding the furnace size.
- (B) On and after the phase one mitigation fee start date but no later than the mitigation fee option end date specified in Table 2, pays a per unit phase one or phase two mitigation fee for each condensing, non-condensing, weatherized or mobile home furnace according to Table 2.

Table 2 – Alternate Compliance Plan with the Phase One and Phase Two Mitigation Fee Schedules

Furnace		Phase One Mitigation Fee		Phase Two Mitigation Fee		Phase Two Mitigation Fee Option End Date
Size Range	Furnace Category	Phase One Mitigation Fee Start Date	Phase One Mitigation Fee (\$/Unit)	Phase Two Mitigation Fee Start Date	Phase Two Mitigation Fee (\$/Unit)	
≤ 60,000 BTU/hr	Condensing	May 1, 2018	\$275	October 1, 2018	\$350	September 30, 2019
	Non-condensing	October 1, 2018	\$225	April 1, 2019	\$300	September 30, 2019
	Weatherized	October 1, 2018	\$225	April 1, 2019	\$300	September 30, 2021
	Mobile Home	October 1, 2018	\$150	April 1, 2019	\$150	September 30, 2021-2023
> 60,000 Btu/hr and ≤ 90,000 BTU/hr	Condensing	May 1, 2018	\$300	October 1, 2018	\$400	September 30, 2019
	Non-condensing	October 1, 2018	\$250	April 1, 2019	\$350	September 30, 2019
	Weatherized	October 1, 2018	\$250	April 1, 2019	\$350	September 30, 2021
	Mobile Home	October 1, 2018	\$150	April 1, 2019	\$150	September 30, 2021-2023
> 90,000 BTU/hr	Condensing	May 1, 2018	\$325	October 1, 2018	\$450	September 30, 2019
	Non-condensing	October 1, 2018	\$275	April 1, 2019	\$400	September 30, 2019

	Weatherized	October 1, 2018	\$275	April 1, 2019	\$400	September 30, 2021
	Mobile Home	October 1, 2018	\$150	April 1, 2019	\$150	September 30, <del>2021</del> 2023

- (C) Submits an alternate compliance plan for each 12 month time period after the applicable Table 1 compliance date during which the manufacturer elects to pay the mitigation fee in lieu of meeting the NOx emission limit.
- (D) Submits to the South Coast AQMD an alternate compliance plan no later than 60 days prior to the applicable compliance date, or no later than March 16, 2018 for the condensing furnace compliance plan starting on April 1, 2018, which includes the following:
  - (i) a letter with the name of the manufacturer requesting the mitigation fee compliance option signed by a responsible official identifying the category of fan-type central furnaces and the 12 month alternate compliance period that the mitigation fees cover;
  - (ii) an estimate of the quantity of applicable Rule 1111 fan-type central furnaces to be distributed or sold into the South Coast AQMD during the alternate compliance period, which estimate shall be based on total distribution and sales records or invoices of weatherized or mobile home fan-type central furnaces that were distributed or sold into the South Coast AQMD during the 12 month period of July 1 to June 30 prior to the applicable compliance date, along with supporting documentation;
  - (iii) a completed South Coast AQMD Form 400A with company name, identification that application is for an alternate compliance plan (section 7 of form), identification that the request is for the Rule 1111 mitigation fee compliance option (section 9 of form), and signature of the responsible official;
  - (iv) a check for payment of the alternate compliance plan filing fee (Rule 306, subdivision (c)).

- (E) Submits to the Executive Officer a report signed by the responsible official for the manufacturer identifying by model number the quantity of Rule 1111 fan-type central furnaces actually distributed or sold into South Coast AQMD and a check for payment of mitigation fees for the applicable 12 month alternate compliance period for the quantity of applicable Rule 1111 fan-type central furnaces distributed or sold into the South Coast AQMD during the alternate compliance period. The report and the payment of mitigation fees must be submitted to the South Coast AQMD no later than thirty (30) days after the end of each 12-month mitigation fee alternate compliance period.
  - (F) Notwithstanding the requirements set forth in subparagraph (c)(5)(E), during the phase one period specified in Table 2, submits a report signed by the responsible official for the manufacturer identifying by model number the quantity of Rule 1111 fan-type central furnaces actually distributed or sold into South Coast AQMD and a check for payment of mitigation fees for the phase one period no later than thirty (30) days after the end of the phase one period. The 12-month compliance plan payment as specified in subparagraph (c)(5)(E) that includes this phase one period shall be reconciled so as not to include the phase one payment.
  - (G) For the last and remaining 6-month period of the condensing furnace final alternate compliance plan ending on September 30, 2019, specified in Table 2, submits a report signed by the responsible official for the manufacturer identifying by model number the quantity of Rule 1111 fan-type central furnaces - condensing furnaces actually distributed or sold into South Coast AQMD and a check for payment of mitigation fees to the South Coast AQMD~~SCAQMD~~ no later than October 30, 2019.
- (d) Certification
- (1) The manufacturer shall have each appliance model tested in accordance with the following:

- (A) Oxides of nitrogen measurements, test equipment, and other required test procedures shall be in accordance with South Coast AQMD Method 100.1.
  - (B) Operation of the furnace shall be in accordance with the procedures specified in Section 4.0 of Code of Federal Regulations, Title 10, Part 430, Subpart B, Appendix N.
- (2) One of the two formulas shown below shall be used to determine the nanograms of oxides of nitrogen per joule of useful heat delivered to the heated space:

$$N = \frac{4.566 \times 10^4 \times P \times U}{H \times C \times E}$$

$$N = \frac{3.655 \times 10^{10} \times P}{(20.9 - Y) \times Z \times E}$$

Where:

N = nanograms of emitted oxides of nitrogen per joule of useful heat.

P = concentration (ppm volume) of oxides of nitrogen in flue gas as tested.

U = volume percent CO<sub>2</sub> in water-free flue gas for stoichiometric combustion.

H = gross heating value of fuel, BTU/cu.ft. (60°F, 30-in. Hg).

C = measured volume percent of CO<sub>2</sub> in water-free flue gas, assuming complete combustion and no CO present.

E = AFUE, percent

Y = volume percent of O<sub>2</sub> in flue gas.

Z = heating value of gas, joules/cu. meter (0.0°C, 1 ATM).

- (3) Prior to the date a furnace model is first shipped to a location in the South Coast AQMD for use in the District, the manufacturer shall obtain Executive Officer's approval for the emission test protocol and emission test results verifying compliance with the applicable NO<sub>x</sub> limit specified in Table 1, submitting the following:
- (A) A statement that the model is in compliance with subdivision (c). (The statement shall be signed by a responsible official and dated, and shall attest to the accuracy of all statements.)

- (B) General Information
    - (i) Name and address of manufacturer.
    - (ii) Brand name.
    - (iii) Model number, as it appears on the furnace rating plate.
  - (C) A description of the furnace and specifications for each model being certified.
- (e) Identification of Compliant Units
- (1) The manufacturer of the furnace complying with subdivisions (c) and (d) shall display the following on the shipping container label and rating plate of the furnace:
    - (A) Model number;
    - (B) Heat input capacity;
    - (C) Applicable NO<sub>x</sub> emission limit in Table 1; and
    - (D) Date of manufacture or date code.
  - (2) Any non-certified furnace shipped to a location in the South Coast Air Quality Management District for distribution or sale outside of the District shall have a label on the shipping container identifying the furnace as not certified for use in the District.
  - (3) Consumer Notification Requirement
    - (A) For the purposes of subparagraph (e)(3)(B), “Informative Materials” shall mean the following:
      - (i) The consumer brochure for the furnace;
      - (ii) The technical specification sheet for the furnace; and
      - (iii) The manufacturer’s website that promotes, discusses, or lists the furnace.
    - (B) Effective October 1, 2018, for any furnace that is for distribution or sale inside of the South Coast Air Quality Management District that is using an alternate compliance plan in lieu of meeting the 14 ng/J certification limit, a manufacturer shall only distribute or publish Informative Materials that clearly display the following language: “If installed in South Coast AQMD only: This furnace does not meet the South Coast AQMD Rule 1111 NO<sub>x</sub> emission limit (14 ng/J), and thus is subject to a mitigation fee of up to \$450.

This furnace is not eligible for the Clean Air Furnace Rebate Program: [www.CleanAirFurnaceRebate.com](http://www.CleanAirFurnaceRebate.com).”

- (C) A manufacturer may use alternative language in lieu of subparagraph (e)(3)(B), provided the alternative language is:
- (i) Similar to the language in subparagraph (e)(3)(B);
  - (ii) Submitted to the Executive Officer by August 1, 2018; and
  - (iii) Approved by the Executive Officer no later than August 31, 2018.

The manufacturer shall use the language in subparagraph (e)(3)(B) if the alternative language is not approved.

(f) Enforcement

The Executive Officer may periodically conduct such tests as are deemed necessary to ensure compliance with subdivisions (c), (d), and (e).

(g) Exemptions

- (1) The provisions of this rule shall not apply to furnaces installed in mobile homes before October 1, 2012.
- (2) For furnaces manufactured, purchased, and delivered to the South Coast Air Quality Management District prior to the applicable compliance date in Table 1, any person may, until 300 days after the applicable compliance date, sell, offer for sale, or install such a furnace in the District, so long as the furnace meets the requirements of paragraph (c)(3) and subdivisions (d) and (e).
- (3) For furnaces that have been encumbered in a contractual agreement, signed prior to January 1, 2018, by a furnace manufacturer or distributor for future or planned construction, the manufacturer shall be allowed to sell the units within the South Coast AQMD at the mitigation fee specified in subparagraph (c)(5)(A), provided:
  - (A) An application for exemption is submitted to the Executive Officer prior to April 2, 2018;
  - (B) The total quantity of furnaces in application(s) by any one manufacturer does not exceed 15% of furnaces distributed and sold in the previous compliance plan period;

- (C) Those furnaces are sold no later than their mitigation fee option end dates specified in Table 2; and
  - (D) The following documents and information are provided to the Executive Officer, including but not limited to:
    - (i) contractual agreement for the units sold or to be sold in the District;
    - (ii) quantity, model number, and serial number of the subject units;
    - (iii) contract execution date; and
    - (iv) name(s) of the contractor (s).
  - (E) Failure to comply with the requirements specified in subparagraphs (g)(3)(A) through (g)(3)(D) shall result in the requirement to paying or retroactively paying the corresponding mitigation fee specified in paragraph (c)(5) within 30 days upon notification from the Executive Officer.
- (4) The manufacturer of any natural gas furnace that is not certified to meet 14 ng/J of NOx emission and is to be installed with a propane conversion kit for propane firing only in the South Coast AQMD, is exempt from subdivisions (c) and (d), provided:
- (A) Effective June 1, 2018, the shipping carton or the name plate of the furnace clearly displays: "This furnace is to be installed for propane firing only. Operating in natural gas mode is in violation of the South Coast AQMD Rule 1111."
  - (B) The following documents and information shall be provided to the Executive Officer, accompanying the compliance plan report specified in subparagraphs (c)(5)(E), (c)(5)(F), and (c)(5)(G), including but not limited to:
    - (i) The quantity of propane conversion kits for furnaces actually distributed or sold into South Coast AQMD for the applicable compliance plan period;
    - (ii) The quantity of propane conversion kits for furnaces distributed or sold into the South Coast AQMD during the 12 month period of July 1 to June 30 prior to the applicable compliance date; and

- (iii) Photographic evidence of the required language set forth in subparagraph (g)(4)(A) as it appears on the carton or unit, including all versions utilized by the manufacturer, for approval by the Executive Officer. The photographs must be sufficient to verify the wording is correct and that it is “clearly visible,” taking into account the font type, size, color, and location on the carton or unit.
- (C) The manufacturer of this type of unit which has been installed in the South Coast AQMD without meeting above requirements shall be in violation of South Coast AQMD Rule 1111.
- (5) ~~Condensing and non-condensing natural gas furnaces installed at elevations greater than or equal to 4,200 feet above sea level are exempt from paragraph (c)(4) until September 30, 2021.~~ Condensing or non-condensing furnaces that are certified to meet the 40 ng/J NOx limit and are installed at or above 4,200 feet above sea level are exempt from paragraph (c)(4), if that unit is installed on or before December 31, 2021-March 31, 2022.
- (6) ~~Effective January 1, 2022 April 1, 2022, downflow furnaces rated less than 175,000 BTU per hour in heat input capacity and condensing or non-condensing furnaces with rated heat input at or greater than 100,000 BTU per hour, either of which are installed at elevations at or above 4,200 feet above sea level as a replacement for an existing furnace are exempt from paragraph (c)(4), provided that:~~
  - (A) The downflow furnace is certified to meet the 40 ng/J NOx limit, is replacing an existing furnace, and the shipping carton or name plate of the furnace clearly displays: "This furnace must be installed only as a replacement in a downflow configuration at or above 4,200 feet above sea level in the South Coast AQMD. Installation of this furnace for new construction, in any other configuration, or at a lower elevation will be a violation of South Coast AQMD Rule 1111."; or
  - (B) The condensing or non-condensing furnace rated at or greater than 100,000 BTU per hour in heat input capacity is certified to meet 40 ng/J NOx limit, is replacing an existing furnace, and the shipping carton or name plate of the furnace clearly displays: “This furnace must be installed only as a replacement at or above 4,200 feet above

sea level in the South Coast AQMD. Installation of this furnace for new construction or at a lower elevation will be a violation of South Coast AQMD Rule 1111."

- (76) Effective ~~October January 1, 2022~~ April 1, 2022 and until September 30, 2022, a manufacturer, distributor, or installer that manufactures, supplies, sells, offers for sale, or installs a natural gas furnace certified to meet 40 ng/J of NOx that is installed and operated as part of a dual fuel system at or above 4,200 feet above sea level in the South Coast AQMD, shall only install such a unit that:
- (A) Is designed by the manufacturer with a system switchover point between heat pump and furnace at the external temperature of 32°F with a nonadjustable system that would prevent any person from changing the external ambient switchover temperature of 32°F;
  - (B) Includes installation of an external temperature sensor which acts as the sole method to determine switchover point;
  - (C) For systems equipped with condensing, noncondensing, or mobile home furnaces, includes communicating technology between the heat pump and furnace installed at the point of manufacture to prevent system operation without a heat pump and requires operations of only the heat pump at and above the switchover temperature outlined in (g)(76)(A); and
  - (D) The shipping carton or the name plate of the furnace clearly displays: "This furnace must be installed only in a dual fuel configuration with an electric heat pump. Installation of this furnace without a heat pump in a dual fuel configuration will be a violation of South Coast AQMD Rule 1111."
- (87) The manufacturer of any furnace that elects to use the exemption in paragraph (g)(4), (g)(5), ~~(g)(6)~~, or (g)(76) shall record the following information and shall make this information available upon request to the Executive Officer:
- (A) Sales date to distributor;
  - (B) Distributor's name and full contact information (address and phone number);
  - (C) Model number of the furnace and heat pump (if applicable); and
  - (D) Serial number of the furnace and heat pump (if applicable).

- (89) The distributor that elects to use the exemption in paragraph (g)(4), (g)(5), (g)(6), -or (g)(76) shall record the following information and shall make this information available upon request to the Executive Officer:
- (A) Sales date to installer;
  - (B) Installer's name and full contact information (address and phone number);
  - (C) Model number of the furnace and heat pump (if applicable); and
  - (D) Serial number of the furnace and heat pump (if applicable).
- (109) The installer that elects to use the exemption in paragraph (g)(4), (g)(5), (g)(6), -or (g)(76) shall record the following information and shall make this information available upon request to the Executive Officer:
- (A) Installation date;
  - (B) Address of furnace installation;
  - (C) Model number of the furnace and heat pump (if applicable); and
  - (D) Serial number of the furnace and heat pump (if applicable).

ATTACHMENT G

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

**Final Staff Report  
Proposed Amended Rule 1111 – Reduction of NO<sub>x</sub> Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces**

**September~~August~~ 2021**

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WAYNE NASTRI

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## **EXECUTIVE SUMMARY**

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## EXECUTIVE SUMMARY

Rule 1111 reduces emissions of nitrogen oxides (NO<sub>x</sub>) from residential and commercial gas-fired fan-type space heating furnaces with a rated heat input capacity of less than 175,000 BTU per hour or, for combination heating and cooling units, a cooling rate of less than 65,000 BTU per hour. The rule applies to manufacturers, distributors, and installers of such furnaces.

The furnaces are categorized into four types by Rule 1111: 1) Non-condensing (standard); 2) Condensing (high efficiency); 3) Weatherized (e.g., outdoor); and 4) Mobile home furnaces. The compliance dates to meet the emission limit are different depending on the furnace type. The furnaces for installation at the high elevation regions can be any type but are most commonly non-condensing and condensing furnaces.

Rule 1111 was adopted by the South Coast AQMD Governing Board in December 1978 and amended in 1983, 2009, 2014, 2018, 2019, and 2020. The significant changes included:

- The 2009 amendment lowering the NO<sub>x</sub> emissions from 40 to 14 nanograms per Joule (ng/J);
- The 2014 amendment providing an alternate compliance option that allows the manufacturer to pay a per-unit mitigation fee, in lieu of meeting the new lower NO<sub>x</sub> emission limit, for up to 36 months past the applicable compliance date;
- The March 2018 amendment extending the mitigation fee alternate compliance option and increasing the mitigation fee;
- The December 2019 amendment providing a temporary exemption from the 14 ng/J emission limit for condensing and non-condensing furnace installations at elevations greater than or equal to 4,200 feet above sea level (high-altitude installation); and
- The September 2020 amendment extending both the high-altitude installation exemption and weatherized furnace mitigation fee option to September 30, 2021

The mitigation fee alternate compliance option for condensing and non-condensing furnaces for installation at elevations below 4,200 feet ended on September 30, 2019; thus, all condensing and non-condensing furnaces installed below 4,200 feet have been required to comply with the 14 ng/J NO<sub>x</sub> limit after that date. Similarly, the mitigation fee alternate compliance option for all other furnaces regulated under this rule will end on September 30, 2021; therefore, all weatherized furnaces, mobile home furnaces, and high-altitude installations will be required to comply with the 14 ng/J NO<sub>x</sub> emission limit after that date.

Weatherized furnaces are developed for both residential and commercial applications. All seven manufacturers expect to meet the October 1, 2021 final compliance date for residential applications, and only one manufacturer projects a potential two-month delay for commercial applications. Staff is working with this manufacturer to identify a potential compliance option.

Mobile home furnaces are designed specifically and solely for installation to heat mobile homes (also known as manufactured homes). New manufactured home gas furnaces must be approved by the U.S. Department of Housing and Urban Development (HUD). Manufacturers are required to develop propane kits for compliant split systems to meet HUD requirement for propane compatibility. The manufacturers are also required to meet the Department of Energy standards energy efficiency standards by January 1, 2023. Currently none of the manufacturers have made any progress on the development of mobile home furnaces. Manufacturers suggested that more

time is needed for the development. Consequently, Proposed Amended Rule 1111 would extend mitigation fee alternate compliance option, and therefore the final compliance date, for mobile home furnaces to October 1, 2023. Manufacturers would continue to be subject to the mitigation fee, recordkeeping, and reporting requirements.

With regards to high-altitude furnace installations, all manufacturers have made progress in testing and providing condensing and non-condensing furnaces for high-altitude installations. Four manufacturers expect to have compliant furnaces available by October 1, 2021, for elevations up to 7,500-7,800 feet, three of which expect to have all their certified compliant units capable for high-altitude use with or without modification kits.

A concern was raised regarding niche products such as downflow configurations and large-sized ( $\geq 100,000$  btu/hr) models. There are no compliant downflow models for altitudes higher than 5,400 feet. While two manufacturers expect to provide models with 100,000 btu/hr heat input capacity, there will be no models with higher heat input capacity for elevations up to 7,500-7,800 feet. A suggestion was made that staff should consider exempting all furnaces in high-altitude areas if the emission reductions are minor. The emission reductions forgone would be permanent and accumulate over time if providing a broad high-altitude installation exemption. With 0.001 tons per day emission reductions forgone adding up each year, staff estimates up to 0.03 tons per day in 30 years. On the other hand, manufacturers with compliant products for high-altitude installations oppose a broad exemption. Manufacturers have invested time, money, and resources in high-altitude testing. All manufacturers have made progress and have developed a variety of products at different elevations; and as with new technology, more models and product lines become available over time. A broad exemption for the high-altitude community would raise concerns of equity among manufacturers and would disadvantage those manufacturers who have worked to develop compliant products for the high-altitude areas. On this basis, Proposed Amended Rule 1111 expects to address the concern by providing a niche exemption for high-altitude downflow and large-sized models. This exemption is for replacement units only, as alternative options (e.g., heat pump and twinning furnaces<sup>1</sup>) are feasible for new constructions. Proposed Amended Rule 1111 will also allow furnaces certified at 40 ng/J to be installed in high-altitude areas beyond the October 1, 2021 compliance date for a limited time to ensure that adequate compliant products would be commercially available for installers. Staff does not recommend permanently exempting all furnaces for high-altitude areas.

In summary, Proposed Amended Rule 1111 (PAR 1111) would: (1) extend the mobile home furnace mitigation fee end date by two years until September 30, 2023; (2) extend the high-altitude exemption by ~~six~~<sup>three</sup> months, allowing furnaces certified at 40 ng/J to be installed in high-altitude areas until ~~March 31, 2022~~<sup>December 31, 2021</sup>; and (3) provide an exemption for replacement downflow and large-sized ( $\geq 100,000$  btu/hr) condensing or non-condensing furnaces in high-altitude areas. Staff will continue to meet with manufacturers, distributors, and installers to resolve any remaining issues.

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<sup>1</sup> Twinning means using a twinning kit to pair two furnaces to achieve larger space heating capacity

## **CHAPTER 1: BACKGROUND**

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INTRODUCTION  
REGULATORY HISTORY  
EQUIPMENT AND PROCESS  
REQUIREMENT AND TESTS FOR NEW TECHNOLOGY  
AFFECTED INDUSTRIES  
PRODUCT AVAILABILITY  
PUBLIC PROCESS

**INTRODUCTION**

The purpose of Rule 1111 – Reduction of NO<sub>x</sub> Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces is to reduce NO<sub>x</sub> emissions from residential and commercial gas-fired fan-type space heating furnaces with a rated heat input capacity of less than 175,000 BTU per hour or, for combination heating and cooling units, a cooling rate of less than 65,000 BTU per hour. The rule applies to manufacturers, distributors, and installers of such furnaces. It requires manufacturers to certify that each furnace model offered for sale in the South Coast AQMD complies with the emission limit using the test methods approved by the South Coast AQMD and U.S. EPA. In lieu of meeting the lower emission limit, Rule 1111 has provided manufacturers an alternate compliance option of paying a per-unit mitigation fee for up to 4 to 5 years past the applicable compliance date, depending on the furnace type, which includes non-condensing, condensing, weatherized, and mobile home furnaces. Most single-family homes, many multi-unit residences, and some light commercial building in the South Coast AQMD use this type of space heating equipment.

**REGULATORY HISTORY**

Rule 1111 was adopted by the South Coast AQMD Governing Board in December 1978. The original rule required residential and commercial space heating furnaces to meet a NO<sub>x</sub> emission limit of 40 nanograms per Joule (ng/J) of heat output (equivalent to 61 ppm at a reference level of 3% oxygen and 80% Annual Fuel Utilization Efficiency (AFUE)) beginning January 1, 1984.

**New Lower NO<sub>x</sub> Emission Limit of 14 ng/J Established**

In November 2009, Rule 1111 was amended to implement the 2007 Air Quality Management Plan (AQMP) Control Measure CMB-03. The 2009 amendment established a new lower NO<sub>x</sub> emission limit of 14 ng/J (equivalent to 22 ppm at a reference level of 3% oxygen and 80% AFUE), and required the three major categories of residential furnaces – condensing (high efficiency), non-condensing (standard), and weatherized furnaces to meet the new limit by October 1, 2014, October 1, 2015, and October 1, 2016, respectively. Furthermore, new mobile home heating units, which were unregulated prior to the 2009 amendment, were required to meet a NO<sub>x</sub> limit of 40 ng/J by October 1, 2012 and 14 ng/J by October 1, 2018. To facilitate the depletion of existing inventories and to ensure a smooth transition to the new limits, Rule 1111 also provided a temporary 10-month exemption (a sell-through period) for units manufactured and delivered into the South Coast Air Basin prior to the compliance date.

**Mitigation Fee to Delay Compliance of 14 ng/J Furnaces**

Rule 1111 was later amended in September 2014 to delay the compliance date for condensing furnaces and to provide an alternate compliance option. The alternate compliance option allowed OEMs to pay a per unit mitigation fee of \$200 for each condensing furnace and \$150 for each other type of furnace distributed or sold in South Coast AQMD, in lieu of meeting the 14 ng/J NO<sub>x</sub> emission limit. The mitigation fee end date was based on the furnace type which phased in the NO<sub>x</sub> limit of 14 ng/J over the period from April 1, 2018, to October 1, 2021.

**Extension and Increase of the Mitigation Fee**

Based on the lack of 14 ng/J furnaces that were commercialized in early 2018, Rule 1111 was amended in March 2018 to increase the mitigation fee in two phases to a range of \$300 to \$450, depending on the furnace type and heat input capacity, and extend the mitigation fee compliance option by 1.5 years for condensing furnaces, and one year for non-condensing and weatherized

furnaces. Rule 1111 was also amended to provide an exemption from the mitigation fee increase for units encumbered in a contractual agreement by OEMs and distributors for new construction, if contracts were signed prior to January 1, 2018, and included provisions to address propane conversion kits for propane firing only furnaces.

### **Clean Air Furnace Rebate Program**

In March 2018, a rebate program for consumers who purchase and install compliant 14 ng/J furnaces in the South Coast AQMD was initiated. The purpose of the rebate program was to help commercialize and incentivize consumers to purchase 14 ng/J furnaces. On May 4, 2018, the South Coast AQMD executed the contract with Electric & Gas Industries Association (EGIA) to administer the Clean Air Furnace Rebate Program. On June 28, 2018, the rebate website was launched ([www.cleanairfurnacerebate.com](http://www.cleanairfurnacerebate.com)). The South Coast AQMD Governing Board initially approved funding of \$3,000,000 for the furnace rebate program, specifying a \$500 rebate for each compliant furnace. In September 2020, the Board approved additional funding of \$3.5 million, modifying the program to specify a \$500 rebate for up to 600 compliant weatherized furnaces, a \$500 rebate for up to 200 high-altitude compliant condensing or non-condensing furnace installations, and a \$1500 rebate for each all-electric heat pump for central ducted space heating. Rebates for weatherized and high-altitude condensing non-condensing furnaces will end on September 30, 2021, when any remaining funds for those categories will be reallocated for all-electric heat pump systems. Rebates for all-electric heat pump systems will conclude once rebate funds are exhausted. The 25% set aside for disadvantaged communities can only be redeemed for units installed in those geographic locations.

### **High-altitude Furnaces Temporary Exemption and Extension**

Rule 1111 was amended in December 2019 to include a temporary exemption from the 14 ng/J NO<sub>x</sub> emission limit that applies to manufacturers, distributors, and installers of condensing and non-condensing natural gas furnaces, for furnaces installed at elevations greater than or equal to 4,200 feet above sea level until September 30, 2020. During this interim exemption period, condensing and non-condensing furnaces installed in high-altitude areas were still required to meet the 40 ng/J NO<sub>x</sub> emission limit. Rule 1111 was again amended in September 2020 to extend this exemption for one year, until September 30, 2021.

### **Further Extension of the Mitigation Fee Option for Weatherized Furnaces**

The September 2020 Rule 1111 amendment also extended the mitigation fee compliance option by one year for weatherized furnaces, until September 30, 2021. As for high-altitude furnaces, the extension was to address the adverse impact of the COVID-19 pandemic on their development and commercialization.

## **EQUIPMENT AND PROCESS**

Fan-type gas-fired furnaces heat a building by circulating air from inside the building (office, home, apartment, etc.) through the furnace. In a fan-type furnace, air is heated when it passes through a heat exchanger. Combustion gases heat up the inside of the heat exchanger, and air from the building that is moving past the outside of the heat exchanger removes heat from the outside surface. A blower (fan) pulls air through one or more intake ducts and pushes the air past the heat exchanger and through another set of ducts, which direct the heated air to different parts of the building. The heated air circulates through the building before it is again pulled into the intake ducts and re-heated. This process continues until a specific temperature is detected by a thermostat in the building, which then shuts off the furnace. When the temperature at the thermostat goes below a set point, the thermostat sends a signal for the furnace to turn on.

Rule 1111 categorizes furnaces into four types: non-condensing, condensing, weatherized, and mobile home furnaces. Condensing furnaces, also called high-efficiency furnaces, utilize a second heat exchanger to recover the latent heat in the flue gas, achieving 90 to 98 percent fuel efficiency. Non-condensing furnaces only use one heat exchanger, with a typical fuel efficiency of about 80 percent. Weatherized furnaces are designed for installation outside of a building, equipped with a protective jacket and integral venting, and labeled for outdoor installation. A weatherized furnace is often referenced as package units by the heating, ventilation, and air conditioning (HVAC) industry as the furnace is packaged with an air conditioning condensing unit. A mobile home furnace means a furnace designed specifically and solely for installation to heat a mobile home.

### **REQUIREMENTS AND TESTS FOR NEW TECHNOLOGY**

Gas furnaces in the United States must meet the ANSI Z21.47/CSA 2.3 standard referred as CSA certification, mainly to ensure safety. To be sold and installed in the South Coast AQMD's jurisdiction, they must also be certified by the South Coast AQMD for Rule 1111 NOx emission limit compliance by specific test methods approved by the South Coast AQMD and U.S. EPA. OEMs could also be subject to other regulations, such as ANSI/ASHRAE/IES 90.1-2013, Energy Standard for Buildings Except Low-Rise Residential building required by the U.S. Department of Energy (DOE), and AHRI certification program for verification test of output heating capacity and annual fuel utilization efficiency. For furnace installation, manufacturers provide extensive training programs and instruction material for the contractors and installers.

### **AFFECTED INDUSTRIES**

Proposed Amended Rule 1111 affects manufacturers (NAICS 333), distributors and wholesalers (NAICS 423), and retailers and dealers (NAICS 444) of residential furnaces. Because heating units regulated by the rule are used in most residential and many commercial settings for heating small buildings, construction and building contractors and installers (NAICS 238 and 811) related to residential furnaces are also affected by PAR 1111. The Air Conditioning Heating and Refrigeration Institute (AHRI), the major manufacturer's trade organization, indicates that there are no manufacturers of fan-type gas-fired residential furnaces in the South Coast AQMD. However, these companies do maintain regional sales offices and distribution centers in the South Coast AQMD and there are manufacturers of other types of heating furnaces in the South Coast AQMD.

### **PRODUCT AVAILABILITY**

As part of the implementation status monitoring, staff has been regularly reaching out to manufacturers for their progress on developing and commercializing compliant weatherized furnaces, mobile home furnaces, and furnaces for installation at high-altitude areas.

#### **Availability of Weatherized Furnaces**

For weatherized furnaces, all seven manufacturers expect to meet the October 1, 2021 compliance date for residential applications, and only one manufacturer projects a potential two-month delay for commercial applications. Staff is working with this manufacturer to identify potential compliance options. It is not recommended to extend the weatherized furnace compliance date for one manufacturer when all other manufacturers have compliant furnaces.

#### **Availability of Mobile Home Furnaces**

In the South Coast AQMD residential space heating market, about four percent are mobile home furnaces, currently supplied by four manufacturers. Mobile home furnaces are specifically and solely for installation to heat mobile homes (also known as manufactured homes). A mobile home furnace may be a split system in which the furnace and air conditioner are separated as indoor and outdoor units, respectively. It can also be a weatherized system in which the furnace and air conditioner are packaged and installed as one outdoor system.

New manufactured home gas furnaces must be approved by the U.S. Department of Housing and Urban Development (HUD). The manufacturers will need to develop propane kits for compliant split systems to meet HUD requirement for propane compatibility. The manufacturers will also need to meet the Department of Energy standards upcoming energy efficiency standards by January 1, 2023.

The mitigation fee period for mobile home furnaces ends on September 30, 2021, after which the 14 ng/J NO<sub>x</sub> limit will be applicable. Currently none of the four mobile home manufacturers have made progress on the development of mobile home furnaces. Manufacturers may consider electric heating such as heat pumps, but also suggested that more time is needed for natural gas furnace development.

#### **Furnace Availability for High-altitude Installations**

The furnaces installed at high-altitudes (equal to or above 4,200 feet above sea level) are mostly non-condensing and condensing furnaces. For installations at high-altitude, minor modifications to the furnaces are needed to accommodate different air density and oxygen levels to ensure an optimal air/fuel ratio for burner combustion. The modification involves a high-altitude kit or a built-in manifold adjustment on the 14 ng/J furnace. The compliance date for high-altitude condensing and condensing furnaces has been delayed for two years through two rule amendments in 2019 and 2020. The end date for the mitigation fee alternate compliance option, and therefore the final compliance date for condensing and non-condensing furnaces installed at high-altitudes to meet the 14 ng/J NO<sub>x</sub> limit, will be October 1, 2021.

All manufacturers have made progress in testing to provide condensing and non-condensing furnaces for high-altitude installations. By the October 1, 2021 final compliance date, four manufacturers expect to have compliant furnaces available for elevations up to 7,500-7,800 feet, three of which expect to have all their certified compliant units capable for high-altitude use with or without the need for high-altitude kits. Installers for high-altitude areas expressed the need of assurance that the aforementioned products would be available to installers by the compliance date.

#### **Coverage of Niche Markets in High-altitudes**

Stakeholders raised an issue as to niche market products, including downflow and large-size models ( $\geq 100,000$  btu/hr). By the October 1, 2021 compliance date, there will be no downflow furnaces available for altitudes higher than 5,400 feet, and no manufacturers expect to have models with heat input capacity greater than 100,000 btu/hr available for elevations up to 7,500-7,800 feet. Only two manufacturers will provide models rated at 100,000 btu/hr. Both the markets for downflow and large-size models are very small in the South Coast AQMD. Therefore, their developments did not have as much priority by the manufacturers. Manufacturers have stated that they are not expecting to develop these models in the near future. Consequently, a special consideration is needed for downflow and large-sized furnaces. This consideration would be solely for replacement units for existing buildings. For new buildings, technologies such as heat pumps,

hybrid systems pairing a heat pump and furnace together, twinning kits to pair two furnaces for combined heating, and zoning design can be used as viable alternatives.

**PUBLIC PROCESS**

Staff has been holding ongoing individual meetings with the seven manufacturers to monitor the rule implementation status. The discussions at these meetings included rule implementation status for compliant 14 ng/J weatherized and mobile home furnaces, as well as compliance furnaces for high-altitude installations.

The implementation status and staff recommendation for the proposed amendment were discussed with the working groups on April 14, 2021 and June 3, 2021. Focused discussions on high-altitude installations were conducted on April 29, 2021 and June 9, 2021 with interested stakeholders. A Public Workshop was held on July 7, 2021.

**CHAPTER 2: SUMMARY OF PROPOSED AMENDED RULE 1111**

**PROPOSED AMENDED RULE REQUIREMENTS**

**INTRODUCTION**

Staff has been closely monitoring the progress of development and commercialization of compliant weatherized furnaces, mobile home furnaces, and furnaces for installation in high-altitude areas. Based on discussions with manufacturers, distributors, and installers, PAR 1111 will extend the compliance date for mobile home furnaces by two years, extend the temporary high-altitude exemption by ~~six~~ three months, and provide an exemption for downflow and large-sized furnaces installed as replacement units in high-altitude areas.

**PROPOSED AMENDED RULE REQUIREMENTS****Rule 1111 Definitions**

A new definition for “DOWNFLOW FURNACE” was added to Rule 1111 to provide an exemption for a specified category.

*DOWNFLOW FURNACE means a condensing or non-condensing furnace installed in a configuration in which the furnace takes in cool air from the top, warms it, then releases the warm air through the ductwork below.*

**Rule 1111 Requirements****Extending the mitigation fee alternative compliance option for mobile home furnaces until September 30, 2023**

PAR 1111 proposes to extend the mitigation fee period for mobile home furnaces from September 30, 2021 to September 30, 2023 (see Table 2). This proposal does not change the requirements for the mitigation fee or the recordkeeping and reporting requirements.

**Table 2 – Rule 1111 Table 2 – Alternate Compliance Plan with the Phase One and Phase Two Mitigation Fee Schedules**

Furnace		Phase One Mitigation Fee		Phase Two Mitigation Fee		Phase Two Mitigation Fee Option End Date
Size Range	Furnace Category	Phase One Mitigation Fee Start Date	Phase One Mitigation Fee (\$/Unit)	Phase Two Mitigation Fee Start Date	Phase Two Mitigation Fee (\$/Unit)	
≤ 60,000 BTU/hr	Condensing	May 1, 2018	\$275	October 1, 2018	\$350	September 30, 2019
	Non-condensing	October 1, 2018	\$225	April 1, 2019	\$300	September 30, 2019
	Weatherized	October 1, 2018	\$225	April 1, 2019	\$300	September 30, 2021
	Mobile Home	October 1, 2018	\$150	April 1, 2019	\$150	September 30, <del>2021</del> <u>2023</u>

Furnace		Phase One Mitigation Fee		Phase Two Mitigation Fee		Phase Two Mitigation Fee Option End Date
Size Range	Furnace Category	Phase One Mitigation Fee Start Date	Phase One Mitigation Fee (\$/Unit)	Phase Two Mitigation Fee Start Date	Phase Two Mitigation Fee (\$/Unit)	
> 60,000 Btu/hr and ≤ 90,000 BTU/hr	Condensing	May 1, 2018	\$300	October 1, 2018	\$400	September 30, 2019
	Non-condensing	October 1, 2018	\$250	April 1, 2019	\$350	September 30, 2019
	Weatherized	October 1, 2018	\$250	April 1, 2019	\$350	September 30, 2021
	Mobile Home	October 1, 2018	\$150	April 1, 2019	\$150	September 30, <del>2021</del> 2023
> 90,000 BTU/hr	Condensing	May 1, 2018	\$325	October 1, 2018	\$450	September 30, 2019
	Non-condensing	October 1, 2018	\$275	April 1, 2019	\$400	September 30, 2019
	Weatherized	October 1, 2018	\$275	April 1, 2019	\$400	September 30, 2021
	Mobile Home	October 1, 2018	\$150	April 1, 2019	\$150	September 30, <del>2021</del> 2023

### Rule 1111 Exemptions

**Extend the temporary high-altitude exemption by ~~three-six~~ months until March 31, 2022~~December 31, 2021~~**

PAR 1111 proposes to extend the temporary high-altitude exemption by ~~three-six~~ months as below. This is to allow furnaces certified at 40 ng/J to be installed in high-altitude areas on or before March 31, 2022~~December 31, 2021~~. This additional ~~three-six~~ months would provide more certainty for compliant production distribution.

*Condensing or non-condensing furnaces that are certified to meet the 40 ng/J NOx limit and are installed at or above 4,200 feet above sea level are exempt from paragraph (c)(4), if that unit is installed on or before ~~December 31, 2021~~March 31, 2022.*

**Providing an exemption for downflow and large-sized replacement furnaces in high-altitude areas**

PAR 1111 proposes to incorporate an exemption at elevations greater than or equal to 4,200 feet, as listed below, for installing condensing and non-condensing furnaces replacing existing units either in a downflow configuration or with heat input capacity at or greater than 100,000 btu/hr. The recordkeeping requirements would be applicable for the exemption of both types of furnaces.

*Effective ~~April~~January 1, 2022, downflow furnaces rated less than 175,000 BTU per hour in heat input capacity and condensing or non-condensing furnaces with rated heat input at or greater than 100,000 BTU per hour, either of which are installed at elevations at or above 4,200 feet above sea level as a replacement for an existing furnace are exempt from paragraph (c)(4), provided that:*

- (A) *The downflow furnace is certified to meet the 40 ng/J NO<sub>x</sub> limit, is replacing an existing furnace, and the shipping carton or name plate of the furnace clearly displays: "This furnace must be installed only as a replacement in a downflow configuration at or above 4,200 feet above sea level in the South Coast AQMD. Installation of this furnace for new construction, in any other configuration, or at a lower elevation will be a violation of South Coast AQMD Rule 1111."; or*
- (B) *The condensing or non-condensing furnace rated at or greater than 100,000 BTU per hour in heat input capacity is certified to meet 40 ng/J NO<sub>x</sub> limit, is replacing an existing furnace, and the shipping carton or name plate of the furnace clearly displays: "This furnace must be installed only as a replacement at or above 4,200 feet above sea level in the South Coast AQMD. Installation of this furnace for new construction or at a lower elevation will be a violation of South Coast AQMD Rule 1111."*

## **CHAPTER 3: IMPACT ASSESSMENT**

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**INTRODUCTION**

**EMISSION REDUCTIONS**

**COST EFFECTIVENESS**

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) ANALYSIS**

**SOCIOECONOMIC IMPACT ASSESSMENT**

**DRAFT FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE  
SECTION 40727**

**INCREMENTAL COST-EFFECTIVENESS**

**COMPARATIVE ANALYSIS**

## INTRODUCTION

Rule 1111 reduces emissions of nitrogen oxides (NO<sub>x</sub>) from residential and commercial gas-fired fan-type space heating furnaces. This rule is applicable to manufacturers, distributors, and installers of those type of furnaces.

## EMISSION REDUCTIONS

Based on the 2016 AQMP emission inventory for fuel consumption, the annual average NO<sub>x</sub> emissions from residential heating using natural gas was 9.51 tons per day in 2012. Staff estimates that there are about four million residential type heating furnaces in the South Coast AQMD. Based on a furnace life of 25 years, a typical furnace emits 1.5 to 2.0 pounds of NO<sub>x</sub> per year. The emission rate reduction from 40 ng/J to 14 ng/J results in more than one pound per year of NO<sub>x</sub> emissions reductions for each furnace.

Total mobile home furnace annual sales are estimated at 6,000 units in the South Coast AQMD. A two-year delay in compliance would result in about 0.016 tons per day emission reduction delay for the next 25 years [calculated as:  $(2 \times 6,000 \times 1.0)/(2,000 \times 365)$ ].

Staff tracked furnace sales to be approximately 50 units for high-altitude installations during the two-month period of October and November 2019. Based on this information, total annual high-altitude installation are estimated at 400 units. Downflow and large-sized ( $\geq 100,000$  btu/hr) furnaces comprise a small portion of the total installation. Extending the exemption for all installations in high-altitude areas by ~~six~~three months, and permanently exempting high altitude replacement installations of downflow furnaces and large-sized furnaces would result in a negligible amount (less than one lb~~near zero tons~~ per day) of emission reductions forgone.

Consequently, the NO<sub>x</sub> emissions reduction delay of 0.016 tons per day by this proposal is not significant. The proposed amendments do not result in any significant effect on air quality or significant changes to emissions reductions.

The overall NO<sub>x</sub> emissions reductions remain unchanged. However, the final year (which was 2046 initially, based on a 25-year useful life expectancy) to achieve the overall emission reductions for this rule will now be 2048, as the proposed compliance date for mobile home furnace is delayed for two years.

## COST-EFFECTIVENESS

A cost effectiveness analysis is not required for PAR 1111. The proposed amendment does not impose additional requirements on manufacturers of compliant residential furnaces meeting the 14 ng/J NO<sub>x</sub> emission limit.

## CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) ANALYSIS

~~Pursuant to the California Environmental Quality Act (CEQA) and South Coast AQMD's certified regulatory program (Public Resources Code Section 21080.5, CEQA Guidelines Section 15251(l) and South Coast AQMD Rule 110), the South Coast AQMD, as lead agency, is reviewing the proposed project to determine if it will result in any potential adverse environmental impacts. Appropriate CEQA documentation will be prepared based on the analysis.~~

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 if the proposed project is approved, the Notice of Exemption will be filed for posting

with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino Counties. The Notice of Exemption will also 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 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>.

### **SOCIOECONOMIC IMPACT ASSESSMENT**

The proposed amendments to Rule 1111 do not impose any additional requirements and will have no adverse socioeconomic impacts.

### **DRAFT FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE SECTION 40727**

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. In order to determine compliance with section 40727, 40727.2 requires a written analysis comparing the proposed amended rule with existing regulations, if the rule meets certain requirements.

The following provides the draft findings.

**Necessity:** A need exists to amend Rule 1111 to extend the mitigation fee alternative compliance option for mobile home furnaces, temporarily extend the high-altitude (greater than or equal to 4,200 feet above sea level) exemption, and provide an exemption for downflow and large-sized (rated at greater than or equal to 100,000 British thermal units per hour) condensing and non-condensing furnaces, replacing existing furnaces in the high-altitude areasecondensing and non-econdensing furnaces installed in a downflow configuration in high altitude areas to ensure there are sufficient units available to consumers.

**Authority:** The South Coast AQMD obtains its authority to adopt, amend, or repeal rules and regulations from California Health and Safety Code Sections 39002, 40000, 40001, 40440, 40702, 40725 through 40728, 41508, and 41700.

**Clarity:** PAR 1111 has been written or displayed so that its meaning can be easily understood by the persons affected by the rule.

**Consistency:** PAR 1111 is in harmony with, and not in conflict with or contradictory to, existing federal or state statutes, court decisions, or federal regulations.

**Non-Duplication:** PAR 1111 does not impose the same requirement as any existing state or federal regulation and is necessary and proper to execute the powers and duties granted to, and imposed upon, the South Coast AQMD.

**Reference:** In amending this rule, the South Coast AQMD hereby implements, interprets, or makes specific reference to the following statutes: Health and Safety Code sections 39002, 40001, 40702, 40440(a), and 40725 through 40728.5.

**INCREMENTAL COST-EFFECTIVENESS**

Health and Safety Code section 40920.6 requires an incremental cost-effectiveness analysis for Best Available Retrofit Control Technology (BARCT) rules or emission reduction strategies when there is more than one control option that would achieve the emission reduction objective of the proposed amendments, relative to ozone, CO, SO<sub>x</sub>, NO<sub>x</sub>, and their precursors. The proposed amendment does not include new BARCT requirements; therefore, this provision does not apply to the proposed amendment.

**COMPARATIVE ANALYSIS**

Health & Safety Code section 40727.2(g) for comparative analysis is applicable when the proposed amended rules or regulations impose, or have the potential to impose, a new emissions limit or standard, or increased monitoring, recordkeeping, or reporting requirements. In this case, a comparative analysis is not required because the amendments do not impose such requirements.

## **CHAPTER 4: APPENDICES**

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**APPENDIX A: REFERENCES**

**APPENDIX B: RESPONSE TO PUBLIC COMMENTS**

**APPENDIX A: REFERENCES**

South Coast AQMD, 2009. *Staff Report: Proposed Amended Rule 1111 – NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces*. South Coast Air Quality Management District, November 2009.

South Coast AQMD, 2014. *Rule 1111 Technology Assessment for Residential Furnaces*. South Coast Air Quality Management District, January 2014.

South Coast AQMD, 2014. *Staff Report: Proposed Amended Rule 1111 – NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces*. South Coast Air Quality Management District, September 2014.

South Coast AQMD, 2017. *Final 2016 Air Quality Management Plan*. South Coast Air Quality Management District, March 2017.

South Coast AQMD, March 2018. *Staff Report: Proposed Amended Rule 1111 – NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces*. South Coast Air Quality Management District, March 2018.

South Coast AQMD, December 2019. *Board letter: Determine That Proposed Amendments to Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces, Are Exempt from CEQA and Amend Rule 1111*

South Coast AQMD, 2020. *Staff Report: Proposed Amended Rule 1111 – NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces*. South Coast Air Quality Management District, September 2020.

**APPENDIX B: RESPONSE TO PUBLIC COMMENTS**

South Coast AQMD staff held a public workshop on July 7, 2021, via Zoom video conference. Comments were received during the public workshop, and no comment letter was received during the comment period.

The following responses summarize the key comments received during the public workshop:

**Comment WS-1:** The stakeholders need certainty that the four manufacturers that will be providing compliant furnaces for high-altitude areas will have those furnaces commercially available by October 1, 2021.

**Response WS-1:** Staff verified three manufacturers already have commercially available compliant units for the high altitude areas and a fourth manufacturer confirmed their compliant units should be commercialized by October 1, 2021. To provide further certainty, PAR 1111 has been changed to extend the high-altitude ( $\geq 4,200$  feet above sea level) exemption end date from September 30, 2021 to ~~December 31, 2021~~ March 31, 2022.

**Comment WS-2:** The stakeholders requested to modify the exemption for large-sized furnaces for high-altitude areas to include furnaces “at and above” instead of “above” 100,000 btu/hr.

**Response WS-2:** PAR 1111 has been changed to exempt large-sized furnaces at and above 100,000 btu/hr for high-altitude areas.

**Comment WS-3:** Staff should consider exempting all furnaces in high-altitude areas if the emission reductions are minor.

**Response WS-3:** The emission reductions forgone would be permanent and accumulate over time if the amended rule provided a broad, permanent high-altitude furnace exemption. With 0.001 ton per day emission reductions forgone adding up each year, staff estimates up to 0.03 ton per day in 30 years. On the other hand, manufacturers with compliant products for high-altitude installations oppose a broad exemption. Manufacturers have invested time, money, and resources in high-altitude testing. All manufacturers have made progress and have developed a variety of products suitable for use at varying elevations; and as with new technology, more models and product lines become available over time. A broad exemption for the high-altitude community would raise concerns of equity among manufacturers and would disadvantage those manufacturers who have worked to develop compliant products for the high-altitude areas. On this basis, PAR 1111 extends the high-altitude exemption for ~~three~~ six months and provides a niche exemption for high-altitude downflow and large-sized furnaces but does not propose a permanent and broad high-altitude furnace exemption.

## ATTACHMENT H



# South Coast Air Quality Management District

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

**SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**PROJECT TITLE: PROPOSED AMENDED RULE 1111 – REDUCTION OF NOX EMISSIONS FROM NATURAL-GAS- FIRED, FAN-TYPE CENTRAL FURNACES**

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 filed for posting with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino Counties. The Notice of Exemption will also 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)**

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**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

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**Project Title:** Proposed Amended Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces

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**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.

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**Description of Nature, Purpose, and Beneficiaries of Project:** Amendments to Rule 1111 are proposed that would: 1) extend the mitigation fee alternative compliance option end date from September 30, 2021 to September 30, 2023 for mobile home furnaces; 2) extend the exemption for condensing and non-condensing furnaces certified at 40 nanograms per Joule (ng/J) for installations in high-altitude areas (e.g., elevations greater than or equal to 4,200 feet) from September 30, 2021 to March 31, 2022; 3) permanently exempt downflow and large-sized (e.g., rated at or greater than 100,000 British thermal units per hour) condensing and non-condensing furnaces that replace existing furnaces in high-altitude areas; and 4) add requirements for recordkeeping and labeling. A delay in achieving approximately 0.016 ton per day (equivalent to 32 pounds per day) of nitrogen oxide (NOx) emission reductions will be expected to occur as a result of the delayed compliance date for mobile home furnaces. A negligible amount of NOx emission reductions forgone (e.g., less than one pound per day) will be expected to occur as a result of the proposed exemptions for furnaces installed in high-altitude areas.

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<b>Public Agency Approving Project:</b> South Coast Air Quality Management District	<b>Agency Carrying Out Project:</b> South Coast Air Quality Management District
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**Exempt Status:** CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption

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**Reasons why project is exempt:** South Coast AQMD, as Lead Agency, has reviewed the proposed project pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. Since the quantity of delayed NOx emission reductions are expected to be temporary and less than the South Coast AQMD air quality significance threshold for NOx, and the amount of permanent NOx emission reductions forgone are negligible, it can be seen with certainty there that there is no possibility that the proposed project may have a significant adverse effect on the environment. Therefore, the project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption.

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**Date When Project Will Be Considered for Approval (subject to change):**  
South Coast AQMD Governing Board Hearing: September 3, 2021

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<b>CEQA Contact Person:</b> Kendra Reif	<b>Phone Number:</b> (909) 396-3479	<b>Email:</b> <a href="mailto:kreif@aqmd.gov">kreif@aqmd.gov</a>	<b>Fax:</b> (909) 396-3982
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<b>Rule Contact Person:</b> Yanrong Zhu	<b>Phone Number:</b> (909) 396-3289	<b>Email:</b> <a href="mailto:yzhu@aqmd.gov">yzhu@aqmd.gov</a>	<b>Fax:</b> (909) 396-3982
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**Date Received for Filing:** \_\_\_\_\_ **Signature:** \_\_\_\_\_ *(Signed Upon Board Approval)*  
Barbara Radlein  
Program Supervisor, CEQA  
Planning, Rule Development, and Area Sources

# PROPOSED AMENDED RULE 1111

REDUCTION OF NO<sub>x</sub> EMISSIONS FROM NATURAL-GAS-FIRED, FAN-TYPE CENTRAL FURNACES

BOARD MEETING

OCTOBER 1, 2021

# Rule 1111 Background

- Rule 1111 establishes NO<sub>x</sub> limits for natural gas furnaces and applies to manufacturers, distributors, sellers, and installers
- In November 2009, the NO<sub>x</sub> limit was lowered from 40 to 14 ng/J with a staggered implementation schedule
- Since October 1, 2019, condensing and non-condensing furnaces have been meeting the 14 ng/J NO<sub>x</sub> limit, except for high-altitude<sup>1</sup> installations
- There are three furnace categories with an October 1, 2021 compliance date (mitigation fee option expires September 30, 2021):
  - Condensing and non-condensing furnaces in high-altitude areas
  - Weatherized furnaces
  - Mobile home furnaces

<sup>1</sup> For elevations  $\geq 4,200$  feet above sea level

# Implementation Status

## High-Altitude Furnaces

- Two manufacturers currently have a full line of products available
- One manufacturer has some models available
- Another manufacturer expects to have products available by October 1, 2021
  - Installers need certainty about this product deployment
- Lack of downflow and large-sized ( $\geq 100,000$  btu/hr) models

## Weatherized Furnaces

- All manufacturers except one are expected to meet the October 1, 2021 final compliance date
- One manufacturer anticipates a delay for their commercial weatherized furnaces
  - Staff is working with this manufacturer on potential compliance pathway

## Mobile Home Furnaces

- None of the manufacturers have developed a compliant 14 ng/J furnace for mobile homes
- Manufacturers requested a 2023 compliance date to better align with other regulatory requirements

# Proposed Amendments

## High-Altitude Furnaces

- Extend the final compliance date to January 1, 2022; and
  - Allow furnaces certified at 40 ng/J to be installed in high-altitude areas until March 31, 2022
- Provide an exemption for downflow and large-sized ( $\geq 100,000$  btu/hr) condensing or non-condensing furnaces which are replacing existing furnaces in high-altitude areas

## Weatherized Furnaces

- No amendment for weatherized furnaces

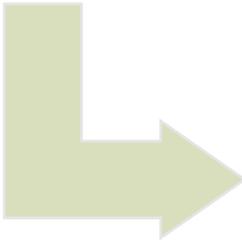
## Mobile Home Furnaces

- Extend the final compliance date to October 1, 2023 for mobile home furnaces
  - Continue the mitigation fee alternative compliance option to September 30, 2023

# Remaining Key Issue

High-altitude  
Furnaces

- Some furnace installers located in high-altitude areas have commented that there is not a sufficient selection of 14 ng/J furnaces for the areas that they serve



Staff  
Response

- PAR 1111 extends the compliance date for condensing and non-condensing furnaces installed in high altitude areas to allow a fourth manufacturer to complete testing
- PAR 1111 exempts furnaces  $\geq 100,000$  Btu/hour since there are only two manufacturers with furnaces of this size
- PAR 1111 exempts furnaces in the downflow configuration since there are no downflow furnaces for high altitude areas
- Concerned that if permanently exempt from the 14 ng/J NO<sub>x</sub> limit, forgone NO<sub>x</sub> reductions would be 0.03 tons per year. Although small, this is not insignificant as there are source-specific rules that achieve similar NO<sub>x</sub> reductions

# Staff Recommendation

- Adopt Resolution
  - Determining that Proposed Amendments to Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces, are exempt from CEQA; and
  - Amending Rule 1111

BOARD MEETING DATE: October 1, 2021

AGENDA NO. 24

**PROPOSAL:** Determine that Proposed Rule 118.1 – Public Safety Provisions for Stationary Emergency Standby Engines and Proposed Amended Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines are Exempt from CEQA, and Adopt Proposed Rule 118.1 and Amend Rule 1470.

**SYNOPSIS:** Over the past several years, utilities have increased implementation of Public Safety Power Shutoff events where power lines are de-energized to reduce potential wildfires. As a result, critical service facilities have increased operation of emergency standby engines during Public Safety Power Shutoff events to provide continuous services to protect public health and safety. Proposed Rule 118.1 includes provisions for critical service facilities that operate an emergency standby engine during a Public Safety Power Shutoff event. Proposed Amended Rule 1470 provides an optional testing and maintenance schedule for water and sewage facilities with an emergency standby engine located in a very high fire hazard severity zone.

**COMMITTEE:** Stationary Source, August 20, 2021, Reviewed

**RECOMMENDED ACTIONS:**

Adopt the attached Resolution:

1. Determining that Proposed Rule 118.1 - Public Safety Provisions for Stationary Emergency Standby Engines and Proposed Amended Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines, are exempt from the requirements of the California Environmental Quality Act; and
2. Adopting Proposed Rule 118.1 - Public Safety Provisions for Stationary Emergency Standby Engines and Amending Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines.

Wayne Nastri  
Executive Officer

## **Background**

Since 2018, utility distribution companies have been implementing Public Safety Power Shutoff (PSPS) events to proactively shut off power to electrical lines to reduce the likelihood that electrical lines would contribute to a wildfire. During a PSPS event, critical service facilities may need to rely on emergency standby engines to continue operations to ensure public health and safety. South Coast AQMD regulations require permits for emergency standby engines, and most limit engine operating hours to 200 hours or less per year. Due to PSPS events, some critical service facilities have exceeded South Coast AQMD operating permit limits. Proposed Rule 118.1 – Public Safety Provisions for Stationary Emergency Standby Engines (PR 118.1) will provide critical service facilities the option to exclude emergency standby engine operating hours that occur due to PSPS events from counting towards the permit operating limit.

Under Rule 1470 - Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines, emergency standby engines with a PM emission rate greater than 0.4 g/bhp-hr, excluding those at health facilities, are limited to 20 hours per year for maintenance and testing. With the increased use of emergency engines, water and sewage facilities have requested an alternative maintenance and testing schedule to periodically allow more rigorous testing to ensure engine reliability. Proposed Amended Rule 1470 (PAR 1470) will provide water and sewage facilities an option to implement alternative maintenance and testing schedules for specific emergency engines.

## **Proposal**

PR 118.1 will provide critical service facilities the option to exclude emergency standby engine operating hours from counting towards a South Coast AQMD permitting limit that occurs due to PSPS events. During a PSPS event, facilities can exclude hours during a de-energization period, up to three hours for each imminent shutoff notification received, and the de-energization period due to repair activities associated with a PSPS event. Facilities electing to exclude engine operating hours would be required to notify the Executive Officer if use of the emergency engine has exceeded the permit operating limit for the calendar year. As part of the notification process, facilities are also required to provide facility information and operating hours due to PSPS events. Facilities excluding emergency engine operating hours will also be required to compile a summary report documenting engine operating hours and supporting documentation for each PSPS event. The summary report is not required to be submitted, but must be made available upon request no later than January 15 of the following calendar year.

PAR 1470 will establish an option for water or sewage facilities to implement an alternative maintenance and testing schedule for emergency standby engines. PAR 1470 provisions apply to emergency standby engines that are limited to 20 hours for maintenance and testing purposes and located in a very high fire hazard severity zone, provided the engine is not located within an SB535 Disadvantaged Community. The

alternative schedule will allow 20 hours of maintenance and testing averaged over a rolling three-year period with no individual calendar year exceeding 30 hours. Facilities will need to modify an existing South Coast AQMD permit to reflect the alternative maintenance and testing schedule.

### **Public Process**

Development of PR 118.1 and PAR 1470 was conducted through a public process. Staff held four working group meetings remotely on the following dates: December 4, 2020, April 8, 2021, May 27, 2021, and July 9, 2021. A Public Workshop was held remotely on July 29, 2021.

### **Key Issues**

Throughout the rulemaking process, staff has worked with stakeholders to resolve key issues. Staff is not aware of any remaining key issues.

### **California Environmental Quality Act**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15269(c). 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 filed for posting with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties. In addition, the Notice of Exemption will be 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 Assessment**

No adverse socioeconomic impacts are anticipated for allowing critical service facilities the option to exclude emergency engine usage due to a PSPS event. Additionally, no significant adverse socioeconomic impacts are anticipated from water and sewage facilities electing to use the alternative maintenance and testing schedule for emergency engines. PR 118.1 and PAR 1470 result in no adverse socioeconomic impacts, and as such, a socioeconomic assessment is not required under Health and Safety Code Section 40440.8(a).

### **AQMP and Legal Mandates**

Under Health & Safety Code Section 40460(a), the South Coast AQMD is required to adopt an Air Quality Management Plan (AQMP) demonstrating compliance with all federal regulations and standards. The South Coast AQMD is required to adopt rules and regulations that carry out the objectives of the AQMP. PR 118.1 and PAR 1470 do not implement an AQMP control measure. Proposed Rule 118.1 is necessary to provide critical service facilities regulatory relief during the loss of electrical power due to PSPS events. PAR 1470 is necessary to provide an alternative maintenance and testing

schedule for water or sewage facilities to ensure engine reliability. The alternative maintenance and testing schedule does not increase emissions averaged over three years or potential health risks.

**Implementation and Resource Impact**

Existing South Coast AQMD resources are adequate to implement the PR 118.1 and PAR 1470.

**Attachments**

- A. Summary of Proposal
- B. Key Issues and Responses
- C. Rule Development Process
- D. Key Contacts List
- E. Resolution
- F1. Proposed Rule 118.1
- F2. Proposed Amended Rule 1470
- G. Final Staff Report
- H. Notice of Exemption from CEQA
- I. Board Meeting Presentation

**ATTACHMENT A**  
**SUMMARY OF PROPOSAL**

Proposed Rule 118.1 – Public Safety Provisions for Stationary Emergency Standby Engines

Purpose and Applicability

- Emergency engines at critical service facilities that have permit conditions limiting operation to 200 hours per year or less can exclude engine operating hours due to PSPS events
- Critical service facilities include essential public services defined under Rule 1302 (which includes publicly owned and operated sewage treatment facilities that are consistent with an approved regional growth plan, prisons, police facilities, fire fighting facilities, schools, hospitals, construction and operation of a landfill gas control or processing facility, water delivery operations, and public transit), sewage pumping plants, pumping plants for recycled water, natural gas delivery facilities, health facilities, and facilities used exclusively for telecommunications

Requirements for Excluding Operating Hours Associated with Public Safety Power Shutoff (PSPS) Events

- Engine operating hours eligible to be excluded during PSPS events include the de-energization period, up to three hours for each imminent shutoff notification received, and the de-energization period due to repair activities associated with a PSPS event

Notification Requirements

- Notify the Executive Officer when the operator exceeds 200 hours where PSPS events contributed to exceeding the 200 hours

Summary Report Requirements

- No later than January 15<sup>th</sup> following the calendar year that an operator exceeded 200 hours per year, operators must prepare an annual report to document engine operating hours specifying operating hours for PSPS events and other activities with supporting documentation from the utility distribution company to demonstrate the date and time of de-energization events and imminent shutoff notifications
- Summary report shall be made available no later than January 15<sup>th</sup> the following calendar year and available upon request

Proposed Amended Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines

Operating Requirements

- Alternative maintenance and testing schedule option established for water or sewage facilities with emergency engines limited to 20 hours of maintenance and testing
- Engines must be located within a very high fire hazard severity zone, excluding engines within SB 535 Disadvantaged Communities
- Alternative maintenance and testing schedule will be 20 hours averaged over a three year rolling period, with no one calendar year exceeding 30 hours
- Permit modification required for facilities electing to implement the alternative maintenance and testing schedule

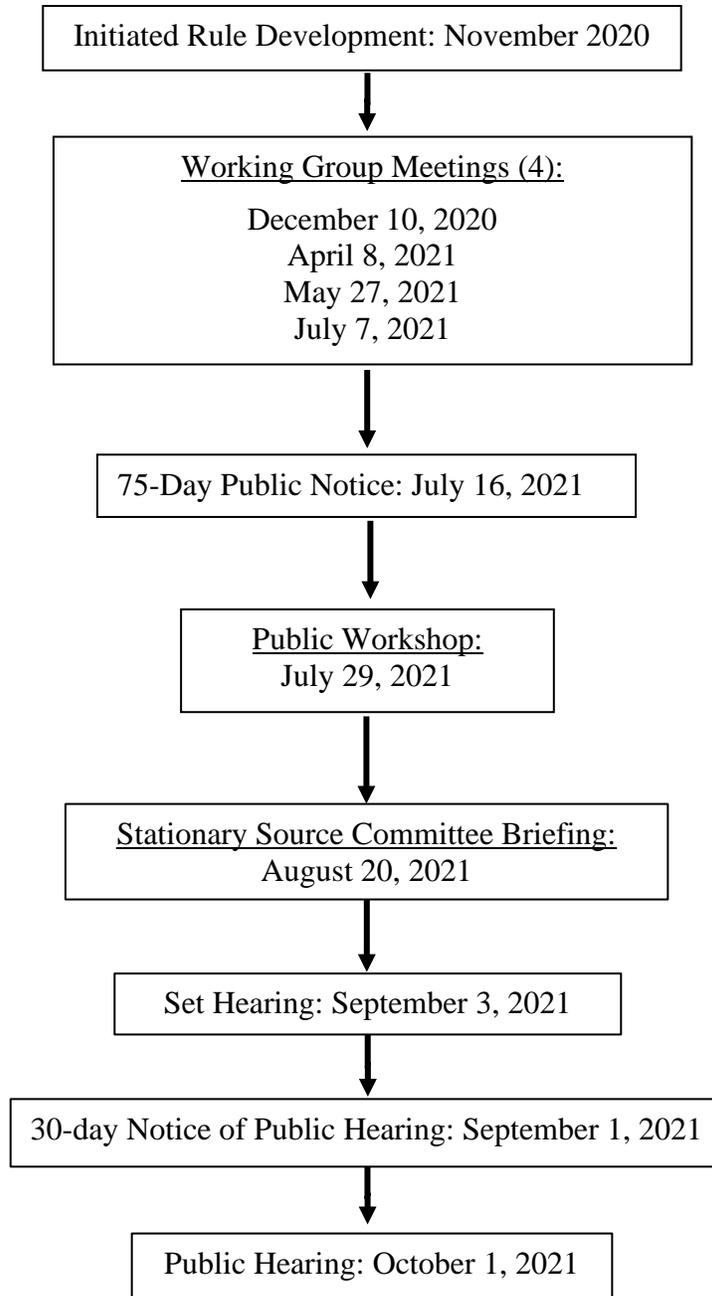
**ATTACHMENT B**  
**KEY ISSUES AND RESPONSES**

Proposed Rule 118.1 – Public Safety Provisions for Stationary Emergency Standby Engines  
and Proposed Amended Rule 1470 – Requirements for Stationary Diesel-Fueled Internal  
Combustion and Other Compression Ignition Engines

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 Rule 118.1 – Public Safety Provision For Stationary Emergency Standby Engines  
and Proposed Amended Rule 1470 - Requirements for Stationary Diesel-Fueled Internal  
Combustion and Other Compression Ignition Engines**



**Eleven (11) months spent in rule development.  
One (1) Public Workshop.  
Four (4) Working Group Meetings.**

**ATTACHMENT D**  
**KEY CONTACTS LIST**

- Amec Foster Wheeler
- American Tower
- Amplify Energy Corporation
- AMVAC (An American Vanguard Company)
- Anaheim Public Utilities
- Ashworth Leininger Group
- Association of California Water Agencies
- Boeing
- Buried Utilities Coalition
- California Air Resources Board
- California Council for Environmental and Economic Balance
- California Municipal Utilities Association
- California State University San Bernardino
- Caterpillar Inc
- CEMTEK KVB-Enertec
- Chicago Law Partners, LLC
- Children's Health Orange County
- City of Anaheim
- City of Corona Department of Water and Power
- City of Hope
- City of Huntington Beach Public Works Department
- City of Los Angeles
- City of Riverside
- Community Environmental Services
- Community Hospital of Huntington Park
- Costa Mesa Sanitary District
- Dudek
- East Orange County Water District
- Eastern Municipal Water District
- El Toro Water District
- ES Energy Systems
- Foothill Municipal Water District
- Fox Corporation
- Golden State Water Company
- Hospital Association of Southern California
- HRL Laboratories
- Inland Empire Utilities Agency
- Irvine Ranch Water District
- Kohler Co
- Las Virgenes Municipal Water District
- Los Angeles County Sanitation District
- Los Angeles Department of Water and Power
- Los Angeles World Airports
- Manufacturers of Emission Controls Association
- Marathon Petroleum Corporation
- Mesa Water District
- Metropolitan Water District
- MIRATECH
- Montrose Environmental
- Municipal Water District of Orange County
- Orange County Sanitation District
- Ortega Strategies Group
- PBF Energy
- Phillips 66
- Providence Saint John's Health Center
- Public Water Agency Group
- Quinn Power Systems
- Ramboll
- Red E Services
- Safety Power Inc

**ATTACHMENT D**  
**KEY CONTACTS LIST (Continued)**

- San Bernardino County Board of Supervisors
- San Bernardino Municipal Water District
- San Joaquin Valley Air Pollution Control District
- Sanitation Districts of Los Angeles County
- Santa Ana Watershed Project Authority
- Santa Margarita Water District
- Southern California Alliance of Publicly Owned Treatment Works
- Southern California Gas Company
- Southern California Edison
- Teledyne API
- The Walt Disney Company
- Toyota
- United States Environmental Protection Agency
- Valencia Heights Water Company
- Valero Energy Corporation
- West Valley Water District
- Western Municipal Water District
- Western States Petroleum Association
- Whittingham Public Affairs Advisors
- Yorba Linda Water District
- Yorke Engineering, LLC

## 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 Rule 118.1 – Public Safety Provisions for Stationary Emergency Standby Engines and Proposed Amended Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines, are exempt from the requirements of the California Environmental Quality Act (CEQA).**

**A Resolution of the South Coast AQMD Governing Board adopting Rule 118.1 – Public Safety Provisions for Stationary Emergency Standby Engines and amending Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines.**

**WHEREAS**, the South Coast AQMD Governing Board finds and determines that Proposed Rule 118.1 and Proposed Amended Rule 1470 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 the proposed project is statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15269(c) – Emergency Projects, because the proposed project is comprised of specific actions to prevent or mitigate an emergency; and

**WHEREAS**, the South Coast AQMD staff has prepared a Notice of Exemption for the proposed project that is completed in compliance with CEQA Guidelines Section 15062 – Notice of Exemption; and

**WHEREAS**, Proposed Rule 118.1 and Proposed Amended Rule 1470 and supporting documentation, including but not limited to, the Notice of Exemption, Final

Staff Report, and the Board Letter, were presented to the South Coast AQMD Governing Board and the South Coast AQMD Governing Board has reviewed and considered this information, as well as has taken and considered staff testimony and public comment prior to approving the project; and

**WHEREAS**, the South Coast AQMD Governing Board finds and determines, taking into consideration the factors in Section (d)(4)(D) of the Governing Board Procedures (Section 30.5(4)(D)(i) of the Administrative Code), that there were no modifications to Proposed Rule 118.1 and Proposed Amended Rule 1470 since the Notice of Public Hearing was published that are so substantial as to significantly affect the meaning of Proposed Rule 118.1 and Proposed Amended Rule 1470 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 Rule 118.1 will be submitted to the California Air Resources Board and the United States Environmental Protection Agency for inclusion into the State Implementation Plan; and

**WHEREAS**, the South Coast AQMD staff conducted a public workshop meeting on July 29, 2021 regarding Proposed Rule 118.1 and Proposed Amended Rule 1470; 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 Rule 118.1 and Proposed Amended Rule 1470 to provide critical service facility regulatory relief during Public Safety Power Shutoff events and provide water and sewage facilities an alternative maintenance and testing schedule for specific emergency engines to ensure engine reliability; and

**WHEREAS**, the South Coast AQMD Governing Board obtains its authority to adopt, amend or repeal rules and regulations from Sections 39002, 39666, 40000, 40001, 40702, and 40725 through 40728 of the Health and Safety Code; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that Proposed Rule 118.1 and Proposed Amended Rule 1470 is written and displayed so that its meaning can be easily understood by the persons directly affected by them; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that Proposed Rule 118.1 and Proposed Amended Rule 1470 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 Rule 118.1 and Proposed Amended Rule 1470 do not impose the same requirements as any existing state or federal regulations, and Proposed Rule 118.1 and Proposed Amended Rule 1470 are necessary and properly execute the powers and duties granted to, and imposed upon, South Coast AQMD; and

**WHEREAS**, the South Coast AQMD Governing Board, in adopting Proposed Rule 118.1 and Proposed Amended Rule 1470, references the following statutes which the South Coast AQMD hereby implements, interprets, or makes specific: Health and Safety Code Sections 40001 and 40702; 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 Rule 118.1 and Proposed Amended Rule 1470 is included in the Final Staff Report; and

**WHEREAS**, the public hearing has been properly noticed in accordance with the provisions of Health and Safety Code Sections 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 Assistant Deputy Executive Officer overseeing the development of Proposed Rule 118.1 and Proposed Amended Rule 1470 as the custodian of the documents or other materials which constitute the record of proceedings upon which the adoption of Proposed Rule 118.1 and Proposed Amended Rule 1470 are based, which are located at the South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, California; and

**WHEREAS**, the South Coast AQMD has determined that Proposed Rule 118.1 and Proposed Amended Rule 1470 should adopted for the reasons contained in the Final Staff Report; 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 15269(c) – Emergency Projects. 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 Rule 118.1 and Proposed Amended Rule 1470, as set forth in the attached, and incorporated herein by reference; and

**BE IT FURTHER RESOLVED**, that the South Coast AQMD Governing Board requests that Proposed Rule 118.1 be submitted into the State Implementation Plan; and

**BE IT FURTHER RESOLVED**, that the Executive Officer is hereby directed to forward a copy of this Resolution and Proposed Rule 118.1 and supporting documentation to the California Air Resources Board for approval and subsequently submitted to the U.S. Environmental Protection Agency for inclusion into the State Implementation Plan.

DATE: \_\_\_\_\_

\_\_\_\_\_  
CLERK OF THE BOARDS

## ATTACHMENT F1

(Adopted October 1, 2021)

### **PROPOSED PUBLIC SAFETY PROVISIONS FOR STATIONARY RULE 118.1 EMERGENCY STANDBY ENGINES**

*[Rule Index to be included after adoption]*

(a) Purpose

The purpose of this rule is to exclude eligible operating hours for emergency standby internal combustion engines operating at a critical service facility due to a Public Safety Power Shutoff event.

(b) Applicability

This rule shall apply to an owner or operator of an emergency standby engine with a South Coast AQMD permit condition that limits the operation to no more than 200 hours per year located at a critical service facility.

(c) Definitions

For the purpose of this rule the following definitions shall apply:

- (1) **CRITICAL SERVICE FACILITY** means an Essential Public Service as defined in Rule 1302, sewage pumping plants, pumping plants used for recycled water as defined in Title 22, Section 60304 of the California Code of Regulations, natural gas delivery facilities, health facilities as defined in Section 1250 of the California Health and Safety Code, and facilities used exclusively for telecommunications including radio and cell towers.
- (2) **EMERGENCY STANDBY ENGINE** means an engine that operates as a temporary replacement for primary mechanical or electrical power during periods of fuel or energy shortage, loss of power, or while the primary power supply is under repair.
- (3) **IMMINENT SHUTOFF NOTIFICATION** means a notification by a Utility Distribution Company sent to entities in a specific geographic area of an anticipated power shutoff due to a Public Safety Power Shutoff event.
- (4) **PUBLIC SAFETY POWER SHUTOFF EVENT** means an event where a Utility Distribution Company may temporarily turn off power to specific geographic areas as allowed by the California Public Utilities Commission to proactively reduce the likelihood that their infrastructure could cause or contribute to a wildfire. This definition does not include a rotating outage as ordered by a Utility Distribution Company.

- (5) **UTILITY DISTRIBUTION COMPANY** means one of several organizations that manage energy transmission and distribution within the South Coast AQMD jurisdiction for electric power primarily in the grid system overseen by the California Public Utilities Commission or by a special-purpose district or other jurisdiction, including municipal districts or municipalities.
- (d) **Provisions for Excluding Public Safety Power Shutoff Events**
- (1) An owner or operator of an emergency standby engine at a critical service facility that operates an emergency standby engine may elect to exclude operating hours that occurred during a Public Safety Power Shutoff event as specified in paragraph (d)(2) from the 200 hour annual operating limit specified in a South Coast AQMD permit or another South Coast AQMD rule, provided the owner or operator:
- (A) Notifies the Executive Officer pursuant to the notification requirements in subdivision (e); and
  - (B) Prepares and maintains a summary report pursuant to the requirements in subdivision (f).
- (2) An owner or operator of an emergency standby engine at a critical service facility that elects to exclude operating hours from the 200 hour annual operating limit specified in a South Coast AQMD permit or another South Coast AQMD rule, shall be limited to excluding operating hours that occurred during a Public Safety Power Shutoff event for any of the following time periods:
- (A) When power was shut off, beginning on the date and time the power was shut off until the date and time the power was restored;
  - (B) For each emergency standby engine that operates prior to the time the power was shut off or after the time the power was restored, up to three hours for each imminent shutoff notification received provided:
    - (i) The three hours is in association with the imminent shutoff notification received; and
    - (ii) The cumulative number of hours is no more than 50 hours per calendar year; or
  - (C) When power was shut off due to repair activities that are associated with a Public Safety Power Shutoff event, beginning on the date and

time the power was shut off pursuant to subparagraph (d)(2)(A) until the date and time the power was restored.

(e) Notification Requirements

An owner or operator of an emergency standby engine at a critical service facility that elects to exclude operating hours pursuant to paragraph (d)(1) that occurred during a Public Safety Power Shutoff event pursuant to subparagraphs (d)(2)(A) through (d)(2)(C) shall:

- (1) Notify the Executive Officer by calling 1-800-CUT-SMOG within 48 hours of the time that the operator knew that an emergency standby engine exceeded the 200 hour annual operating limit specified in a South Coast AQMD permit or another South Coast AQMD rule for the calendar year; and
- (2) Provide the following information in the notification:
  - (A) Facility name;
  - (B) Facility Identification Number;
  - (C) Facility contact person and phone number;
  - (D) Permit number of emergency standby engine; and
  - (E) Estimated number of hours the facility operated the emergency standby engine due to a Public Safety Power Shutoff event pursuant to subparagraphs (d)(2)(A) through (d)(2)(C).

(f) Summary Report

If the exclusion of operating hours of an emergency standby engine during time periods specified under in subparagraphs (d)(2)(A) through (d)(2)(C) prevents an engine from exceeding the 200 hour annual operating limit specified in a South Coast AQMD permit or another South Coast AQMD rule and the owner or operator elects to exclude such operating hours, then the owner or operator of an emergency standby engine at a critical service facility shall:

- (1) No later than January 15<sup>th</sup> following the calendar year that the emergency standby engine would have exceeded the 200 hour annual operating limit, prepare a report that includes:
  - (A) The total operating hours for the calendar year;
  - (B) The total operating hours for the calendar year that are associated with a Public Safety Power Shutoff event pursuant to subparagraphs (d)(2)(A) through (d)(2)(C);

- (C) The date when the Executive Officer was notified pursuant to the provisions of subdivision (e); and
  - (D) Supporting documentation such as a notification or correspondence from the utility distribution company of eligible operating hours for each Public Safety Power Shutoff event including:
    - (i) Date and time of imminent shutoff (if applicable);
    - (ii) Date and time of power shutoff; and
    - (ii) Date and time of power restoration.
- (2) Maintain the report specified in paragraph (f)(1) onsite for at least five years and make the report available to the Executive Officer upon request.

## ATTACHMENT F2

(Adopted April 2, 2004)(Amended March 4, 2005)  
(Amended November 3, 2006)(Amended June 1, 2007)  
(Amended May 4, 2012)(Amended October 1, 2021)

### **PROPOSED REQUIREMENTS FOR STATIONARY DIESEL-FUELED AMENDED INTERNAL COMBUSTION AND OTHER COMPRESSION RULE 1470 IGNITION ENGINES**

(a) Applicability

- (1) This rule shall apply to any person who either sells a stationary compression ignition (CI) engine, offers a stationary CI engine for sale, leases a stationary CI engine, or purchases a stationary CI engine for use in the South Coast Air Quality Management District, except as provided in subdivision (h).
- (2) This rule shall apply to any person who owns or operates a stationary CI engine in the South Coast Air Quality Management District with a rated brake horsepower greater than 50 (>50 bhp), except as provided in subdivision (h).

(b) Definitions

For the purpose of this rule, the following definitions shall apply:

- (1) AGRICULTURAL OPERATIONS means the growing and harvesting of crops or the raising of fowl or animals for the primary purpose of making a profit, providing a livelihood, or conducting agricultural research or instruction by an educational institution. Agricultural operations do not include activities involving the processing or distribution of crops or fowl.
- (2) ALTERNATIVE FUEL means natural gas, propane, ethanol, or methanol.
- (3) ALTERNATIVE DIESEL FUEL means any fuel used in a CI engine that is not commonly or commercially known, sold, or represented by the supplier as diesel fuel No. 1-D or No. 2-D, pursuant to the specifications in ASTM Standard Specification for Diesel Fuel Oils D975-11, "Standard Specification for Diesel Fuel Oils," as modified in March 2011, which is incorporated herein by reference, or an alternative fuel, and does not require engine or fuel system modifications for the engine to operate, although minor modifications (e.g., recalibration of the engine fuel control) may enhance performance. Examples of alternative diesel fuels include, but are not limited to, biodiesel and biodiesel blends that do not meet the definition

of CARB diesel fuel; Fischer-Tropsch fuels; emulsions of water in diesel fuel; and fuels with a fuel additive, unless:

- (A) the additive is supplied to the engine fuel by an on-board dosing mechanism; or
- (B) the additive is directly mixed into the base fuel inside the fuel tank of the engine; or
- (C) the additive and base fuel are not mixed until engine fueling commences, and no more additive plus base fuel combination is mixed than required for a single fueling of a single engine.

- (4) **APPROACH LIGHT SYSTEM WITH SEQUENCED FLASHER LIGHTS IN CATEGORY 1 AND CATEGORY 2 CONFIGURATIONS (ALSF-1 AND ALSF-2)** means high intensity approach lighting systems with sequenced flashers used at airports to illuminate specified runways during category II or III weather conditions, where category II means a decision height of 100 feet and runway visual range of 1,200 feet, and category III means no decision height or decision height below 100 feet and runway visual range of 700 feet.
- (5) **BASELINE OR BASELINE EMISSIONS** means the emissions level of a diesel-fueled engine using CARB diesel fuel as configured upon initial installation or by January 1, 2003, whichever is later.
- (6) **CALIFORNIA AIR RESOURCES BOARD (CARB) DIESEL FUEL** means any diesel fuel that meets the specifications of vehicular diesel fuel, as defined in Title 13 CCR, Sections 2281 and 2282.
- (7) **CANCER RISK** means the characterization of the probability of developing cancer from exposure to environmental chemical hazards, in accordance with the methodologies specified in “The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments”, Office of Environmental Health Hazard Assessment, August 2003, which is incorporated herein by reference.
- (8) **CERTIFIED CI ENGINE** means a CI engine that is certified to meet the Tier 1, Tier 2, Tier 3, or Tier 4 Off-Road CI Certification Standards as specified in Title 13, California Code of Regulations, section 2423, or a CI engine that is certified to comply with the new nonroad CI engine emissions standards as specified in 40 CFR, Part 60, Subpart IIII – Standards of

Performance for Stationary Compression Ignition Internal Combustion Engines (2006).

- (9) COMPRESSION IGNITION (CI) ENGINE means an internal combustion engine with operating characteristics significantly similar to the theoretical diesel combustion cycle. The regulation of power by controlling fuel supply in lieu of a throttle is indicative of a compression ignition engine.
- (10) CONTROL AREA means any electrical region in California that regulates its power generation in order to balance electrical loads and maintain planned interchange schedules with other control areas.
- (11) CUMULATIVELY means the aggregation of hours or days of engine use, and  
any portion of an hour or day of engine use, toward a specified time limit(s).
- (12) DATE OF ACQUISITION OR SUBMITTAL means
  - (A) For each District-approved permit or District registration:
    - (i) The date the application for the District permit or the application for engine registration was received by the District; or
    - (ii) Upon District approval, the date of purchase.
  - (B) For an engine subject to neither a District permit program nor a District registration program for stationary sources, the date of purchase.
- (13) DATE OF PURCHASE means the date shown on the front of the cashed check, the date of the financial transaction, or the date on the engine purchasing agreement, whichever is earliest.
- (14) DEMAND RESPONSE PROGRAM (DRP) means a program for reducing electrical demand using an interruptible service contract (ISC).
- (15) DIESEL FUEL means any fuel that is commonly or commercially known, sold, or represented by the supplier as diesel fuel, including any mixture of primarily liquid hydrocarbons – organic compounds consisting exclusively of the elements carbon and hydrogen – that is sold or represented by the supplier as suitable for use in an internal combustion, compression-ignition engine.
- (16) DIESEL-FUELED means fueled by diesel fuel, CARB diesel fuel, or jet fuel, in whole or part.

- (17) DIESEL PARTICULATE FILTER (DPF) means an emission control technology that reduces PM emissions by trapping the particles in a flow filter substrate and periodically removes the collected particles by either physical action or by oxidizing (burning off) the particles in a process called regeneration.
- (18) DIESEL PARTICULATE MATTER (PM) means the particles found in the exhaust of diesel-fueled CI engines as determined in accordance with the test methods identified in subdivision (g).
- (19) DIGESTER GAS is any gas derived from anaerobic decomposition of organic matter.
- (20) DIRECT-DRIVE EMERGENCY STANDBY FIRE PUMP ENGINES means engines directly coupled to pumps exclusively used in water-based fire protection systems.
- (21) DIRECT-DRIVE EMERGENCY STANDBY FLOOD CONTROL PUMP ENGINES means engines directly coupled to pumps exclusively used for the pumping of water or sewage to prevent or mitigate a flood or sewage overflow, or the pumping of water to maintain pressure in the water distribution system.
- (22) DRP ENGINE means an engine that is enrolled in a DRP.
- (23) DUAL-FUEL DIESEL PILOT ENGINE means a dual-fueled engine that uses diesel fuel as a pilot ignition source at an annual average ratio of less than 5 parts diesel fuel to 100 parts total fuel on an energy equivalent basis.
- (24) DUAL-FUEL ENGINE means any CI engine that is engineered and designed to operate on a combination of alternative fuels, such as compressed natural gas (CNG) or liquefied petroleum gas (LPG) and diesel fuel or an alternative diesel fuel. These engines have two separate fuel systems, which inject both fuels simultaneously into the engine combustion chamber.
- (25) EMERGENCY STANDBY ENGINE means a stationary engine that meets the criteria specified in subparagraphs (b)(25)(A), (b)(25)(B), and (b)(25)(C) and any combination of subparagraphs (b)(25)(D), (b)(25)(E), or (b)(25)(F) below:
  - (A) is installed for the primary purpose of providing electrical power or mechanical work during an emergency use and is not the source of primary power at the facility; and

- (B) is operated to provide electrical power or mechanical work during an emergency use; and
  - (C) is not operated to supply power to an electric grid or does not supply power as part of a financial arrangement with any entity, except as allowed in paragraphs (c)(2), (c)(3), (c)(7), and (c)(8); and
  - (D) is operated under limited circumstances for maintenance and testing, emissions testing, or initial start-up testing, as specified in paragraphs (c)(2), (c)(3), (c)(7), and (c)(8); or
  - (E) is operated under limited circumstances in response to an impending outage, as specified in paragraphs (c)(2), (c)(3), (c)(7), and (c)(8); or
  - (F) is operated under limited circumstances under a DRP as specified in paragraphs (c)(7) and (c)(8).
- (26) EMERGENCY USE means providing electrical power or mechanical work during any of the following events and subject to the following conditions:
- (A) the failure or loss of all or part of normal electrical power service or normal natural gas supply to the facility:
    - (i) which is caused by any reason other than the enforcement of a contractual obligation the owner or operator has with a third party or any other party; and
    - (ii) which is demonstrated by the owner or operator to the Executive Officer's satisfaction to have been beyond the reasonable control of the owner or operator.
  - (B) the failure of a facility's internal power distribution system:
    - (i) which is caused by any reason other than the enforcement of a contractual obligation the owner or operator has with a third party or any other party; and
    - (ii) which is demonstrated by the owner or operator to the Executive Officer's satisfaction to have been beyond the reasonable control of the owner or operator;
  - (C) the pumping of water or sewage to prevent or mitigate a flood or sewage overflow;
  - (D) the pumping of water for fire suppression or protection;
  - (E) the powering of ALSF-1 and ALSF-2 airport runway lights under category II or III weather conditions;

- (F) the pumping of water to maintain pressure in the water distribution system for the following reasons:
  - (i) a pipe break that substantially reduces water pressure; or
  - (ii) high demand on the water supply system due to high use of water for fire suppression; or
  - (iii) the breakdown of electric-powered pumping equipment at sewage treatment facilities or water delivery facilities.
- (27) EMISSION CONTROL STRATEGY means any device, system, or strategy employed with a diesel-fueled CI engine that is intended to reduce emissions including, but not limited to, particulate filters, diesel oxidation catalysts, selective catalytic reduction systems, fuel additives used in combination with particulate filters, alternative diesel fuels, and any combination of the above.
- (28) END USER means any person who purchases or leases a stationary diesel-fueled engine for operation in the South Coast Air Quality Management District. Persons purchasing engines for the sole purpose of resale are not considered “end users.”
- (29) ENROLLED means the ISC is in effect during the specified time period for an engine in an ISC.
- (30) EXECUTIVE OFFICER means the executive officer of the South Coast Air Quality Management District, or his or her designated representative.
- (31) FACILITY means any source or group of sources or other air contaminant-emitting activities which are located on one or more contiguous properties within the District, in actual physical contact or separated solely by a public roadway or other public right-of-way, and are owned or operated by the same person (or by persons under common control), or an outer continental shelf (OCS) source as determined in 40 CFR Section 55.2. Such above-described groups, if noncontiguous, but connected only by land carrying a pipeline, shall not be considered one facility. 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.

- (32) FUEL ADDITIVE means any substance designed to be added to fuel or fuel systems or other engine-related engine systems such that it is present in-cylinder during combustion and has any of the following effects: decreased emissions, improved fuel economy, increased performance of the engine; or assists diesel emission control strategies in decreasing emissions, or improving fuel economy or increasing performance of the engine.
- (33) GENERATOR SET means a CI engine coupled to a generator that is used as a source of electricity.
- (34) HAZARD INDEX means the sum of individual acute or chronic hazard quotients for each substance affecting a particular toxicological endpoint, as determined in accordance with the requirements of “The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments”, Office of Environmental Health Hazard Assessment, August 2003, which is incorporated herein by reference.
- (35) HAZARDOUS AIR POLLUTANT (HAP) means any pollutant on a list maintained by EPA pursuant to Section 112(b) of the federal Clean Air Act.
- (36) HEALTH FACILITY has the same meaning as defined in Section 1250 of the California Health and Safety Code.
- (37) IN-USE means a CI engine that is not a “new” CI engine.
- (38) INITIAL START-UP TESTING means operating the engine or supported equipment to ensure their proper performance either:
  - (A) for the first time after installation of a stationary diesel-fueled CI engine at a facility, or
  - (B) for the first time after installation of emission control equipment on an in-use stationary diesel-fueled CI engine.
- (39) INTERRUPTIBLE SERVICE CONTRACT (ISC) means a contractual arrangement in which a utility distribution company provides lower energy costs to a nonresidential electrical customer in exchange for the ability to reduce or interrupt the customer’s electrical service during a Stage 2 or Stage 3 alert, or during a transmission emergency.
- (40) JET FUEL means fuel meeting any of the following specifications:
  - (A) ASTM D 1655-02, *Standard Specification for Aviation Turbine Fuels*, which is incorporated herein by reference. Jet fuels meeting this specification includes Jet A, Jet A-1, and Jet B;

- (B) Military Detail (MIL-DTL) 5624T, *Turbine Fuels, Aviation, Grades Jet Propellant (JP) JP-4, JP-5, and JP-5/JP8 ST*, dated September 18, 1998, which is incorporated herein by reference; and
  - (C) Military Test (MIL-T) 83133E, *Turbine Fuels, Aviation, Kerosene Types, North Atlantic Treaty Organization (NATO) F-34 (JP-8), NATO F-35 and JP-8+100*, dated April 1, 1999, which is incorporated herein by reference.
- (41) LANDFILL GAS means any gas derived through any biological process from the decomposition of waste buried within a waste disposal site.
- (42) LOCATION means any single site at a building, structure, facility, or installation. For the purpose of this definition, a site is a space occupied or to be occupied by an engine.
- (43) MAINTENANCE AND TESTING means operating an emergency standby CI engine to:
- (A) Evaluate the ability of the engine or its supported equipment to perform during an emergency. “Supported Equipment” includes, but is not limited to, generators, pumps, transformers, switchgear, uninterruptible power supply, and breakers; or
  - (B) Facilitate the training of personnel on emergency activities; or
  - (C) Provide electric power for the facility when the utility distribution company takes its power distribution equipment offline to service that equipment for any reason that does not qualify as an emergency use; or
  - (D) Provide additional hours of operation to perform testing on an engine that has experienced a breakdown or failure during maintenance. Upon approval of the Executive Officer, these additional hours of operation will not be counted in the maximum allowable annual hours of operation for the emergency standby CI engine.
- (44) MAJOR SOURCE means a plant that emits or has the potential to emit any single hazardous air pollutant (HAP) at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAP at a rate of 25 tons (22.68 megagrams) or more per year, except that for oil and gas production facilities, a major source of HAP emissions is determined for each surface site. Surface site means any combination of one or more graded pad sites,

gravel pad sites, foundations, platforms, or the immediate physical location upon which equipment is physically affixed.

- (45) **MAXIMUM RATED POWER** means the maximum brake kilowatt output of an engine as determined from any of the following, whichever is the greatest:
- (A) The manufacturer's sales and service literature;
  - (B) the nameplate of the unit; or
  - (C) if applicable, as shown in the application for certification of the engine.
- (46) **MODEL YEAR** means the stationary CI engine manufacturer's annual production period, which includes January 1st of a calendar year, or if the manufacturer has no annual production period, the calendar year.
- (47) **NEW or NEW CI ENGINE** means the following:
- (A) a stationary CI engine installed or to be installed at a facility on or after January 1, 2005, including an engine relocated from an off-site location on or after January 1, 2005, except the following shall be deemed in-use engines:
    - (i) a replacement stationary CI engine that is installed to temporarily replace an in-use engine while the in-use engine is undergoing maintenance and testing, provided the replacement engine emits no more than the in-use engine and the replacement engine is not used more than 180 days cumulatively in any 12-month rolling period;
    - (ii) an engine for which a District-approved application for a district permit or engine registration for stationary sources was filed with the District prior to January 1, 2005;
    - (iii) an engine that is one of four or more engines owned by an owner or operator and is relocated prior to January 1, 2008 to an offsite location that is owned by the same owner or operator;
    - (iv) an engine installed at a facility prior to January 1, 2005 and relocated within the same facility after January 1, 2005;
    - (v) a model year 2004 or 2005 engine with a date of purchase prior to January 1, 2005, for use in the South Coast Air Quality Management District.

(B) a stationary CI engine that has been reconstructed after January 1, 2005 shall be deemed a new engine unless the sum of the costs of all individual reconstructions of that engine after January 1, 2005 is less than 50% of the lowest-available purchase price, determined at the time of the most recent reconstruction, of a complete, comparably-equipped new engine (within  $\pm 10\%$  of the reconstructed engine's brake horsepower rating).

For purposes of this definition, the cost of reconstruction and the cost of a comparable new engine shall not include the cost of equipment and devices required to meet the requirements of this rule.

- (48) NON-METHANE HYDROCARBONS (NMHC) means the sum of all hydrocarbon air pollutants except methane.
- (49) OWNER OR OPERATOR means any person subject to the requirements of this rule, including but not limited to:
- (A) an individual, trust, firm, joint stock company, business concern, partnership, limited liability company, association, or corporation including but not limited to, a government corporation; and
  - (B) any city, county, district, commission, the state or any department, agency, or political subdivision thereof, any interstate body, and the federal government or any department or agency thereof to the extent permitted by law.
- (50) PORTABLE CI ENGINE means a compression ignition (CI) engine designed and capable of being carried or moved from one location to another, except as provided in paragraph (b)(63). Indicators of portability include, but are not limited to, wheels, skids, carrying handles, dollies, trailers, or platforms. The provisions of this definition notwithstanding, an engine with indicators of portability that remains at the same facility location for more than 12 consecutive rolling months or 365 rolling days, whichever occurs first, not including time spent in a storage facility, shall be deemed a stationary engine.
- (51) PRIME CI ENGINE means a stationary CI engine that is not an emergency standby CI engine.
- (52) PRIORITIZATION SCORE means the numeric value used to rank facilities in order of their potential to pose significant risk to human receptors.

Prioritization scores are calculated per the process described in the “CAPCOA Air Toxics Hot Spots Program Facility Prioritization Guidelines,” California Air Pollution Control Officer’s Association (CAPCOA), July 1990, which is incorporated herein by reference.

- (53) **RATED BRAKE HORSEPOWER (BHP)** means:
- (A) For in-use engines, the maximum brake horsepower output of an engine as determined from any of the following, whichever reflects the engine’s configuration as of January 1, 2005:
    - (i) The manufacturer’s sales and service literature; or
    - (ii) The nameplate of the engine; or
    - (iii) If applicable, as shown in the application for certification of the engine.
  - (B) For new engines, the maximum brake horsepower output of an engine as determined from any of the following, whichever reflects the engine’s configuration upon the engine’s initial installation at the facility:
    - (i) The manufacturer’s sales and service literature; or
    - (ii) The nameplate of the engine; or
    - (iii) If applicable, as shown in the application for certification of the engine.
- (54) **RECEPTOR LOCATION** means any location outside the boundaries of a facility where a person may experience exposure to diesel exhaust due to the operation of a stationary diesel-fueled CI engine. Receptor locations include, but are not limited to, residences, businesses, hospitals, daycare centers, and schools.
- (55) **RECONSTRUCTION** means the rebuilding of the engine or the replacement of engine parts, including pollution control devices, but excluding operating fluids; lubricants; and consumables such as air filters, fuel filters, and glow plugs that are subject to regular replacement.
- (56) **ROTATING OUTAGE** means a controlled, involuntary curtailment of electrical power service to consumers as ordered by the Utility Distribution Company.
- (57) **SCHOOL OR SCHOOL GROUNDS** means any public or private school, including juvenile detention facilities and schools serving as the students’ place of residence (e.g., boarding schools), used for purposes of the

education of more than 12 children in kindergarten or any of grades 1 to 12, inclusive, but does not include any private school in which education is primarily conducted in private homes. School or School Grounds includes any building or structure, playground, athletic field, or other areas of school property, but does not include unimproved school property.

- (58) **SELECTIVE CATALYTIC REDUCTION (SCR) SYSTEM** means an emission control system that reduces NO<sub>x</sub> emissions through the catalytic reduction of NO<sub>x</sub> in diesel exhaust by injecting nitrogen-containing compounds into the exhaust stream, such as ammonia or urea.
- (59) **SELLER** means any person who sells, leases, or offers for sale any stationary diesel-fueled engine directly to end users.
- (60) **SENSITIVE RECEPTOR** means any residence including private homes, condominiums, apartments, and living quarters, schools as defined under paragraph (b)(57), preschools, daycare centers and health 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.
- (61) **STAGE 2 ALERT** means an official forecast or declaration by the California Independent System Operator that the operating reserves of electrical power will fall or have fallen below 5 percent.
- (62) **STAGE 3 ALERT** means an official forecast or declaration by the California Independent System Operator that the operating reserves of electrical power will fall or have fallen below 1.5 percent.
- (63) **STATIONARY CI ENGINE** means a CI engine that is designed to stay in one location, or remains in one location. A CI engine is stationary if any of the following are true:
  - (A) the engine or its replacement is attached to a foundation, or if not so attached, resides at the same location for more than 12 consecutive months. Any engine such as backup or standby engines, that replaces an engine at a location and is intended to perform the same or similar function as the engine(s) being replaced, shall be included in calculating the consecutive time period. The cumulative time of all engine(s), including the time between the removal of the original engine(s) and installation of the replacement engine(s), will be counted toward the consecutive time period; or

- (B) the engine remains or will reside at a location for less than 12 consecutive months if the engine is located at a seasonal source and operates during the full annual operating period of the seasonal source, where a seasonal source is a stationary source that remains in a single location on a permanent basis (at least two years) and that operates at that single location at least three months each year; or
  - (C) the engine is moved from one location to another in an attempt to circumvent the 12 month residence time requirement. The period during which the engine is maintained at a storage facility shall be excluded from the residency time determination.
- (64) **STATIONARY SOURCE** means any building, structure, facility, or installation that emits any affected pollutant directly or as fugitive emissions. Building, structure, facility, or installation includes all pollutant emitting activities which:
- (A) are under the same ownership or operation, or which are owned or operated by entities which are under common control; and
  - (B) belong to the same industrial grouping either by virtue of falling within the same two-digit standard industrial code or by virtue of being part of a common industrial process, manufacturing process, or connected process involving a common raw material; and
  - (C) are located on one or more contiguous or adjacent properties.
- (65) **TRANSMISSION CONSTRAINED AREA** means the specific location that is subject to localized operating reserve deficiencies due to the failure of the normal electrical power distribution system.
- (66) **TRANSMISSION EMERGENCY** means an official forecast or declaration by the California Independent System Operator that the available electrical power transmission capacity to a transmission constrained area is insufficient and may result in an uncontrolled local grid collapse in the transmission constrained area.
- (67) **UTILITY DISTRIBUTION COMPANY** means one of several organizations that control energy transmission and distribution in California. Utility Distribution Companies include, but are not limited to, the Pacific Gas and Electric Company, the San Diego Gas and Electric Company, Southern California Edison, Los Angeles Department of Water

and Power, the Imperial Irrigation District, and the Sacramento Municipal Utility District.

- (68) VERIFICATION PROCEDURE, WARRANTY AND IN-USE COMPLIANCE REQUIREMENTS FOR IN-USE STRATEGIES TO CONTROL EMISSIONS FROM DIESEL ENGINES (VERIFICATION PROCEDURE) means the CARB regulatory procedure codified in Title 13, CCR, Sections 2700-2710, which is incorporated herein by reference, that engine manufacturers, sellers, owners, or operators may use to verify the reductions of diesel PM or NO<sub>x</sub> from in-use diesel engines using a particular emission control strategy.
- (69) VERIFIED DIESEL EMISSION CONTROL STRATEGY means an emission control strategy, designed primarily for the reduction of diesel PM emissions, which has been verified pursuant to the CARB “Verification Procedure”.
- (70) VERY HIGH FIRE HAZARD SEVERITY ZONE means land designated by the California Department of Forestry and Fire Protection pursuant to Public Resources Code 4201- 4204 or a Local Agency pursuant to Government Code 51175-51189 as an area with a very high degree of fire hazard.
- (71) WATER OR SEWAGE FACILITY means a public entity that is responsible for water delivery operations, sewage pumping plants, sewage treatment, or water reclamation.

(c) Requirements

- (1) Fuel and Fuel Additive Requirements for New and In-Use Stationary CI Engines that Have a Rated Brake Horsepower of Greater than 50 (>50 bhp)
  - (A) As of January 1, 2006, except as provided in subdivision (h), no owner or operator of a new stationary CI engine or an in-use prime stationary diesel-fueled CI engine shall fuel the engine with any fuel unless the fuel is one of the following:
    - (i) CARB Diesel Fuel; or
    - (ii) an alternative diesel fuel as defined in paragraph (b)(3); or
    - (iii) any alternative diesel fuel that is not identified in paragraph (b)(3) and meets the requirements of the Verification Procedure for fuels; or

- (iv) an alternative fuel; or
  - (v) CARB Diesel Fuel used with fuel additives that meets the requirements of the Verification Procedure for fuels; or
  - (vi) any combination of the fuels identified in clauses (c)(1)(A)(i) through (c)(1)(A)(v), above.
- (B) As of January 1, 2006, except as provided in subdivision (h), no owner or operator of an in-use emergency standby stationary diesel-fueled CI engine shall add to the engine or any fuel tank directly attached to the engine any fuel unless the fuel is one of the following:
- (i) CARB Diesel Fuel; or
  - (ii) an alternative diesel fuel as defined in paragraph (b)(3); or
  - (iii) any alternative diesel fuel that is not identified in paragraph (b)(3) and meets the requirements of the Verification Procedure for fuels; or
  - (iv) an alternative fuel; or
  - (v) CARB Diesel Fuel used with fuel additives that meets the requirements of the Verification Procedure for fuels; or
  - (vi) any combination of the fuels identified in clauses (c)(1)(B)(i) through (c)(1)(B)(v), above.
- (2) Operating Requirements and Emission Standards for New Stationary Emergency Standby Diesel-Fueled CI Engines With a Rated Brake Horsepower of Greater than 50 (>50 bhp)
- (A) Limit on Non-Emergency Operation
- As of June 2, 2004 the owner or operator of a new emergency standby diesel-fueled CI engine located 500 feet or less from a school shall comply with the following applicable limits on non-emergency operation, which includes maintenance and testing:
- (i) An engine that is located on school grounds shall not be operated for non-emergency use whenever there is a school sponsored activity; and
  - (ii) An engine that is located 100 meters (328 feet) or less from a school shall not be operated for non-emergency use between the hours of 7:30 a.m. and 4:30 p.m. on days when school is in session, until

control equipment is in place, when the hours would be between 7:30 a.m. and 3:30 p.m.; and

- (iii) An engine that is located more than 100 meters (328 feet) and less than or equal to 500 feet from a school shall not be operated for non-emergency use between the hours of 7:30 a.m. and 3:30 p.m. on days when school is in session. An engine that emits diesel PM at a rate of 0.01 g/bhp-hr or less is not subject to this restriction.
- (B) No owner or operator of a new stationary emergency standby diesel-fueled CI engine (>50 bhp) shall operate in response to the notification of an impending rotating outage, unless all the following criteria are met:
- (i) the engine's permit to operate allows operation of the engine in anticipation of a rotating outage; and
  - (ii) the Utility Distribution Company has ordered rotating outages in the control area where the engine is located, or has indicated it expects to issue such an order at a specified time; and
  - (iii) the engine is located in a specific location that is subject to the rotating outage; and
  - (iv) the engine is operated no more than 30 minutes prior to the time when the Utility Distribution Company officially forecasts a rotating outage in the control area; and
  - (v) the engine operation is terminated immediately after the Utility Distribution Company advises that a rotating outage is no longer imminent or in effect.
- (C) Except as provided in subdivision (h), no person shall sell, offer for sale, purchase, lease for use, or operate in the South Coast Air Quality Management District any new stationary emergency standby diesel-fueled CI engine (>50 bhp), excluding new direct-drive emergency standby fire pump engines and new direct-drive emergency standby flood control pump engines, unless it meets all of the following applicable operating requirements and emission standards, except new direct-drive emergency standby fire pump

engines and new direct-drive emergency standby flood control pump engines shall comply with clause (c)(2)(C)(v):

- (i) Hours of Operating Requirements  
New stationary emergency standby diesel-fueled engines (>50 bhp) shall not operate more than 50 hours per year for maintenance and testing, as defined in paragraph (b)(43).
- (ii) New stationary emergency standby diesel-fueled engines (>50 bhp) installed prior to January 1, 2011, shall emit diesel PM at a rate less than or equal to 0.15 g/bhp-hr, and meet the NMHC, NO<sub>x</sub>, NMHC + NO<sub>x</sub> and CO standards for off-road engines of the same model year and maximum rated power as specified in the Off-Road Compression-Ignition Engine Standards (Title 13, CCR, Section 2423). New stationary emergency standby diesel-fueled engines (>50 bhp) located on school grounds or 100 meters or less from a school shall comply with the diesel PM standards as specified in clause (c)(2)(C)(v).
- (iii) New stationary emergency standby diesel-fueled engines (>50 bhp) installed or with an application for Permit to Construct or Permit to Operate deemed complete on or after January 1, 2011 and prior to January 1, 2013, shall be a certified CI engine that emits diesel PM at a rate less than or equal to 0.15 g/bhp-hr. New stationary emergency standby diesel-fueled engines (>50 bhp) located on school grounds or 100 meters or less from a school shall comply with the diesel PM standards as specified in clause (c)(2)(C)(v).
- (iv) Diesel PM Standard
  - (I) Any new stationary emergency standby diesel-fueled engines (>50 bhp) installed and with an application for Permit to Construct or Permit to Operate deemed complete on or after January 1, 2013 and located at a sensitive receptor or 50 meters or less from a sensitive receptor, except those located on school grounds or 100 meters or less from a school which exists at the date the application for Permit to

Construct or Permit to Operate is deemed complete, whichever is earlier, shall be a certified CI engine. The new stationary emergency standby diesel-fueled engine shall also meet the diesel PM standard for off-road engines of the same maximum rated power as specified in Table 1, in effect on the date of acquisition or submittal, as defined in subdivision (b).

**Table 1** – PM Emission Standards for New Stationary Emergency Standby Diesel-Fueled CI Engines Located at a Sensitive Receptor or 50 Meters or Less From a Sensitive Receptor – gram per brake horsepower-hour (g/bhp-hr)

Engine Size	Requirement	Emission Rate
50 < HP < 175	On or after January 1, 2013	0.15 g/bhp-hr
175 ≤ HP ≤ 750	On or after January 1, 2013	0.01 g/bhp-hr <sup>1</sup>
>750 HP	January 1, 2013-June 30, 2015	0.075 g/bhp-hr
	On or after July 1, 2015	0.02 g/bhp-hr <sup>1</sup>

<sup>1</sup> Diesel PM standard as specified in the Off-Road Compression Ignition Engine Standards for off-road engines with the same maximum rated power (Title 13CCR Section 2423).

- (II) Two or more new emergency standby engines that are individually rated below 175 bhp and located within 50 meters of the same sensitive receptor shall each emit diesel PM at a rate no greater than 0.01 g/bhp-hr if:
  - (aa) the cumulative maximum rated horsepower of such engines is equal to or greater than 175 bhp; and
  - (bb) applications for such engines are deemed complete for either a Permit to Construct or

Permit to Operate on or after January 1, 2013; and

- (cc) applications for such engines are deemed complete within 18 months of each other.
  
- (v) Diesel PM Standard for Engines Located On or Near School Grounds  
New stationary emergency standby diesel-fueled engines (>50 bhp) located on school grounds or 100 meters or less from a school which exists at the date the application for Permit to Construct or Permit to Operate is deemed complete, whichever is earlier, shall emit diesel PM at a rate less than or equal to 0.01 g/bhp-hr.
- (vi) Diesel PM Standards for New Stationary Emergency Standby Diesel-Fueled Engines Located Greater Than 50 Meters From Sensitive Receptors (except schools)  
Any new stationary emergency standby diesel-fueled engine (>50 bhp) installed and with an application for Permit to Construct or Permit to Operate deemed complete on or after January 1, 2013, and located greater than 50 meters from a sensitive receptor, except those located on school grounds or 100 meters or less from a school which exists at the date the application for Permit to Construct or Permit to Operate is deemed complete, whichever is earlier, shall be a certified CI engine that emits diesel PM at a rate less than or equal to 0.15 g/bhp-hr.
- (vii) NMHC + NO<sub>x</sub>, and CO Standards  
Any new stationary emergency standby diesel-fueled CI engines (> 50 bhp) installed and with an application for Permit to Construct or Permit to Operate deemed complete on or after January 1, 2011, shall meet the standards for off-road engines of the same maximum rated power as specified in Table 2 below:

**Table 2: NMHC+NO<sub>x</sub> and CO Emission Standards for  
 New Stationary Emergency Standby Diesel-Fueled CI  
 Engines –**

g/bhp-hr (g/kW-hr)

Maximum Engine Power	NMHC+NO <sub>x</sub> g/bhp-hr (g/kW-hr)	CO g/bhp-hr (g/kW-hr)
50 < HP < 100 (37 < kW < 75)	3.5 (4.7)	3.7 (5.0)
100 ≤ HP < 175 (75 ≤ kW < 130)	3.0 (4.0)	3.7 (5.0)
175 ≤ HP ≤ 750 (130 ≤ kW ≤ 560)	3.0 (4.0)	2.6 (3.5)
HP > 750 (kW > 560)	4.8 (6.4)	2.6 (3.5)

**HP**- Horsepower

**kW**- Kilowatts

**g/bhp-hr** – grams per brake horsepower-hour

(viii) The District shall determine an appropriate limit on the number of hours of operation for demonstrating compliance with District rules and initial start-up testing. Hours of operation used solely for testing and demonstration for compliance with District rules and for initial start-up testing shall not be included as part of the engine’s cumulative annual hours specified in clause (c)(2)(C)(i).

(D) **Emission Standards and Hours of Operating Requirements for Certain New Engines Installed After Specified Dates**

On or after January 1, 2011, except as provided in subdivision (h) or clause (c)(2)(C)(v), no person shall sell, offer for sale, purchase, lease for use, or operate in the South Coast Air Quality Management District any new stationary emergency standby diesel-fueled CI direct-drive fire pump engine, or new stationary emergency standby diesel-fueled CI direct-drive flood control pump engine (>50 bhp),

unless it complies with all of the following applicable emission standards and operating requirements:

- (i) Emissions Standards and Hours of Operating Requirements for New Stationary Emergency Standby Direct-Drive Fire Pump Engines
  - (I) New stationary emergency standby direct-drive fire pump engines installed and with an application for Permit to Construct or Permit to Operate deemed complete on or after January 1, 2011, shall meet the applicable emission standards for all pollutants for an engine with the same NFPA nameplate power rating, as specified in Table 3 – Emission Standards for New Stationary Emergency Standby Direct-Drive Fire Pump Engines; and

**Table 3:** Emission Standards for New Stationary Emergency Standby Diesel Fueled Direct-Drive Fire Pump Engines - g/bhp-hr (g/kW-hr)

Maximum Engine Power	PM g/bhp-hr (g/kW-hr)	NMHC+NOx g/bhp-hr (g/kW-hr)	CO g/bhp-hr (g/kW-hr)
50 < HP < 100 (37 < kW < 75)	0.30 (0.40)	3.5 (4.7)	3.7 (5.0)
100 ≤ HP < 175 (75 ≤ kW < 130)	0.22 (0.30)	3.0 (4.0)	3.7 (5.0)
175 ≤ HP ≤ 750 (130 ≤ kW ≤ 560)	0.15 (0.20)	3.0 (4.0)	2.6 (3.5)
HP > 750 (kW > 560)	0.15 (0.20)	4.8 (6.4)	2.6 (3.5)

**HP**- Horsepower

**kW**- Kilowatts

**g/bhp-hr** – grams per brake horsepower-hour

- (II) meet the applicable stationary emergency standby direct-drive fire pump engine certification

requirements and emission standards required by 40 CFR § 60.4202(d); and

- (III) not operate more than the number of hours necessary to comply with the maintenance and testing requirements of the 2002 edition or the most current edition of the National Fire Protection Association (NFPA) 25 – “Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems,” which is incorporated herein by reference.
- (ii) Emissions Standards and Hours of Operating Requirements for New Stationary Emergency Standby Direct-Drive Flood Control Pump Engines
  - (I) New stationary emergency standby direct-drive flood control pump engines installed and with an application for Permit to Construct or Permit to Operate deemed complete on or after January 1, 2011, shall be a certified CI engine that emits diesel PM at a rate less than or equal to 0.15 g/bhp-hr; and
  - (II) shall meet the NMHC+NO<sub>x</sub> and CO standards for off-road engines of the same maximum rated power as specified in Table 2 of clause (c)(2)(C)(vii); and
  - (III) shall not operate more than 50 hours per year for maintenance and testing, as defined in paragraph (b)(43).
- (E) Backpressure Relief Option for New Stationary Emergency Standby Engines

Owners or operators using a diesel particulate filter to comply with the diesel PM standards of this rule may install an engine exhaust backpressure relief device, provided all of the following conditions are met:

  - (i) the new stationary emergency standby engine is located at an Essential Public Service as defined in Rule 1302 or health facility and shall be a certified CI engine that meets, without the use of a diesel particulate filter, a diesel PM rate less than or equal to 0.15 g/bhp-hr and the applicable

- NMHC+NO<sub>x</sub> and CO standards specified in Table 2 of clause (c)(2)(C)(vii); and
- (ii) the engine exhaust backpressure relief device bypasses the diesel particulate filter only when the engine exhaust backpressure approaches the high backpressure limit, as specified by the engine and/or diesel particulate filter manufacturer; and
  - (iii) the engine exhaust gases discharged through the backpressure relief device shall be vented away from enclosed spaces, building occupants, equipment operators, and sensitive receptors; and
  - (iv) in addition to a backpressure monitor, as required in subparagraph (d)(5)(B), the engine owner shall install an electronic device that is capable of measuring and recording engine exhaust backpressure associated with the diesel particulate filter and engine exhaust temperature data, including the date and time of measurement. The device shall continually record exhaust backpressure and temperature data during all actual engine operation. Records of exhaust temperature and backpressure measurements shall be retained for a period of 36 months and made available to the District upon request; and
  - (v) the owner or operator shall repair the diesel particulate filter and reset the exhaust backpressure relief device no more than 5 working days after the backpressure relief device has been activated or no more than 5 working days after the conclusion of the emergency in which the device was activated. If new or replacement parts are necessary for the repair of the diesel particulate filter and/or exhaust backpressure relief device, as detailed in the breakdown notification, the owner or operator shall be allowed an additional 10 working days after the conclusion of the emergency to complete any necessary repairs to the diesel particulate filter and/or exhaust backpressure relief device; and

- (vi) the owner or operator shall submit a written breakdown notification to the Executive Officer within 24 hours of activation of the engine exhaust backpressure relief device.
- (F) Diesel Particulate Filter Cleaning Option for New Emergency Standby Engines
- Owners or operators using a diesel particulate filter to comply with the diesel PM standards of this rule may remove the control equipment filter media for cleaning, provided all of the following conditions are met:
- (i) the new emergency standby engine shall not be operated for maintenance and testing or any other non-emergency use while the diesel particulate filter media is removed;
  - (ii) the control equipment filter media shall be returned and re-installed within 10 working days from the date of removal;
  - (iii) the owner or operator shall maintain records indicating the date(s) the control equipment filter media was removed for cleaning and the date(s) the filter media was re-installed. Records shall be retained pursuant to the requirements specified in subparagraph (d)(7)(C).
- (3) Operating Requirements and Emission Standards for In-Use Emergency Standby Diesel-Fueled CI Engines that Have a Rated Brake Horsepower of Greater than 50 (> 50 bhp).
- (A) No owner or operator shall operate any in-use stationary emergency standby diesel-fueled CI engine in response to the notification of an impending rotating outage unless all the following criteria are met:
- (i) the engine's permit to operate allows operation of the engine in anticipation of a rotating outage; and
  - (ii) the Utility Distribution Company has ordered rotating outages in the control area where the engine is located, or has indicated it expects to issue such an order at a certain time; and
  - (iii) the engine is located in a specific location that is subject to the rotating outage; and

- (iv) the engine is operated no more than 30 minutes prior to the time when the Utility Distribution Company officially forecasts a rotating outage in the control area; and
- (v) the engine operation is terminated immediately after the Utility Distribution Company advises that a rotating outage is no longer imminent or in effect.

**(B) Limit on Non-Emergency Operation**

As of June 2, 2004 the owner or operator of an in-use emergency standby diesel-fueled CI engine located 500 feet or less from a school shall comply with the following applicable limits on non-emergency operation, which includes maintenance and testing:

- (i) An engine that is located on school grounds shall not be operated for non-emergency use whenever there is a school sponsored activity; and
- (ii) An engine that is located 100 meters (328 feet) or less from a school shall not be operated for non-emergency use between the hours of 7:30 a.m. and 4:30 p.m. on days when school is in session, until control equipment is in place, when the hours would be between 7:30 a.m. and 3:30 p.m.; and
- (iii) An engine that is located more than 100 meters (328 feet) and less than or equal to 500 feet from a school shall not be operated for non-emergency use between the hours of 7:30 a.m. and 3:30 p.m. on days when school is in session. An engine that emits diesel PM at a rate of 0.01 g/bhp-hr or less is not subject to this restriction.

**(C) Except as provided in subdivision (h), no owner or operator shall operate an in-use stationary emergency standby diesel-fueled CI engine (> 50 hp) in the South Coast Air Quality Management District unless it meets, in accordance with the applicable compliance schedules specified in subdivision (e), the following requirements:**

- (i) **Diesel PM Standard and Hours of Operating Requirements**  
The owner or operator of in-use stationary emergency standby diesel-fueled engines (>50 bhp), except those located on school grounds or 100 meters or less from an

existing, as of April 2, 2004, school shall meet the following requirements:

- (I) No owner or operator shall operate an in-use stationary emergency standby diesel-fueled CI engine (>50 bhp) that emits diesel PM at a rate greater than 0.40 g/bhp-hr more than 20 hours per year for maintenance and testing purposes unless the alternative maintenance and testing requirements of subclause (c)(3)(C)(i)(III) are met. In-use emergency standby diesel fueled CI engines operated at health facilities shall be allowed up to 10 additional hours per year for maintenance and testing purposes. This ~~subclause-section~~ does not limit engine operation for emergency use and for emission testing to show compliance with subparagraph (c)(3)(C).
- (II) No owner or operator shall operate an in-use stationary emergency standby diesel-fueled CI engine (>50 bhp) that emits diesel PM at a rate less than or equal to 0.40 g/bhp-hr more than 30 hours per year for maintenance and testing purposes, except as provided in clause (c)(3)(C)(ii). This subclause does not limit engine operation for emergency use and for emission testing to show compliance with subparagraph (c)(3)(C).
- (III) An owner or operator of a water or sewage facility with an in-use stationary emergency standby diesel-fueled CI engine (>50 bhp) located in a very high fire hazard severity zone, excluding engines located in SB 535 Disadvantaged Communities as identified by the California Office of Environmental Health Hazard Assessment's CalEnviroScreen, that elects to meet an alternative maintenance and testing schedule shall not conduct maintenance and testing for more than 20 hours averaged over a consecutive three-year rolling period, with no individual calendar year

exceeding 30 hours where a South Coast Air Quality Management District operating permit incorporates the alternative maintenance and testing schedule. The determination of whether an engine is located in a very high fire hazard severity zone and disadvantaged community shall be determined at the time that the permit application is deemed complete. The consecutive three-year rolling period shall start the calendar year in which the permit is modified to incorporate the alternative maintenance and testing schedule. This subclause does not limit engine operation for emergency use and for emission testing to show compliance with subparagraph (c)(3)(C).

(ii) Alternative Diesel PM Standard and Hours of Operating Requirements

The Executive Officer may allow the owner or operator of an in-use emergency standby diesel-fueled CI engine (> 50 hp), except those located on school grounds or 100 meters or less from an existing, as of April 2, 2004, school, to operate more than 30 hours per year for maintenance and testing purposes on a site-specific basis, provided the following limits are met:

- (I) Up to 50 annual hours of operation are allowed for maintenance and testing purposes if the diesel PM emission rate is less than or equal to 0.15 g/bhp-hr.
- (II) Up to 100 annual hours of operation are allowed for maintenance and testing purposes if the diesel PM emission rate is less than or equal to 0.01 g/bhp-hr.

(iii) Diesel PM Standards and Hours of Operating Requirements For In-Use Stationary Emergency Standby Diesel-Fueled Engines (>50 Bhp) Located on School Grounds or 100 Meters or Less from an Existing, as of April 2, 2004, Schools All in-use emergency diesel-fueled CI engines (> 50 bhp), subject to this clause, certified in accordance with the Off-Road Compression-Ignition Engine Standards (Title 13,

CCR, Section 2423) shall comply with either option 1 or option 2 below. All engines not certified in accordance with the Off-Road Compression-Ignition Engine Standards (Title 13, CCR, Section 2423) shall comply with option 1, option 2, or option 3 below:

- (I) Option 1: Reduce the diesel PM emission rate by at least 85 percent, by weight, from the baseline level, in accordance with the appropriate compliance schedule specified in subdivision (e) and operate 75 hours or less per year for maintenance and testing purposes. This subclause does not limit engine operation for emergency use and for emission testing to show compliance with subparagraph (c)(3)(C); or
  - (II) Option 2: Emit diesel PM at a rate less than or equal to 0.01 g/bhp-hr in accordance with the appropriate compliance schedule as specified in subdivision (e) and operate 100 hours or less per year for maintenance and testing purposes. This subclause does not limit engine operation for emergency use and for emission testing to show compliance with subparagraph (c)(3)(C); or
  - (III) Option 3: Reduce the diesel PM emission rate by at least 30% from the baseline level and operate 20 hours or less per year for maintenance and testing purposes, by no later than January 1, 2006, and emit diesel PM at a rate of 0.01 g/bhp-hr or less and operate 100 hours or less per year for maintenance and testing purposes by no later than July 1, 2011. This subclause does not limit engine operation for emergency use and for emission testing to show compliance with subparagraph (c)(3)(C).
- (iv) Additional Standards:  
Owners or operators that choose to meet the diesel PM standards defined in clauses (c)(3)(C)(i) through

- (c)(3)(C)(iii) with emission control strategies that are not verified through the Verification Procedure shall either:
- (I) Meet the applicable HC, NO<sub>x</sub>, NMHC+NO<sub>x</sub>, and CO standards for off-road engines of the same model year and maximum rated power as specified in the Off-Road Compression-Ignition Engine Standards (Title 13, CCR, Section 2423). If no standards have been established for an off-road engine of the same model year and maximum rated power as the in-use stationary emergency standby diesel-fueled CI engine, then the in-use stationary emergency standby diesel-fueled CI engine shall meet the Tier 1 standards in Title 13, CCR, Section 2423 for an off-road engine of the same maximum rated power, irrespective of the in-use stationary emergency standby diesel-fueled CI engine's model year; or
  - (II) Not increase CO emission rates by more than 10% above baseline and not increase HC or NO<sub>x</sub> emission rates by more than 10% above baseline, or not increase the sum of NMHC and NO<sub>x</sub> emission rates above baseline.
- (v) The District shall determine an appropriate limit on the number of hours of operation for demonstrating compliance with District rules. Hours of operation used solely for testing and demonstration for compliance with District rules shall not be included as part of the engine's cumulative annual hours specified in clauses (c)(3)(C)(i) through (c)(3)(C)(iii).
- (vi) **Backpressure Relief Option for In-Use Stationary Emergency Standby Engines**  
Owners or operators of an in-use stationary emergency standby engine located at an Essential Public Service, as defined in Rule 1302, or health facility using a diesel particulate filter to comply with the diesel PM standards of this rule may install an engine exhaust backpressure relief

device, provided all of the conditions specified in (c)(2)(E)(ii) through (c)(2)(E)(vi) are met.

(vii) Diesel Particulate Filter Cleaning Option for In-Use Emergency Standby Engines

Owners or operators using a diesel particulate filter to comply with the diesel PM standards of this rule may remove the control equipment filter media for cleaning, provided all of the following conditions are met:

- (i) the in-use emergency standby engine shall not be operated for maintenance and testing or any other non-emergency use while the diesel particulate filter media is removed;
- (ii) the control equipment filter media shall be returned and re-installed within 10 working days from the date of removal;
- (iii) the owner or operator shall maintain records indicating the date(s) the control equipment filter media was removed for cleaning and the date(s) the filter media was re-installed. Records shall be retained pursuant to the requirements specified in subparagraph (d)(7)(C).

(4) New Stationary Prime Diesel-Fueled CI Engines that Have a Rated Brake Horsepower of Greater than 50 (> 50 bhp)

As of January 1, 2005, except as provided in subdivision (h), no person shall sell, purchase, offer for sale, or lease for use in the South Coast Air Quality Management District a new stationary prime diesel-fueled CI engine (>50 bhp) unless it meets the following applicable emission standards, and no person shall operate any new stationary prime diesel-fueled CI engine (>50 bhp) unless it meets all of the following emission standards and operational requirements:

(A) Diesel PM Standard

All new stationary prime diesel-fueled CI engines (> 50 bhp) shall either emit diesel PM at a rate that is less than or equal to 0.01 grams diesel PM per brake-horsepower-hour (g/bhp-hr) or shall meet the diesel PM standard, as specified in the Off-Road Compression

Ignition Engine Standards for off-road engines with the same maximum rated power (Title 13, CCR, Section 2423), in effect on the date of acquisition or submittal, as defined in subdivision (b), whichever is more stringent;

(B) HC, NO<sub>x</sub>, NMHC + NO<sub>x</sub>, and CO Standards

All new stationary prime diesel-fueled CI engines (> 50 bhp) shall meet the applicable emission standards specified in South Coast Air Quality Management District Rule 1110.2 – Emissions From Gaseous and Liquid-Fueled Engines.

(5) Emission Standards for In-Use Stationary Prime Diesel-Fueled CI Engines that Have a Rated Brake Horsepower of Greater than 50 (>50 bhp)

Except as provided in subdivision (h), all in-use stationary prime diesel-fueled CI engines (> 50 bhp) operated in the South Coast Air Quality Management District shall meet the following requirements, according to specified dates:

(A) Diesel PM Standards

All in-use stationary prime diesel-fueled CI engines (> 50 bhp) certified in accordance with the Off-Road Compression-Ignition Engine Standards (Title 13, CCR, Section 2423) shall comply with either option 1 or option 2 below. All engines not certified in accordance with the Off-Road Compression-Ignition Engine Standards (Title 13, CCR, Section 2423) shall comply with option 1, option 2, or option 3 below:

- (i) Option 1: Reduce the diesel PM emission rate by at least 85 percent, by weight, from the baseline level, in accordance with the appropriate compliance schedule specified in subdivision (e); or
- (ii) Option 2: Emit diesel PM at a rate less than or equal to 0.01 g/bhp-hr in accordance with the appropriate compliance schedule as specified in subdivision (e); or
- (iii) Option 3: Reduce the diesel PM emission rate by at least 30% from the baseline level, by no later than January 1, 2006, and emit diesel PM at a rate of 0.01 g/bhp-hr or less by no later than July 1, 2011.

(B) Additional Standards

Owners or operators that choose to meet the diesel PM limits defined in subparagraph (c)(5)(A) with emission control strategies that are not verified through the Verification Procedure shall:

- (i) Meet the applicable HC, NO<sub>x</sub>, NMHC+NO<sub>x</sub>, and CO emission standards specified in South Coast Air Quality Management District Rule 1110.2 – Emissions From Gaseous and Liquid-Fueled Engines.
- (6) New and In-Use Stationary Diesel-Fueled CI Engines Used in Agricultural Operations (> 50 bhp)

New and in-use stationary diesel-fueled CI engines used in agricultural operations (>50 bhp) shall comply with all applicable requirements of title 17, CCR, sections 93115.2, 93115.3, 93115.4, and 93115.8 of the California Air Resources Board’s “Airborne Toxic Control Measure for Stationary Compression Ignition Engines.”

- (7) Operating Requirements and Emission Standards for New Emergency Standby Diesel-Fueled CI Engines that Have a Rated Brake Horsepower of Greater than 50 (> 50 bhp) Used in Demand Response Programs (DRP Engines)

(A) Limit on Non-Emergency Operation

As of June 2, 2004 the owner or operator of a new stationary emergency standby diesel-fueled CI DRP engine located 500 feet or less from a school shall comply with the following applicable limits on non-emergency operation, which includes maintenance and testing:

- (i) An engine that is located on school grounds shall not be operated for non-emergency use whenever there is a school sponsored activity; and
- (ii) An engine that is located 100 meters (328 feet) or less from a school shall not be operated for non-emergency use between the hours of 7:30 a.m. and 4:30 p.m. on days when school is in session, until control equipment is in place, when the hours would be between 7:30 a.m. and 3:30 p.m.; and
- (iii) An engine that is located more than 100 meters (328 feet) and less than or equal to 500 feet from a school shall not be operated for non-emergency use between the hours of 7:30

a.m. and 3:30 p.m. on days when school is in session. An engine that emits diesel PM at a rate of 0.01 g/bhp-hr or less is not subject to this restriction.

(B) No owner or operator shall operate any new stationary emergency standby diesel-fueled CI DRP engine (>50 bhp) in response to the notification of an impending rotating outage, unless all of the following criteria are met:

- (i) the engine's permit to operate allows operation of the engine in anticipation of a rotating outage; and
- (ii) the Utility Distribution Company has ordered rotating outages in the control area where the engine is located, or has indicated it expects to issue such an order at a certain time; and
- (iii) the engine is in a specific location that is subject to the rotating outage in the control area; and
- (iv) the engine is operated no more than 30 minutes prior to the time when the Utility Distribution Company officially forecasts a rotating outage in the control area; and
- (v) the engine operation is terminated immediately after the Utility Distribution Company advises that a rotating outage is no longer imminent or in effect.

(C) Except as provided in subdivision (h), no person shall operate any new stationary emergency standby diesel-fueled CI DRP engine (>50 bhp), unless it meets all of the following applicable operating requirements and emission standards:

- (i) Diesel PM Standard and Hours of Operating Requirements  
New DRP engines enrolled in an ISC on or after January 1, 2005 shall:
  - (I) meet a diesel PM standard of 0.01 g/bhp-hr or less or meet the current model year diesel PM standard as specified in the Off-Road Compression Ignition Engine Standards for off-road engines with the same horsepower rating (Title 13 CCR Section 2423), in effect on the date of ISC enrollment, whichever is more stringent; and

- (II) comply with the limitations on the hours of operation for maintenance and testing as specified in clause (c)(2)(C)(i); and
  - (III) not operate more than 150 hours per year for ISC operation.
- (ii) HC, NO<sub>x</sub>, NMHC + NO<sub>x</sub>, and CO standards
- No owner or operator shall operate any new stationary emergency standby diesel-fueled CI DRP engines (>50 bhp), unless it meets the more stringent of the following emission standards for HC, NO<sub>x</sub>, NMHC + NO<sub>x</sub>, and CO:
- (I) The emission requirements specified for spark ignition emergency internal combustion engines pursuant to the most current version of SCAQMD Best Available Control Technology Guidelines, Part D – BACT Guidelines for Non-Major Polluting Facilities, or
  - (II) The standards for off-road engines of the same model year and maximum rated power as specified in the Off-Road Compression-Ignition Engine Standards (Title 13, CCR, Section 2423). If no standards have been established for an off-road engine of the same model year and maximum rated power as the new stationary emergency standby diesel-fueled CI DRP engine, then the new stationary emergency standby diesel-fueled CI DRP engine shall meet the Tier 1 standards in Title 13, CCR, Section 2423, for an off-road engine of the same maximum rated power, irrespective of the new stationary emergency standby diesel-fueled CI DRP engine's model year.
- (iii) The District shall determine an appropriate limit on the number of hours of operation for demonstrating compliance with District rules. Hours of operation used solely for testing and demonstration for compliance with District rules and for initial start-up testing shall not be included as part of the engine's cumulative annual hours.

(8) Operating Requirements and Emission Standards for In-Use Emergency Standby Diesel-Fueled CI DRP Engines that Have a Rated Brake Horsepower of Greater than 50 (> 50 bhp)

(A) Limit on Non-Emergency Operation

As of June 2, 2004 the owner or operator of an in-use stationary emergency standby diesel-fueled CI DRP engine located 500 feet or less from a school shall comply with the following applicable limits on non-emergency operation, which includes maintenance and testing:

- (i) An engine that is located on school grounds shall not be operated for non-emergency use whenever there is a school sponsored activity; and
- (ii) An engine that that is located 100 meters (328 feet) or less from a school shall not be operated for non-emergency use between the hours of 7:30 a.m. and 4:30 p.m. on days when school is in session, until control equipment is in place, when the hours would be between 7:30 a.m. and 3:30 p.m.; and
- (iii) An engine that is located more than 100 meters (328 feet) and less than or equal to 500 feet from a school shall not be operated for non-emergency use between the hours of 7:30 a.m. and 3:30 p.m. on days when school is in session, except an engine that emits diesel PM at a rate of 0.01 g/bhp-hr and less, which is not subject to this restriction.

(B) No owner or operator shall operate any in-use stationary emergency standby diesel-fueled CI DRP engine (>50 bhp) in response to the notification of an impending rotating outage, unless all of the following criteria are met:

- (i) the engine's permit to operate allows operation of the engine in anticipation of a rotating outage; and
- (ii) the Utility Distribution Company has ordered rotating outages in the control area where the engine is located, or has indicated it expects to issue such an order at a certain time; and
- (iii) the engine is in a specific location that is subject to the rotating outage in the control area; and

- (iv) the engine is operated no more than 30 minutes prior to the time when the Utility Distribution Company officially forecasts a rotating outage in the control area; and
  - (v) the engine operation is terminated immediately after the Utility Distribution Company advises that a rotating outage is no longer imminent or in effect.
- (C) Except as provided in subdivision (h), no person shall operate any in-use stationary emergency standby diesel-fueled CI DRP engine (>50 bhp) unless it meets all of the following applicable operating requirements and emission standards:
- (i) Diesel PM Standard and Hours of Operating Requirements for in-use DRP engines enrolled in an ISC prior to January 1, 2005, shall as of January 1, 2006:
    - (I) meet a diesel PM standard of 0.15 g/bhp-hr or less diesel PM; and
    - (II) meet the requirements specified in clauses (c)(3)(C)(i) through (c)(3)(C)(v) for maintenance and testing hours of operation; and
    - (III) not operate more than 150 hours per year for ISC operation.
  - (ii) Diesel PM Standard and Hours of Operating Requirements for in-use DRP engines enrolled in an ISC on or after January 1, 2005, and prior to January 1, 2008:
    - (I) meet a diesel PM standard of 0.15 g/bhp-hr or less diesel PM; and
    - (II) meet the requirements specified in clauses (c)(3)(C)(i) through (c)(3)(C)(v) for maintenance and testing hours of operation; and
    - (III) not operate more than 150 hours per year for ISC operation.
  - (iii) Diesel PM Standard and Hours of Operating Requirements for in-use DRP engines enrolled in an ISC after January 1, 2008:
    - (I) meet a diesel PM standard of 0.01 g/bhp-hr or less diesel PM; and

- (II) meet the requirements specified in clauses (c)(3)(C)(i) through (c)(3)(C)(v) for maintenance and testing hours of operation; and
  - (III) not operate more than 150 hours per year for ISC operation.
- (iv) Additional Standards:
- Owners or operators that choose to meet the diesel PM limits and hour of operation limits defined in clauses (c)(8)(C)(i) through (c)(8)(C)(iii) with emission control strategies that are not verified through the Verification Procedure shall either:
- (I) Meet the applicable HC, NO<sub>x</sub>, NMHC+NO<sub>x</sub>, and CO standards for off-road engines of the same model year and maximum rated power as specified in the Off-Road Compression-Ignition Engine Standards (Title 13, CCR, Section 2423). If no standards have been established for an off-road engine of the same model year and maximum rated power as the in-use stationary emergency standby diesel-fueled CI DRP engine, then the in-use stationary emergency standby diesel-fueled CI DRP engine shall meet the Tier 1 standards in Title 13, CCR, Section 2423 for an off-road engine of the same maximum rated power, irrespective of the in-use stationary emergency standby diesel-fueled CI DRP engine's model year; or
  - (II) not increase CO emission rates by more than 10% above baseline and not increase HC or NO<sub>x</sub> emission rates by more than 10% above baseline, or not increase the sum of NMHC and NO<sub>x</sub> emission rates above baseline.
- (v) The District shall determine an appropriate limit on the number of hours of operation for demonstrating compliance with District rules. Hours of operation used solely for testing and demonstration for compliance with District rules shall

not be included as part of the time for maintenance and testing purposes allowed under clauses (c)(3)(C)(i) through (c)(3)(C)(v).

- (9) **Requirements Applicable to DRP Engines After a DRP is Terminated**  
After a DRP is terminated by either the Utility Distribution Company or the engine owner or operator, the DRP engine shall remain subject to the requirements of paragraphs (c)(7) and (c)(8) as if the DRP were still in effect.
  - (10) **Emission Standards for New Stationary Diesel-Fueled CI Engines Less than or Equal to 50 Brake Horsepower ( $\leq 50$  bhp)**  
New stationary diesel-fueled CI engines with a rated brake horsepower less than or equal to 50 shall comply with all applicable requirements of Title 17, CCR, section 93115.9 of the California Air Resources Board's "Airborne Toxic Control Measure for Stationary Compression Ignition Engines."
- (d) **Recordkeeping, Reporting, and Monitoring Requirements**
- (1) **Reporting Requirements for Owners or Operators of New and In-Use Stationary CI Engines, Including Non-Diesel-Fueled CI Engines, Having a Rated Horsepower Greater than 50 ( $>50$  bhp)**
    - (A) Except as provided in subdivision (h) and subparagraph (d)(1)(D) below, prior to the installation of any new stationary CI engine ( $> 50$  bhp) at a facility, each owner or operator shall provide the information identified in subparagraph (d)(1)(C) to the Executive Officer.
    - (B) Except as provided in subdivision (h) and subparagraph (d)(1)(D) below, and no later than July 1, 2005, each owner or operator of an in-use stationary CI engine ( $> 50$  bhp) shall provide the information specified in subparagraph (d)(1)(C) to the Executive Officer.
    - (C) Each owner or operator shall submit to the Executive Officer all of the following information for each new and in-use stationary CI engine ( $>50$  bhp), in accordance with the requirements of subparagraphs (d)(1)(A) and (d)(1)(B) above:
      - (i) **Owner/Operator Contact Information**
        - (I) **Company name**

- (II) Contact name, phone number, address, e-mail address
- (III) Address of engine(s)
- (ii) Engine Information
  - (I) Make
  - (II) Model
  - (III) Engine Family
  - (IV) Serial number
  - (V) Year of manufacture (if unable to determine, approximate age)
  - (VI) Rated Brake Horsepower
  - (VII) Exhaust stack height from ground
  - (VIII) Engine Emission Factors and supporting data for PM, NO<sub>x</sub> and NMHC separately or NMHC+NO<sub>x</sub>, and CO, (if available) from manufacturers data, source tests, or other sources (specify)
  - (IX) Diameter of stack outlet
  - (X) Direction of outlet (horizontal or vertical)
  - (XI) End of stack (open or capped)
  - (XII) Control equipment (if applicable)
    - (aa) Turbocharger
    - (bb) Aftercooler
    - (cc) Injection Timing Retard
    - (dd) Catalyst
    - (ee) Diesel Particulate Filter
    - (ff) Other
- (iii) Fuel(s) Used
  - (I) CARB Diesel
  - (II) Jet fuel
  - (III) Diesel
  - (IV) Alternative diesel fuel (specify)
  - (V) Alternative fuel (specify)
  - (VI) Combination (Dual fuel) (specify)
  - (VII) Other (specify)
- (iv) Operation Information

- (I) Description of general use of engine
  - (II) Typical load (percent of maximum bhp rating)
  - (III) Typical annual hours of operation
  - (IV) If seasonal, months of year operated and typical hours per month operated
  - (V) Fuel usage rate (if available)
  - (v) Receptor Information
    - (I) Nearest receptor description (receptor type)
    - (II) Distance to nearest receptor (feet or meters)
    - (III) Distance to nearest school
  - (vi) State whether the engine is included in an existing AB2588 emission inventory.
- (D) The Executive Officer may exempt the owner or operator from providing all or part of the information identified in subparagraph (d)(1)(C) if there is a current record of the information in the owner or operator's permit to operate, permit application, or District records.
- (2) Demonstration of Compliance with Emission Limits
- (A) Prior to the installation of a new stationary diesel-fueled CI engine at a facility, the owner or operator of the new stationary diesel-fueled CI engine(s) subject to the requirements of subparagraph (c)(2)(C), (c)(2)(D), (c)(4)(A), (c)(4)(B), (c)(7)(A), or (c)(7)(C) shall provide emission data to the Executive Officer in accordance with the requirements of subdivision (f) for purposes of demonstrating compliance.
  - (B) By no later than the earliest applicable compliance date specified in subdivision (e), the owner or operator of an in-use stationary diesel-fueled CI engine(s) subject to the requirements of subparagraphs (c)(3)(C), (c)(5)(A), or (c)(8)(C) shall provide emissions and/or operational data to the Executive Officer in accordance with the requirements of subdivision (f) for purposes of demonstrating compliance.
- (3) Notification of Non-Compliance
- Owners or operators who have determined that they are operating their stationary diesel-fueled engine(s) in violation of the requirements specified

in paragraphs (c)(1) through (c)(9) shall notify the Executive Officer immediately upon detection of the violation and shall be subject to district enforcement action.

(4) Notification of Loss of Exemption

(A) Owners or operators of in-use stationary diesel-fueled CI engines, who are subject to an exemption specified in subdivision (h) from all or part of the requirements of paragraphs (c)(2) through (c)(9), shall notify the Executive Officer immediately after they become aware that the exemption no longer applies. No later than 180 days after notifying the Executive Officer, the owner or operator shall demonstrate compliance with the requirements of paragraphs (c)(2) through (c)(9). An owner or operator of an in-use stationary diesel-fueled CI engine(s) subject to the requirements of paragraphs (c)(2) through (c)(9) shall provide emission data to the Executive Officer in accordance with the requirements of subdivision (f) for purposes of demonstrating compliance.

(B) The Executive Officer shall notify owners or operators of in-use stationary diesel-fueled CI engines, who are subject to the exemption specified in paragraph (h)(7) from the requirements of paragraphs (c)(1) through (c)(9), when the exemption no longer applies. No later than 180 days after notification by the Executive Officer, the owner or operator shall demonstrate compliance with the requirements of paragraphs (c)(1) through (c)(9). An owner or operator of an in-use stationary diesel-fueled CI engine(s) subject to the requirements of paragraphs (c)(2) through (c)(9) shall provide emissions data to the Executive Officer in accordance with the requirements of subdivision (f) for purposes of demonstrating compliance.

(5) Monitoring Equipment

(A) A non-resettable hour meter with a minimum display capability of 9,999 hours shall be installed on all engines subject to any of the requirements of paragraphs (c)(2) through (c)(9), unless the District determines on a case-by-case basis that a non-resettable hour meter with a different minimum display capability is appropriate in

consideration of the historical use of the engine and the owner or operator's compliance history.

- (B) All DPFs installed pursuant to the requirements in paragraphs (c)(2) through (c)(9) must be installed with a backpressure monitor to notify the owner or operator when the high backpressure limit of the engine is approached.
- (C) The Executive Officer may by permit condition require the owner or operator to install and maintain additional monitoring equipment for the particular emission control strategy(ies) used to meet the requirements of paragraphs (c)(2) through (c)(9), upon determining that such equipment is necessary to ensure the effectiveness of the selected control strategy.

(6) Reporting Provisions for Exempted Prime Engines

An owner or operator of an engine subject to paragraphs (h)(4) or (h)(9) shall keep records of the number of hours the engines are operated on a monthly basis. Such records shall be retained for a minimum of 36 months from the date of entry. Record entries made within 24 months of the most recent entry shall be retained on-site, either at a central location or at the engine's location, and made immediately available to District staff upon request. Record entries made from 25 to 36 months from the most recent entry shall be made available to District staff within 5 working days from the district's request.

(7) Reporting Requirements for Emergency Standby Engines

- (A) Starting January 1, 2005, each owner or operator of an emergency standby diesel-fueled CI engine shall keep a monthly log of usage that shall list and document the nature of use in each of the following areas:
  - (i) emergency use hours of operation;
  - (ii) maintenance and testing hours of operation;
  - (iii) hours of operation for emission testing to show compliance with subparagraphs (c)(2)(C) and (c)(3)(C);
  - (iv) initial start-up and testing hours;
  - (v) hours of operation for all uses other than those specified in clauses (d)(7)(A)(i) through (d)(7)(A)(iv) above;

- (vi) if applicable, hours of operation to comply with the requirements of NFPA 25;
- (vii) if applicable, DRP engine hours of operation;
- (viii) hours of operation to demonstrate compliance with District rules; and
- (ix) the fuel used.
  - (I) For engines operated exclusively on CARB Diesel Fuel, the owner or operator shall document the use of CARB Diesel Fuel through the retention of fuel purchase records indicating that the only fuel purchased for supply to an emergency standby engine was CARB Diesel Fuel; or
  - (II) For engines operated on any fuel other than CARB Diesel Fuel, fuel records demonstrating that the only fuel purchased and added to an emergency standby engine or engines, meets the requirements of paragraph (c)(1).
- (B) Alternative Fuel Recordkeeping Requirements for Owners and/or Operators of Emergency Standby Engines  
In lieu of a log of usage, as specified in clause (d)(7)(A)(ix), the owner and/or operator may maintain a monthly summary of fuel purchases for the engine.
- (C) Records shall be retained for a minimum of 36 months. Records for the prior 24 months shall be retained on-site, either at a central location or at the engine's location, or at an offsite central location within California, and shall be made immediately available to the District staff upon request. Records for the prior 25 to 36 months shall be made available to District staff within 5 working days from request.
- (8) Additional Reporting Requirements for Stationary Emergency Diesel-Fueled CI Engines Used to Fulfill the Requirements of an Interruptible Service Contract (ISC)  
The owner or operator of an ISC engine shall provide to the District the following information, as necessary to the extent the District does not already have the information:

- (A) For each diesel-fueled engine enrolled in an ISC:
    - (i) Owner's Company Name (if applicable);
    - (ii) Contact name, phone number, and e-mail address;
    - (iii) Model year and engine manufacturer;
    - (iv) Annual hours of engine operation under ISC and emergency use; and
    - (v) Diesel PM emission rate of the engine (g/bhp-hr).
  - (B) The owner or operator shall update the information identified in subparagraph (d)(8)(A) as necessary to reflect the current inventory of ISC engines and shall provide a complete and updated inventory annually to the District and the California Air Resources Board no later than 90 days after December 31<sup>st</sup> of any given year thereafter.
    - (i) The California Air Resources Board shall evaluate the submitted inventory and information annually to determine whether any subsequent year's submittal is necessary.
    - (ii) If the California Air Resources Board determines a submittal is not necessary for any subsequent year, the California Air Resources Board will notify the owner or operator by December 31<sup>st</sup> of any given year of such determination.
  - (C) The owner or operator may identify to the Executive Officer documentation demonstrating that all or part of the information required under paragraph (d)(8) has been previously submitted. If acceptable to the Executive Officer, the owner or operator shall be exempted from resubmitting the information.
- (e) Compliance Schedule and Permit Application Dates
- (1) For each in-use emergency standby diesel-fueled CI engine (> 50 bhp), that will meet the requirements of paragraph (c)(3) solely through maintaining or reducing the current annual hours of operation for maintenance and testing, the owner or operator shall be in compliance with the annual hours of operation limits beginning January 1, 2006.
  - (2) For Owners or Operators of Three or Fewer Engines in the South Coast Air Quality Management District  
For each in-use emergency standby diesel-fueled CI engine (> 50 bhp), that does not comply with paragraph (e)(1) in order to meet the requirements of

paragraph (c)(3) and each stationary diesel-fueled CI engine (> 50 bhp) complying with emission limitations specified in paragraphs (c)(3) or (c)(5), the owner or operator shall meet the following requirements in accordance with the following schedule:

- (A) All pre-1989 through 1989 model year engines, inclusive, shall be in compliance by no later than January 1, 2006;
- (B) All 1990 through 1995 model year engines, inclusive, shall be in compliance by no later than January 1, 2007;
- (C) All 1996 and later model year engines shall be in compliance by no later than January 1, 2008.

(3) For Owners or Operators of Four or More Engines in the South Coast Air Quality Management District

For each emergency standby diesel-fueled CI engine (> 50 bhp) under common ownership or operation that does not comply with paragraph (e)(1) in order to meet the requirements of paragraph (c)(3) and stationary diesel-fueled CI engines (> 50 bhp) complying with emission limitations specified in paragraphs (c)(3) or (c)(5), the owner or operator shall comply with the following:

- (A) No later than July 1, 2005, the owner or operator shall submit a compliance plan, pursuant to paragraph (e)(4); and
- (B) Meet the requirements of paragraphs (c)(3) or (c)(5), in accordance with the following schedule:

<u>Pre-1989 Through 1989 Model Year Engines, Inclusive</u>	
<u>Percent of Engines</u>	<u>Compliance date</u>
25%	January 1, 2006
50%	January 1, 2007
75%	January 1, 2008
100%	January 1, 2009

<u>1990 through 1995 Model Year Engines, Inclusive</u>	
<u>Percent of Engines</u>	<u>Compliance date</u>
30%	January 1, 2007
60%	January 1, 2008
100%	January 1, 2009

<u>1996 and Later Model Year Engines</u>	
<u>Percent of Engines</u>	<u>Compliance date</u>
50%	January 1, 2008

100%

January 1, 2009

(4) Compliance Plan

(A) A submitted compliance plan shall be subject to plan fees specified in Rule 306 and shall include the following information:

- (i) Owner/operator contact information (company name, AQMD facility identification number, contact name, phone number, address, e-mail address); and
- (ii) AQMD permit number(s) and address(es) of engine(s) for engines subject to subparagraph (e)(3)(A); and
- (iii) Identification of the control strategy for each stationary diesel-fueled CI engine that when implemented will result in compliance with the applicable requirements of paragraphs (c)(3) and (c)(5). If applicable, the information should include the Executive Order number issued by the Executive Officer of the Air Resources Board for a Diesel Emission Control Strategy that has been approved by the Executive Officer of the Air Resources Board through the Verification Procedure; and
- (iv) Consistent with the dates specified in paragraphs (e)(2) and (e)(3), a schedule showing key milestone dates for each engine demonstrating how the engine will be brought into compliance with the applicable requirements of paragraphs (c)(3) and (c)(5). In instances where engines are located on school grounds or 100 meters or less from an existing, as of April 2, 2004, school, the schedule shall give priority to bringing these engines into compliance with the applicable requirements of paragraphs (c)(3) and (c)(5).

(B) The owner or operator may identify to the Executive Officer documentation demonstrating that all or part of the information required under subparagraph (e)(4)(A) has been previously submitted. If acceptable to the Executive Officer, the owner or operator shall be exempted from resubmitting the information.

(5) Permit Application Dates

Permit applications necessary to achieve compliance with paragraphs (c)(3) and (c)(5) shall be submitted no later than six (6) months prior to the compliance dates specified in paragraphs (e)(1) through (e)(3).

(f) Emissions Data

- (1) Upon approval by the Executive Officer, the following sources of data may be used in whole or in part to demonstrate compliance with the emissions standards or requirements of paragraphs (c)(2) through (c)(10):
  - (A) off-road engine certification test data for the stationary diesel-fueled CI engine;
  - (B) engine manufacturer test data;
  - (C) emissions test data from a similar engine; or
  - (D) emissions test data used in meeting the requirements of the Verification Procedure for the emission control strategy implemented.
- (2) Emissions testing of a stationary diesel-fueled CI engine, for purposes of showing compliance with the requirements of paragraphs (c)(2) through (c)(10), shall be done in accordance with the methods specified in subdivision (g).
- (3) For purposes of emissions testing, the particulate matter (PM) emissions from a dual-fueled stationary CI engine, which uses as its fuel a mixture of diesel fuel and other fuel(s), shall be deemed to be 100% diesel PM.
- (4) Emissions testing for the purposes of determining the percent change from baseline shall include baseline and emission control strategy testing subject to the following conditions:
  - (A) Baseline testing may be conducted with the emission control strategy in place, provided the test sample is taken upstream of the emission control strategy and the presence of the emission control strategy is shown to the Executive Officer's satisfaction as having no influence on the emission test results;
  - (B) Control strategy testing shall be performed on the stationary diesel-fueled CI engine with full implementation of the emission control strategy;
  - (C) The percent change from baseline shall be calculated as the baseline emissions minus control strategy emissions, with the difference being divided by the baseline emissions and the result expressed as a percentage; and
  - (D) The same test method shall be used for determining both baseline emissions and control strategy emissions.

- (5) Emission testing for the purposes of demonstrating compliance with an emission level shall be performed on the stationary diesel-fueled CI engine with the emission control strategy fully implemented.
- (6) **Alternative Compliance Demonstration**  
The owner or operator of a new or in-use stationary diesel-fueled CI engine (> 50 bhp) may demonstrate compliance with the 0.01 g/bhp-hr PM emission standard of paragraphs (c)(2) through (c)(8) by using one of the following:
  - (A) a level 3 Verified Diesel Emission Control Strategy in combination with a certified CI engine that meets a 0.15 g/bhp-hr or less PM emission standard; or
  - (B) an alternative diesel PM control method that is equally or more effective than a level 3 Verified Diesel Emission Control Strategy in combination with a certified CI engine that meets a 0.15 g/bhp-hr or less PM emission standard, and is approved for use by the Executive Officer.
- (g) **Test Methods**
  - (1) The following test methods shall be used to determine diesel PM, HC, NO<sub>x</sub>, CO and NMHC emission rates:
    - (A) Diesel PM emission testing shall be done in accordance with one of the following methods:
      - (i) California Air Resources Board Method 5 (ARB Method 5), *Determination of Particulate Matter Emissions from Stationary Sources*, as amended July 28, 1997, which is incorporated herein by reference.
        - (I) For purposes of this clause, diesel PM shall be measured only by the probe catch and filter catch and shall not include PM captured in the impinger catch or solvent extract.
        - (II) The tests are to be carried out under steady state operation. Test cycles and loads shall be in accordance with ISO-8178 Part 4 or alternative test cycle approved by the Executive Officer.

- (III) The Executive Officer may require additional engine or operational duty cycle data if an alternative test cycle is requested; or
  - (ii) International Organization for Standardization (ISO) 8178 Test procedures: ISO 8178-1:1996(E) (“ISO 8178 Part 1”); ISO 8178-2: 1996(E) (“ISO 8178 Part 2”); and ISO 8178-4: 1996(E) (“ISO 8178 Part 4”), which are incorporated herein by reference; or
  - (iii) Title 13, California Code of Regulations, Section 2423, *Exhaust Emission Standards and Test Procedures – Off-Road Compression Ignition Engines*, which is incorporated herein by reference.
- (B) NO<sub>x</sub>, CO and HC emission testing shall be done in accordance with one of the following methods:
- (i) California Air Resources Board Method 100 (ARB Method 100), *Procedures for Continuous Gaseous Emission Stack Sampling*, as amended July 28, 1997, which is incorporated herein by reference.
    - (I) Tests using ARB Method 100 shall be carried out under steady state operation. Test cycles and loads shall be in accordance with ISO-8178 Part 4 or alternative test cycle approved by the Executive Officer.
    - (II) The Executive Officer may require additional engine or operational duty cycle data if an alternative test cycle is requested; or
  - (ii) International Organization for Standardization (ISO) 8178 Test procedures: ISO 8178-1:1996(E) (“ISO 8178 Part 1”); ISO 8178-2: 1996(E) (“ISO 8178 Part 2”); and ISO 8178-4: 1996(E) (“ISO 8178 Part 4”), which are incorporated herein by reference; or
  - (iii) Title 13, California Code of Regulations, Section 2423, *Exhaust Emission Standards and Test Procedures – Off-Road Compression Ignition Engines*, which is incorporated herein by reference.

- (C) NMHC emission testing shall be done in accordance with one of the following methods:
  - (i) International Organization for Standardization (ISO) 8178 Test procedures: ISO 8178-1:1996(E) (“ISO 8178 Part 1”); ISO 8178-2: 1996(E) (“ISO 8178 Part 2”); and ISO 8178-4: 1996(E) (“ISO 8178 Part 4”), which are incorporated herein by reference; or
  - (ii) Title 13, California Code of Regulations, Section 2423, *Exhaust Emission Standards and Test Procedures –Off-Road Compression Ignition Engines*, which is incorporated herein by reference.
- (2) The Executive Officer may approve the use of alternatives to the test methods listed in paragraph (g)(1), provided the alternatives are demonstrated to the Executive Officer’s satisfaction as accurate in determining the emission rate of diesel PM, HC, NOx, NMHC, or CO.
- (h) Exemptions
  - (1) The requirements of this rule do not apply to portable CI engines or CI engines used to provide the motive power for on-road and off-road vehicles.
  - (2) The requirements of this rule do not apply to CI engines used for the propulsion of marine vessels or auxiliary CI engines used on marine vessels.
  - (3) The requirements specified in paragraph (c)(10) do not apply to single cylinder cetane test engines used exclusively to determine the cetane number of diesel fuels in accordance with American Society for Testing and Materials (ASTM) Standard D 613-03b, “Standard Test Method for Cetane Number of Diesel Fuel Oil,” as modified on June 10, 2003, which is incorporated herein by reference.
  - (4) The requirements specified in subparagraphs (c)(3)(C) and (c)(5)(A) do not apply to in-use stationary diesel-fueled CI engines used in emergency standby or prime applications that, prior to January 1, 2005, were required in writing by the district to meet and comply with either minimum technology requirements or performance standards implemented by the district from the *Risk Management Guidance for the Permitting of New Stationary Diesel-Fueled Engines*, October 2000, which is incorporated herein by reference.

- (5) The requirements specified in subparagraph (c)(3)(C) do not apply to permitted in-use stationary emergency standby diesel-fueled CI engines that will be removed from service or replaced prior to January 1, 2009, in accordance with an approved Office of Statewide Health Planning Development (OSHPD) Compliance Plan that has been approved prior to January 1, 2009, except that this exemption does not apply to replacement engines for the engines that are removed from service under the OSHPD plan.
- (6) The requirements in paragraphs (c)(1), (c)(4), and (c)(5) do not apply to any stationary diesel-fueled CI engine used solely for the training and testing of United States Department of Defense (U.S. DoD) students or personnel of any U.S. military branch in the operation, maintenance, repair, and rebuilding of engines when such training engines are required to be configured and designed similarly to counterpart engines used by the U.S. DoD, U.S. Military services, or North Atlantic Treaty Organization (NATO) forces in combat, combat support, combat service support, tactical or relief operations used on land or at sea.
- (7) The requirements specified in paragraphs (c)(1) through (c)(9) do not apply to stationary diesel-fueled CI engines used solely on San Clemente Island. The Executive Officer shall review the land use plans for the island at least once every five (5) years and withdraw this exemption if the land use plans are changed to allow use by the general public of the islands.
- (8) The requirements specified in paragraphs (c)(2) through (c)(9) do not apply to stationary diesel-fueled engines used solely on outer continental shelf (OCS) platforms located within 25 miles of California's seaward boundary.
- (9) Request for Exemption for Low-Use Prime Engines Outside of School Boundaries.

The Executive Officer may approve a Request for Exemption from the provisions of paragraph (c)(5) for any in-use stationary diesel-fueled CI engine located beyond school boundaries, provided the approval is in writing and the writing specifies all of the following conditions to be met by the owner or operator:

- (A) the engine is a prime engine;
  - (B) the engine is located more than 500 feet from a school at all times;
- and

- (C) the engine operates no more than 20 hours cumulatively per year, unless the engine is used to start a combustion turbine in a refinery cogeneration plant, in which case a different number of hours may be approved by the Executive Officer, on a case-by-case basis per facility, considering operational requirements and emission impacts.
- (10) The requirements in subparagraphs (c)(3)(C) and (c)(5)(A) do not apply to in-use dual-fueled diesel pilot CI engines that use an alternative fuel or an alternative diesel fuel.
- (11) The requirements in paragraph (c)(1), subparagraphs (c)(2)(C), (c)(3)(C), (c)(4)(A), and (c)(5)(A) do not apply to dual-fueled diesel pilot CI engines that use diesel fuel and digester gas or landfill gas.
- (12) The requirements in subparagraphs (c)(3)(C) and (c)(5)(A) do not apply to in-use stationary diesel-fueled CI engines that have selective catalytic reduction systems.
- (13) The requirements of subparagraph (c)(3)(C) do not apply to in-use emergency fire pump assemblies that are driven directly by stationary diesel-fueled CI engines and only operated the number of hours necessary to comply with the testing requirements of National Fire Protection Association (NFPA) 25 - *Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems*, 2002 edition or the most current edition, which is incorporated herein by reference.
- (14) The requirements of paragraph (c)(1), subparagraphs (c)(2)(C), (c)(2)(D), and (c)(3)(C), and paragraphs (c)(4) and (c)(5) do not apply to any stationary diesel-fueled CI engine used to power equipment that is owned by the National Aeronautics and Space Administration (NASA) and used solely at manned-space-flight facilities (launch, tracking, and landing sites), provided the Executive Officer approves this exemption in writing. This exemption only applies to diesel engines that power equipment which is maintained in the same configuration as similar equipment at all manned-space-flight facilities.
- (15) Upon written approval of the Executive Officer, the requirements of this rule shall not apply to stationary CI engines used exclusively:
  - (A) as engine test cells and test stands for testing CI engines, or CI engine components;

- (B) for operation or performance testing of fuels, fuel additives, or emission control devices at research and development facilities; or
  - (C) for maintenance, repair, or rebuild training at educational facilities.
- (16) The diesel PM requirements of subparagraph (c)(2)(C)(iv) do not apply to new stationary emergency standby diesel-fueled engines installed and with an application for Permit to Construct or Permit to Operate deemed complete on or after January 1, 2013, provided the following conditions are met:
- (A) the new stationary emergency standby engine is a replacement of an existing stationary emergency standby engine used for the same purpose; and
  - (B) the new stationary emergency standby engine is installed or to be installed at the same physical location as the engine being replaced; and
  - (C) the engine owner can demonstrate to the satisfaction of the Executive Officer, that there is insufficient space in the area where the engine is located such that installation or addition of emission control equipment would require demolition or removal of one or more load bearing walls, the floor, or the ceiling; and
  - (D) the installation of the new stationary emergency standby engine or other ancillary equipment, excluding emission control equipment, does not require the demolition or removal of one or more load bearing walls, the floor, or the ceiling; and
  - (E) engines meeting all of the requirements of subparagraphs (h)(16)(A) through (h)(16)(D) shall be a certified CI engine that emits diesel PM at a rate less than or equal to 0.15 g/bhp-hr; and
  - (F) the diesel PM requirement is not required pursuant to South Coast Air Quality Management District Rule 1401 – New Source Review of Toxic Air Contaminants or Regulation XIII – New Source Review.
- (i) Severability, Effect of Judicial Order  
In the event that any portion of this rule is held by judicial order to be invalid, such order shall not affect the validity of the remaining portions of this rule.
- (j) Applicability of the AB 2588 Air Toxics “Hot Spots” Program

Facilities that have stationary CI engines subject to this rule are also subject to the requirements of the AB 2588 Air Toxics “Hot Spots” Program.

(k) Major Sources

All major sources shall comply with the requirements of 40 CFR 63 subpart ZZZZ.

**ATTACHMENT G**

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

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**Final Staff Report**

**Proposed Rule 118.1 – Public Safety Provisions for Stationary Emergency Standby Engines**

**Proposed Amended Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines**

**October 2021**

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## **CHAPTER 1 – BACKGROUND**

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## INTRODUCTION

Over the last decade, California has experienced an increase in record-breaking wildfires, as wildfire conditions have intensified due to changing weather conditions such as increased temperatures and drought conditions. In 2012, the California Public Utilities Commission (CPUC) ruled that California Public Utilities Code Section 451 and 399.2(a) provides the authority for electric utilities to shut off electric power to reduce the risk of wildfires caused by electrical power infrastructure. As a result, utility distribution companies have begun implementing Public Safety Power Shutoff (PSPS) events to proactively cut power to electrical lines reducing the likelihood that infrastructure would cause or contribute to a wildfire. During a PSPS event, critical service facilities may need to rely on emergency standby engines to continue operations. South Coast Air Quality Management District (South Coast AQMD) regulations require permits for internal combustion engines, including emergency standby engines rated greater than 50 brake horsepower (bhp). Under Rule 1110.2 - Emissions from Gaseous- and Liquid-Fueled Engines, emergency standby engines are exempt from emission limits for oxides of nitrogen (NO<sub>x</sub>), volatile organic compounds (VOCs), and carbon monoxide (CO) provided the engine has permit conditions that limit engine operations to 200 hours or less per year. The Rule 1110.2 provisions related to emergency standby engines and the associated permit conditions that limit operating hours were established before implementation of the PSPS program began in 2018 and does not account for the use of emergency standby engines due to PSPS emergency conditions. Proposed Rule 118.1 – Public Safety Provisions for Stationary Emergency Standby Engines (PR 118.1) is intended to address the use of standby engines at critical service facilities during emergencies by allowing the exclusion of emergency standby engine operating hours during PSPS events from counting toward permit limits and other South Coast AQMD rules.

South Coast AQMD Rule 1470 - Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines includes requirements that limit annual maintenance and testing hours for emergency standby engines. Routine maintenance and testing are needed to ensure ~~can assure~~ that an emergency standby engine will operate properly during an actual emergency. A water district that provides water delivery and wastewater services has stated that existing Rule 1470 provisions for specific engines do not allow adequate testing to ensure engines operate during emergencies. Proposed Amended Rule 1470 (PAR 1470) will add an optional testing and maintenance schedule to provide water and sewage treatment facilities the ability to average the existing maintenance and testing hour limits over three years for specific engines located in a very high fire hazard severity zone. The option to average testing hours would allow more rigorous maintenance and testing to be conducted in one year without increasing the total maintenance and testing hours over the three years.

## REGULATORY HISTORY

### Rule 1110.2

Rule 1110.2 was adopted in August 1990 and amended 11 times since adoption. ~~It~~ is designed to reduce NO<sub>x</sub>, VOC, and CO emissions by establishing emission limits for stationary and portable engines rated greater than 50 bhp. Rule 1110.2 establishes NO<sub>x</sub>, VOC, and CO emission limits and includes emissions testing, monitoring, reporting, and recordkeeping requirements. Under Rule 1110.2, emergency standby engines, engines used for fire fighting and flood control, and any

other emergency engines approved by the Executive Officer are exempt from meeting NO<sub>x</sub>, VOC, and CO emission limits provided that the engine has a permit condition limiting the engine to 200 operating hours<sup>1</sup> or less per year. These exempted emergency engines are also exempt from the Rule 1110.2 emissions testing, monitoring, and reporting requirements.

### **Rule 1470**

Rule 1470 was adopted on April 2, 2004, to reduce diesel particulate from engines. Rule 1470 includes fuel requirements, emission standards for new engines, and operating requirements and emission standards for in-use (installed before January 1, 2005) and new engines. The Rule also establishes limits on maintenance and testing hours based on the PM emission rate of engines.

### **Rule 1472**

Rule 1472 was adopted on March 7, 2008, to reduce diesel PM emissions from facilities with three or more stationary emergency standby engines. Rule 1472 supplements Rule 1470 by requiring facilities with three or more engines to meet a specific risk level called an Engine Group Index with provisions on calculating the Engine Group Index. The Engine Group Index is based on health risk and facilities required to file a compliance plan are to comply with three different options: reduce Engine Group Index to less than or equal to 1.0, all engines meet a diesel PM emission rate less than or equal to 0.15 g/bhp-hr, or all engines within engine group emit diesel PM at a weighted average rate of less than or equal to 0.15 g/bhp-hr.

### **California Air Resources Board (CARB) Air Toxics Measure for Stationary Compression Ignition Engines**

On December 8, 2004, CARB adopted the Airborne Toxic Control Measure (ATCM) for Stationary Compression Ignition Engines, which establishes requirements to reduce diesel particulate matter and criteria pollutant emissions from stationary diesel-fueled compression ignition engines. California Health and Safety Code Section 39666 requires local air districts to implement and enforce the ATCMs or adopt and enforce equally effective or more stringent ATCM requirements than those adopted by CARB. Rule 1470 is designed to implement the state ATCM. Since Rule 1470 and the state ATCM focus on requirements from single engines, South Coast AQMD staff was concerned about multiple engines at a single location that collectively could create a significant health risk. Rule 1472 is designed to go beyond Rule 1470 and the ATCM as it establishes requirements for facilities with three or more stationary emergency standby engines.

#### ***Rules 1470 and 1472 are More Stringent than CARB's ATCM***

Rule 1470 establishes requirements that are more stringent than the state ATCM. Specifically, Rule 1470 includes more stringent emission level requirements for new engines less than 50 meters from a sensitive receptor and allows fewer annual maintenance and testing hour limits for health facilities when compared to the state ATCM. Additionally, under Rule 1470 requirements the cleanest engines include permit limits for up to 50 hours annually for maintenance and testing compared to the state ATCM, which allows up to 100 hours. Table 1-1 compares the PM emission limits for new engines less than 50 meters from a sensitive receptor between Rule 1470 and the

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<sup>1</sup> Operating hours include all operations such as emergency use, non-emergency use, maintenance, and testing

state ATCM to highlight where Rule 1470 is more stringent. Table 1-2 compares the annual maintenance and testing limits between Rule 1470 and the state ATCM to highlight provisions where Rule 1470 is more stringent. In addition, Rule 1472 establishes requirements for facilities with multiple engines to meet the Engine Group Index or file a compliance plan, making these provisions more stringent than the state ATCM which does not establish in-use PM or health risk requirements for facilities with multiple engines.

**Table 1-1**

**Comparison Between Rule 1470 and the ATCM PM Emission Limits for New Engines Near Sensitive Receptors**

Engine Size	Rule 1470	State ATCM
50 < HP < 175	0.15 g/bhp-hr	0.15 g/bhp-hr
175 ≤ HP ≤ 750	0.01 g/bhp-hr	0.15 g/bhp-hr
> 750 HP	0.075 g/bhp-hr 0.02 g/bhp-hr	0.15 g/bhp-hr

**Table 1-2**

**Comparison Between Rule 1470 and the ATCM for Annual Maintenance and Testing Hours**

Engine	Diesel PM Emission Rate (g/bhp-hr)	Rule 1470	State ATCM
In-use	> 0.4 g	30 hours*	40 hours*
In-use	>0.15 and ≤0.4 g	30 hours*	40 hours*
New	≤0.01	50 hours	Up to 100 hours

\*Specific to health facilities

### **Rule 118**

Rule 118 was adopted on December 7, 1995, to allow the Executive Officer to suspend specific South Coast AQMD rules, regulations, or orders during a state or federally declared State of Emergency. Rule 118 applies to any facility, equipment, or process within South Coast AQMD's jurisdiction that is necessary to operate to protect public health and safety during a State of Emergency. Under Rule 118, a suspension may be rule-specific and region-specific depending on the emergency. The rule suspension will be for ten calendar days but may be extended by the Executive Officer if deemed necessary.

### **United States Environmental Protection Agency (U.S. EPA) Stationary Engine Rules**

Title 40 Code of Federal Regulations Part 63 Subpart ZZZZ was adopted on June 15, 2004, to establish National Emission Standards for Hazardous Air Pollutants (NESHAP) for reciprocating internal combustion engines (RICE). As one of the requirements to demonstrate compliance, Section 63.6640 limits emergency stationary RICE to 100 hours per calendar year for maintenance and testing purposes of which 50 operating hours can be used for non-emergency situations. Title 40 Code of Federal Regulations Part 60 Subpart IIII was adopted on July 11, 2006, to establish

standards and regulations for stationary compression ignition internal combustion engines. Section 60.4211 specifies the requirements to qualify as an emergency stationary internal combustion engine and, similar to the RICE regulation, also includes a maintenance and testing operating limit of 100 hours per calendar year which includes up to 50 hours for non-emergency operations. For both regulations, there are no restrictions on engine operating hours during emergencies. Non-emergency operation and maintenance and testing are counted towards the 100 hour calendar year limit, with non-emergency operations further limited to no more than 50 hours per calendar year. Non-emergency operations include the periods when electrical power is available from the utility.

## **PUBLIC SAFETY POWER SHUTOFF EVENTS**

The California Public Utilities Commission (CPUC) regulates privately owned electric utilities, also referred to as investor-owned utilities or IOUs. According to the CPUC, although electric utility infrastructure has historically been responsible for less than ten percent of reported wildfires, roughly half of the most destructive fires in California history are attributed to power lines.<sup>2</sup> In 2012, the CPUC ruled that California Public Utilities Code Section 451 and 399.2(a) provides the authority for electric utilities to shut off electric power to protect public safety. Accordingly, electric utilities such as Southern California Edison (SCE), San Diego Gas & Electric (SDG&E), Pacific Gas & Electric (PG&E), Liberty, Bear Valley, and PacifiCorp have de-energized powerlines as a method of fire prevention as powerlines can potentially cause a wildfire during certain weather conditions. According to SCE, the CPUC has directed California's three largest investor-owned utilities (SCE, SDG&E, and PG&E) to coordinate and prepare all customers for power outages during a PSPS event. Because every situation is unique, each utility provider determines when to notify and initiate a PSPS event and how it will be implemented. The utility provider decides when to de-energize power lines by monitoring local fire conditions and considering a combination of weather and environmental factors. These may include but are not limited to high winds and high wind gusts, low humidity levels, dry vegetation, red flag warnings, fire threat to electric infrastructure, and real-time observations.<sup>3</sup>

On April 19, 2012, the CPUC provided the first PSPS guidance for implementing programs to shut off power for public safety reasons and fire prevention measures.<sup>4</sup> The CPUC continues to revise PSPS guidelines as part of its continuing actions to mitigate the impacts of PSPS events. After the wildfires in southern California in 2017, the CPUC adopted Resolution ESRB-8, which adds new requirements for utility providers to make all feasible attempts to notify customers before performing a de-energization and requires utilities to submit a post-event report within ten days

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<sup>2</sup> California Public Utilities Commission. *Public Safety Power Shutoff (PSPS) / De-Energization*. Retrieved April 21, 2021, from <https://www.cpuc.ca.gov/psps>

<sup>3</sup> *Public Safety Power Shutoff: The Power of Being Prepared*. Retrieved April 22, 2021, from <https://prepareforpowerdown.com/>

<sup>4</sup> *Decision Granting Petition to Modify Decision 09-09-030 and Adopting Fire Safety Requirements for San Diego Gas & Electric Company*. Retrieved May 11, 2021, from [https://docs.cpuc.ca.gov/PublishedDocs/WORD\\_PDF/FINAL\\_DECISION/165063.PDF](https://docs.cpuc.ca.gov/PublishedDocs/WORD_PDF/FINAL_DECISION/165063.PDF)

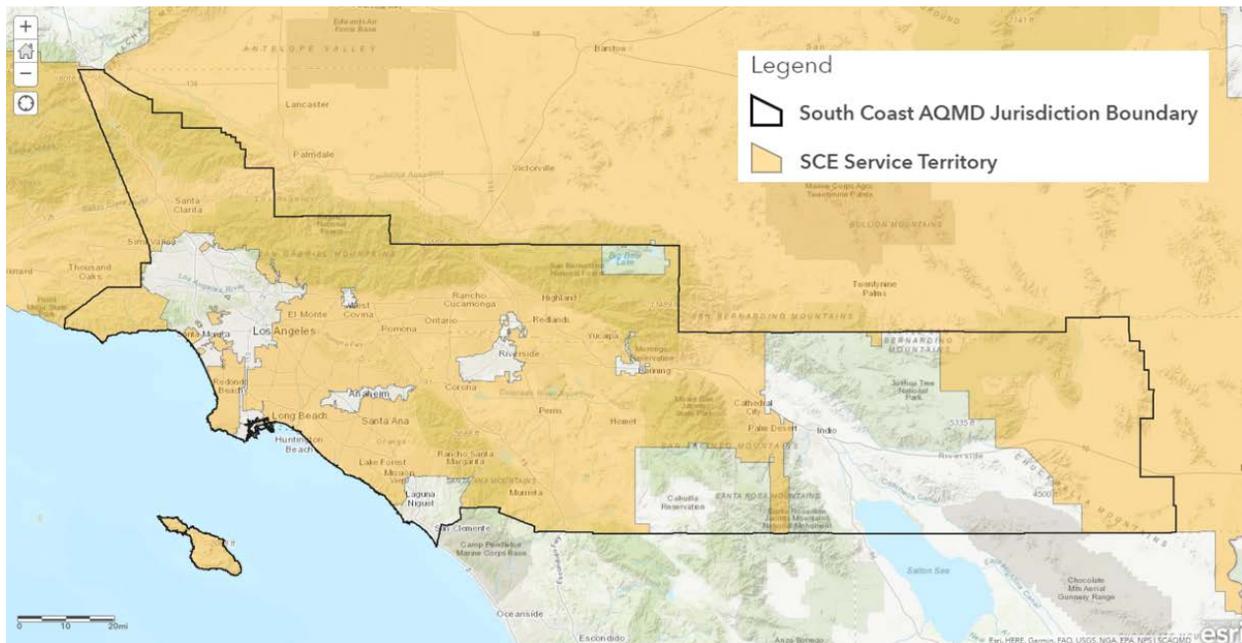
after each de-energization event.<sup>5</sup> The most recent PSPS guidelines (D.20-05-051)<sup>6</sup> were adopted on June 5, 2020. These guidelines examine the PSPS process, direct the utility providers on best practices, and provide a framework for mitigating wildfire risk and the impact on customers when implementing a PSPS event. The CPUC provides updated information on current PSPS guidelines and actions taken to mitigate the impacts of PSPS events through their website at <https://www.cpuc.ca.gov/psps/>.

## SOUTHERN CALIFORNIA EDISON

Southern California Edison (SCE) is one of California’s largest investor-owned utilities. According to SCE, in 2015, the utility provided electricity to 15 million people in 180 incorporated cities over 15 counties.<sup>7</sup> The SCE service area includes approximately 50,000 square miles, and a map of SCE’s service area within the jurisdictional boundaries of South Coast AQMD is illustrated in Figure 1-1.

**Figure 1-1**

### Southern California Edison Service Territory Within South Coast AQMD Jurisdiction



As described in Chapter 2 of the Draft Staff Report, PR 118.1 provisions are applicable to critical service facilities that receive electrical power from either investor-owned utilities or publicly owned utilities (e.g., Los Angeles Department of Water and Power, City of Anaheim, etc.).

<sup>5</sup> *Resolution Extending De-energization Reasonableness, Notification, Mitigation and Report Requirements in Decision 12-04-024 To All Electric Investor Owned Utilities* Retrieved May 19, 2021, from <https://docs.cpuc.ca.gov/publisheddocs/published/g000/m218/k186/218186823.pdf>

<sup>6</sup> *Decision Adopting Phase 2 Updated And Additional Guidelines For De-energization of Electric Facilities to Mitigate Wildfire Risk*. Retrieved May 19, 2021, from <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M339/K524/339524880.PDF>

<sup>7</sup> *Southern California Edison: About Us*. Retrieved April 30, 2021, from <https://www.sce.com/about-us/who-we-are>

However, the following paragraphs summarize SCE’s implementation of PSPS events because SCE operates and maintains most of the electrical infrastructure within the South Coast AQMD.

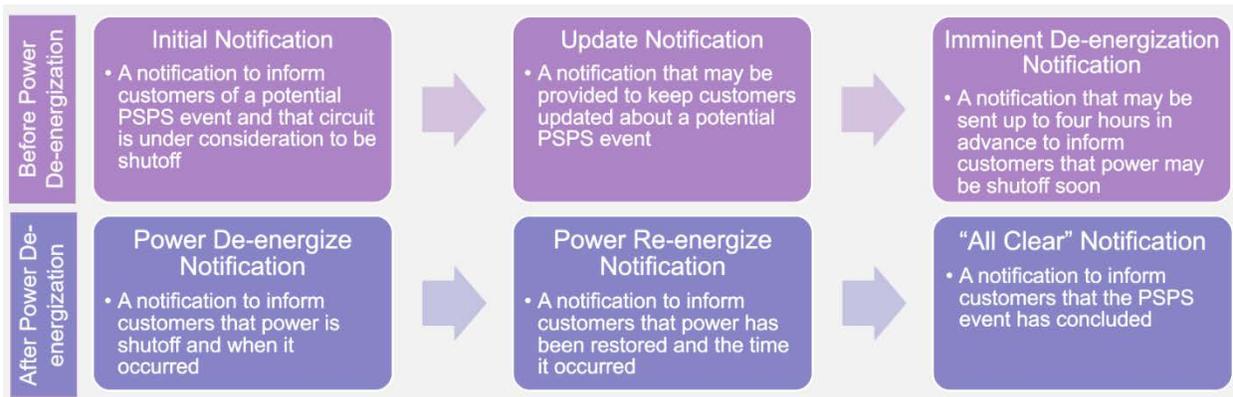
**Southern California Edison PSPS Implementation**

SCE began implementing PSPS events in 2018. As part of the PSPS process, SCE monitors for extreme weather and high fire danger. When extreme weather is forecast, the PSPS process begins when SCE activates their dedicated PSPS Incident Management Team to coordinate response operations associated with the potential implementation of a PSPS event. As SCE monitors weather forecasts, a range of dates may be established where circuits are under consideration for a de-energization.<sup>8</sup>

Customers are issued an initial notification up to three days in advance of a PSPS event. Subsequently, update notifications may be provided once a day to update customers on the current status of the potential PSPS event. The determination if a PSPS event leads to the de-energization of powerlines is unique to each potential PSPS event and depends on weather conditions. If weather conditions elevate, SCE may issue an imminent de-energization notification to inform customers that power may be shut off in the next one to four hours to reduce the risk of wildfire ignition. Usually, imminent de-energization notifications are sent to customers in advance to provide time to prepare for the loss of power. ~~Although~~ However, if weather conditions escalate rapidly, there may not be sufficient time to send an imminent de-energization notification prior to power being shut off ~~may not be sent out before power is shut off due to lack of time.~~ A flow chart depicting an overview of SCE’s notification process is illustrated in Figure 1-2.

**Figure 1-2**

**Overview of Southern California Edison’s PSPS Notification Process**



Receiving an imminent de-energization notification does not confirm that power will be shut off. Therefore, two scenarios can occur after customers receive an imminent de-energization notification: power is not shut off (Scenario A), or power is shut off (Scenario B).

<sup>8</sup> De-energization and shut off will be used interchangeably throughout this report

In Scenario A, weather conditions may suddenly improve, and SCE may determine that it is unnecessary to shut off the power. If power is not shut off, the imminent de-energization notification expires after four hours. The circuit of concern will then remain on SCE’s monitor list and under consideration for a de-energization event. As weather conditions fluctuate, customers may receive multiple imminent de-energization notifications during a single PSPS event.

In Scenario B, after a customer receives an imminent de-energization notification, power is shut off. The power shut off can occur after the first imminent de-energization notification or subsequent ones. When power has been shut off, customers will receive a power de-energize notification detailing which segment of the circuit was shut off, location, and the date and time of shutoff. SCE may issue an imminent re-energization notification detailing an estimated time that power will be restored as weather conditions improve. Once power has been restored, a power re-energization notification is distributed to customers.

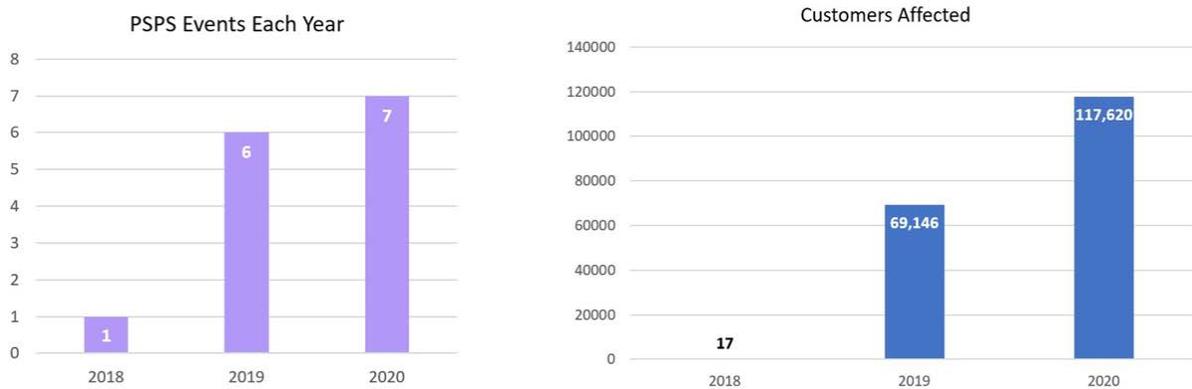
Once weather conditions improve, customers that received an initial notification, imminent de-energization notification, or power de-energize notification will receive an all-clear notification regardless of if power was shut off or not. The all-clear notifications inform customers that all circuits in the county have been re-energized and that the PSPS event is over. If a circuit takes longer to re-energize due to different reasons such as the need for repair, inability to access infrastructure, etc., the circuit may be transitioned to a different event classified as an Operations event. Because of this, some customers may face a delay in getting power restored. ~~However,~~ <sup>a</sup>After power is restored following an Operational event, the customers will receive a notification that power has been restored.<sup>9</sup>

### **Southern California Edison PSPS Data**

From January 2018 to December 2020, 14 PSPS events occurred within South Coast AQMD’s jurisdiction resulting in circuit de-energization that impacted customers. Overall, there has been an increasing trend in PSPS events, and the number of customers affected each year, as depicted in Figure 1-3. However, while the same circuit can be de-energized in multiple PSPS events throughout the year, the same customers may not be affected each time because only portions of a circuit are shut off. To learn more about a specific PSPS event, SCE is required to release a post-event report after each PSPS event which can be found at the following website <https://www.sce.com/wildfire>.

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<sup>9</sup> *Southern California Edison Public Safety Power Shutoff Protocol (PSPS) Post-Event Reporting in Compliance with Resolution ESRB8 and PSPS OIR Phase 1 & 2 Requirements December 16 to December 24, 2020.* Retrieved June 6, 2021, from <https://www.sce.com/sites/default/files/inline-files/121620%20-%20SCE%20PSPS%20Post%20Event%20Report%20-%20Amended%20Final.pdf>

**Figure 1-3****Number of PSPS Events and Customers Affected Each Year**

The data in Table 1-3 depicts further details about each PSPS event that occurred from 2018-2020 within the South Coast AQMD. Table 1-3 provides the date of each PSPS event beginning when a circuit was first de-energized and until power to the last circuit was restored, the number of circuits shut off, and the total number of customers affected. Each circuit that is shutoff is unique, and therefore the shutoff duration of each circuit will vary. The fourth column (“Range of Shutoff Duration”) of the table depicts the shortest and longest shutoff duration of any de-energized circuit. The average shutoff duration is calculated by averaging together all the circuits shutoff in a particular PSPS event. The variation between each circuit can also be seen in the number of customers affected. The fifth column (“Range of Customers Affected”) depicts the fewest to the largest number of customers affected by any one circuit.

**Table 1-3****Summary Table of PSPS Events Implemented By Southern California Edison Within South Coast AQMD Jurisdiction From 2018 – 2020**

Year	PSPS Event	Circuit Shutoff	Range of Shutoff Duration	Average Shutoff Duration <sup>1</sup>	Range of Affected Customers	Total Affected Customers
2018	Nov 8 – 9	2	16 – 17 hours	~16.5 hours	8 – 9	17
2019	Sep 24	2	6 hours	~6 hours	9 – 76	85
2019	Oct 9 – 12	12	13 – 50 hours	~31 hours	5 – 2,728	4,522
2019	Oct 20 – 21	3	8 – 14 hours	~10 hours	10 – 165	246
2019	Oct 24 – 27	24	14 – 80 hours	~33 hours	5 – 2,205	14,985
2019	Oct 27 – Nov 1	62	6 – 62 hours	~28 hours	2 – 2,408	49,212
2019	Nov 25 – 27	2	20 – 43 hours	~31.5 hours	25 – 71	96
2020	Sep 9 – 11	5	11 – 55 hours	~20 hours	9 – 62	136
2020	Oct 26 – 28	42	7 – 57 hours	~28 hours	5 – 2,366	27,224
2020	Nov 17 – 18	2	25 hours	~25 hours	9 – 165	174
2020	Nov 26 – 28	22	2 – 53 hours	~25 hours	5 – 1,774	10,115
2020	Dec 2 – 4	71	6 – 53 hours	~26 hours	1 – 2,051	29,610
2020	Dec 7 - 9	75	9 – 53 hours	~27 hours	2 – 2,675	33,857
2020	Dec 18 – 24	30	2 – 32 hours	~20 hours	2 – 2,739	16,504

**Southern California Edison Wildfire Mitigation**

In addition to PSPS events, SCE implements a Wildfire Mitigation Plan that outlines measures to reduce the risk of potential wildfire causing ignitions associated with their electrical infrastructure. According to SCE, the Wildfire Mitigation Plan includes vegetation management and annual inspection of overhead transmission, distribution, and generation equipment in high fire risk areas to identify potential hazards<sup>10</sup>. The Wildfire Mitigation Plan also emphasizes installing new or improved devices and technologies as part of the SCE grid design and system hardening activities to minimize the number of customers impacted during a PSPS event. Because monitoring weather

<sup>10</sup> Southern California Edison Wildfire Mitigation Efforts. Retrieved May 27, 2021, from <https://www.sce.com/wildfire/wildfire-mitigation-efforts>

conditions is a method used to predict wildfire risks, plans are also being made to install additional weather stations.

According to SCE, activities for 2021 include refining inspections of high fire risk areas, expanding system hardening activities to make the grid more resilient, improving fire agencies' ability to detect and respond to emerging fires, and establishing central data platforms for next-generation data analytics and governance.<sup>11</sup> SCE is continuing to work towards reducing the size, frequency, and duration of PSPS events by implementing these wildfire mitigation strategies and hardening power lines. However, PSPS events will remain as a method of mitigating wildfire risk during extreme fire weather conditions. Further details about the actions SCE is taking to minimize the impacts of PSPS events and their 2021 Wildfire Mitigation Plan can be found at <https://www.sce.com/wildfire/wildfire-mitigation-efforts>.

### **NEED FOR PROPOSED RULE 118.1**

When Rule 1110.2 established the annual operating limit for emergency engines of 200 hours or less in 1990, PSPS events did not exist and were not considered part of emergency engine usage. As California is experiencing more intense wildfires in recent decades, utility providers may implement PSPS events more frequently, requiring certain entities that provide critical public services to operate emergency standby engines. ~~It is recognized that~~ During PSPS events, critical service facilities will need to maintain power to provide continuous services for the public and protect public health and safety. Accordingly, critical service facilities may need to operate emergency standby engines above the 200-hour limitation included in South Coast AQMD permits and other South Coast AQMD rules.

Under current South Coast AQMD rules, a facility that exceeds the permitted operating hour limits can petition the South Coast AQMD Hearing Board and file for a variance. PR 118.1 is needed to provide critical service facilities another option for regulatory certainty and relief other than petitioning the South Coast AQMD Hearing Board. PR 118.1 will allow critical service facilities the option to exclude operating hours during PSPS events provided that the Executive Officer is notified when an emergency standby engine exceeds the permitted operating hour limit and supporting documentation is maintained to support a PSPS occurrence. Rule 118 can also provide regulatory relief after a State of Emergency is declared, however, since a PSPS event is a preventative measure, facilities cannot receive regulatory relief under Rule 118 for operating emergency standby engines.

### **NEED FOR PROPOSED AMENDED RULE 1470**

During the Woolsey Fire in 2018, a water district needed additional electrical power to maintain critical public services. In response, a mutual aid request was made through CalWARN, a mutual aid system, to receive a portable emergency engine. Although the engine appeared to be kept in proper working order, it was an older engine and the hours of testing and maintenance logged on the engine were unknown. The engine failed during the emergency event resulting in a boil water alert to the community. According to the water district, these events and the associated actions

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<sup>11</sup> 2021 Wildfire Mitigation Plan Update. Retrieved May 27, 2021, from [https://download.newsroom.edison.com/create\\_memory\\_file/?f\\_id=601c9eeeb3aed375e1fffa67&content\\_verified=True](https://download.newsroom.edison.com/create_memory_file/?f_id=601c9eeeb3aed375e1fffa67&content_verified=True)

highlighted the need to conduct more extensive testing on existing engines to better ensure engines are reliable in a PSPS event or wildfire.

PAR 1470 is needed to allow water and sewage facilities to periodically conduct more rigorous maintenance and testing of engines located in a very high fire hazard severity zone as these areas have a higher chance of being impacted by power shutoffs from wildfires. PAR 1470 proposes an alternative testing schedule that will allow water and sewage facilities to conduct more rigorous testing, with no increase in the estimated health risk.

## **AFFECTED INDUSTRIES/FACILITIES**

### **PR 118.1**

PR 118.1 will apply to critical service facilities, including essential public services under Rule 1302, sewage pumping plants (also referred to as lift stations), pumping plants used for recycled water as defined in Title 22 - Section 60304 of the California Code of Regulations, natural gas delivery facilities, health facilities as defined in Section 1250 of the California Health and Safety Code, and facilities used exclusively for telecommunications, including radio and cell towers. Based on a review of South Coast AQMD permit data, approximately 2,560 facilities meet the definition of a critical service facility, and from these facilities, there are approximately 3,434 emergency engines. However, the number of facilities that may exceed emergency engine permit operating limits due to PSPS events is unknown as the number of future PSPS events and the specific areas affected is unknown.

### **PAR 1470**

PAR 1470 provisions regarding maintenance and testing hours for engines with a 20-hour limitation will be available to water and sewage facilities with engines located in a very high fire severity zone. The California Fire Hazard and Severity Zones map identifies areas of significant fire hazards based on various factors such as fire history, natural vegetation, terrain, and the typical weather conditions in that area. These hazard areas are based on physical conditions that increase the likelihood that an area will burn over a 30-50 year period. The map is established by the California Department of Forestry and Fire Protection and is depicted in Figure 1-4.

Based on a review of South Coast AQMD permit data, it is estimated that there are up to 359 emergency standby engines with permit conditions that limit maintenance and testing to 20 hours at water and sewage facilities. A review of California Fire Hazard and Severity Zones mapping indicates 94 of those engines are located in a very high fire hazard severity zone and is depicted in Figure 1-5.

## **PUBLIC PROCESS**

Development of PR 118.1 and PAR 1470 is being conducted through a public process. A PR 118.1 and PAR 1470 Working Group was formed to allow the public and stakeholders to discuss details of the proposed rule and provide South Coast AQMD staff with input during the rule development process. The Working Group includes representatives from businesses, environmental and community groups, public agencies, and consultants. South Coast AQMD has held four Working Group Meetings via Zoom videoconference and teleconference due to COVID-19. The meetings held via Zoom were on December 10, 2020, April 8, 2021, May 27, 2021, and July 9, 2021. A

Public Workshop was also held on July 29, 2021, via Zoom to present preliminary draft rule language for PR 118.1 and PAR 1470 and receive public comment.

**Figure 1-4**  
**Map of California Fire Hazard Severity Zones**

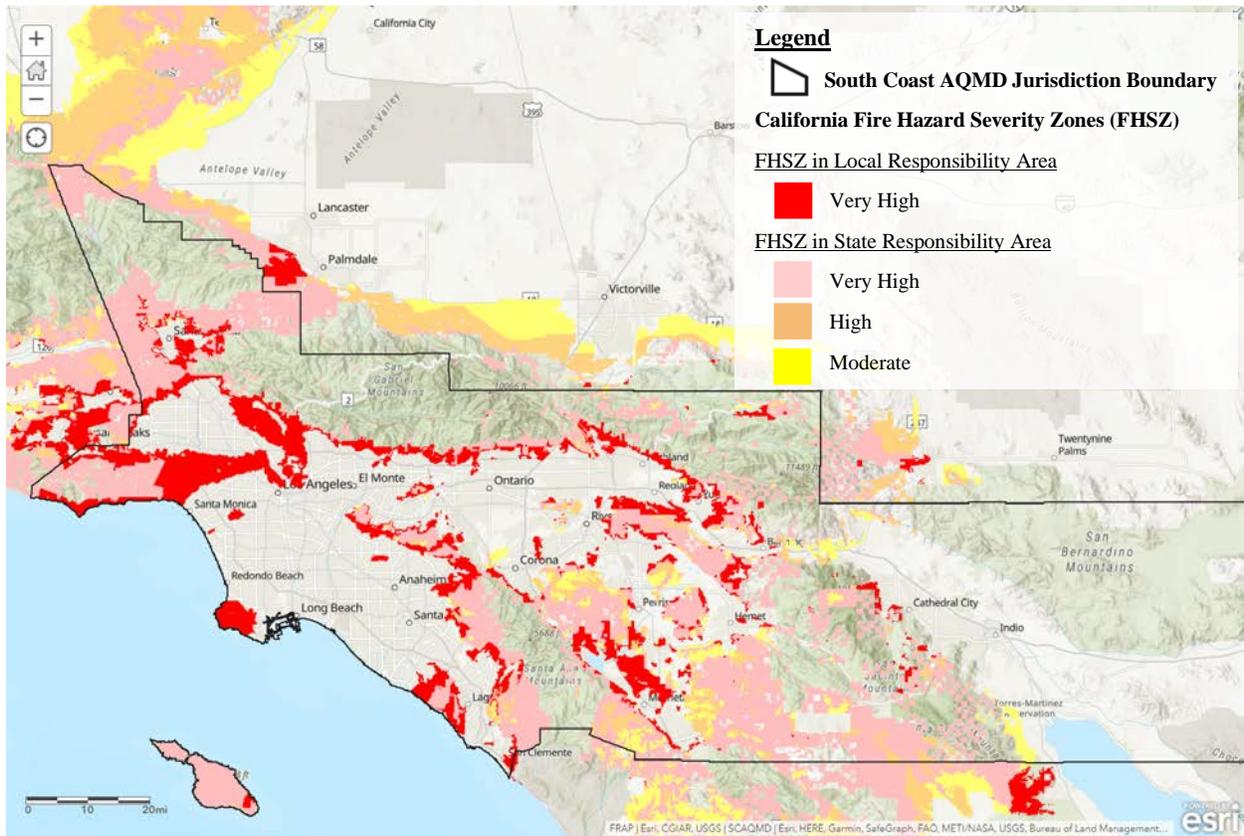
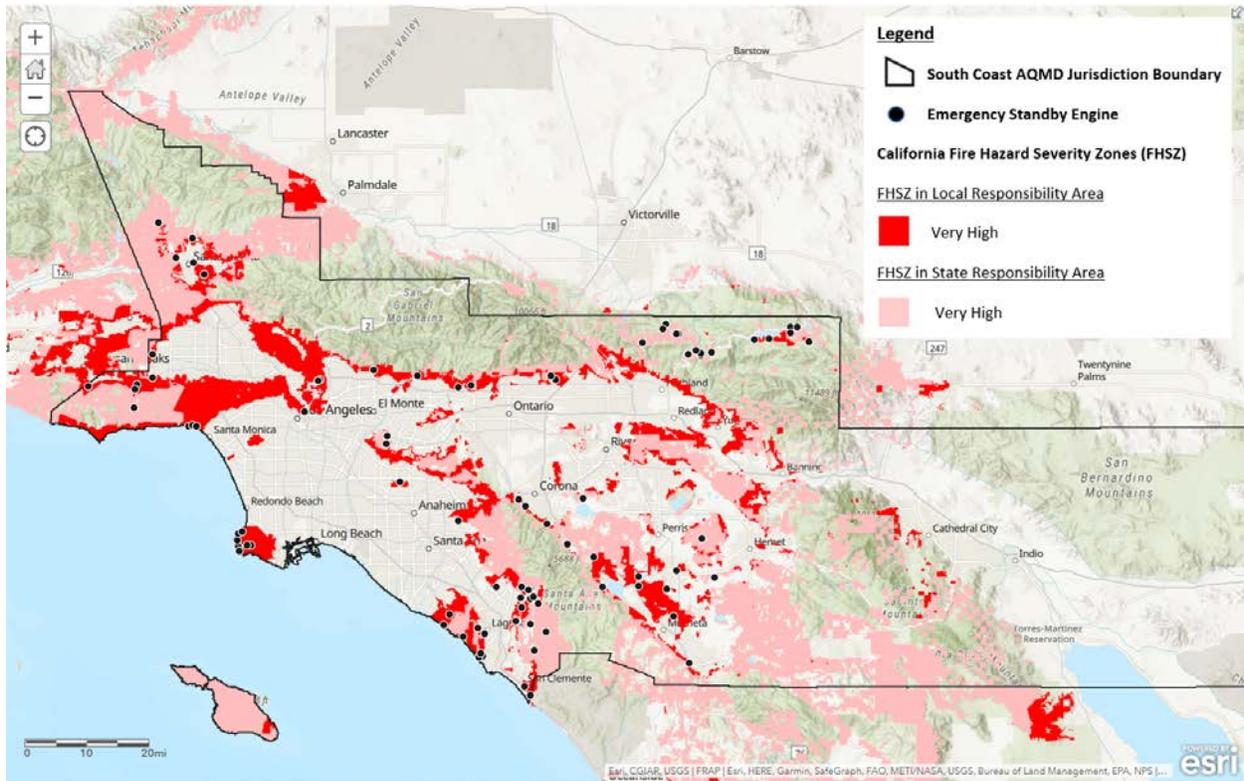


Figure 1-5

**PAR 1470 Water and Sewage Engines With 20 Maintenance and Testing Hours Limits Located in a Very High Fire Hazard Severity Zone**



**CHAPTER 2 – SUMMARY OF PROPOSED RULE 118.1**

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## **OVERALL APPROACH**

Proposed Rule 118.1 is designed to address the use of emergency standby engines for critical service facilities during PSPS events. PR 118.1 includes a notification process and recordkeeping requirements for facilities that seek to exclude emergency standby engine operating hours.

The following is a summary of PR 118.1 provisions.

### **Purpose – Subdivision (a)**

The purpose of PR 118.1 is to allow an owner or operator of a critical service facility to exclude emergency standby engine operating hours due to a PSPS event since PSPS events were not foreseen when the 200 hour operating limit was established. Other South Coast AQMD programs have been established for non-PSPS emergencies. For example, if the governor or the federal government declares a State of Emergency, the Executive Officer can suspend specific South Coast AQMD rules under existing South Coast AQMD Rule 118 – Emergencies. Additionally, a facility can seek regulatory relief by petitioning the South Coast AQMD Hearing Board and filing for a variance.

### **Applicability – Subdivision (b)**

PR 118.1 applies to an owner or operator of a critical service facility of an emergency standby engine that has a permit operating limit of 200 hours or less per year. A review of existing emergency standby engine permits indicates most permits limit operation to 200 hours per year; however, some may specify lower annual limits such as 199 hours. PR 118.1 provisions apply to emergency standby engines with permit conditions that limit operation to 200 hours, or less per year.

PR 118.1 is limited to critical service facilities recognizing the importance of a critical service facility to protect public health and safety during emergencies by providing continuous services.

### **Definitions – Subdivision (c)**

PR 118.1 includes definitions for specific terms. Some definitions are based on other South Coast AQMD rules, while others are unique to PR 118.1. For certain definitions, additional clarification is provided in this section or where the definition is used within a specific subdivision. Please refer to PR 118.1 for actual definitions.

#### ***Critical Service Facility***

Throughout the rulemaking process, staff worked with the Working Group to develop a critical service facility definition. In general, staff included those facilities that provide a service where continuous operation is needed to protect public health and safety. The definition of a critical service facility goes beyond the definition of “essential public service” used in Rule 1302, which is designed to identify those public service facilities that have specific exemptions under Regulation XIII – New Source Review because they are generally funded by public monies while providing a public service. For PR 118.1, a critical service facility includes essential public services from South Coast AQMD Rule 1302, which includes: publicly owned and operated sewage treatment facilities that are consistent with an approved regional growth plan, prisons, police facilities, fire fighting facilities, schools, hospitals, construction and operation of a landfill gas control or processing facility, water delivery operations, and public transit.

Under the essential public service definition in Rule 1302, water delivery operations are specific to facilities that process and deliver potable water. Additionally, the Rule 1302 essential public service definition for sewage treatment facilities does not include emergency standby engines at off-site sewage pumping plants. Based on stakeholder input, sewage pumping plants and pumping plants for recycled water as defined in Title 22, Section 60304 of the California Code of Regulations have been included in the PR 118.1 critical service facility definition.

The critical service facility definition also includes health facilities as defined in Section 1250 of the California Health and Safety Code, natural gas delivery facilities, and facilities used exclusively for telecommunications, including radio and cell towers. Natural gas delivery facilities will refer to facilities that are critical to the delivery of natural gas including gas control, call centers/dispatch operations, gas storage, and pipeline compressor stations. The critical service facility definition is specific to PR 118.1, and the rule provisions are only for emergency standby engines at these facilities.

### ***Emergency Standby Engine***

The emergency standby engine definition is based on the definition from Rule 1110.2 – Emissions from Gaseous- and Liquid-Fueled Engines and includes engine use during a loss of power.

### ***Imminent Shutoff Notification***

An imminent shutoff notification may be sent out by the utility distribution company to let customers know that power may be shut off. The PR 118.1 definition for an imminent shutoff notification references notices sent by a utility distribution company and, for the purpose of this rule, imminent shutoff notification and imminent de-energization notification have the same meaning.

### ***Public Safety Power Shutoff Event***

When a PSPS event is implemented, powerlines may be de-energized by the utility distribution company as a safety precaution to reduce the chance of infrastructure causing or contributing to a wildfire. These events differ from rotating outages. Rotating outages occur when the state's electricity demand outpaces available supply resulting in the need for a utility distribution company to immediately reduce electrical load by shutting off power to customers for about an hour.

### ***Utility Distribution Company***

Although most critical service facilities in the South Coast AQMD receive power from SCE (an investor-owned utility), some are served by publicly owned utilities (e.g., City of Anaheim). The intent of PR 118.1 is allow customers of either type of utility to be eligible to exclude emergency engine operating hours due to PSPS events. Accordingly, the utility distribution company definition includes organizations that manage energy transmission and distribution as overseen by the CPUC or by municipal districts or municipalities.

## **Provisions for Excluding Public Safety Power Shutoff Events – Subdivision (d)**

Paragraph (d)(1) establishes the provision that allows a critical service facility with an emergency standby engine to exclude engine operating hours during a PSPS event. Subparagraphs (d)(1)(A) and (d)(1)(B) further specify notification and recordkeeping procedures for a facility that operates

an emergency standby engine during a PSPS event that is opting to exclude those hours from permit operating limits and other South Coast AQMD rules.

Paragraph (d)(2) establishes the three conditions when emergency standby engine operating hours due to a PSPS event can be excluded. If applicable, facilities can elect to exclude operating hours associated with one or more of the applicable conditions specified in paragraph (d)(2).

Under subparagraph (d)(2)(A), operating hours that can be excluded include the de-energization period for a PSPS event beginning from the time power was shut off until the time power was restored. There have been situations where SCE de-energizes power during a PSPS event and after the weather conditions that triggered the PSPS event ended, a follow up inspection determines that individual power lines may need repair. In other situations, a wildfire or other event may occur during a PSPS event which may extend power outages beyond the PSPS period. In either case, power that was shut off during a PSPS event may remain shut off for individual customers after the utility distribution company determines the PSPS event has ended. Under these circumstances, PR 118.1 would allow critical service facilities to exclude emergency standby engine operating hours beginning from when power was shut off due to a PSPS event and until power is restored (activities associated with a PSPS event). It is possible that following repair activities or other PSPS associated activities, power may be temporarily restored and then may need to be shut off again to conduct further repairs. Although these circumstances do not result in a continuous loss of power, critical service facilities are eligible to exclude these engine operating hours until power is fully restored.

Subparagraph (d)(2)(B) includes provisions for excluding emergency engine operating hours as a result of a facility receiving an imminent shutoff notification. As described in Chapter 1, SCE will send an imminent shutoff notification to customers as weather conditions elevate to allow customers an opportunity to prepare for a possible power shutoff event. After an imminent shutoff notification is sent, two situations may occur: Scenario A (power is shut off) and Scenario B (power is not shut off). In either case, after receiving an imminent shutoff notification, some facilities proactively start and operate the engines prior to power de-energization to ensure continuous operation. Under the provisions of subparagraph (d)(2)(B), up to three operating hours can be excluded for each imminent shutoff notification received regardless of whether the power is shut off. The exclusion of operating hours can only begin after the date and time that the imminent shutoff notification is received and the three hours that can be excluded must be associated with the corresponding imminent shutoff notification. Hours that are associated with each imminent shutoff notification means that the three hours eligible to be excluded are specific to each notification and cannot be combined. For example, during a PSPS event a facility received a total of two imminent shutoff notifications. During the first imminent notification received, the emergency engine ran for two hours and so those two hours are eligible to be excluded. For the second imminent shutoff notification, no more than three hours are eligible to be excluded even though during the first imminent shutoff notification the facility only excluded two hours. For instances when the engine is operated while power is available (such as when power is not shutoff (Scenario B), or when engines are operated in advance of a power shutoff or after power has been restored under Scenario A), engine operating hours associated with an imminent shutoff notification will apply towards the 50 hour operating limit for non-emergency situations included in federal stationary engine rules (40 CFR Part 63, Subpart ZZZZ and 40 CFR Part 60, Subpart III).

Subparagraph (d)(2)(C) allows for the exclusion of emergency engine operating hours for repair activities associated with a PSPS event. Specifically, after a de-energization event, certain circuits may take longer to restore if there is a need for repair, inability to access infrastructure, etc. This may prolong power de-energization for some customers. Accordingly, subparagraph (d)(2)(C) specifies that a facility can exclude the emergency engine operating hours during the time power is shut off if the utility distribution company can document that power could not be restored due to repair activities associated with a PSPS event.

#### **Notification Requirements – Subdivision (e)**

Paragraph (e)(1) establishes the notification requirements for an owner or operator of an emergency standby engine to be eligible to exclude operating hours due to a PSPS event. If an emergency standby engine exceeds the permitted operating hour limit and the owner or operator elects to exclude engine operation hours during events specified in subparagraphs (d)(2)(A) through (d)(2)(C), the facility must notify the Executive Officer by calling 1-800-CUT-SMOG within 48 hours of knowing about the occurrence. PR 118.1 requires a one-time notification for the calendar year for the first time the owner or operator is aware of the engine exceeding the operating hour limits regardless of the type of engine operating hours that caused the exceedance. If the use of an emergency standby engine exceeds 200 hours per year after excluding all eligible hours allowed under PR 118.1, the owner or operator is in violation of the annual 200-hour permit limit, and the facility can seek a variance from the South Coast AQMD's Hearing Board.

Paragraph (e)(2) specifies the necessary information for the owner or operator to provide during a notification. Specifically, when submitting a notification, the owner or operator will convey the facility name, facility contact name and phone number, facility identification number, emergency engine permit number, and the estimated hours the facility operated the emergency standby engine during events specified in subparagraphs (d)(2)(A) through (d)(2)(C).

#### **Summary Report Requirements – Subdivision (f)**

Subdivision (f) establishes requirements to prepare a summary report for an emergency standby engine that exceeds the 200-hour operating limits due to a PSPS event. Specifically, under paragraph (f)(1), facilities that seek to exclude operating hours must maintain a report that will be available no later than January 15 following the calendar year when the permitted operating hour limit was exceeded. The owner or operator is not required to submit the report to the South Coast AQMD; however, the owner or operator must maintain the report on site and provide it to the Executive Officer upon request.

Subparagraphs (f)(1)(A) and (B) specify the information and supporting documentation that must be included in the summary report including the total engine operating hours for the calendar year and the total engine operating hours for the calendar year that are associated with a PSPS event. ~~These~~This documentation can be in the form of engine run logs. However, the records will need to clearly differentiate operating hours associated with PSPS events from another use of the emergency engine. Subparagraph (f)(1)(C) specifies that the summary report is to include the date when the Executive Officer was notified that the emergency standby engine exceeded the permit limits. Subparagraph (f)(1)(D) specifies that the facility will also need to maintain documentation such as notifications or correspondence from the utility distribution company to support the exclusion of eligible operating hours for each PSPS event. Under clause (f)(1)(D)(i), this documentation will include the dates and times for each imminent shutoff notification if operating

hours are to be excluded under the provisions of subparagraph (d)(2)(B). Clauses (f)(1)(D)(ii) and (f)(1)(D)(iii) further require the date and time of the power shut off and restoration to be part of the summary report documentation. The utility distribution company currently provides PSPS related notifications to customers through numerous means, including email notifications and is currently exploring other methods to improve customer notifications of PSPS events. The PR 118.1 summary report can include copies of email notifications or email confirmations from the utility distribution company or copies of information obtained from the utility distribution company that identify the date and time a facility experienced a de-energization due to a PSPS event and when power was restored. If the notifications received from the utility distribution company do not include a clear date and time, facilities may request additional information from the utility distribution company to provide supporting documentation that specifies the date and time of when power was shut off and restored.

Paragraph (f)(2) establishes that facilities maintaining the summary report under paragraph (f)(1) need to maintain the report onsite for a minimum of five years and make the information available to the Executive Officer upon request.

**CHAPTER 3 – SUMMARY OF PROPOSED AMENDED RULE 1470**

## OVERALL APPROACH

PAR 1470 provisions regarding engines with an annual limit of 20 hours for maintenance and testing hours will be available to water and sewage facilities with emergency standby engines located in a very high fire severity zone, provided the equipment is not within a Disadvantaged Community. The proposed amendments would allow these facilities to average the existing annual maintenance and testing limits over three years.

The following is a summary of PAR 1470 provisions.

## PROPOSED AMENDED RULE 1470

### Definitions – Subdivision (b)

#### *Paragraph (b)(70) - Very High Fire Hazard Severity Zone*

The California Department of Forestry and Fire Protection establishes a very high fire hazard severity zone mapping program to identify land with a high fire hazard potential. PAR 1470 includes a reference to this program to narrow the focus of the proposed amendment to engines within those areas. Specifically, paragraph (b)(70) of PAR 1470 defines a very high fire hazard severity zone as a portion of land with a very high degree of fire hazard as established by the California Department of Forestry and Fire Protection according to Public Resources Code 4201-4204 or a local authority under Government Code 51175-51189. A map showing these areas and the jurisdictional boundaries of South Coast AQMD is included in Chapter 1.

#### *Paragraph (b)(71) – Water and Sewage Facility*

As previously mentioned, the scope of PAR 1470 is intended to be narrow to address a specific need for water and sewage facilities to prepare for future emergencies. For the purposes of PAR 1470, water and sewage facilities are defined as a public entity that is responsible for water delivery operations, sewage pumping plants, sewage treatment, or water reclamation.

### Requirements – Subdivision (c)

Paragraph (c)(3) of existing Rule 1470 establishes operating requirements and emissions standards for in-use emergency standby diesel engines rated greater than 50 bhp. Subclause (d)(3)(C)(i)(I) further specifies a 20 hour per year limit for maintenance and testing of an emergency diesel engine with a diesel PM rate greater than 0.40 g/bhp-hr. The annual 20-hour limit does not apply to engine operation for emergency use or emissions testing.

PAR 1470 would add a reference to an alternative maintenance and testing schedule to subclause (d)(3)(C)(i)(I). PAR 1470 would also add subclause (d)(3)(C)(i)(III) to establish the alternative maintenance and testing schedule provisions for emergency standby engines with a diesel PM rate greater than 0.40 g/bhp-hr operated by a water or sewage facility within a very high fire hazard severity zone, excluding engines located in SB 535 Disadvantaged Communities as identified by the California Office of Environmental Health Hazard Assessment's CalEnviroScreen. Specifically, the proposed amended rule provisions would allow the owner or operator of a water or sewage facility the option to average the annual 20 hours of operation for maintenance and testing purposes over a consecutive three-year rolling period, provided annual maintenance and testing in any individual year does not exceed 30 hours. Averaging maintenance and testing hours

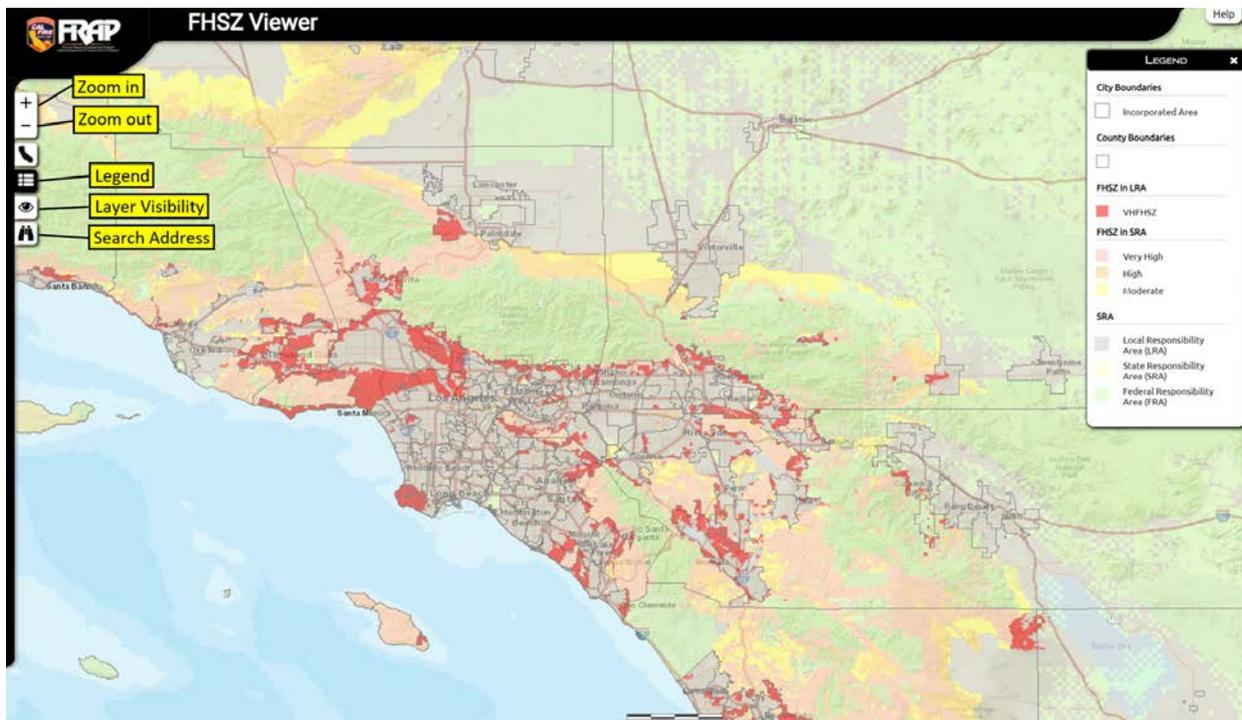
will provide an alternative maintenance and testing schedule that will not increase the total maintenance and testing hours. Water and sewage facilities that elect to use this alternative maintenance and testing schedule would need to modify existing permits to reflect 20 hours averaged over a consecutive 3-year period, with no year to exceed 30 hours for maintenance and testing. In addition, under PAR 1470 subclause (d)(3)(C)(i)(III) the determination of whether an engine is in a very high fire hazard severity zone and a Disadvantaged Community is based on the time that the permit application is deemed complete. Therefore, if the boundaries for either the very high fire hazard severity zone or the SB 535 Disadvantaged Communities were to change, an emergency engine that has already been permitted with the alternative testing and maintenance schedule can continue using the alternative schedule. Subclause (d)(3)(C)(i)(III) of PAR 1470 also specifies that the consecutive three-year rolling period would initially start with the calendar year that the permit modification is approved.

### Example of Determining Emergency Engine Applicability

To determine if an emergency engine is located in a very high fire hazard severity zone, the facility can check the equipment location on the fire hazard severity zone map viewer that can be found on the Office of the State Fire Marshall website at: <https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/>. This website has a separate link to the Fire Hazard Severity Zone Viewer which directs users to the updated fire hazard severity zone map. Figure 3-1 depicts an example of the map interface. On the left-hand side of the map, there are a list of icons to choose from to search for an address.

Figure 3-1

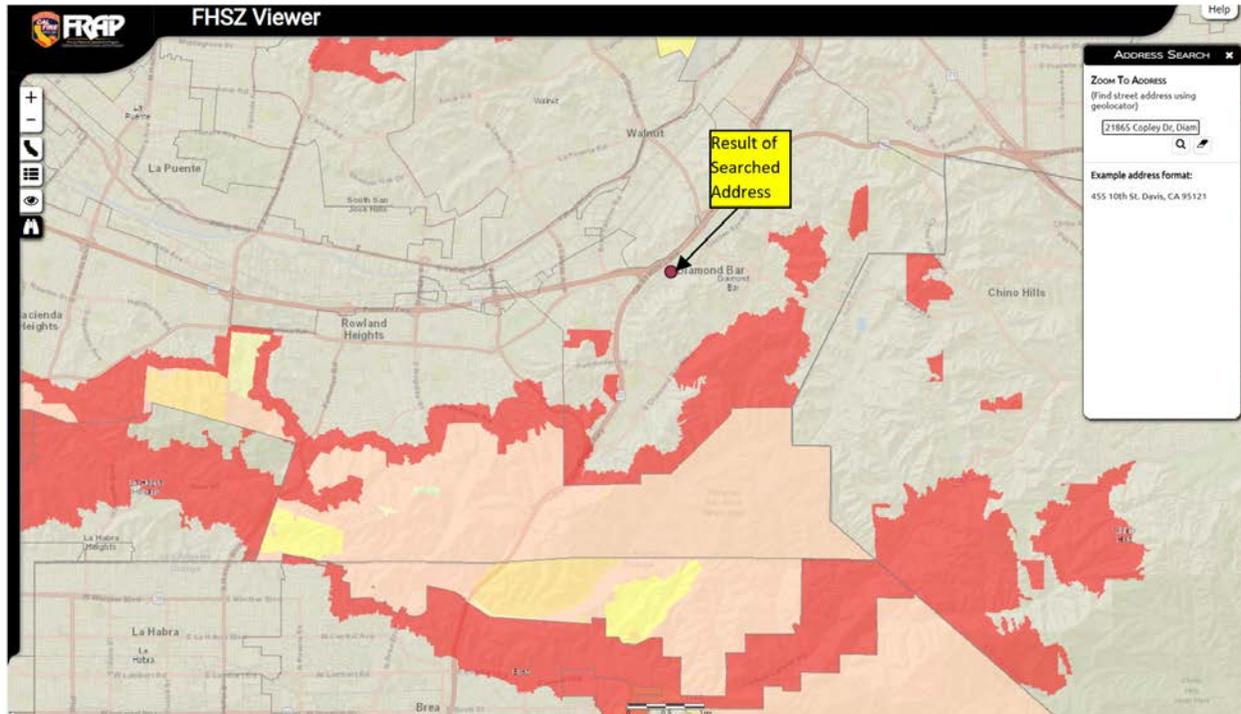
### Fire Hazard Severity Zone Viewer Example



As depicted by the legend, areas in red and pink are very high fire hazard severity zones. After searching an address, a dot will depict the location on the map and it can then be determined if the location is within a very high fire hazard severity zone. If the engine location is within an area that is colored red or pink, then the engine is within a very high hazard severity zone. An example of searching an address is depicted in Figure 3-2 below. The address provided in this example is not within a very high fire hazard severity zone.

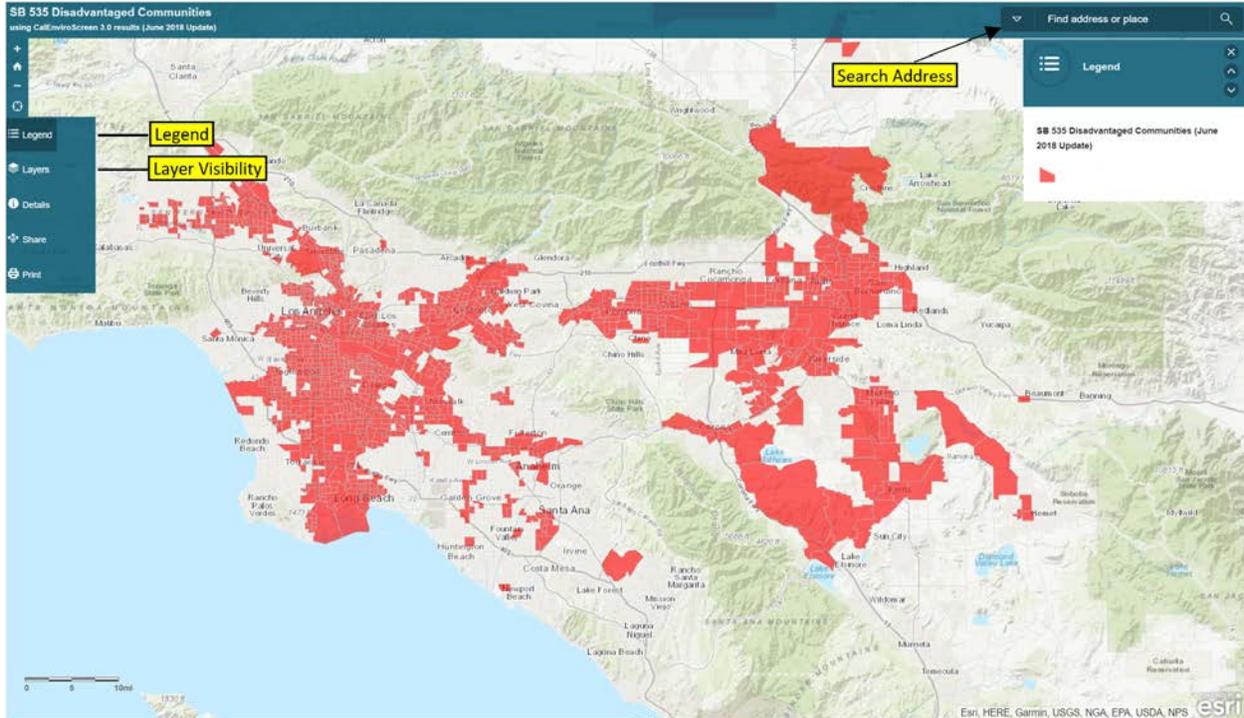
**Figure 3-2**

**Fire Hazard Severity Zone Viewer Example (Address Search)**



To determine if an emergency engine is located in SB 535 Disadvantaged Communities, the facility can check the equipment location using an online map based on CalEnviroScreen which can be found on the California Office of Environmental Health Hazard Assessment website at: <https://oehha.ca.gov/calenviroscreen/sb535>. The webpage has a separate link to the CalEnviroScreen application that will take viewers to the updated SB 535 Disadvantaged Communities boundaries map. Figure 3-3 depicts an example of the map interface. On the left-hand side of the map, there are a list of icons to choose from that provide information about the legend and options are provided to share or print out the map. On the top right-hand corner of the map is a search bar to look up an address.

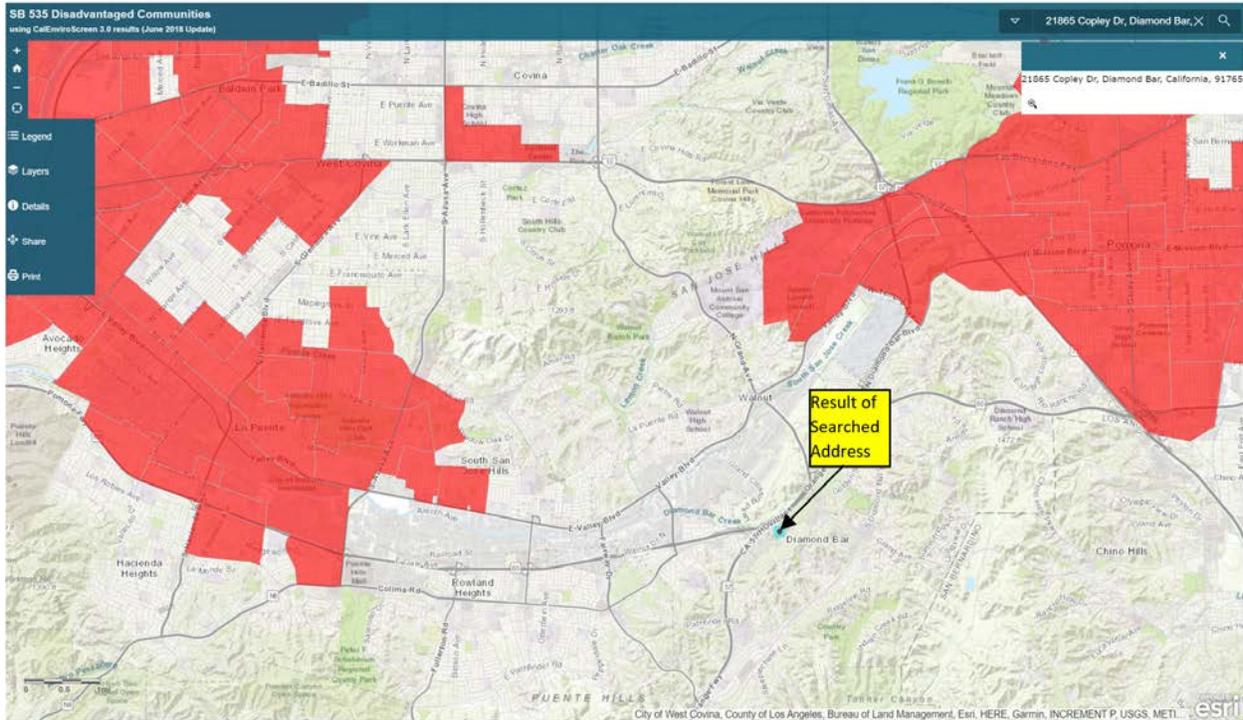
**Figure 3-3**  
**CalEnviroScreen SB 535 Disadvantaged Communities Map Example**



As depicted by the legend, areas in red are SB 535 Disadvantaged Communities. After searching an address, a dot will depict the location on the map and it can then be determined if the location is within a disadvantaged community. If the engine location is within an area that is colored red, then the engine is within a disadvantaged community. An example of searching an address is depicted in Figure 3-4 below. The address provided in this example is not located within a disadvantaged community.

Figure 3-4

CalEnviroScreen SB 535 Disadvantaged Communities Map Example (Address Search)



## **CHAPTER 4 – IMPACT ASSESSMENT**

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**AFFECTED SOURCES*****PR 118.1***

PR 118.1 will apply to critical service facilities which are defined as facilities that include essential public services as defined under Rule 1302, sewage pumping plants, recycled water<sup>12</sup> pumping plants, natural gas delivery facilities, health facilities as defined in Section 1250 of the California Health and Safety Code, and facilities used exclusively for telecommunications, including radio and cell towers. However, the number of future PSPS events and the facilities that may exceed emergency engine permit operating limits due to PSPS events is unknown. For reference, based on a review of 2020 South Coast AQMD Hearing Board activity, there were three cases in which a petitioner submitted a variance request for an emergency standby engine that exceeded the 200-hour permit conditions due to power outages associated with a PSPS event. Two of the variance requests were for single engines, and one variance was for two engines operating at a facility. All three petitioners were critical service facilities as defined in PR 118.1, and each engine was used to provide emergency standby power for a communications tower.

***PAR 1470***

PAR 1470 allows an alternative testing and maintenance schedule for engines with a 20-hour limitation for water and sewage facilities with engines located in a very high fire severity zone. Based on a review of South Coast AQMD permit data, it is estimated that there are 359 engines at water and sewage facilities with a 20-hour limitation. Of the 359 engines, 94 of these engines are in a very high fire hazard severity zone. Based on consultation with the representatives from the Southern California Alliance of Publicly Owned Treatment Works (SCAP) and the California Municipal Utilities Association (CMUA) which represent many water and sewage facilities, approximately two facilities representing less than 15 engines are expected to utilize the provision.

**EMISSIONS IMPACT*****PR 118.1***

During PSPS events, critical service facilities may need to operate engines despite exceeding the 200-hour limit to provide the public continuous services and protect public health and safety. As previously mentioned, the future number of PSPS events and the facilities that may exceed emergency engine permit limitations is unknown; however, a review of South Coast AQMD Hearing Board cases related to PSPS events in 2020 can provide information on emergency engine emissions.

In 2020, three facilities (Facility A, Facility B, and Facility C) filed for variances due to emergency standby engines exceeding the 200-hour permit condition because of power outages from a PSPS event. All the engines were diesel-fueled, except for Facility B that operated a propane engine. Table 4-1 summarizes hourly emission factors for the engines associated with each of the three Hearing Board cases.

The operation of emergency standby engines during PSPS events at critical service facilities is necessary to protect public health and safety. PR 118.1 does not increase emergency standby

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<sup>12</sup> Recycled water definition included in Title 22, Section 60304 of the California Code of Regulations

engine operation and would allow the exclusion of operating hours associated with PSPS events from counting towards the current South Coast AQMD permit limitations.

**Table 4-1**

**Summary Table of Engine Emission Factors From South Coast AQMD Hearing Board Cases**

Facility	Engine HP	Emission Factors (lb/hr)				
		CO	NO <sub>x</sub>	PM <sub>10</sub>	RHC	SO <sub>x</sub>
Facility A	80	0.19	0.51	0.03	0.03	0.001
Facility B	74	0.009	0.01	Negligible	0.025	0.026
Facility C	75	0.05	0.91	0.05	0.17	0.03
Facility C	102	0.255	1.173	0.084	0.08	0.018

**PAR 1470**

PAR 1470 will allow fluctuations in annual maintenance and testing hours but does not increase the annual average or total operating hours during the three years. Engine emissions and the estimated cancer risk for diesel particulates are based on 25 years for worker receptors and 30 years for residential and sensitive receptors. By maintaining the same total amount of permitted maintenance and testing hours over three years, the cancer risk for PAR 1470 will remain the same as Rule 1470 and the state ATCM. Since the proposal allows up to 30 hours in one year, to be conservative, PAR 1470 prohibits use of the alternative maintenance and testing schedule for engines located in SB 535 Disadvantaged Communities.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT**

Pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Sections 15269(c) and 15061(b)(3). A Notice of Exemption will be prepared pursuant to CEQA Guidelines Section 15062, and if the proposed project is approved, the Notice of Exemption will be filed for posting with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino Counties. The Notice of Exemption will also 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>.

**SOCIOECONOMIC IMPACT ASSESSMENT**

PR 118.1 and PAR 1470 do not impose any additional requirements and will have no adverse socioeconomic impacts.

**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**

PR 118.1 is needed to provide critical service facilities with an emergency standby engine that exceeds the annual operating limit due to PSPS events another option for regulatory certainty and relief other than petitioning the South Coast AQMD Hearing Board. Rule 118 will not provide relief for engines operating during a PSPS event since PSPS events are preventative measures and not associated with a state of emergency. PAR 1470 amendments are needed to provide water or sewage facilities with engines located in a very high fire hazard severity zone an alternative maintenance and testing schedule to conduct more rigorous testing to ensure emergency engine reliability.

**Authority**

The South Coast AQMD Governing Board has authority to adopt PR 118.1 and amend PAR 1470 pursuant to the California Health and Safety Code Sections 39002, 39666, 40000, 40001, 40702, 40725 through 40728.

**Clarity**

PR 118.1 and PAR 1470 are written or displayed so that its meaning can be easily understood by the persons directly affected by it.

**Consistency**

PR 118.1 and PAR 1470 are in harmony with and not in conflict with or contradictory to, existing statutes, court decisions or state or federal regulations.

**Non-Duplication**

PR 118.1 and PAR 1470 will not impose the same requirements as or in conflict with any existing state or federal regulations. The proposed amended rule is necessary and proper to execute the powers and duties granted to, and imposed upon, the South Coast AQMD.

**Reference**

By adopting PR 118.1 and PAR 1470, the South Coast AQMD Governing Board will be implementing, interpreting or making specific the provisions of the California Health and Safety code, 40001 (non-vehicular air pollution) and 40702 (adopt regulations & execute duties).

**COMPARATIVE ANALYSIS**

California Health and Safety Code Section 40727.2 (g) for comparative analysis is applicable when the proposed amended rules or regulations impose, or have the potential to impose, a new emissions limit or standard, or increased monitoring, recordkeeping, or reporting requirements. In this case, a comparative analysis is not required because PR 118.1 and PAR 1470 do not impose such requirements.

**APPENDIX A – RESPONSE TO COMMENTS**

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## PUBLIC COMMENTS AND RESPONSES

A public workshop was held for PR 118.1/PAR 1470 on July 29, 2021. The following section is a summary of individual oral comments, followed by South Coast AQMD staff responses. In addition to the oral comments at the public workshop, staff received written comment letters specific to PR 118.1/PAR 1470 during a comment period that closed on August 6, 2021. Copies of comment letters received and South Coast AQMD staff responses are provided following the below responses to individual comments.

### Individual Comments and Responses

#### *PR 118.1*

##### **Critical Service Facility Definition**

Comment 1: Our agency runs several senior citizen residential facilities for low-income households. These facilities have backup generators to ensure operation of key building infrastructure during power outages. Ability to provide facility power is important to ensure the health and safety of facility residents. Suggestion is to include federally funded senior citizen residential care centers into the PR 118.1 definition of a critical service facility.

*Staff Response:* Staff acknowledges the importance of providing continuous electrical power at senior centers as well as other facilities is acknowledged. PR 118.1 does not restrict use of emergency standby engines. The intent of PR 118.1 is to allow facilities that provide the public with critical services the opportunity to exclude emergency standby engine operating hours during PSPS events. Other facilities can seek a variance from the South Coast AQMD Hearing Board if operating hours for an emergency standby engine approach or exceed permit limits.

Comment 2: Universities have emergency standby generators that can provide electricity to campus facilities if the power is shut off. Some of the campus facilities need to have constant power for emergency services or for ongoing research activities. Are universities included in the critical service facility definition?

*Staff Response:* While the critical service facility definition includes schools, the definition of a school includes only K-12 and not higher education. Therefore, universities are not included in the critical service facility definition. As with other facilities, universities can seek a variance from the South Coast AQMD Hearing Board if operating hours for an emergency standby engine approach or exceed permit limits.

##### **Applicability to Power Generation**

Comment 3: Does PR 118.1 include any provisions related to the generation of electrical power for neighbors or off-site use during emergencies or when there are rolling black outs? If so, what kinds of supporting documentation is required when generators are used for power generation?

*Staff Response:* PR 118.1 provisions are specific to emergency engine operating hours due to Public Safety Power Shutoff (PSPS) events which are implemented by utility distribution companies as a preventative measure during adverse weather conditions. Use of emergency standby engines during electrical outages due to fluctuations in power capacity or to supplement grid power are not applicable to PR 118.1 provisions.

**PAR 1470****Applicability**

Comment 4: Do the PAR 1470 provisions affect existing maintenance and testing provisions included in existing permits?

*Staff Response:* No. As described in the preliminary draft staff report, a permit modification would be required before a water and sewer facility could implement the PAR 1470 alternative maintenance and testing schedule. Facilities would remain subject to existing permit conditions unless permit modifications are approved.

**Written Comments*****Letters Received***

1. California Municipal Utilities/Association of California Water Agencies (07/29/21)
2. California State University (07/29/21)
3. California State University Fullerton (07/30/21)
4. Hospital Association of Southern California (07/26/21)
5. Las Virgenes Municipal Water District (7/21/21)
6. Southern California Gas Company (7/23/21)

**California Municipal Utilities Association/ Association of California Water Agencies Email Correspondence, submitted 07/29/21**



July 29, 2021

Ms. Susan Nakamura, Assistant Deputy Executive Officer  
 Planning, Rule Development and Area Sources  
 South Coast Air Quality Management District  
 21865 Copley Drive  
 Diamond Bar, CA 91765  
 e-mail: [SNakamura@aqmd.gov](mailto:SNakamura@aqmd.gov)

**RE: Support of Proposed Amendment to Rule 1470 and Proposed New Rule 118.1**

Dear Ms. Nakamura:

The California Municipal Utilities Association (CMUA) and the Association of California Water Agencies (ACWA) appreciate the opportunity to comment on the South Coast Air Quality Management District's (SCAQMD) proposed rulemaking efforts to incorporate generator provisions for Public Safety Power Shutoff (PSPS) events. CMUA represents over 50 public water agencies that serve water to 75 percent of California, including several agencies located in SCAQMD's jurisdiction. ACWA represents more than 460 public water agencies that collectively deliver approximately 90 percent of the water in California for domestic, agricultural, and industrial uses.

CMUA and ACWA are grateful that SCAQMD has actively included our input in the process to amend Rule 1470 and develop proposed new Rule 118.1. Our members value the transparency that SCAQMD exemplified during this process.

We write to express support for the proposed amendment to Rule 1470 and proposed new Rule 118.1. The proposal provides additional flexibility for the essential operation, maintenance, and testing of emergency backup generators, while ensuring the protection of the region's air resources. We additionally offer a few suggestions that could help clarify the scope of the proposed amended rule and new rule.

**Rule 1470 (Proposed Amended Rule) – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines**

The proposed amendment would provide much needed flexibility for the maintenance and testing of the limited number of generators that are currently limited to no more than 20 hours per year of runtime for these purposes. The amended rule would allow run-time to be averaged over a three-year period with no more than 30 hours in any single year and would not result in

1-1

SCAQMD PAR 1470 and PR 118.1  
 July 29, 2021  
 Page 2 of 4

the generation of more particulate matter over a three-year period or create any greater health risk as the maximum average runtime would still equate to the current 20 hours annually. The change would allow more rigorous maintenance and testing to be performed every two to three years without undue concern for exceeding the current 20-hour limitation. This rule change is critical to ensure the reliability of emergency backup generators when needed to respond to emergencies or PSPS events.

We offer one suggestion regarding proposed amended Rule 1470.

Revise Definition of Very High Fire Hazard Severity Zone

As written, the definition of “very high fire hazard severity zone” may be overly restrictive. In some jurisdictions, the State of California recommends areas to designate as very high fire hazard severity zones, but ultimately these zones are established by the local agency by local ordinance. The Government Code, referenced in the definition, refers to establishing zones in “local responsibility areas.” It would be prudent to ensure any local changes are addressed in the definition. CMUA proposes SCAQMD revise the definition of Very High Fire Hazard Severity Zone to add the underlined as follows:

VERY HIGH FIRE HAZARD SEVERITY ZONE means land designated by the California Department of Forestry and Fire Protection or a Local Agency pursuant to Public Resources Code 4201- 4204 and or Government Code 51175-51189 as an area with a very high degree of fire hazard.

1-2

**Rule 118.1 (Proposed Rule) – Public Safety Provisions for Stationary Emergency Standby Engines**

The new rule would allow operators of emergency standby engines located at critical service facilities to exceed the current 200-hour annual limitation if the exceedance is due to a PSPS event. The increasing number and duration of PSPS events and other emergencies that result in loss of power from the electrical grid continues to be a major concern for operators of critical service facilities as defined in the proposed rule. The provisions would allow an owner or operator of an emergency standby engine at a critical service facility to not count the operating hours of a qualifying event towards the 200-hour calendar year limitation specified in Rule 1110.2 provided timely notification is provided and records are maintained. The one-time notification and annual recordkeeping requirements for an exceedance represent a reasonable compliance burden to ensure the agency is aware of these events while maintaining a mechanism to enforce the provisions of the rule. Also, the addition of up to 3-hours for each PSPS imminent shutoff notice will support the smooth transition of power before and after each event.

SCAQMD PAR 1470 and PR 118.1  
 July 29, 2021  
 Page 3 of 4

CMUA offers a few suggestions to proposed Rule 118.1 to facilitate understanding by facilities that would avail themselves of the new rule.

Clarify Scope of Utility Distribution Company

The current wording in the definitions for “PSPS event” and “utility distribution company” appear to apply only to PSPS events by investor-owned utilities (IOUs). Utility distribution companies not under the purview of the California Public Utilities Commission, such as publicly owned electric utilities (POUs), have the capability to initiate PSPS events. To ensure the intent of proposed Rule 118.1 is captured, we recommend broadening these two definitions to include POUs and other utility distribution companies that service SCAQMD jurisdiction.

1-3

Add a Definition for “Imminent Shutoff Notification”

The term “imminent shutoff notification” is used throughout proposed Rule 118.1 without being defined. SCAQMD has defined the term in the various workshop meetings it has held since December 2020 as a notification from a utility distribution company about a potential power shutoff, but that power may not be shutoff. SCAQMD offers the same definition in its Draft Staff Report. The requirements that are linked to imminent shutoff notifications, such as the three-hour buffer in subsection (d)(2)(B) and the summary report content in subsection (f)(1)(D)(i), would be more explicit if proposed Rule 118.1 included a definition for “imminent shutoff notification.”

1-4

Clarify the Scope of Excluded Hours and When Notification is Required

We understand the intent of proposed Rule 118.1 is to allow applicable facilities to exclude operating hours that occurred during a PSPS event from the 200-hour annual operating limit. Subsection (e) related to Notification Requirements requires owners and operators of emergency standby engines to notify the Executive Officer when the standby engine exceeds the 200-hour annual operating limit. SCAQMD clarified our understanding of these subsections during a call on July 22, 2021.

However, to facilitate greater understanding we suggest that SCAQMD clarify some language in subsections (d) and (e). First, we suggest that SCAQMD include language in subsection (d)(2)(B) to affirm that a total of 3 hours for each imminent shutoff notification may be used before and/or after a PSPS event.

1-5

SCAQMD PAR 1470 and PR 118.1

July 29, 2021

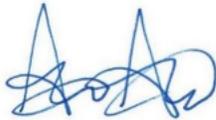
Page 4 of 4

Next, we suggest clarifying that the notification required in subsection (e) is required when the 200-hours are met but any hours attributable to a PSPS event may be excluded from the 200 hours. Alternatively, SCAQMD may clarify when notification is required and how to exclude PSPS hours by revising language in the preliminary Draft Staff Report on pages 16-17. Specifically, the word “occurrence” on page 17 of the draft Staff Report could be clarified to refer to when the facility exceeds the annual 200-hour operating limit. As written, “occurrence” could indicate a PSPS event. Additionally, SCAQMD should suggest that operators keep a log to indicate total standby engine operating hours and operating hours during PSPS events to comply with the notification and recordkeeping provisions of proposed Rule 118.1.

1-6

We appreciate the support of you and your staff to develop the proposed rule changes and to obtain concurrence from the California Air Resources Board on the proposed amendment for Rule 1470. Please do not hesitate to contact me at [aabergel@cmua.org](mailto:aabergel@cmua.org) if you have any questions about our comments.

Sincerely,



Andrea Abergel  
Senior Regulatory Advocate  
California Municipal Utilities Association



Nicholas Blair  
Regulatory Advocate  
Association of California Water Agencies

cc: Tiffani To, SCAQMD - [TTo@aqmd.gov](mailto:TTo@aqmd.gov)  
Michael Laybourn, SCAQMD - [MLaybourn@aqmd.gov](mailto:MLaybourn@aqmd.gov)  
Jillian Wong, SCAQMD - [Jwong@aqmd.com](mailto:Jwong@aqmd.com)  
Danielle Blacet-Hyden, CMUA - [dblacet@cmua.org](mailto:dblacet@cmua.org)

**Responses to California Municipal Utilities Association/Association of California Water Agencies Email Correspondence, submitted 07/29/21**

- 1-1 Response: Supportive comment noted.
- 1-2 Response: South Coast AQMD acknowledges the role of local agencies in the establishment of very high fire hazard severity zones. The PAR 1470 definition for a very high fire hazard severity zone has been modified as follows:
- VERY HIGH FIRE HAZARD SEVERITY ZONE means land designated by the California Department of Forestry and Fire Protection pursuant to Public Resources Code 4201- 4204 or a Local Agency pursuant to Government Code 51175-51189 as an area with a very high degree of fire hazard.
- 1-3 Response: Staff concurs that publicly owned utility customers should be allowed the same provisions as those that receive electrical power from investor-owned utilities, such as Southern California Edison. Accordingly, the PR 118.1 utility distribution company definition has been modified as follows:
- UTILITY DISTRIBUTION COMPANY means one of several organizations that manage energy transmission and distribution within the South Coast AQMD jurisdiction for electric power primarily in the grid system overseen by the California Public Utilities Commission or by a special-purpose district or other jurisdiction, including municipal districts or municipalities.
- 1-4 Response: PR 118.1 includes provisions related to an imminent shutoff notification and has added the following definition to improve rule clarity.
- IMMINENT SHUTOFF NOTIFICATION means a notification by a Utility Distribution Company sent to entities in a specific geographic area of an anticipated power shutoff due to a Public Safety Power Shutoff event.
- 1-5 Response: Paragraph (e)(2) establishes the three conditions where emergency standby engine operating hours can be excluded under PR 118.1. Subparagraph (d)(2)(B) provisions allow for the exclusion of emergency engine operating hours after receipt of an imminent shutoff notification. The staff report includes additional language to clarify that the hours excluded as a result of receiving an imminent shutoff notification (up to three hours) can applied to engine operating hours before and after a PSPS event.

- 1-6 Response: The intent of subdivision (e) is to establish the notification procedures for a critical service facility that seeks to exclude emergency standby engine operating hours because of a PSPS event. Paragraph (d)(1) specifies a facility must notify the Executive Officer within 48 hours of knowing that an emergency standby engine exceeded the annual operating limit specified in a South Coast AQMD permit. These provisions are not specific to the reason for operating the engine (e.g., testing, maintenance, emergency, etc.).

**California State University Email Correspondence, submitted 07/29/21**

**From:** Wallace, Tamara <twallace@calstate.edu>  
**Sent on:** Thursday, July 29, 2021 10:43:10 PM  
**To:** Tiffani To <TTo@aqmd.gov>; Michael Laybourn <MLaybourn@aqmd.gov>; Susan Nakamura <SNakamura@aqmd.gov>; Kendra Reif <KReif@aqmd.gov>; Barbara Radlein <bradlein@aqmd.gov>  
**CC:** Wong, Rachel <rwong@calstate.edu>; Clemson, Michael <mclemson@calstate.edu>; Lane, Renz <rlane@calstate.edu>; Collins-Doehne, Anne <acollins-doehne@calstate.edu>  
**Subject:** Cal State Univ, SCAQMD Proposed Rule 118.1 clarifications

Hi SCAQMD Folks,

Thank you for facilitating today’s workshop regarding the [proposed rule 118.1](#), additional information on [SCAQMD webpage](#), for stationary emergency standby engines. I’m reaching out on behalf of the CSU campuses in the SCAQMD territory.

On the workshop call today, Rachel Wong (Associate Univ Engineer, CSU Office of Chancellor) raised a few questions that we would like to further clarify with your team:

- 1. The definition of “schools:”
    - a. Do public higher education, and specifically California State University campuses, fall within the scope of this proposed rule change? } 2-1
  - 2. 200 hour maximum for each engine p/year:
    - a. (question raised in our team’s debrief conversation) Are Demand Response events included in the exemption considerations as it will for PSPS? } 2-2
- Would you be available for a call with some of our folks from our systemwide office, to help clarify the proposed changes to better understand impacts to CSU?

Thank you for your guidance and collaboration as a partner agency,

**Tamara Wallace**

LEED GA, Certified Change Management Professional (CCMP)  
 Interim Chief, Energy, Sustainability, & Transportation  
 Capital Planning, Design, & Construction  
 401 Golden Shore, Long Beach, CA 90802  
 P: 562-951-4296 | E: [twallace@calstate.edu](mailto:twallace@calstate.edu)



**Responses to California State University Email Correspondence, submitted 07/29/21**

- 2-1 Response: For PR 118.1, the definition of a critical service facility incorporates essential public services from South Coast AQMD Rule 1302. Schools are included in the essential public services definition and have also been included in the critical service facility definition. However, the definition of schools only includes K-12 and does not include higher education. Therefore, public higher education facilities do not fall within the scope of PR 118.1.
- 2-2 Response: The purpose of PR 118.1 is to allow critical service facilities the option to exclude emergency engine operating hours during PSPS events. Demand Response events are a different program and the associated emergency standby engine operating hours are not within the scope of PR 118.1.

**California State University Fullerton Email Correspondence, submitted 07/30/21**

**From:** Denman, Robert <rdenman@fullerton.edu>  
**Sent on:** Friday, July 30, 2021 8:22:03 PM  
**To:** Tiffani To <TTo@aqmd.gov>  
**CC:** Susan Nakamura <SNakamura@aqmd.gov>; Michael Laybourn <MLaybourn@aqmd.gov>  
**Subject:** Rule 118.1 Critical Service Facilities Clarification

Hi Tiffani,

Per yesterday's Rule 118.1 Working Group Meeting, following up to see if the air district has made a final determination regarding universities being classified as a critical/essential public service facility. We recommend this classification to ensure uninterrupted power supply for the following:

- University Police Department
- Emergency Operations Center
- Research and Experiments
- Potential for university to be utilized as a community shelter
- Building fire suppression (e.g., sprinkler systems, smoke detectors)

Best regards,

**Robert Denman, REHS**  
Environmental Compliance Specialist/BSO  
Environmental Health and Safety  
California State University, Fullerton  
Office: (657) 278-8118  
Cell: (657) 253-2345  
[rdenman@fullerton.edu](mailto:rdenman@fullerton.edu)

3-1

**Responses to California State University Fullerton Email Correspondence, submitted  
07/30/21**

- 3-1 Response: As described in response to comment 2-1, higher education is not included in the definition of school. Of the listed operations, the university police department will have the option to exclude emergency engine operating hours during PSPS events as police are included in the definition of critical service facility. It is acknowledged that usage of an emergency engine is needed to provide uninterrupted power for operations on the university campus. PR 118.1 does not restrict emergency engine use and other university campus facilities have the option to file for a variance with the South Coast AQMD Hearing Board.

**Hospital Association of Southern California Email Correspondence, submitted (07/26/21)**

**From:** Jaime Garcia <jgarcia@hasc.org>  
**Sent on:** Monday, July 26, 2021 12:32:32 PM  
**To:** Susan Nakamura <SNakamura@aqmd.gov>  
**CC:** Tiffani To <TTo@aqmd.gov>  
**Subject:** Emergency Generator - 200 hours limit

Hi Susan

I appreciate the work you and the AQMD staff have invested in the stakeholder meetings.

During the previous call you mentioned hospitals are not approaching the 200-hour limit on generator use ( emergency use, maintenance and testing). What are hospitals averaging in terms of this limit? | 4-1

We are concerned that as the fire season grows in duration and frequency/intensity that hospitals will hit the limit sooner rather than later. Increased generator use due to PSPS events will require more maintenance and testing time. Therefore, can this cap be increased for this purpose? | 4-2

JAIME GARCIA, MPA

Regional Vice President -  
 Los Angeles Region  
 Hospital Association of Southern CA

**Responses to Hospital Association of Southern California Email Correspondence,  
submitted (07/26/21)**

- 4-1 Response: A review of 2020 South Coast AQMD Hearing Board activity was conducted as part of the PR 118.1 Rule development process. Staff is not aware of any hospital facilities that have sought a variance for a stationary emergency standby engine exceeding a permit operating limit.
- 4-2 Response: It is acknowledged that there could be an increase in PSPS events in the future and PR 118.1 is intended to allow hospitals as well as other critical service facilities the opportunity to exclude emergency stand by engine operating hours due to PSPS events. Current Rule 1470 provisions allow health facilities an additional ten hours for maintenance and testing purposes for diesel-fueled compression ignition engines (>50 bhp) that emit diesel PM at a rate greater than 0.40 g/bhp-hr.

**Las Virgenes Municipal Water District Email Correspondence, Submitted (7/21/21)**

**From:** Pedersen, David <DPedersen@lvmwd.com>  
**Sent on:** Wednesday, July 21, 2021 6:06:16 PM  
**To:** Susan Nakamura <SNakamura@aqmd.gov>; Tiffani To <TTo@aqmd.gov>; Michael Laybourn <MLaybourn@aqmd.gov>  
**Subject:** RE: South Coast AQMD Proposed Rule 118.1 & Proposed Amended Rule 1470 - Notice of Public Workshop

Hi Susan/Tiffani/Michael,

Thanks for the call last Tuesday. In reviewing the documents for the public workshop, it appears that the "three hour provision" was added back for an imminent shutoff notification (when a shutoff does not actually occur) but not for each PSPS event to support a smooth transition to and from grid power. Could you please take a look at that element of the "three hour provision"? Thank you.

5-1

-Dave

**Responses to Las Virgenes Municipal Water District Email Correspondence, Submitted (7/21/21)**

- 5-1 Response: As described in response to comment 1-4, the PR 118.1 definition of an imminent shutoff notification is based on an anticipated power shutoff due to a PSPS event. It is acknowledged that issuance of imminent shutoff notification does not indicate the power will be shut off and that critical service facilities may still need to operate emergency standby engines in preparation for a possible power shut off. PR 118.1 allows the exclusion of up to three operating hours after receipt of an imminent shutoff notification, regardless of if the power was shut off.

**Southern California Gas Company Email Correspondence, Submitted (7/23/21)**

**From:** McGivney, Daniel <DMcGivney@socalgas.com>  
**Sent on:** Friday, July 23, 2021 10:30:37 PM  
**To:** Tiffani To <TTo@aqmd.gov>  
**CC:** Michael Laybourn <MLaybourn@aqmd.gov>; Nolan, Hadley K <HNolan@socalgas.com>  
**Subject:** SoCalGas Proposal regarding "Natural Gas Delivery Facilities"

Tiffani, below is language SoCalGas has come up with to identify the types of facilities that would be covered un the PR 118.1's "Natural Gas Delivery Facilities" Term. We are suggesting that this language, or language similar to this, be included in the Staff Report discussion of "Critical Facility" that begins at the bottom of page 15 of the staff report (page 19 of the pdf).

**Natural gas delivery facility** refers to facilities critical to the delivery of natural gas including gas control, call centers/ dispatch operations, gas storage, and pipeline compressor stations.

6-1

Daniel McGivney  
Environmental Affairs Program Manager  
Southern California Gas Company  
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**Responses to Southern California Gas Company Email Correspondence, Submitted  
(7/23/21)**

- 6-1 Response: As indicated, the PR 118.1 definition of a critical service facility includes natural gas delivery facilities. The suggestion information has been added to the Draft Staff Report to clarify the specific facilities that are critical to the delivery of natural gas and applicable to PR 118.1 provisions.

ATTACHMENT H



**South Coast  
Air Quality Management District**

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

**SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**PROJECT TITLE: PROPOSED RULE (PR) 118.1 – PUBLIC SAFETY PROVISIONS FOR STATIONARY EMERGENCY STANDBY ENGINES; AND PROPOSED AMENDED RULE (PAR) 1470 – REQUIREMENTS FOR STATIONARY DIESEL-FUELED INTERNAL COMBUSTION AND OTHER COMPRESSION IGNITION ENGINES**

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 filed for posting with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino Counties. The Notice of Exemption will also be electronically filed with the State Clearinghouse of the Governor's Office of Planning and Research for posting 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>.





Proposed Rule 118.1 - Public Safety Provisions  
for Stationary Emergency Standby Engines

Proposed Amended Rule 1470 – Requirements  
for Stationary Diesel-Fueled Internal Combustion  
and Other Compression Ignition Engines



**Board Meeting**

October 1, 2021

# Background

- Over the past decade, California has experienced increased wildfires and wildfire conditions
- Since 2018, utilities have implemented Public Safety Power Shutoff (PSPS) events to proactively de-energize power lines during hazardous weather conditions to prevent potential wildfires
- During a PSPS event, critical service facilities may need to operate emergency standby engines beyond their permit limit to ensure continuation of public services
- Water and sewage facilities have expressed concern over emergency engine reliability due to an increased use of these engines due to PSPS events and wildfires



# Critical Service Facility

## Rule 1302 Essential Public Services

- Publicly owned or operated sewage treatment facilities;
- Prisons;
- Police facilities;
- Fire fighting facilities
- Schools;
- Hospitals;
- Construction and operation of landfill gas control and processing facilities;
- Water delivery operations;
- Public transit;
- Sewage pumping plants;
- Natural gas delivery facilities;
- Health facilities as defined in Section 1250 of the California Health and Safety Code, and
- Facilities used exclusively for telecommunications including radio and cell towers



# Key PR 118.1 Provisions

## Provisions for Excluding Eligible Operating Hours

- Operators can exclude hours:
  - During a PSPS event;
  - During repair activities that are associated with a PSPS event; and
  - Up to three hours per each imminent shutoff notification received

## Notification Procedures

- Must notify Executive Officer 48 hours after exceeding the 200 hour limit and provide:
  - Facility and engine information
  - Hours that the engine operated during PSPS event

## Summary Report Requirements

- Facilities that exclude PSPS operating hours must prepare a report with
  - Engine logs with PSPS and non-PSPS operating hours
  - Supporting documentation from the utility provider
  - Report kept on site, no submittal required

# Key PAR 1470 Provisions

- Under current Rule 1470, specific engines are limited to 20 hours per year for maintenance and testing
- PAR 1470 provides water and sewage facilities the option to implement an alternative maintenance and testing schedule of:
  - 20 hours averaged over a three-year rolling period; and
  - No more than 30 hours in any individual calendar year
- Engines must be in a very high fire hazard severity zone and not in SB 535 Disadvantaged Communities
- Permit modifications required



# Recommendations

- Adopt Resolution
  - Determining that Proposed Rule 118.1 and Proposed Amended Rule 1470 are exempt from the requirements of the California Environmental Quality Act; and
  - Adopting Proposed Rule 118.1 and Amending Rule 1470



[↑ Back to Agenda](#)

BOARD MEETING DATE: October 1, 2021

AGENDA NO. 25

**PROPOSAL:** Approve Terms & Conditions of Employment for South Coast AQMD Professional Unit Employees to Implement Management's Last, Best and Final Offer.

**SYNOPSIS:** South Coast AQMD management and the South Coast AQMD Professional Employees Association reached impasse in the bargaining process for a successor MOU. This action is to hold a public hearing regarding the impasse, and to implement South Coast AQMD's Last, Best and Final Offer by approving Terms & Conditions of Employment for Professional Unit employees, which shall remain in effect until a successor MOU is approved. There is sufficient funding available in the FY 2021-22 Budget.

**COMMITTEE:** No Committee Review

**RECOMMENDED ACTION:**

Approve Terms & Conditions of Employment for South Coast AQMD Professional Unit employees, as set forth in Attachment A, in order to implement management's Last, Best and Final Offer.

Wayne Natri  
Executive Officer

AJO:mm

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**Background**

Beginning in September 2020, South Coast AQMD management negotiators met with representatives for the South Coast AQMD Professional Employees Association (PEA), representing the Professional Unit employees, to bargain for a successor agreement to the MOU expiring December 31, 2020. After approximately six months of meeting, the parties declared impasse in the bargaining process on April 30, 2021. In accordance with the Employee Relations Resolution, the parties participated in mediation proceedings, but an agreement was not reached. PEA's request to participate in fact

finding proceedings was denied by the California Public Employee Relations Board for being untimely. Therefore, impasse procedures have been exhausted.

**Proposal**

Staff recommends implementing management’s Last, Best and Final Offer, and approving Terms & Conditions of Employment for Professional Unit employees (as set forth in the Attachment), which shall remain in effect until a new MOU is approved. The parties will subsequently have the opportunity to initiate bargaining for a new MOU.

**Resource Impacts**

There is sufficient funding available in the FY 2021-22 Budget.

**Attachment**

Terms & Conditions of Employment for Professional Unit employees (*Revisions based on the Last, Best & Final Offer are highlighted for reference purposes only*)

**SOUTH COAST AIR QUALITY  
MANAGEMENT DISTRICT**

**TERMS AND  
CONDITIONS OF  
EMPLOYMENT**

**PROFESSIONAL UNIT**

**October 1, 2021**

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**TERMS AND CONDITIONS OF EMPLOYMENT**

**TERMS AND CONDITIONS OF EMPLOYMENT FOR  
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
PROFESSIONAL EMPLOYEES ASSOCIATION  
CONCERNING THE EMPLOYEES IN THE PROFESSIONAL UNIT**

ARTICLE 1

RECOGNITION

Section 1. Pursuant to the provisions of the Employee Relations Resolution of the South Coast Air Quality Management District (hereinafter called "AQMD") and applicable State law, effective May 18, 1999, the South Coast Air Quality Management District Professional Employees Association (hereinafter "SC-PEA" or "Union") was certified by the Executive Officer as the exclusive bargaining representative of employees in the Professional Unit (hereinafter referred to as "Unit") established in the *Employee Relations Resolution*.

The term "employee" or "employees" as used herein shall refer to employees employed by AQMD in the Professional Unit in the employee classifications comprising these Units as listed in Appendix A, as well as such classes as may be added hereinafter to said Unit by the Executive Officer.

Section 2. Exclusive Recognition. AQMD agrees that it shall recognize SC-PEA as the exclusive representative of the employees in the Professional Unit for the purpose of meeting its obligations under the Meyers-Milias-Brown Act, Government Code Section 3500 et seq., and Employee Relations Resolution when AQMD rules, regulations, or laws affecting wages, hours, or other terms and conditions of employment are amended or changed.

Section 3. Employee Rights. The parties mutually recognize and agree to protect the rights of all employees hereby to join or participate in protected Union activities or to refrain from joining or participating in protected Union activities in accordance with the Employee Relations Resolution and Government Code Sections 3500 and 3511.

ARTICLE 2

NONDISCRIMINATION

Section 1. AQMD and the Union agree that they shall not discriminate against any employee because of race, color, sex, age, national origin, political, or religious opinions or affiliations, religion, marital status, disability, or sexual orientation. AQMD and the Union shall reopen any provision of this Agreement for the purpose of complying with any final order of a federal or State agency or court of competent jurisdiction requiring a modification or change in any provision or provisions of this Agreement in compliance with State or federal antidiscrimination laws.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 2

#### NONDISCRIMINATION

Whenever the masculine gender is used in this Terms and Conditions of Employment, it shall be understood to include the feminine gender.

### ARTICLE 3

#### SALARIES

Section 1. Salaries during the term of this contract will be as listed in Appendix A.

Section 2. Subject to Salary Resolution Section 12(e), the employee's step advancement pay will be implemented on the employee's Anniversary Date, in accordance with Section 15 of the Salary Resolution, unless the Deputy Executive Officer of the employee's department notifies Human Resources of the need to deny or defer the step advancement pay.

### ARTICLE 4

#### WORKING OUT-OF-CLASS

Section 1. SCAQMD may work employees out of classification. No employee shall be worked out-of-class for more than 180 consecutive calendar days per assignment. With approval from Human Resources, a working out-of-class assignment may be extended up to an additional 60 consecutive calendar days. Employees who have completed a working out-of-class assignment shall not be eligible for another working out-of-class assignment in the same job classification for 90 calendar days. If an employee works out-of-class for more than 8 working days, after the 8<sup>th</sup> working day, the employee shall receive the pay for the classification worked.

Section 2. For purposes of this Article, working out-of-class means that an employee is assigned to perform significant distinguishing duties of the higher classification a majority of the time in a position allocated to his or her organizational unit. To the extent practicable, working out-of-class opportunities will be advertised within the organizational unit having the vacancy, and the qualifications of employees who respond will be considered prior to a working out-of-class appointment being made.

Section 3. Any employee assigned and receiving the compensation of a higher-level classification under the provisions of this Article shall not receive any other compensation or continuous service credit as provided for under Sections 19 and 20 of the AQMD *Salary Resolution*. Under no circumstances shall a working out-of-class assignment be considered a temporary appointment.

Section 4. Any employee assigned to working out-of-class status must meet the minimum requirements for the higher-level classification at the time of appointment. Human Resources must review and approve all working out-of-class assignments prior to an out-of-class appointment being made.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 5

#### WORK WEEK

Section 1. The work week shall consist of four 10-hour days within a 7-calendar-day period. Work days will be Tuesday through Friday, beginning May 1, 1996, except that management may designate alternative work days for individual employees when operational needs require it. Nothing contained herein shall be construed as guaranteeing to any employee a minimum number of hours per day, days per week, weeks per year, or any other guarantee of work.

Employees may choose, subject to supervisory approval, to start work as early as 6:30 a.m. and to end work as late as 7:00 p.m.

This work schedule shall be applied to all employees unless specifically exempted by management.

Section 2. Employees exempted for a medical condition from the 4/10 work schedule referenced above will work a minimum of four 8-hour days per week. Management has the discretion, based on operational needs, to permit an employee to have a work schedule consisting of five 8-hour days within a 7-calendar-day period. Those working a 4/8 schedule may apply earned leave time (vacation, compensatory time, sick leave, etc.) to receive up to full pay for an 80-hour pay period. Nothing contained herein shall be construed as guaranteeing to any employee a minimum number of hours per day, days per week, weeks per year, or any other guarantee of work.

Section 3. AQMD shall give an employee reasonable advance notice of any change in the employee's regular work week.

NOTE: Reasonable advance notice shall be defined as 10 business days' written notice to the affected employee for any change in the employee's regular work week, except in cases of emergency.

### ARTICLE 6

#### OVERTIME

(Compensatory Time)

Section 1. All employees shall be entitled to compensatory time for all paid hours in excess of 40 hours within the employee's work week. Compensatory time shall be earned at the rate of 1-1/2 hours of compensatory time for each 1 hour of overtime worked. Time paid for but not worked during the employee's regular work week shall be counted toward the computation of overtime. Compensatory time for overtime worked shall be accumulated in 1/4 hour per day increments. If an employee works less than 1/4 hour per day of overtime, the employee shall not receive compensatory time.

Section 2. Accumulated compensatory time not taken off in the calendar year in which it was earned may be carried over indefinitely to subsequent calendar years.

(*Salary Resolution*, Section 32(c), "Payment Upon Termination.")

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 6

#### OVERTIME

(Compensatory Time)

Section 3. Payment Upon Termination. Upon termination from AQMD service, employees shall, in accordance with the law, be paid a lump sum payment for their unused, accumulated compensatory time off; however, no payment shall be made for unused compensatory time exceeding 240 hours. Such lump sum payment shall be computed by multiplying employees' unused compensatory time (up to 240 hours) by their regular hourly rate at date of termination.

Section 4. Usage of Compensatory Time Off Previously Earned.

- a. Accumulated compensatory time off may be taken by an employee upon reasonable notice and prior approval of management.
- b. Accumulated compensatory time shall be taken off by an employee when directed by management, but only when an employee has accumulated more than 40 hours of compensatory time and subject to the following: On each occasion when an employee has accumulated more than 40 hours of compensatory time, management may direct the employee to reduce his or her accumulated compensatory time balance to as low as 20 hours, either by taking time off or receiving paid overtime at the straight time rate. Once directed to reduce his or her compensatory time balance, the employee shall choose either to take or receive compensatory time off or to receive paid overtime at the straight time rate. Should the employee in this status elect to take compensatory time off, management will give an employee at least 10 days' notice prior to the date compensatory time is directed by management to be taken. In approving and directing compensatory time off, management will, as far as practicable, attempt to accommodate employee convenience to the degree possible in light of the operational requirements of the division.

Section 5. All employees who work more than 10 hours in any 24-hour period (or more than 8 hours if working an 8-hour-per-day schedule) shall be entitled to compensatory time for those excess hours. Said compensatory time shall be earned at the rate of 1-1/2 hours of compensatory time for each 1 hour worked past 10 in a day (or 8 if working a 5/8 schedule). This compensatory time shall be granted irrespective of the hours paid or worked within the employee's work week.

Section 6. Employees working on a holiday shall receive, in addition to regular pay for that day, time-and-one-half (1-1/2) compensatory time or time-and-one-half (1-1/2) pay for all holiday hours worked, at the employee's option. Their compensation shall be irrespective of the number of hours the employee worked during that week.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 7

#### OVERTIME

(Paid Overtime)

Section 1. Any employee, at the time of request, may opt to be paid for any overtime worked at the rate of 1-1/2 times his or her hourly rate, minus any bonuses, or may have said time added to his or her compensatory time balance at the rate of 1-1/2 hours of compensatory time for every 1 hour of overtime worked.

Section 2. Employees may opt to be paid overtime for all hours worked in excess of 40 in 1 week. Hours worked includes time for which persons are compensated but do not actually work, including but not limited to sick leave, vacation and fixed and floating holidays.

Section 3. All employees required to work on Sunday shall receive overtime pay at 1-1/2 times their regular rate of pay for all hours worked on that day regardless of the number of days or hours worked in the work week. This will be the case irrespective of how many hours of accumulated overtime the employee had on the books prior to the Sunday he or she was required to work.

Section 4. Nothing herein is intended to limit or restrict the authority of AQMD to require any employee to perform overtime work.

Section 5. Notwithstanding Sections 1 and 2 above, all employees who work more than 10 hours in any 24-hour period (or more than 8 hours if working an 8-hour-per-day schedule), may opt to be paid for those excess hours. Payment shall be at the rate of 1-1/2 times the regular rate of pay. This payment shall be granted irrespective of the hours paid or worked within the employee's work week.

Section 6. Employees working on a holiday shall receive, in addition to regular pay for that day, time-and-one-half compensatory time or time-and-one-half pay for all holiday hours worked, at the employee's option. Their compensation shall be irrespective of the number of hours the employee worked during that week.

### ARTICLE 8

#### DIFFERENTIAL FOR NIGHT SERVICE

(*Salary Resolution*, Section 23, "Differential for Night Service")

##### Section 1. Differential For Night Service.

a. For purposes of this section only:

- (1) An evening shift is a regularly established work shift at least 1/2 of which falls between the hours of 4 p.m. and 11 p.m.
- (2) A night shift is a regularly established work shift at least 1/2 of which falls between the hours of 9 p.m. and 8 a.m.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 8 DIFFERENTIAL FOR NIGHT SERVICE

- b. A \$1.00-per-hour bonus shall be paid to employees for each hour they work during an evening or night shift, except as otherwise provided herein.

### ARTICLE 9

*(Salary Resolution, Section 24, "Standby Pay")*

### STANDBY PAY

Section 1. Standby Pay. When authorized, a \$2.00-per-hour payment may be paid to any person assigned regularly scheduled periods of standby service at off-duty times.

Employees who are required to stand by must be available to return to duty with minimal delay, which may or may not require travel to SCAQMD headquarters or another location. Employees on standby shall not be considered to be inconvenienced or have their normal activities restricted if they are required to be available to respond to phone calls or text messages by mobile phone, or are required to be available to respond to pages or emails.

When an employee on standby service is required to return to duty, the employee shall receive Call-Back pay, in accordance with Article 10.

### ARTICLE 10

*(Salary Resolution, Section 25, "Call-Back Pay")*

### CALL-BACK PAY

Section 1. Call-Back Pay.

- a. Whenever employees are unexpectedly ordered to return to duty because of unanticipated work requirements, such return to duty shall be deemed to be a call back if the order to return is given to the employee following termination of his or her normal work shift and departure from the work location, and such return occurs within 24 hours of when the order is given but not less than 2 hours before the established starting time of the employee's next regular shift.

An employee on standby service shall receive Call-Back pay when required to return to duty, in accordance with Section 1.b below.

- b. Any employee in a full-time permanent position shall receive call-back pay as follows:
  - (1) If the order to return to work requires travel to District headquarters or to another location to do the work,
    - (a) a minimum payment equal to 4 hours of pay at time-and-one-half (1-1/2) the employee's regular rate, or
    - (b) a minimum payment equal to 4 hours of compensatory time at time-and-one-half (1-1/2) to be added to his or her balance.

## TERMS AND CONDITIONS OF EMPLOYMENT

- (2) If the order to return to work does not require travel to District Headquarters or to another location to do the work,
  - (a) a minimum payment equal to 2 hours of pay at time-and-one-half (1-1/2) the employee's regular rate, or
  - (b) a minimum payment equal to 2 hours of compensatory time at time-and-one-half (1-1/2) to be added to his or her balance.

If the total number of hours worked during the return to duty exceeds the minimum payment, the employee shall receive compensation at time-and-one-half (1-1/2) for all hours worked. As an alternative, the employee may opt to receive compensatory time hours at time-and-one-half (1-1/2) the employee's regular rate for all hours worked. The compensatory time and overtime provisions of this section shall apply regardless of the compensatory time balance of the employee prior to being called back.

- c. Whenever an employee is unexpectedly ordered by his or her supervisor to return to duty as provided above, but such return occurs less than 2 hours before the established starting time of the employee's next regular shift, it shall be deemed an early shift start, and the employee shall be compensated at overtime rates for any overtime worked as a direct result thereof.

### ARTICLE 11

*(Administrative Code, Section 110)*

### MILEAGE ALLOWANCE

#### Section 1. Mileage Permittee.

A mileage permittee is any person traveling on AQMD business in his or her own private vehicle who claims mileage reimbursement. Such person's eligibility for mileage permittee status is established by the approval of the mileage claim by his or her Designated Deputy or management-level designee.

#### Section 2. Rules for Filing Mileage Claims.

The Chief Financial Officer is hereby authorized to establish procedures governing the preparation, filing, and payment of mileage and parking reimbursement claims.

#### Section 3. Mileage Permittee Insurance Requirements.

The mileage permittee's act of signing a mileage/parking reimbursement claim signifies that he or she has the automobile insurance or bond coverage required by the State of California. To so falsely state coverage will be grounds for disciplinary action.

## **TERMS AND CONDITIONS OF EMPLOYMENT**

### ARTICLE 11

#### MILEAGE ALLOWANCE

##### Section 4. Mileage Rates.

A mileage permittee shall be paid for the use of a privately owned motor vehicle (other than motorcycle) or aircraft for the reimbursement period established by the Chief Financial Officer. The rate shall be adjusted by the Chief Financial Officer based on the Internal Revenue Service Standard Mileage Rate.

##### Section 5. Mileage Eligibility for Reimbursement.

Mileage permittees will be allowed to claim reimbursement for only the business mileage traveled each day in excess of that from their home to their designated headquarters and return. However, if a mileage permittee does not report to his or her headquarters location during the business day while conducting AQMD business which requires driving, he or she will be entitled to full reimbursement for actual miles traveled on business that day; i.e., no deduction will be made for the home-to-headquarters round trip. For purposes of mileage reimbursement, a headquarters location will be established for each mileage permittee by his or her Designated Deputy or management-level designee. Reimbursement will not be made if an AQMD pool car is available and the mileage permittee elects to drive his or her own private vehicle.

Section 6. Extra Trip Mileage. Whenever a mileage permittee is ordered to return to his or her duties from home after regular working hours, mileage will be allowed from and return to home.

Section 7. Mileage on Weekends and Other Nonwork Days. Mileage permittees working on weekends or holidays or on their regularly scheduled day off under a 4/10 work schedule may claim mileage reimbursement for the round trip from home to their work site, as well as any other mileage claimable under Section 5 above.

With the approval of the respective Designated Deputy, mileage may also be claimed by permittees attending AQMD-approved functions (such as seminars) on weekends, holidays, or a regularly scheduled day off under a 4/10 work schedule even if they are not in a paid status on these days. For these employees, mileage shall be computed as if the mileage permittee were in a paid status.

##### Section 8. Reimbursement for Occasional Parking.

A mileage permittee shall be entitled to reimbursement for actual expenses incurred for occasional parking as a necessary part of official travel.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 12

(Administrative Code, Section 120)

#### TRAVEL EXPENSES

##### Section 1. Travel Expenses.

Expenses for travel shall not exceed:

- a. The actual cost of transportation when by public carrier.
- b. The actual cost of meals and lodging not to exceed the limits specified in Administrative Code, Section 120.
- c. Employee meal expenses within AQMD shall be reimbursed only when approved by the Executive Officer or designee.
- d. Meals and travel expenses for other than AQMD employees shall be reimbursed only when approved by the Executive Officer or designee. Reimbursement will be made for the actual cost of the meal and travel, subject to the limitations presented elsewhere in this Agreement.
- e. Meals and travel for other than AQMD employees asked to sit on oral boards, used for interviewing prospective employees of AQMD, will be reimbursed for the actual cost of the meal and travel subject to the limitations presented elsewhere in this Agreement. The Executive Officer, or designee, must approve a request in advance.

##### Requests for Travel Expenses.

All demands against AQMD for travel expenses shall be filed in duplicate on forms and at times prescribed by the Chief Financial Officer. Receipts must be presented for all expenses in excess of \$25 incurred under this section.

### ARTICLE 13

#### HAZARD PAY

Section 1. With the exceptions noted in Section 3 below, employees who are assigned by management to assist in a specific hazardous assignment, as determined by management, shall receive a daily bonus for such work for the number of days actually assigned to the hazardous assignment during a pay period as follows:

	Effective <u>6/25/90</u>
1 day or any portion thereof	\$10.00
2 days	\$20.00
3 days	\$30.00
4 days	\$40.00
5 days	\$50.00
6 days	\$60.00
7 days	\$70.00
8 days	\$80.00
9 days	\$90.00
10 days	\$100.00

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 13

The hazard pay shall not constitute a part of the employee's base rate, but shall be a bonus for performing hazardous duties.

### HAZARD PAY

Section 2. The bonus in Section 1 will be applied only when inspections or sampling activity occurs in an area where the wearing of breathing apparatus is mandatory because concentrations of toxic materials may be at such a high level that there would be adverse health effects experienced by the employee without the use of such equipment.

Section 3. Employees in the Monitoring & Analysis Division assigned to a field source test team will receive \$20 per day those days that they actually participate in source tests.

### ARTICLE 14

*(Salary Resolution, Section 28, "Holidays")*

### HOLIDAYS

Section 1. SCAQMD-paid holidays shall be:

- a. July 4 (Independence Day)
- b. The first Monday in September (Labor Day)
- c. November 11 (Veteran's Day)
- d. The fourth Thursday and the following Friday in November (Thanksgiving)
- e. December 25 (Christmas)
- f. January 1 (New Year's Day)
- g. The third Monday in January (Martin Luther King, Jr.'s Birthday)
- h. The third Monday in February (Presidents' Day)
- i. The last Monday in May (Memorial Day)

On each September 1, SCAQMD employees shall be granted 10 hours of floating holiday time (or 8 hours of floating holiday time if working a 4/8 or 5/8 schedule) in lieu of celebrating Admissions Day. On each February 1, SCAQMD employees shall be granted 10 hours (or 8 hours if working a 4/8 or a 5/8 schedule) of floating holiday time in lieu of celebrating Abraham Lincoln's birthday.

Whenever any employee is unable to take such time off as provided by this section regarding floating holidays, such time may be carried over into the next succeeding calendar year during which year such time off must be taken or it is lost. However, if a pay period bridges two calendar years, an employee will have until the end of that pay period to take off floating holiday time before it is lost.

Section 2. Paid Leave. Any employee who is employed on a biweekly basis shall be entitled to paid leave for holidays as defined by Section 1 above, as follows:

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 14

### HOLIDAYS

- a. 40-hour-per-week employees and employees exempted for a medical condition from the 4/10 work schedule who are regularly scheduled to work a minimum of four 8-hour days per week:
  - (1) Any employee working a 4/10 work schedule shall receive 10 hours of holiday pay for each said holiday.
  - (2) Any employee working a 4/8 or a 5/8 work schedule shall receive 8 hours of holiday pay for each said holiday.
  - (3) Whenever an employee's regularly scheduled day off falls on a holiday, he or she shall be granted 10 hours of holiday earned time (8 hours if working a 4/8 or a 5/8 schedule).
- b. Part-time Employees. Any part-time employee employed on a biweekly basis shall be allowed paid leave for each said holiday in the manner set forth in this Section, but in an amount equal to the fraction of 10 hours or 8 hours equivalent to the basis for compensating said position.
- c. Holiday Earned.
  - (1) Whenever any employee is unable to take such time off as provided by section 2a.(3) above, such time may be accrued for up to 140 hours. Holiday earned accrual will resume at the beginning of the pay period immediately following the pay period in which the balance falls below 140.

Beginning April 6, 2018, or as soon as practicable, accrued holiday earned time will be tracked separately from accrued compensatory time. From April 6, 2018 through April 30, 2018, an employee may transfer up to 70 holiday earned hours accrued and unused during the previous 26 pay periods from the employee's compensatory time balance to the employee's holiday earned balance.

- (2) From April 6, 2018 through April 30, 2018, any employee who has held a permanent full-time position for 26 consecutive pay periods shall have the option of selling back to SCAQMD up to 70 hours of holiday earned leave time accrued, and not used, during the previous 26 pay periods. Once an employee has sold back any amount of holiday earned leave time, the employee may not do so again for another 26 pay periods.

Beginning May 1, 2018, any employee who has held a permanent full-time position for 26 consecutive pay periods shall have the option of selling back to SCAQMD up to 40 hours of holiday earned leave time accrued, and not used, during the previous 26 pay periods. Once an employee has sold back any amount of holiday earned leave time, the employee may not do so again for another 26 pay periods.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 14

#### HOLIDAYS

- d. Holiday Time Payoff. Any employee about to leave the service of AQMD shall be allowed a leave of absence of accumulated holiday time which has not been taken, calculated according to the provisions of this section. In place of this leave, a lump sum payment may be made to the employee. This payment shall be calculated by multiplying the employee's unused holiday time by his or her regular hourly rate at the date of termination.

### ARTICLE 15

#### VACATIONS

(*Salary Resolution*, Article 9, "Vacations")

##### Section 1. Vacation Anniversary Date.

- a. Full-time employees and employees exempted from the 4/10 work schedule for a medical condition who are regularly scheduled to work a minimum of four 8-hour days per week shall earn and be credited with vacation at the rate of .03846 hours for each hour of active service, exclusive of overtime, during their first year of service. Employees shall be granted neither vacation time off nor a vacation payoff at termination during this first year of service.
- b. For purposes of this article, an employee's vacation anniversary shall be the same as his or her continuous service date subject to adjustment within a pay period. This adjustment is necessary for determining a vacation accrual rate for persons having 4 or more years of continuous AQMD service. In these cases, when a continuous service date occurs within a pay period, the vacation anniversary date for that year only shall be the first day of the pay period.

##### Section 2. Vacation—One or More Years' Service.

- a. Persons employed full time on a biweekly basis who have been in continuous service for more than 1 year shall accrue and be credited with vacations in accordance with the following tables:

<u>Year</u>	<u>Annual Accrual In Hours</u>	<u>Accrual Rate</u>	
		<u>Per Paid Hour (exclusive of overtime)</u>	<u>Per Pay Period</u>
1-4	80	.03846	3.08
5-9	120	.05770	4.62
10	128	.06157	4.93
11	136	.06544	5.24
12	144	.06923	5.54
13	152	.07308	5.85
14-20	160	.07694	6.16
21 or more	182	.08750	7.00

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 15

### VACATIONS

- b. Notwithstanding any other provisions of this Terms and Conditions of Employment, any employee who was employed by AQMD on July 1, 1976, who on June 30, 1976, was an employee of a county and on the basis of his or her service was entitled to more vacation days than provided in Article 15, shall not have his or her vacation entitlement days reduced thereby.

#### Section 3. Hourly Employees.

Any employee who is employed by AQMD at least 3/4 time, over 60 hours per pay period, exclusive of overtime, shall accrue and be credited with vacation at the 2-week 80-hour rates. Each year thereafter he or she continues to be employed at least 3/4 time, he or she shall be entitled to vacation in accordance with the 2-week or she shall be entitled to vacation in accordance with the 2-week 80-hour vacation accrual rate.

#### Section 4. Vacation Upon Termination.

- a. Any person who leaves the service of AQMD, who immediately prior to such separation shall have been in AQMD service for 1 year or more, shall be entitled to leaving vacation. Payment for such leaving vacation shall be made in a lump sum and shall be based on the number of working hours earned.
- b. The lump sum payment upon termination shall be computed by multiplying the employee's unused vacation hours by his or her regular hourly rate at the date of termination.

#### Section 5. Persons in the Armed Forces.

Any employee who enters the armed forces of the United States who has been in AQMD service for 1 year or more immediately prior to such duty shall be entitled to such vacation as has accrued to him or her. Such vacation must be taken at the time of entering the armed forces and no lump sum payment may be made in lieu of carrying such person on the payroll.

#### Section 6. Time of Taking Vacations.

Vacations may be taken in the year in which they are earned or in subsequent years. An employee may have more than 360 hours of accrued vacation through the end of the last pay period beginning in December. Employees whose vacation accrual balances exceed 360 hours by the end of the last pay period beginning in December may not accrue additional vacation until balances are lowered to 360 hours. Vacation accrual will resume at the beginning of the pay period immediately following the pay period in which the balance falls to 360 or less. Employees will be paid for all accrued vacation time at termination.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 15

#### VACATIONS

A Professional employee who has 360 hours of current and deferred vacation will be allowed to sell back up to 40 hours of vacation providing the employee has taken off at least 80 hours of vacation in the prior 12 months. Once an employee has sold back vacation time, he may not do so again for another 26 biweekly pay periods. Employees hired after January 1, 2006, are not eligible to sell back vacation.

Section 7. Vacations shall be taken at such time as authorized by the appointing authority.

Section 8. Less than One-Half Time Employees.

This article shall not apply to any person who is employed for less than 1/2 time.

### ARTICLE 16

#### FRINGE BENEFIT ADMINISTRATION

Section 1. Administration. AQMD reserves the right to select the Insurance carrier or administer any fringe benefit programs that now exist or may exist in the future.

Section 2. Selecting and Funding. In the administration of the fringe benefit programs, AQMD shall have the right to select any insurance carrier or other method of providing coverage to fund the benefits provided under the terms of this Terms and Conditions of Employment, provided that the benefits to the employees shall be no less than those in existence as of the implementation of this Terms and Conditions of Employment.

Section 3. Changes. If any change of insurance carrier or method of funding coverage for any benefits provided hereunder occurs, AQMD shall consult with the Union prior to any change of insurance carrier or method of funding coverage.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 16

#### FRINGE BENEFIT ADMINISTRATION

Section 4. Labor-Management Insurance Committee. A labor-management committee will be established to review medical, dental, vision, and life insurance benefit choices and premium costs and to provide recommendations to Human Resources. The committee will consist of two members from each bargaining unit, each union's bargaining representative, two confidential employee representatives, two management representatives, the Designated Deputy over Administrative and Human Resources, and Human Resources' benefits manager and benefits analyst. The committee will meet quarterly and will provide recommendations to Human Resources on possible plan improvements and enhancements. In addition to the quarterly meetings, the committee shall meet when there is a proposed increase in the employee contribution of 5% or more, or substantial changes to the insurance carrier or plan are anticipated. Substantial includes, but is not limited to, any increase in participant co-payment for prescriptions or medical treatments or deletion of previously existing benefits. Any benefit plan recommendations developed will be given full consideration by Human Resources in providing plans that meet AQMD employee needs at cost-effective rates. Plan changes resulting from committee recommendations will not open the contract to renegotiation of any provision.

Section 5. Skill-Based Pay. Employees hired after January 1, 2006, are not eligible to receive monthly skill-based pay. They are, however, eligible for bilingual pay in accordance with prevailing policy.

### ARTICLE 17

#### GROUP INSURANCE (Health, Dental, Life, and Vision Insurance)

#### Section 1. Medical-Hospital Insurance.

AQMD will pay a monthly contribution to each group medical/hospital insurance plan administered by AQMD, by an employee organization, or any other organization so designated by AQMD for each full-time permanent employee who elects to enroll in such a plan.

#### Dental Insurance.

Where consistent with the eligibility requirements below, AQMD shall pay each full-time permanent employee's dental premium and dependent dental coverage.

#### Life Insurance.

Where consistent with the eligibility requirements below, AQMD shall pay each full-time permanent employee's premium for a term life insurance policy with a value of \$10,000. Any represented employee contribution for this additional coverage will be determined in accordance with Section 2 of Article 17 of the Terms and Conditions of Employment.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 17

#### GROUP INSURANCE (Health, Dental, Life, and Vision Insurance)

#### Vision Care.

AQMD shall offer an optional vision care plan for regular full-time employees. Any represented employee contribution will be determined in accordance with Section 2 of Article 17 of the Terms and Conditions of Employment.

#### Eligible Employees.

The contribution provided for in this section shall be made only on behalf of each employee who actually enrolls in such plan and who is a full-time permanent employee or a permanent employee who has been exempted for a medical condition from the 4/10 schedule and who is regularly scheduled to work a minimum of four 8-hour days per week.

Such contribution shall be made to only one medical/hospital plan per employee. No contribution shall be made on behalf of any employee if he or she has not been in a pay status at least one day the prior month.

#### Eligible Dependents.

Eligible dependents for insurance coverages described here are legal spouses, children, and stepchildren who meet eligibility criteria set by insurance providers.

Effective September 1, 1997, domestic partners of eligible bargaining unit employees and domestic partners' children are eligible for health insurance coverages described here, subject to AQMD domestic partner certification requirements and eligibility requirements for dependents set by insurance providers.

Section 2. Effective September 1, 2010, the total monthly contribution to be paid by SCAQMD for health, dental, vision, and \$10,000 life insurance shall be an amount not to exceed \$1,320.60.

SCAQMD shall pay an additional amount of \$385.00 per month on behalf of each employee directly to the health insurance providers, resulting in a reduction of premiums paid by the employees.

Any amount necessary to fund insurance coverage in excess of amounts listed above for each contract year shall be the responsibility of the individual employee. SCAQMD is authorized to deduct any amount necessary to maintain coverage of health, dental, life, and vision insurance in excess of the amounts listed above for each contract year by deducting the difference from the employee's biweekly pay warrant.

Any unused portion of the monthly benefit amount remaining after premiums for medical, dental, life, and, if selected by the employee, vision insurance plans have been paid will be reimbursed as cash.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 17

#### GROUP INSURANCE

(Health, Dental, Life, and Vision Insurance)

Section 3. AQMD agrees to an open enrollment period for the medical, dental, life, and vision insurance plans referenced above.

Section 4. Once eligibility for the plan is established, AQMD agrees to provide 1 long-term disability (LTD) plan option for employees to purchase at their own expense.

Section 5. If increases in the monthly benefit contribution for 2006 and 2007 are not sufficient to fund the annual increase to the premium for family coverage for Kaiser and Delta Dental, the two-party rate for vision insurance and basic life insurance, the parties agree to meet and confer regarding the benefits cap. Nothing in this agreement to meet and confer implies any guarantee of an additional increase to the benefits cap beyond what is provided in the contract as described above.

Section 6. The parties agree to establish a committee to explore having employees represented by the SC-PEA participate in the Health Reimbursement Arrangement (HRA) adopted by the Governing Board on December 4, 2009. The committee will consist of four members of the bargaining unit, as well as representatives from Human Resources, Finance, and District Counsel. Any agreements regarding participation in the HRA will be incorporated into this Terms and Conditions of Employment.

Section 7. No earlier than September 15, 2018 and September 15, 2019, the parties agree to a reopener of Article 17, Section 2 of the Terms and Conditions of Employment for purposes of discussing potential health insurance premium increases effective on or after January 1, 2019 and 2020, respectively.

### ARTICLE 18

#### STATE DISABILITY INSURANCE

AQMD shall continue to provide State Disability Insurance (SDI) coverage for non-industrial illness or injury. Said agreement shall provide for the integration of AQMD leave time with State Disability benefits, at the option of the employee. Employees shall not be entitled to receive more than 100% of pay when leave time and State Disability benefits are combined. Employees charging partial-pay sick leave as discussed in Article 22(3)f shall not be prevented from receiving up to 100% of salary when combining SDI benefits, partial-pay sick leave, and a sufficient amount of other leave time.

### ARTICLE 19

#### DEFERRED COMPENSATION

Section 1. AQMD shall offer regular full-time employees the opportunity to participate in a Section 457 Deferred Compensation Plan without an employer contribution, except as described below. The same opportunity will also be offered to hourly employees and to regular employees exempted for a medical condition from the 4/10 schedule who are regularly scheduled to work a minimum of four 8-hour days per week.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 19

#### DEFERRED COMPENSATION

Section 2. Hourly employees are required to make a mandatory contribution to a Section 457 Deferred Compensation Plan in the amount of at least 7.5% of wages in lieu of paying the old age, survivors, and disability insurance portion of Social Security tax.

### ARTICLE 20

#### IRS SECTION 125 PROGRAM

IRS Section 125.

AQMD will establish an IRS Section 125 Program, which permits employees, under existing law, to use pre-tax dollars for premium conversion, medical reimbursements, and/or dependent care expenses. Effective calendar year 2013, the maximum amount of pay that can be redirected, tax free, to a flexible spending account for health-care reimbursement is \$2,500.

### ARTICLE 21

#### RETIREMENT

Section 1. Effective July 8, 1991, for employees who are active members of the San Bernardino County Employees' Retirement Association (SBCERA) and who were hired prior to July 1, 1979, AQMD will pick up, on employees' behalf, payment of 11.34% of the employee contribution rates established for AQMD by SBCERA's actuary. For employees hired on or after July 1, 1979, AQMD will pick up, on employees' behalf, payment of 6.49% of the employee contribution rates established for AQMD by SBCERA's actuary. The remaining portion of an employee's contribution rate will be withheld from the employee's pay. Beginning December 13, 1999, employee retirement contributions will be withheld on a pre-tax basis, within Internal Revenue Service requirements.

A new employee hired on or after January 1, 2013, who was a prior member of SBCERA or another public retirement system and established reciprocity with SBCERA, or had a break in service of less than six months, shall pay their full General Membership Contribution Rate for their retirement through SBCERA. The employee's rate is established by SBCERA, and varies depending upon age of entry into the pension system.

Pursuant to the California Public Employee Pension Reform Act of 2013, a new employee hired on or after January 1, 2013, who is being employed for the first time by any public employer, had a break in service of more than six months, or was employed by another public employer but not subject to reciprocity with SBCERA, shall pay the employee contribution rate as determined by SBCERA. (As of January 1, 2013, the rate is 7.75%, and is subject to change as determined by SBCERA's actuary according to the most recently completed valuation.)

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 21 RETIREMENT

Beginning January 2, 2006, employees will contribute an additional 3.25% of “pensionable” earnings toward retirement and AQMD’s contribution will be reduced by this amount.

For employees hired after January 1, 2006, only the portion of the agency’s contribution toward benefits that is taken as cash is “pensionable,” i.e., is considered “compensation earnable” for retirement purposes.

Section 1.5. Effective the start of the pay period encompassing July 1, 2015, SCPEA bargaining unit members will contribute an additional 1.08% towards the employee retirement contribution rate and will receive a 1.08% increase to base salary. Effective the start of the pay period encompassing July 1, 2016, SCPEA bargaining unit members will contribute an additional 1.08% and will receive a 1.08% increase to base salary. Effective the start of the pay period encompassing July 1, 2017, SCPEA bargaining unit members will contribute an additional 1.08% and will receive a 1.08% increase to base salary. SCPEA bargaining unit members who have 30 years or more of retirement service credit with SBCERA, were hired on or after July 1, 2012, and those employees hired on or after the implementation of PEPRA are not eligible to receive these increases to base salary and are not required to make the additional contribution described above. At the time a SCPEA bargaining unit members reaches 30 years of SBCERA service credit, the salary increases to base salary previously received pursuant to this Section 1.5 shall be terminated and the employee’s base salary will be adjusted accordingly.

Section 2. Effective July 1, 1991, for those employees who are active members of the Los Angeles County Employees’ Retirement Association, employee contribution rates shall be 6.05 percentage points less than those determined in the most recent actuarial study. Irrespective of the employee contribution rate determined after applying this 6.05 percentage point reduction, those employees with less than 30 years’ retirement service credit shall pay a minimum of \$1 per month in employee retirement contributions. Beginning January 2, 2006, employees will contribute an additional 3.25% of “pensionable” earnings toward retirement and AQMD’s contribution will be reduced by this amount.

Section 3. Notwithstanding the provisions of Sections 1 and 2 above, it is the intent of the parties that there should be no increases in employee contributions to retirement based on actuarial studies in effect on July 8, 1991.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 21 RETIREMENT

Section 4. A retirement contribution equivalency payment shall be made to certain employees who are members of the Los Angeles County Employees' Retirement Association. This payment shall be made only to those employees who as of July 1, 1983, paid no retirement contributions by virtue of having been credited with 30 years of retirement service credit. These employees shall receive each biweekly pay period an equivalency payment equal to 3% of base salary. It is understood by the parties that this equivalency payment is in addition to base salary and not a part of it.

Section 5. In accordance with Internal Revenue Code, Section 3121 (b)(7)(f), employees who are not members of an AQMD-sponsored retirement system will be subject to the full FICA tax effective for services rendered after July 1, 1991. In the event the IRS Section 312(b)(7)(f) makes regular employees of AQMD subject to full FICA tax, the parties agree to reopen this section for the purpose of meeting and conferring.

Section 6. The Executive Officer will recommend the AQMD Board adopt a resolution that would enable full-time regular employees currently not paying Medicare taxes to elect, on a voluntary basis, to pay such taxes. With the Board's approval, Medicare tax withholding and AQMD's payment of its portion of the tax would begin as soon as administratively feasible, but no sooner than one year after the date the Board approves the resolution. The parties understand that, once a decision is made to have Medicare taxes deducted, that decision is irrevocable.

Section 7. Should AQMD become "superfunded" in the retirement system and the employer contribution rate fall below that required to fund the normal cost established by SBCERA, management will notify SC-PEA representatives and will discuss options available within the overall context of the agency's budget to assure funding is available for future year retirement cost increases.

### ARTICLE 22 LEAVES OF ABSENCE FOR SICKNESS OR INJURY

(*Salary Resolution*, Section 44, "Injuries in the Course of Employment")

#### Section 1. Injuries in the Course of Employment.

- a. Applicability of This Section. The provisions of this Section shall apply only to those industrial injury cases which the Workers' Compensation Appeals Board determines to be compensable and only for such period of time as the Workers' Compensation Laws of the State of California require payment for temporary disability and shall cease when a person leaves AQMD service other than by disability retirement.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 22

#### LEAVES OF ABSENCE FOR SICKNESS OR INJURY

- b. Compensation and Benefits – Leaves of One Year or Less.
- (1) Any employee who is absent as a result of an industrial injury deemed compensable by the Workers' Compensation Appeals Board shall receive compensation equal to the difference between his or her salary and the sum of the benefits prescribed by the Workers' Compensation Laws of the State of California and earnings from other employment, the total of which shall not exceed 65% of the base salary. Employees shall be eligible to receive such compensation above the benefits prescribed by Workers' Compensation Laws of the State of California and earnings from other employment for a period of one year from the date of injury.
  - (2) An employee who is granted a disability retirement allowance as a result of a compensable industrial injury before one year from the date of injury shall receive compensation equal to the difference between (1) his or her base salary, and (2) the sum of his or her retirement allowance, plus benefits provided under the Workers' Compensation Laws of the State of California plus earnings from other employment, when such sum totals less than his or her base
  - (3) The benefits provided under the Workers' Compensation Laws of the State of California referred to in c.(1) and (2) shall not include payments made for hospital, surgical, and medical expenses or payments received as a result of permanent injury awards.
  - (4) No deductions will be made from any vacation time, sick leave, or overtime previously accumulated by the employee while the employee is absent on a compensable industrial injury leave and for a period of time as defined in paragraph (1) above, except to the extent that the employee chooses to supplement his or her payments under paragraph (1) above with the charging of leave time. Such charging of leave time shall not be permitted to the extent that it results in the payment of more than 100% of salary or conflicts with section d below.
- c. Compensation and Benefits – After 1 Year. An employee who is compelled to be absent as the result of a compensable industrial injury after 1 year from the date of injury may elect one of the following:
- (1) To receive only those benefits provided under the Workers' Compensation Laws of the State of California.
  - (2) To receive the difference between sick leave pay which he or she would be entitled to receive pursuant to Section 3 below if his or her injuries had not arisen out of or in the course of his or her employment and Workers' Compensation Benefits, plus earnings from other employment. Election of this alternative means that full deductions will continue to be made.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 22

#### LEAVES OF ABSENCE FOR SICKNESS OR INJURY

When sick leave has been exhausted, the employee may elect to receive alternative (1) or (3).

- (3) To use any previously earned vacation, full-pay sick leave, or overtime, in order to receive payment equal to the difference between his or her salary and Workers' Compensation Benefits, plus earnings from other employment.

Election of this alternative means that full deductions will continue to be made. Upon expiration of all such benefits, the employee may elect to receive alternative (1) or (2) above.

- d. Crediting Previously Used Vacation, Sick Leave, or Overtime. In the event an employee is absent due to an injury and the absence is charged to any previously earned vacation, sick leave, or accumulated overtime, and subsequently the injury is determined to be compensable by the Workers' Compensation Appeals Board, such vacation, sick leave, or overtime shall be restored to the employee in accordance with subsection b(4). However, if full restoration of leave time were to result in an employee owing AQMD money, that employee shall have the option of choosing a partial restoration of leave time. The purpose of the partial leave time restoration shall be to remove the employee's potential debt, if possible, without resulting in any additional payment to him or her. When different types of leave time are restored, restoration of each type of leave time shall be based on the percentage relationships among the various types of leave time charged during the period under consideration.
- e. Limitations on Earning and Carry-over of Vacation, Sick Leave and Overtime. Employees who are absent under provisions of subsection c(1) of this section shall not earn any vacation or sick leave for the duration of such absence.
- f. Leave With Pay for Medical Treatment. Leave with pay for medical treatment may be permitted for short periods of time when temporary disability payments pursuant to this section of the Labor Code are not made.

Section 2. The employee shall notify AQMD by Registered Mail of his or her address if changed from the address in the employee's personnel record or if changed at any time during this leave of absence. The employee shall give AQMD reasonable notice in advance of the date of his or her return to work and shall, upon return to work, be assigned to his or her former position or a comparable position. Employee shall be physically able to perform the duties of his or her former position or comparable position in order to be returned to work, but AQMD shall make reasonable effort to place the employee in a position in which the employee is capable of performing to the same standard as other employees in that classification.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 22

(*Salary Resolution*, Section 43, "Leave for Sickness or Injury")

### LEAVES OF ABSENCE FOR SICKNESS OR INJURY

#### Section 3. Leave For Sickness or Injury.

##### a. Eligibility for Sick Leave.

- (1) Except as provided in this section, any person holding a position created by this Terms and Conditions of Employment shall be considered eligible for sick leave as provided hereby, and may utilize such sick leave when compelled to be absent because of disability resulting from sickness, injury, or pregnancy.
- (2) Employees not eligible for sick leave pursuant to the provisions of this section include those employed on an hourly basis or employed for less than 1/2 time.

##### b. Sick Leave at Full Pay - General Provisions.

- (1) Effective October 18, 1999, all full-time eligible employees and eligible employees exempted for a medical condition from the 4/10 work schedule who are regularly scheduled to work a minimum of four 8-hour days per week shall accrue 3.8462 working hours of sick leave at full pay for each pay period of continuous service, as long as the 4-day work week is in effect. In the event a 5-day work week is established, the accrual rate will be 3.6924 hours of sick leave per pay period. Other less than full-time employees shall earn a pro-rated amount based on the number of hours they are regularly scheduled to work per pay period.
- (2) For the first 12 months of any industrial or nonindustrial leave of absence, employees will continue to accrue sick leave benefits at the rate of 3.8462 hours per pay period. In the event a 5-day work week is established, the accrual rate will be 3.6924 hours of sick leave per pay period. In the case of all other leaves of absence, sick leave accrual rate for represented employees will be earned on each hour of paid time only, exclusive of overtime. Employees who are on industrial or nonindustrial leave of absence beyond 12 months shall accrue sick leave on each hour of paid time only, exclusive of overtime.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 22

#### LEAVES OF ABSENCE FOR SICKNESS OR INJURY

- (3) For the purpose of this section, an employee's continuous service shall be deemed to begin on the first day of the pay period in the event his or her actual continuous service begins on or before the 7th day of the pay period, and shall be deemed to begin on the 1st day of the following pay period in the event his or her actual continuous service begins on or after the 8th day of the pay period.
  - (4) For employees hired before July 1, 1980, sick leave at full pay may be accumulated to a maximum of 1,920 hours. Employees in the Professional Unit hired after September 1, 1980, may accumulate sick leave at a full pay to a maximum of 960 hours.
  - (5) Sick leave at full pay shall be deemed used in the reverse order in which it was earned; that is, the most recently earned sick leave time shall be used first.
- c. Sick Leave at Full Pay - Special Provisions.
- (1) In addition to other authorized uses, an employee may use accrued sick leave at full pay for:
    - (a) Nonemergency medical or dental care, or
    - (b) Any personal reason that does not interfere with the public service mission of AQMD to a maximum of 4 working days per 26-pay-period year beginning with pay period #2.
  - (2) Upon termination from AQMD service, an employee who holds a permanent full-time position and who has at least 5 years of continuous service shall receive a lump sum payment for accumulated sick leave at full pay to a maximum of 720 hours. Such lump sum shall be computed by multiplying the hourly rate at the date of termination by the sick leave balance which results from the sum of:
    - (a) All unused sick leave at full pay accumulated prior to January 1, 1971; plus
    - (b) 1/2 of all unused sick leave at full pay accumulated on or after January 1, 1971.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 22

#### LEAVES OF ABSENCE FOR SICKNESS OR INJURY

Employees in the Professional Unit hired after July 1, 1980, shall receive a lump sum payment calculated in the same manner as other employees, except payment shall be made only upon a nondeferred retirement. A nondeferred retirement shall be defined as a retirement for which the employee's effective date of retirement immediately follows his or her termination from AQMD service.

- (3) When an employee who holds a permanent full-time position and who has at least 5 years of continuous service is granted a maternity leave of absence, she may elect to receive all or part of the benefits set forth in c(2) above as if said employee were terminating.
- (4) Any employee who is reinstated pursuant to these rules shall be entitled to have restored to him or her any previously earned and unused full-pay sick leave not previously paid for pursuant to the above. This provision shall not apply to part-time employees or temporary employees.
- (5) Any employee who has held a permanent full-time position for 26 pay periods and has not used **more than 20 hours** of his or her accrued sick leave during the 26 pay periods constituting a payroll year shall have the option of selling back to AQMD 40 hours of unused sick leave and carrying over the remainder of accrued sick leave earned. For purposes of this section, the payroll year shall be understood to begin with the pay period applicable to the first pay day in January and end with the pay period applicable to the last pay day in December. **Prior to the start of the payroll year, but no earlier than December 1, employees will be notified of the start date of the first pay period for the next payroll year and the requirements to remain eligible to sell-back up to 40 hours of unused sick leave for the next payroll year.** In order to be eligible for such a sell-back, the employee must have earned 96 hours of sick leave during the payroll year.

In order to be eligible to sell back sick leave time, the employee must notify AQMD of his or her intention no later than February 15 of each year with respect to sick time accrued the previous year. Said notification shall be made in the manner prescribed by management.

#### d. Limitation on Sick Leave.

- (1) When an employee has exhausted all sick leave benefits to which he or she may be entitled under paragraphs a through c, and in the event that he or she does not return to work, he or she shall not be entitled to sick leave benefits, except as may be provided in paragraph e.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 22

#### LEAVES OF ABSENCE FOR SICKNESS OR INJURY

- (2) A person who is compelled to be absent because of sickness or injury, or for nonemergency medical or dental care, may elect to take time off on vacation or compensatory time from overtime or holidays worked rather than sick leave.
  - (3) No compensation shall be paid under this Section for any period in excess of the time such person has been in AQMD service.
  - (4) Sick leave compensation for persons employed on an hourly basis shall be computed on a 5-day work week basis of 40 hours, unless such person actually works more than 5 days per week (40 hours).
- e. Continuous Absences Due to Illness or Injury.
- (1) In addition to the sick leave benefits to which an employee is entitled under paragraphs a through d of this section, the Executive Officer may grant to an employee on continuous absence because of sickness or injury, if said employee has exhausted all sick leave benefits to which said employee is otherwise entitled, no more than 2 additional years of benefits as provided for in paragraphs a through d above; provided, however, no compensation shall be paid under this section for any period of time in excess of the time such person has been in AQMD service. In exercising his or her discretion, the Executive Officer may require a medical reevaluation of the employee's medical condition.
  - (2) A person on a continuous absence because of sickness or injury whose leave begins in one calendar year and extends into the next calendar year shall continue to receive compensation for any remaining sick leave in the next calendar year until such sick leave has been exhausted. Such person shall not be allowed additional sick leave, except as provided in paragraphs (1) and (2) in this subsection.
- f. Part-Pay Sick Leave. Notwithstanding any other provisions of this Terms and Conditions of Employment, any employee who was employed by AQMD on July 1, 1976, who on June 30, 1976, was an employee of a county and on the basis of his or her service was entitled to part-pay sick leave, shall be entitled to the same amount of part-pay sick leave as he or she was entitled to on June 30, 1976.
- g. Employees in their probationary period shall be entitled to take sick leave on the same basis as other employees.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 22

#### LEAVES OF ABSENCE FOR SICKNESS OR INJURY

Section 4. Leaves of Absence for Nonindustrial Illness, Injury, or Pregnancy. All employees who have completed their probationary period and in the event of nonindustrial illness, injury, or pregnancy may be granted a leave of absence without pay for a period of up to 12 calendar months.

AQMD may require medical evidence of such nonindustrial illness, injury, or pregnancy necessitating such leave of absence. AQMD agrees that such time off may be extended in writing by mutual agreement between AQMD and the employee. In order to remain on leave of absence for nonindustrial illness, injury, or pregnancy, the employee may be called upon to present AQMD with a licensed physician's certificate verifying that such nonindustrial illness, injury, or pregnancy is continuing to disable the employee from performing his or her duties.

In addition, the employee is required to notify AQMD by Registered Mail of his or her address within 60 calendar days if there is a change of address from the last address in AQMD personnel files. Any employee returning to work shall give AQMD reasonable advance notice of the date of return to work and such employee shall be assigned, upon return to work, to his or her former position or to a comparable position.

AQMD shall not be required to reinstate any employee who is physically unable to perform the necessary duties of such position, but AQMD shall make reasonable effort to place the employee in a position in which the employee is capable of performing to the same standard as other employees in that classification.

*(Salary Resolution, Section 47, "Proof of Absence")*

Section 5. Proof of Absence. Any employee absent due to sickness, injury, pregnancy, quarantine, nonemergency medical or dental care, or on any of the leaves provided for in Article 23 may be required, before such absence is authorized or payment is made, to furnish a doctor's certificate or other proof satisfactory to his or her appointing authority that his or her absence was due to such causes. AQMD shall not unreasonably require medical certification as proof of absence.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 23

#### OTHER LEAVES OF ABSENCE

Section 1. Bereavement Leave. Apart from full-pay sick leave provisions, any employee employed in a full-time permanent position who is compelled to be absent from duty because of the death of his or her father, mother, stepfather, stepmother, **step-siblings**, mother-in-law, father-in-law, sister, brother, spouse, children or stepchildren, grandmother, grandfather, grandchildren, or domestic partner (subject to South Coast AQMD domestic partner certification requirements) shall be allowed the time necessary to be absent from work at regular pay for not more than three working days in any fiscal year for each occurrence. South Coast AQMD may require reasonable proof, satisfactory to South Coast AQMD, of such absence upon return and before payment is made, that the absence was due to such cause.

Section 2. Examinations. Any employee shall be allowed time necessary to be absent from work at his or her regular pay to participate in examinations for positions within AQMD.

Section 3. Jury Duty. Effective May 9, 1997, employees in full-time positions and employees exempted for a medical condition from the 4/10 work schedule who are regularly scheduled to work a minimum of four 8-hour days per week ordered to serve on a jury shall be allowed the necessary time to be absent from work for a maximum of 8 work days (i.e., two 4-day work weeks) per calendar year at their regular pay, provided they deposit with AQMD any fees received for jury service time that falls on a regularly scheduled work day. Employees required by the court to perform jury service for more than 8 work days in a calendar year may present a hardship request to the DEO/Technical Support Services to receive pay for the additional service days.

Section 4. Military Leave. Any employee who has minimum of 1 year of service shall be allowed a military leave of absence with pay in accordance with the policy below and with applicable provisions of law, including, but not limited to, those contained in this Terms and Conditions of Employment and the California Military and Veterans Code.

#### Temporary Duty.

Any employee who is a member of the reserve corps of the Armed Forces, National Guard, or Naval Militia shall be entitled to temporary military leave of absence for the purpose of active duty, in accordance with federal and State law. Employees meeting the above 1 year employment requirement shall be entitled to receive their regular salary or compensation for the first 30 calendar days of any such temporary leave, in addition to their military pay, as provided for in the Military and Veterans Code. Pay for such purpose shall not exceed 30 days in any 1 fiscal year and shall be paid only for the employee's regularly scheduled workdays.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 23

#### OTHER LEAVES OF ABSENCE

Employees eligible to receive the 30 calendar day military leave compensation as stipulated by law shall, in addition, receive the difference between their regular AQMD salary and their military salary starting on the 31st calendar day of military leave. This additional compensation shall continue for up to 690 calendar days of active military service beyond the 30 days provided for in this section. During this 690-day period, AQMD will continue vacation, sick leave, holiday, salary step advance, and other benefits as if there were no interruption of AQMD service on the part of the employee. These provisions apply to employees who have been employed by AQMD for at least 1 year immediately prior to the date such leave begins.

Pay under this subsection shall only be paid once, for a maximum of 720 days for each leave, and shall only be paid for the employee's regularly scheduled work days.

This compensation provision applies only to active military duty and does not include an employee's attendance at weekend reserve meetings or drills. Employees must use their own time to attend such meetings. Should the meetings unavoidably conflict with an employee's regular working hours, the employee may use vacation or holiday leave, leave without pay, or other leave time, except for regular sick leave. Employees who are called in for a medical examination to determine physical fitness for military duty may also use vacation leave, leave without pay, or other leave time. The 30-day compensation provision also applies to an employee on military leave other than temporary military leave who is ordered into active military duty or is inducted, enlists, or is otherwise called into active military duty.

A copy of military orders must accompany the request-for-leave form. Employees should note that the Accidental Death and Dismemberment (AD&D) policy contains a war exclusion.

Employees who are eligible for military leave compensation will be placed on a leave of absence with right of return to their positions or to comparable positions.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 23

#### OTHER LEAVES OF ABSENCE

Section 6. Witness Leave. Full-time permanent employees required to be absent from work by a subpoena properly issued by a court or an agency or commission legally empowered to subpoena witnesses, which subpoena compels their presence as a witness, except as a party or as an expert witness, shall be allowed the time necessary to be absent from work at their regular pay to comply with such subpoena, provided they deposit their fees received for such service with AQMD.

Full-time permanent employees required by ordinance, rule, or charter to be absent from work to represent themselves at an administrative proceeding at which their individual employment or pay status is at issue, shall be allowed the time necessary to be absent from work at their regular pay.

“Time necessary to be absent from work,” as used in this section, does not include any time during which the employee is “on call” or his or her presence in a proceeding is not required.

Section 7. Catastrophic Leave. Effective January 11, 1998, Employees may request paid catastrophic leave for personal emergencies once they have exhausted all of their own available paid time (with the exception of organ donations). If approved, paid leave time will be drawn from a catastrophic leave fund comprised of paid time donated by bargaining unit members. Donations of leave time shall be permitted from one bargaining group or unrepresented employees to another bargaining group.

Catastrophic leave requests must be approved by the joint bargaining unit-management committee established to review catastrophic leave requests.

Effective the last pay period beginning in December 2005, bargaining unit members may, at their discretion, donate accrued leave hours (except for sick leave) in excess of 200 hours. Donations may be made twice yearly, during the last pay period that begins in December and during the first pay period that begins in July, or during any other pay period in the year, as needed, with the approval of the Executive Officer. The dollar value of donated hours in the fund will be computed by multiplying the number of hours donated by the employee’s current regular hourly pay rate. Employees drawing paid leave time from the fund will draw at their current regular hourly pay rate. The catastrophic leave fund balance may not exceed \$50,000.

Section 8. An employee selected to be a bone marrow donor shall utilize up to five (5) days of accrued leave, and for an organ donation up to two weeks (8 business days) of accrued leave, before AQMD shall pay the employee’s regular pay for up to a maximum leave of absence

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 23

#### OTHER LEAVES OF ABSENCE

for an organ donation of thirty (30) business days. Payment satisfying the requirements of this section shall come from the AQMD Catastrophic Leave Fund.

### ARTICLE 24

#### RESTORATION OF SALARY OR EARNED PAID LEAVES OF ABSENCE

(*Salary Resolution*, Section 46, “Restoration of Salary or Earned Paid Leaves of Absence”)

##### Section 1. Restoration of Salary or Earned Paid Leaves of Absence.

- a. In the event employees are ordered to absent themselves from the job based on probable cause and it is subsequently determined by a finding of the Executive Officer or designee that cause did not exist for the ordered absence, employees shall have restored to them any paid leaves of absence against which such absence may have been charged, and they shall be granted a retroactive leave of absence with pay for the time during which they were prohibited from performing the duties of their positions, less any compensation paid to them by AQMD during such ordered absence.
- b. In the event an employee is reduced, suspended, and/or discharged and upon appeal the Hearing Officer does not sustain such reduction, suspension, and/or discharge, the employee shall be entitled to his or her base rate of salary, vacation, and sick leave as if such unsustained reduction, suspension, or discharge had not been invoked. However, in no event shall an employee be entitled to any salary or credit for vacation and sick leave for any period of time covered by a suspension sustained by the Hearing Officer, or for any period of time waived by the employee as a condition to the granting of a continuance of his or her hearing.
- c. If during absences for which employees are paid pursuant to this section, they earned any money which they would not have earned had they continued to perform the duties of their positions, such sums shall be deducted from the salary otherwise payable to them pursuant to this Section.

### ARTICLE 25

#### SAFETY AND HEALTH

Section 1. AQMD and the employees of AQMD agree to comply with all applicable federal and State laws which relate to health and safety.

Section 2. AQMD will make every reasonable effort to provide and maintain a safe and healthy place of employment.

Section 3. In accordance with law, AQMD will provide safety equipment where required by law or regulations for the safe performance of assigned duties. Employees to whom such equipment is

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 25

#### SAFETY AND HEALTH

issued will wear or use the equipment when required and each will be responsible for the equipment issued. Employees shall adhere to AQMD rules regarding the use, maintenance, and replacement of safety equipment. Employees requiring such equipment will notify AQMD and AQMD will provide the necessary equipment.

Effective January 1, 1992, employees required to wear safety shoes will receive an allowance of \$80 per year.

Section 4. The parties agree to eliminate smoking from all areas inside AQMD facilities and to designate smoking areas outside AQMD facilities, as determined by management.

### ARTICLE 26

#### EMPLOYEE PARKING AND RIDESHARE

(*Administrative Code*, Section 162, "Employee Parking")

Section 1. AQMD shall, consistent with its present practice, provide employee parking as far as practicable.

Section 2. Once a month, bargaining unit employees who rideshare and who qualify under rules in effect in the 1988-1991 MOU, except those designated by management as ineligible because of their SCAQMD vehicle assignments, will be paid \$25. All employees, are eligible to receive either this payment or rideshare incentive payments.

### ARTICLE 27

#### TRAINING

Section 1. Management and the Union recognize the importance of training employees covered by this Terms & Conditions of Employment. Management agrees to continue divisional in-service training programs which management considers to be effective and of significant value to AQMD and to employees covered by this Terms & Conditions of Employment. Management agrees to make information concerning any new in-service training programs available to employees and, upon request, to the Union.

Section 2. Tuition Reimbursement. The objective of the program is to aid employees in career development within the scope of AQMD service.

The Executive Officer, or designee, shall administer AQMD's Tuition Reimbursement Program. Tuition reimbursement will apply to any class taken to qualify for a degree, if that degree is pursued to meet the minimum requirements for another classification for which the employee plans to apply. Classes that are job related or of benefit to AQMD will be reimbursed whether or not they apply to a degree.

Applications for tuition reimbursement must be reviewed and approved by the employee's Designated Deputy.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 27

#### TRAINING

An employee of AQMD, who has been appointed to a full-time permanent position, is eligible to apply for tuition reimbursement. Employees must successfully pass courses with a grade of "C" or better (or a "pass", if a "pass/no pass" system) in order to be reimbursed. Effective for classes beginning August 15, 1991, or later, employees eligible for tuition reimbursement shall be entitled to receive a maximum of \$1,000 per calendar year. Under no condition will the amount exceed \$1,000 per calendar year.

The necessary financing for reimbursement of employees shall be determined by the AQMD Board in the annual budget.

Section 3. The Union shall provide AQMD with a list of programs and seminars for improvement of skill and knowledge for members of the Professional Unit. It is not the intent of the parties to increase the amount available for training programs but to make training programs available to a broader group of members of the bargaining unit at no increase in cost to AQMD in time or financial commitment.

Section 4. Individual employees may request approval to attend specific job-related seminars or courses relevant to their professional development for the mutual benefit of the employee and AQMD. Such requests must be submitted in writing through the employee's immediate supervisor and are subject to the approval of the Designated Deputy and the Designated Deputy over Administrative and Human Resources.

Section 5. For fees paid on and after January 1, 2013, AQMD shall reimburse an employee for their two-year biennial renewal fee for a Professional Engineer's license to a maximum of \$150.00.

### ARTICLE 28

#### EMPLOYEE PAYCHECKS

Section 1. The Union acknowledges that AQMD administers the payroll system on behalf of employees. The Union further acknowledges that errors may occur in the processing of warrants and that AQMD is limited to correcting such errors by the system so implemented.

Section 2. Pay Period. The Union acknowledges that AQMD has implemented a biweekly pay system which provides 26 paydays within a calendar year. The Union further acknowledges that paydays will be alternate Wednesdays, 10 calendar days after the close of each pay period.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 28

#### EMPLOYEE PAYCHECKS

Section 3. Underpayments and Errors. Within limitations set forth in Section 1 above, management will endeavor to rectify, as far as practicable, a significant underpayment or error on an employee's payroll warrant. Such correction shall be made within 3 calendar days of issuance of warrant, exclusive of Saturdays, Sundays, and legal holidays, upon request of the affected employee through the payroll section of AQMD.

Management will endeavor, within the limitations set forth in Section 1, to rectify significant underpayments or errors on an employee's payroll warrant issued for extraneous pay, such as overtime, special bonus, etc., within 1 calendar day of issuance of warrant, exclusive of Saturdays, Sundays, and legal holidays, upon request by the affected employee through the payroll section of AQMD.

Section 4. Management will attempt to make termination payoffs within 15 business days from the date of termination.

### ARTICLE 29

#### AQMD RIGHTS

Section 1. AQMD reserves, retains, and is vested with, solely and exclusively, all rights of management which have not been expressly abridged by specific provision of this Terms and Conditions of Employment or by law, to manage AQMD, as such rights existed prior to the execution of this Terms and Conditions of Employment. The sole and exclusive rights of management, as they are not abridged by this Terms & Conditions of Employment or by law, shall include (but not be limited to) the following rights:

To manage AQMD generally and to determine the issues of policy

To determine the existence or nonexistence of facts which are the basis of the management decision

To determine the necessity and organization of any service or activity conducted by AQMD and expand or diminish services

To determine the nature, manner, means, technology, and extent of services to be provided to the public

To determine methods of financing

To determine types of equipment or technology to be used

To determine and/or change the facilities, methods, technology, means, and size of the work force by which AQMD operations are to be conducted

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 29

#### AQMD RIGHTS

To determine and change the number of locations, relocations, and types of operations, processes, and materials to be used in carrying out all AQMD functions, including (but not limited to) the right to contract for or subcontract any work or operation of AQMD without prejudice to the right of the Union to meet and confer regarding the impact and effect of such decision

To assign work and schedule employees in accordance with requirements as determined by AQMD and to establish and change work schedules and assignments, in accordance with Article 5 of this Terms and Conditions of Employment

To relieve employees from duties for lack of work or similar nondisciplinary reasons

To establish and modify productivity and performance programs and standards

To discharge, suspend, demote, or otherwise discipline employees for proper cause

To determine job classifications and to reclassify employees

To hire, transfer, promote, and demote employees for nondisciplinary reasons in accordance with this Terms and Conditions of Employment and applicable Resolutions and Codes of AQMD

To determine policies, procedures and standards for selection, training, and promotion of employees

To establish employee performance standards including, but not limited to, quality and quantity standards, and to require compliance therewith

To maintain order and efficiency in its facilities and operations

To establish and promulgate and/or modify rules and regulations

To maintain order and safety in AQMD which are not in contravention with this Agreement

To take any and all necessary action to carry out the mission of AQMD in emergencies

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 29

#### AQMD RIGHTS

Section 2. Except in emergencies, or where AQMD is required to make changes in its operations because of the requirements of law, whenever the exercise of management's rights shall impact on employees of the bargaining units, AQMD agrees to meet and confer with representatives of the Union regarding the impact of the exercise of such rights, unless the matter of the exercise of such rights is provided for in this Terms and Conditions of Employment or in *Personnel Rules, Salary Resolution, and Administrative Code*, which are incorporated into this Agreement. By agreeing to meet and confer with the Union as to the impact and the exercise of any of the foregoing District rights, management's discretion in the exercise of these rights shall not be diminished.

Section 3. Contracting Out. Should AQMD decide permanently to contract out any work presently being performed by bargaining unit employees resulting in any displacement of AQMD employees, AQMD shall meet and confer with the Union over the impact of such contracting out and discuss placement of those employees displaced by such permanent contracting out.

### ARTICLE 30

#### EMPLOYEE ORGANIZATIONAL RIGHTS AND RESPONSIBILITY

Section 1. Dues Deduction. AQMD shall make deductions in accordance with Article 46. AQMD shall submit such funds to the Union within 30 days following the deductions.

Section 2. Indemnification. The Union agrees to hold AQMD harmless and indemnify AQMD against any claims, causes of action of lawsuits arising out of the deductions or transmittal of such funds to the Union, except the intentional failure of AQMD to transmit moneys deducted from employees to the Union pursuant to this Article.

### ARTICLE 31

#### EMPLOYEE LIST AND NEW HIRE ORIENTATION

Section 1. In a manner consistent with the California Public Records Act, SCAQMD shall provide the Union the name, job title, department, work location, work, home, and personal cellular telephone numbers on file, personal email addresses on file, and home address of any newly hired employee in its bargaining unit within 30 days of the date of hire or by the first pay period of the month following hire.

Section 2. In a manner consistent with the California Public Records Act, SCAQMD shall provide the Union with the name, job title, department, work location, work, home, and personal cellular telephone numbers on file, personal email addresses on file, and home address of all employees in its bargaining unit at least every 120 days.

Section 3. New Hire Orientation. As part of the onboarding process, new hires will be provided release time to attend a new hire orientation by the Union. The scheduling of the new hire orientation will be by mutual agreement between the Union and Human Resources.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 32

#### UNION VISITATION RIGHTS

Section 1. Authorized Union representatives may be given access to work locations during working hours to conduct grievance investigations and observe working conditions. An authorized representative desiring access to a work location hereunder shall state the purpose of his or her visit and request the Designated Deputy over Administrative and Human Resources' authorization at least 24 hours before the intended visit, unless the parties mutually agree to waive notice.

While at AQMD facilities, the Union representative shall agree to observe the same security, conduct, and safety rules and regulations of AQMD as other visitors and shall not unduly interfere with the performance of work by any employee or group of employees.

The Union shall give the Designated Deputy over Administrative and Human Resources and other affected designated deputies a written list of all authorized representatives, which list shall be kept current by the Union. Access to work locations will only be granted to Union representatives on the current list. Locations where Union representatives may be granted permission to enter shall include, and be limited to, all AQMD property locations where employees are employed.

### ARTICLE 33

#### BULLETIN BOARDS

Section 1. AQMD will furnish bulletin board space on 1 existing bulletin board at each facility where there are 5 or more employees who are represented by the Union. At headquarters, AQMD will furnish enclosed, locked bulletin board space on each floor.

The bulletin boards shall be used for the following subjects only:

- a. Union recreational, social, and related Union news bulletins
- b. Scheduled Union meetings
- c. Information concerning Union business, including Union newsletters or reports of committees or the Board of Directors
- d. Reports of official Union business, including Union newsletters or reports of committees or the Board of Directors
- e. Any other written material which first has been approved and initialed by the designated AQMD representative at each facility.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 33

#### BULLETIN BOARDS

The designated AQMD representative must either approve or disapprove a request for posting within 24 hours, excluding Saturdays, Sundays, and legal holidays, from the receipt of the material and the request to post it.

The designated AQMD representative shall not unreasonably withhold permission to post.

### ARTICLE 34

#### STEWARDS

Section 1. AQMD agrees to recognize 5 stewards selected by the Union in the Professional Bargaining Unit. AQMD also agrees to recognize 1 alternate steward for each steward permitted above, who shall serve in the absence of the steward.

Stewards shall recognize that they have regular full-time duties as employees of AQMD and shall conduct themselves in accordance with the requirements imposed upon all employees of AQMD.

The Union shall have the responsibility to notify AQMD in writing of the names of its duly authorized stewards. AQMD shall have no obligation to recognize or deal with any employee as a steward unless he or she is on the designated steward list.

While on AQMD time, the duties of the stewards shall be limited to assisting an employee, upon request of the employee, in filing and processing a grievance. Stewards shall spend only the time necessary to expeditiously carry out their functions as stewards and shall not unduly restrict or interfere with the performance of their own duties.

Stewards may leave their immediate work locations to perform these duties; however, stewards shall first obtain permission from their immediate supervisor to leave the area and shall inform the supervisor of the reason for their leaving the area. The supervisor shall be responsible for maintaining time records of the amount of time stewards spend in the performance of their steward duties.

The Union and AQMD agree to review the amount of time spent by stewards in the performance of their duties on a biannual basis, to determine whether the stewards are observing the provisions of this Article.

Upon entering a work location, a steward shall inform the supervisor in charge of the area of the nature of his or her business.

The steward shall minimize the amount of interference with AQMD work in the performance of his or her duties.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 34

At any time, AQMD may request to consult with the Union regarding the application of this procedure.

### STEWARDS

Stewards shall not log compensatory time, overtime, or premium pay time for time spent performing any function as a steward.

Stewards shall represent employees on grievable matters within their assigned office only. In cases when someone other than the Union is representing a grievant, or the grievant is a steward, and the grievance is directly related to the MOU provisions, a member of the Union's Board for the applicable bargaining unit may attend the grievance hearing.

### ARTICLE 35

#### Section 1. Prohibited Conduct.

### NO STRIKE – NO LOCKOUT PROVISION

- a. The Union, its officers, agents, representatives, and/or members agree that during the term of this Agreement they will not cause or condone any strike, walkout, slowdown, sick-out, or any other job action by withholding or refusing to perform services.
- b. AQMD agrees that it shall not lock out its employees during the term of this Agreement.
- c. Any employee who willfully participates in any conduct prohibited in paragraph a. above shall be terminated by AQMD.
- d. If the Union fails, in good faith, to perform all responsibilities listed below in Section 2.a, AQMD may pursue such legal remedies as may be available under the Employee Relations Resolution and the law.

#### Section 2. Union Responsibility.

- a. In the event the Union, its officers, agents, representatives, or members engage in any of the conduct prohibited in Section 1.a above, the Union shall, upon written notice sent to the Principal Authorized Agents of the Union, immediately instruct persons engaging in such conduct that their conduct is in violation of this Terms and Conditions of Employment and they must immediately cease engaging in conduct prohibited in Section 1.a above and return to work.
- b. If the Union performs all of the responsibilities set forth in Section 1.a above in good faith, the Union, its officers, agents, and/or representatives shall not be liable for damages for prohibited conduct performed by employees covered by this Terms and Conditions of Employment who are in violation of Section 1 above.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 36

#### GRIEVANCE, DISCIPLINARY APPEAL, AND HEARING OFFICER PROCEDURES

Section 1. Definition of a Grievance. A grievance shall be defined as a timely complaint by an employee or group of employees or the Union concerning the interpretation or application of specific provisions of this Terms and Conditions of Employment or of the *Personnel Rules, Salary Resolution, Administrative Code, and Administrative Policies and Procedures* governing personnel practices or working conditions of AQMD. *Line grievances* involve complaints relating to actions or decisions by line supervisors. *Administrative grievances* relate to actions or decisions by other than line supervisors, e.g., by Human Resources or Finance staff.

No employee shall suffer any reprisal because of filing or processing of a grievance or participating in the grievance procedure.

On group grievances, a maximum of two employees may represent employees involved.

Grievance matters by employees represented by the Union must be reviewed and processed by the Union prior to submission to the grievance procedure.

Employees shall have the right of representation by a Union labor relations representative and a Union steward at the first through the third steps of the line grievance process, and at the first and second steps of the administrative grievance process.

The parties agree that no settlement of any grievance shall in any manner whatsoever change, alter, or amend specific provisions of this Terms and Conditions of Employment or any provisions of the *Personnel Rules, Salary Resolution, Administrative Code, and Administrative Policies and Procedures* of AQMD.

Section 2. Business Days. Business Days means calendar days exclusive of Saturdays, Sundays, Mondays and legal holidays recognized by AQMD.

Section 3. Time Limits for Filing Written Formal Grievances. Every effort should be made to resolve grievances informally before formal action is taken. However, any delay in completing the informal grievance process shall not extend the time for filing a formal grievance. The time limits for filing written formal grievances shall be strictly construed, but may be extended by mutual agreement evidenced by a written request signed by a duly authorized representative of AQMD and the grieving party.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 36

#### GRIEVANCE, DISCIPLINARY APPEAL, AND HEARING OFFICER PROCEDURES

Failure of the grieving party to comply with any of the time limits set forth hereunder shall constitute a waiver and bar further processing of the grievance. Failure of AQMD to comply with the time limits set forth in this Article shall automatically move the grievance to the next step in the Grievance and Hearing Officer Procedure. The grieving party may request the assistance of the Union in presenting a grievance at any step of review or may represent himself or herself. Grievances shall be presented on AQMD time.

#### Section 4.

- a. Step 1. Line Grievance. Immediate Supervisor and Manager. An employee must first attempt to resolve a line grievance by meeting and discussing the grievance with his or her immediate supervisor and manager without undue delay. Every effort shall be made to find an acceptable solution to the grievance by these means at the most immediate level of supervision. The immediate supervisor or manager shall render a decision in writing regarding the merits of the grievance and return it to the grievant within 5 business days after meeting with the grievant.

If the immediate supervisor or manager does not render a judgment within 5 business days, the meeting for the next grievance step with the respective Designated Deputy and/or management-level designee shall be scheduled by the grievant or the grievant's representative to occur at the earliest practicable date. An employee who fails to meet with his or her immediate supervisor and manager shall forfeit the grievance.

In order that this procedure may be responsive, all parties involved shall expedite this process. In no case may more than 20 business days elapse between the date of the alleged incident giving rise to the grievance or the date the grievant knew or should have reasonably become aware of the facts giving rise to the grievance, and the filing of a written grievance with the Designated Deputy and management-level designee.

Should the grievant fail to file a written grievance on a form, to be mutually agreed to by AQMD and the Union, within 20 business days from the date of the incident giving rise to the grievance, the grievance shall be barred and waived.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 36

### GRIEVANCE, DISCIPLINARY APPEAL, AND HEARING OFFICER PROCEDURES

- b. Step 1. Administrative Grievance. Designated Deputy over Administrative and Human Resources. Administrative grievances must be filed in writing with the Designated Deputy over Administrative and Human Resources within 20 business days of the alleged incident giving rise to the grievance or of the date the grievant knew or should reasonably have become aware of the facts giving rise to the grievance.

The Designated Deputy over Administrative and Human Resources will schedule a meeting with the grievant and/or grievant's representative within 16 business days. Should the Designated Deputy fail to schedule the meeting within the above timeframes, the grievance will advance to the next step. The Designated Deputy over Administrative and Human Resources shall render a decision in writing within 12 business days of hearing the grievance unless an investigation is needed, then an additional 8 business days can be used.

If the Designated Deputy does not render a written decision within 12 business days of the hearing, or 20 business days of the hearing if an investigation is needed, the grievance will advance to the next step. If the grievance is not resolved at this step, the meeting for the next grievance step with the Management Grievance Committee shall be scheduled by the grievant or the grievant's representative to occur at the earliest practicable date.

- c. Step 2. Line Grievance. Designated Deputy and/or Management-level Designee. If the grievance is not resolved through Step 1 and a written grievance is filed within the time limits set forth above, the grievant shall meet and discuss the grievance with the respective Designated Deputy and/or management-level designee.

The Designated Deputy or management-level designee will schedule a meeting with the grievant and/or grievant's representative within 16 business days. Should the Designated Deputy or management-level designee fail to schedule the meeting within the above timeframes, the grievance will advance to the next step.

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#### GRIEVANCE, DISCIPLINARY APPEAL, AND HEARING OFFICER PROCEDURES

The Designated Deputy or management level-designee shall render a decision in writing regarding the merits of the grievance and return it to the grievant within 12 business days after hearing the grievance unless an investigation is needed, then an additional 8 business days can be used.

If the Designated Deputy or management-level designee does not render a written decision within 12 business days of the hearing, or 20 business days of the hearing if an investigation is needed, the grievance will advance to the next step. If the grievance is not resolved at this step, the meeting for the next grievance step with the Management Grievance Committee shall be scheduled by the grievant or the grievant's representative to occur at the earliest practicable date.

d. Step 3. Line Grievance.

Step 2. Administrative Grievance.

Management Grievance Committee. If the grievance is not resolved in the above steps within 10 business days from receipt of the written response, the hearing with the Management Grievance Committee shall be scheduled by the grievant or the grievant's representative. The Committee shall consist of 4 management representatives designated by the Executive Officer. If the grievance is not submitted to the Management Grievance Committee, it shall be barred and waived. The Committee will attempt to schedule a meeting with the grievant and/or grievant's representative within 16 business days. Should the Committee fail to schedule the meeting within the above timeframes, the grievance will advance to the next step. The Committee will render its decision based on the information presented at the meeting and follow-up investigation within 16 business days. If the Committee does not render a written decision within 16 business days of the hearing, the grievance will advance to the next step.

In the event the decision of the Management Grievance Committee does not, in the view of the grievant, resolve the matter, the Union and the AQMD may agree to mediation.

If the Union and the AQMD do not agree to mediation, the grievance may be referred to the next step of the grievance procedure (Hearing Officer) and shall be immediately scheduled by the grievant or the grievant's representative to occur at the earliest practicable date.

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#### GRIEVANCE, DISCIPLINARY APPEAL, AND HEARING OFFICER PROCEDURES

- e. Mediation. If the line or administrative grievance is not resolved at Step 3 or Step 2, respectively, the written grievance may, by mutual agreement of the Union and AQMD, be referred to mediation. The Mediator shall be chosen by mutual agreement of the Union and AQMD. Mediation will be scheduled within 20 business days of the request by the grievant at a time that is agreed to by AQMD and the Union, subject to mediator availability.

The mediation shall be conducted pursuant to Evidence Code Sections 1119-1126. Individual mediations will not exceed a period of 8 hours. Fees for mediation will be borne equally by the Union, the grieving party, and AQMD. If the grievance is not resolved through mediation, the grievant and the Union may refer the matter to the next step.

- f. Hearing Officer's Report and Recommendations in Specific Unresolved Grievances. If a grievance arising from discharge, suspension, demotion, promotion, individual application of salaries or layoff procedure, classification questions not requiring any additional appropriations by the governing body, individual application of transfer procedures, and/or employee medical evaluations is not resolved in Step 3 above, the grievant and the Union may request the Designated Deputy over Administrative and Human Resources or designee to appoint a Hearing Officer to hear evidence and make recommendations to the governing body of AQMD regarding the resolution of such grievances. The grievant and the Union must request the appointment of the Hearing Officer within 10 business days from the date the grievant has received the decision of the Management Grievance Committee. Failure of the grievant and the Union to request the appointment of a Hearing Officer within the time limits set forth above constitutes a waiver and bars the grievance, and the grievance will be considered settled on the basis of the last management grievance response.
- g. Within 10 business days after receipt of a request for the appointment of the Hearing Officer, the Designated Deputy over Administrative and Human Resources or designee, shall attempt to reach voluntary agreement with the grievant and the Union as to the appointment of a Hearing Officer. Failing to reach voluntary agreement within 10 business days of receipt of the request for the appointment of a Hearing Officer, the Designated Deputy over Administrative and Human Resources or designee shall obtain a list from the American Arbitration Association of 15 persons who are qualified to serve as Hearing Officer in the grievance procedure. Upon receipt of the list of 15 Hearing Officers from

## TERMS AND CONDITIONS OF EMPLOYMENT

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#### GRIEVANCE, DISCIPLINARY APPEAL, AND HEARING OFFICER PROCEDURES

the American Arbitration Association, the parties shall meet to select a Hearing Officer from the list. The list of 15 shall serve as the list of persons to be used by AQMD and the Union for the term of the Agreement, unless otherwise agreed to by both parties.

- h. The hearing shall be conducted in accordance with the Voluntary Labor Arbitration Rules of the American Arbitration Association in cases involving disciplinary action, and the Hearing Officer shall use the standard of proper cause in determining the propriety of AQMD's conduct. The Hearing Officer shall not hear witnesses or take evidence out of the presence of the other party. The Hearing Officer shall be bound by the expressed terms and conditions of the Terms and Conditions of Employment, as well as the Personnel Rules, Salary Resolution, Administrative Code, and Administrative Policies and Procedures of AQMD, in determining the validity of AQMD's action, and shall not have the authority to recommend any additions or subtractions from the Terms and Conditions of Employment or any provisions of the Personnel Rules, Salary Resolution, Administrative Code, and Administrative Policies and Procedures of AQMD. The Hearing Officer shall be strictly bound by the time limits set forth in this grievance procedure.
- i. In the conduct of the hearing, the Hearing Officer, once chosen, shall hold the hearing to make findings of fact and recommendations to the parties within 30 calendar days of the Hearing Officer's appointment. The Hearing Officer shall be bound to render his or her findings and recommendations within 30 calendar days of the close of the hearing.

The Hearing Officer shall submit his or her findings and recommendations in writing to AQMD, the grievant, and the Union. The Hearing Officer's findings are advisory only and not binding on either party. Within 30 days after receiving the Hearing Officer's written findings and recommendations, the AQMD and the Union shall provide written notice stating whether they accept or reject the Hearing Officer's findings. The failure to provide this notice is deemed to be a rejection of the Hearing Officer's findings and recommendations.

After receiving notice of AQMD's rejection of the Hearing Officer's findings and recommendations, the grievant and the Union may then resort to a court of competent jurisdiction to pursue whatever other legal remedies are available to it under the provisions of this Terms and Conditions of Employment.

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### ARTICLE 36

#### GRIEVANCE, DISCIPLINARY APPEAL, AND HEARING OFFICER PROCEDURES

- j. The cost of obtaining a panel of Hearing Officers from the American Arbitration Association and all costs of the hearing, including the cost of the Hearing Officer, shall be equally borne by AQMD and the Union. Each party shall bear the cost of its own attorney's fees.

Section 5. Definition of Discipline. Discipline shall be defined as an action by management which results in a written reprimand, suspension, demotion, or termination.

No employee shall suffer any reprisal because of filing or processing a disciplinary appeal or participating in the disciplinary appeal procedure.

On group disciplinary appeals, a maximum of two employees may represent employees involved.

Employees shall have the right of representation by a Union labor relations representative and a Union steward at the Management Disciplinary Appeal Committee step.

The parties agree that no settlement of discipline shall in any manner whatsoever change, alter, or amend specific provisions of this agreement or any provisions of the *Personnel Rules, Salary Resolution, Administrative Code, and Administrative Policies and Procedures* of AQMD.

Section 6. Time limits for filing written formal disciplinary appeals and time limits for responses to disciplinary appeals. Every effort should be made to resolve disciplinary appeals informally before filing a formal written disciplinary appeal. However, any delay in completing the informal process shall not extend the time for filing a formal disciplinary appeal. The time limits for filing written formal disciplinary appeals shall be strictly construed, but may be extended by mutual agreement, evidenced by a written request signed by the Designated Deputy over Administrative and Human Resources and the appealing party. These extensions shall contain new scheduled dates for the next disciplinary appeal deadline. The appealing party may withdraw a disciplinary appeal at any time, evidenced by a written statement signed by the appealing party. Disciplinary appeals shall be presented on AQMD time.

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### ARTICLE 36

#### DISCIPLINARY APPEAL, AND HEARING OFFICER PROCEDURES

Section 7. Disciplinary Appeal – Step 1 – Management Disciplinary Appeal Committee. A disciplinary appeal must be submitted within 10 business days from receipt of the disciplinary action document. The hearing with the Management Disciplinary Appeal Committee shall be scheduled by the appellant or appellant's representative. The Committee shall consist of 4 management representatives designated by the Executive Officer. If the disciplinary appeal is not submitted to the Management Disciplinary Appeal Committee, it shall be barred and waived. The Committee will schedule a meeting with the appellant and/or appellant's representative within 16 business days.

Should the Committee fail to schedule the meeting within the above time frames, the disciplinary appeal may be advanced to the next step. The Committee will render its decision within 16 business days, based on the information presented at the meeting and follow-up investigation. If the Committee does not render a written decision within 16 business days of the hearing, the disciplinary appeal may be advanced to the next step. In the event the decision of the Management Disciplinary Appeal Committee does not, in the view of the appellant, resolve the matter, the Union and the AQMD may agree to mediation. If the Union and the AQMD do not agree to mediation, the appeal may be referred to the next step of the disciplinary appeal procedure (Hearing Officer) and may be immediately scheduled by the appellant or the appellant's representative to occur at the earliest practicable date.

Section 8. Mediation. If the disciplinary appeal is not resolved at Step 1, the written appeal may, by mutual agreement of the Union and AQMD, be referred to mediation. The Mediator shall be chosen by mutual agreement of the Union and AQMD. Mediation will be scheduled within 20 business days of the request of the appellant at a time that is agreed to by AQMD and the Union, subject to mediator availability. The mediation shall be conducted pursuant to Evidence Code Sections 1119-1126. Individual mediations will not exceed a period of 8 hours. Fees for mediation will be borne equally by the Union, the appealing party, and AQMD. If the appeal is not resolved through mediation, the appellant and the Union may refer the matter to the next step.

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#### GRIEVANCE, DISCIPLINARY APPEAL, AND HEARING OFFICER PROCEDURES

Section 9. Hearing Officer's Report and Recommendations. The appellant and the Union may request the Designated Deputy over Administrative and Human Resources to appoint a Hearing Officer to hear evidence and make recommendations to the governing body of AQMD regarding the disciplinary appeal. The appellant and the Union must request the appointment of the Hearing Officer within 10 business days from the date the appellant received the decision of the Management Disciplinary Appeal Committee. Failure of the appellant and the Union to request the appointment of a Hearing Officer within the time limits set forth above constitutes a waiver and bars the appeal, and the appeal will be considered settled on the basis of the management disciplinary appeal response.

Within 10 business days after receipt of a request for the appointment of the Hearing Officer, the Designated Deputy over Administrative and Human Resources or designee, shall attempt to reach voluntary agreement with the appellant and the Union as to the appointment of a Hearing Officer.

Failing to reach voluntary agreement within 10 business days of receipt of the request for the appointment of a Hearing Officer, the Designated Deputy over Administrative and Human Resources or Designee shall obtain a list from the American Arbitration Association of 15 persons who are qualified to serve as Hearing Officer. Upon receipt of the list of 15 Hearing Officers from the American Arbitration Association, the parties shall meet to select a Hearing Officer from the list. The list of 15 shall serve as the list of persons to be used by AQMD and the Union for the term of the Agreement, unless otherwise agreed to by both parties.

In the conduct of the hearing, the Hearing Officer, once chosen, shall hold the hearing to make findings of fact and recommendations to the parties within 30 calendar days of the Hearing Officer's appointment. The Hearing Officer shall be bound to render his or her findings and recommendations within 30 calendar days of the close of the hearing. The Hearing Officer shall submit his or her findings and recommendations in writing to AQMD, the appellant, and the Union.

The Hearing Officer's findings are advisory only and not binding on either party. Within 30 days after receiving the Hearing Officer's written findings and recommendations, the AQMD and appellant shall provide written notice stating whether they accept or reject the Hearing Officer's findings. The failure to provide this notice is deemed to be a rejection of the Hearing Officer's findings and recommendations.

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### ARTICLE 36

#### GRIEVANCE, DISCIPLINARY APPEAL, AND HEARING OFFICER PROCEDURES

After receiving notice of AQMD's rejection of the Hearing Officer's findings and recommendations, the appellant and the Union may then resort to a court of competent jurisdiction to pursue whatever other legal remedies are available to it under the provisions of this Terms and Conditions of Employment.

The cost of obtaining a panel of Hearing Officers from the American Arbitration Association and all costs of the hearing, including the cost of the Hearing Officer, shall be equally borne by AQMD and the Union. Each party shall bear the cost of its own attorney's fees.

### ARTICLE 37

#### SOLE AND ENTIRE TERMS AND CONDITIONS OF EMPLOYMENT

Section 1. It is the intent of the parties hereto that the provisions of this Terms and Conditions of Employment shall supersede all prior agreements and memoranda of agreement, or contrary *Salary Resolution, Personnel Rules, or Administrative Code* provisions of AQMD, oral or written, expressed or implied, between the parties, and shall govern their entire relationship and shall be the sole source of any and all rights which may be asserted hereunder. This Terms and Conditions of Employment is not intended to conflict with federal or State law.

Section 2. It is understood and agreed that there exists within AQMD, in written form, *Personnel Rules, Salary Resolution, and Employee Relations Resolutions* and/or an *Administrative Code* adopted by AQMD. Including specific modifications resulting from this Terms and Conditions of Employment, these *Resolutions* and/or *Code* shall be incorporated by this reference into this Terms and Conditions of Employment and shall remain in full force and effect during the term of this Terms and Conditions of Employment.

No new provision or amendment to these *Resolutions* and/or *Code*, which is not in accordance with this Terms and Conditions of Employment, or which directly affects the wages, hours, terms, and conditions of employment of employees covered by this Terms and Conditions of Employment, shall be adopted and/or implemented by AQMD, except upon agreement with the Union regarding any such changes or modifications of these *Resolutions* and/or *Code*.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 38

#### EMERGENCY WAIVER PROVISION

Section 1. In the event of circumstances beyond the control of AQMD, such as acts of God, fire, flood, insurrection, civil disorder, national emergency, or similar circumstances, provisions of this Terms and Conditions of Employment or the *Personnel Rules* or Resolutions of AQMD which restrict AQMD's ability to respond to these emergencies shall be suspended for the duration of such emergency. After the emergency is declared over, the Union shall have the right to meet and confer with AQMD regarding the impact on employees of the suspension of these provisions in the Terms and Conditions of Employment and any *Personnel Rules* and policies.

### ARTICLE 39

#### AUTHORIZED AGENTS

For the purpose of administering the terms and provisions of this Terms and Conditions of Employment, principal authorized agents shall be:

1. Representing management:

A. John Olvera  
Assistant DEO, Administrative & Human Resources  
Human Resources  
21685 Copley Drive  
Diamond Bar, CA 91765-4182  
Telephone No. (909) 396-2309

2. Representing SC-PEA:

Neil Fujiwara, Vice President  
South Coast-Professional Employees Association  
21865 Copley Drive  
Diamond Bar, CA 91765  
Telephone No. (909) 396-3512

### ARTICLE 40

#### SEPARABILITY PROVISION

Section 1. Should any provision of this Terms and Conditions of Employment be found to be inoperative, void, or invalid by a court of competent jurisdiction, all other provisions of this Terms and Conditions of Employment shall remain in full force and effect for the duration of this Terms and Conditions of Employment.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 41

#### RENEGOTIATION

In the event of a financial crisis (i.e., budget shortfall, passage of legislation that impacts staffing levels, working conditions, etc.) the Union and management will, through mutual agreement, meet and discuss options that might be used in addition, or as alternatives, to short-term and long-term layoffs. If a mutually agreed-upon solution to the above-referenced provision is reached that requires an amendment to this Terms and Conditions of Employment or incorporated documents, the parties agree to make the amendments, subject to approval by the membership of the Union and the AQMD Board.

### ARTICLE 42

#### SUCCESSOR AGREEMENT

Section 1. This Terms and Conditions of Employment shall be binding upon the successors and assigns of AQMD and the Union.

### ARTICLE 43

#### EFFECTIVE DATE

This Terms and Conditions of Employment is effective the beginning of the first pay period following the approval by the AQMD Board, unless otherwise stated.

### ARTICLE 44

#### PERSONNEL SYSTEM PROCEDURE

Section 1. Employee-Initiated Classification Studies.

- a. Purpose. The purpose of this Article is to establish and implement a procedure whereby employees may request classification studies of their positions and duties in order to determine whether their duties and positions are properly classified.
- b. Intent. It is the intent of the parties that this Article be included only to inform employees of the established procedure to follow when requesting a classification study on their own behalf, and to further inform them of the parties' understanding on the acknowledgment of such studies.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 44

### PERSONNEL SYSTEM PROCEDURE

- c. Procedure. The request for reclassification by an employee must be submitted in writing, on the classification study request form provided by Human Resources, to the Designated Deputy over Administrative and Human Resources, including a statement from the employee on how the employee's duties have changed. When Human Resources receives the completed request for reclassification form, it shall acknowledge receipt of same in writing and shall inform the requester within 30 days as to whether duties have changed sufficiently to warrant a study. Human Resources will request employees to complete Position Description Forms and will make every effort to assure supervisors and management staff complete their portions of the form in a timely manner.

Human Resources will have the authority to approve, when circumstances warrant, beginning a study prior to receipt of supervisor and management portions of the form. Human Resources shall have a period of 90 calendar days from receipt of the completed employee portion of the Position Description Form to render a finding, unless the classification study requires further time, up to an additional 60 calendar days. Should Human Resources need the additional period of time of up to 60 days, it shall notify the employee in writing of its need for the additional period of time. If extenuating circumstances (e.g., the inability to gather needed information, consultant schedules beyond the control of AQMD, etc.) necessitate extensions to this schedule, the parties agree to revise the schedule to accommodate the extenuating circumstance.

If the employee is not satisfied with the response from Human Resources to the employee's request for reclassification, the employee may file a grievance subject to the grievance procedures set forth in this Terms and Conditions of Employment. If there is a recommendation by Human Resources for a change in classification, the matter shall be referred to the AQMD Board.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 44

#### PERSONNEL SYSTEM PROCEDURE

#### Section 2. Voluntary Transfer Procedure.

- a. List of Vacant Positions. Human Resources will post a list of vacant positions which the divisions have requested to be filled. The notice will contain the class title and any specialty designation, division, section/location, immediate supervisor, and last date for filing a transfer request. The list will be updated Tuesday of each week to incorporate the requests (requisitions) received during that week. It will be posted on Tuesday morning in Human Resources and on the main bulletin board in the Headquarters building, and will be telefaxed to each field office.
- b. Filing Period. A transfer request may be filed at any time and will be active for a period of 6 calendar months. The filing period for transfers will close after the vacant position has been posted on the Transfer List for 5 business days. Interested employees will have until 5:00 p.m. Friday of that week to file a Request for Transfer form in Human Resources. If there is an AQMD holiday during the week, the filing period will be extended until 5:00 p.m. of the fifth business day.
- c. Eligibility. Transfer candidates must have passed probation in their classification and have a current performance appraisal on file.
- d. Lateral Transfer. To be considered for transfer outside the employee's current class, an employee must meet the minimum requirements for the class.
- e. Rule of the List. Transfer applicants who are eligible for consideration will be listed in alphabetical order. The appointing authority must offer to interview all transfer applicants eligible pursuant to this procedure, and may select any transfer candidate on the list.
- f. Reasons for Nonselection. Transfer candidates will be notified by the appointing authority in writing of the outcome of the interviews. If a transferee is selected, no explanation need be given to the other transfer applicants. If a transferee is not selected, the appointing authority must provide job-related reasons for nonselection in writing to each transfer applicant. AQMD's grievance process shall not apply to nonselection for transfer.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 44

### PERSONNEL SYSTEM PROCEDURE

- g. Absence During the Filing or Interview Period. If the employee is absent on approved leave during the filing period or when interviews are scheduled, the appointing authority may not make a selection until the affected employee has had an opportunity to be interviewed, provided that the appointing authority is not required to delay the selection more than 1 calendar week. It is the intent of this section that the appointing authority accommodate the approved absences of transfer applicants, but that the selection process not be delayed more than 1 week due to such absences.
- h. Medical Fitness and Other Requirements. Candidates selected for transfer must be able to pass any job-related medical or other requirements (i.e., breathing apparatus, etc.) specified for the class. It is the responsibility of the transfer applicant to read the class specification for minimum requirements and other requirements.
- i. Transfer Review Period. Candidates selected from a transfer list will serve a six-month Transfer Review Period. If the transferee is deemed not to have performed satisfactorily, he/she will be returned to his/her former position or a similar position with no loss in continuous service time or pay. If the former position or a similar position does not exist at the time, a temporary over-allocation will be authorized until a vacancy occurs or other arrangements can be made. During the Transfer Review Period, employees will receive reviews of their performance every 2 months. The Transfer Review Period does not apply when the transfer is to a position performing the same duties. This determination is to be made at the time the employee is accepted for transfer.

Section 3. Involuntary Transfer. In cases of involuntary transfers, the least senior employee who possesses the necessary qualifications to perform the assignment as determined by management will be transferred, except in cases of supervisory classes who may be transferred from one position to another without regard to seniority as long as they continue to receive the same compensation and benefits. It is not the intent of this provision to use transfers as a punitive or disciplinary action.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 44

### PERSONNEL SYSTEM PROCEDURE

Section 4. Education. Education will not be scored on the basis of recency. No additional credit for education above the minimum requirements will be given.

Section 5. Examination Procedures.

- a. Description of Exam Content and Scoring Criteria. Each promotional recruitment bulletin will contain a summary of the testing process to be used including a description of the general content of examination elements, weights, and scoring criteria. To the extent possible, a copy of the recruitment bulletin will be provided to the Union 24 hours prior to posting. The purpose of this information will be to assist employees in completing the application package fully and in preparing for the other portions of the examination process (i.e., written test, writing skills test, oral examination).
- b. Ties. There will be no ties in final scores in promotional examinations. Ties will be broken in favor of continuous service time with AQMD. In the event a tie still exists, the subsequent tie breaking will be done by alpha order that corresponds to pay period. (Pay period 1 = A; pay period 2 = B, etc.)
- c. Posting of Eligible Lists. Eligible lists are public records and will be posted by Human Resources on the internal website for SCAQMD staff. Cutoff scores for placement on Eligible Lists shall be made solely at the discretion of management, and are not grievable. Eligible lists shall be posted with names listed in the order of their rank, and shall include the number of those who participated in the process and the cutoff score that was used to determine inclusion on the eligible list.
- d. Life of Eligible Lists. The maximum life of a promotional Eligible List is 6 months and may not be extended. All job offers from the hiring department must be made within the 6-month life of a promotional Eligible List. However, if the Eligible List is set to expire on a Saturday, Sunday, Monday or holiday, then this deadline is extended to the next South Coast AQMD business day. The appointing authority will fill all vacant positions from existing eligible lists, except that a vacant position may be held vacant if the appointing authority provides reasons acceptable to the Deputy Executive Officer for retaining the vacancy. The Union will be notified of positions which are to be held vacant and reasons why in writing within 10 business days.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 44

### PERSONNEL SYSTEM PROCEDURE

- e. Eligibility During the Life of the List. An applicant must meet the minimum requirements of the class at the time the application is filed, except that AQMD may permit qualification during the life of the Eligible List in recruitments which are open continuously and/or have few qualified candidates available. If an open recruitment will include eligibility during the life of the list, it will be so stated in the job announcement bulletin. Eligibility during the life of the Eligible List will not be permitted in promotional recruitments.
- f. Qualifying Time for Promotional Opportunities. Time spent in an approved working out-of-class assignment shall be counted as experience credit for promotional examinations, as appropriate.

### Section 6. Qualifications Appraisal Panel (QAP) Interview Procedures.

- a. Raters. On promotional examinations, South Coast AQMD will attempt to obtain at least one rater from outside of South Coast AQMD service and one rater from outside of the affected division who is at least one classification level above the class for which the exam is being conducted. "Outside of South Coast AQMD service" is defined as a person who has never been a South Coast AQMD employee or has not been employed by South Coast AQMD in the last 5 years.

A rater shall not be a relative of any candidate participating in the QAP interview procedure of the promotional examination. A "relative" is defined as an individual who is related as a father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, domestic partner, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

- b. Technical Experts. On promotional examinations, AQMD will attempt to obtain all raters from within the technical field appropriate for the position being tested.
- c. Hiring Interview Questions. The appointing authority will use a structured interview format when conducting hiring interviews. The questions and answers will be job-related, and ratings will be based on criteria identified in the job analysis. The rating criteria will be developed prior to the interviews, and each candidate who is not selected will be advised of the basis for nonselection.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 44

#### PERSONNEL SYSTEM PROCEDURE

Section 7. Certification Procedures – Rule of Five. Certification will be made on the basis of the top 5 names on the Eligible List for the first vacancy, plus 1 additional name for each additional vacancy. If there are multiple vacancies, the appointing authority will make selections for each successive position from the 5 names currently at the top of the list.

Section 8. Probationary Period. Effective May 9, 1997, all newly hired employees and all employees appointed to a supervisory class shall serve a 1-year probationary period. All other probationary periods for bargaining unit members, including promotions to nonsupervisory positions, shall be 6 months in duration.

### ARTICLE 44

#### PERSONNEL SYSTEM PROCEDURE

Section 9. Layoffs and Reductions.

- a. Layoffs. The appointing authority may layoff or reduce an employee when necessary:
1. For reasons of economy or lack of work, or
  2. Where there are more employees than positions in any class within AQMD.

Employees who are to be laid off or reduced will be so notified thirty days in advance of the action.

- b. Employment Status and Layoff. Layoffs and reductions shall be made by class of position. In each class of position in which there is to be a layoff or reduction, employees shall be laid off according to employment status in the following order:

First – Temporary  
Second – Probationary  
Third – Regular

Temporary employees shall be laid off according to the needs of the service as determined by the appointing authority.

Probationary employees in the class shall be laid off or reduced according to seniority in AQMD service.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 44

### PERSONNEL SYSTEM PROCEDURE

- c. Order of Layoff/Reduction of Regular Employees. In case there are two or more regular employees in the class from which layoff or reduction is to be made, such employees shall be laid off or reduced on the basis of their length of AQMD service, except that employees with less than satisfactory performance appraisal ratings (given in accordance with Human Resources guidelines), will be laid off or reduced before employees with satisfactory or better ratings. Only annual performance appraisals received and time-stamped in Human Resources 90 days or more prior to the date employees are notified of AQMD's intention to lay them off or reduce them in classification will be used in determining the order of layoffs and reductions.
- d. Reemployment List. The names of persons laid off or reduced in accordance with these Rules shall be entered upon a reemployment list in the inverse of order specified for layoff. Such list shall be used by the appointing authority when a vacancy arises in the same or lower class of position, before certification is made from an Eligible List. When a vacancy occurs, the appointing authority shall appoint the person highest on the reemployment list who is available.

Names of persons laid off or reduced in lieu of layoff shall be carried on a reemployment list for a 1-year period, except that the names of persons appointed to regular positions of the same level as that from which laid off shall, upon such appointment, be dropped from the list. Persons reduced or reemployed in a lower class or reemployed on a temporary basis shall be continued on the list of the higher position for a 1-year period. Persons appointed from a layoff list shall continue to have the same anniversary date they had prior to termination.

- e. Ties in Layoff/Reduction Score. In case of a tie affecting two or more employees, the employee with the lowest current performance rating shall be laid off first. If a tie still exists and the employees were appointed from the same Eligible List to the position from which the layoff is to be made, the employee whose name was lower on said Eligible List shall be laid off first. If the appointments were not from the same Eligible list, the employee who was appointed from the later Eligible List shall be laid off first.

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### ARTICLE 44

#### PERSONNEL SYSTEM PROCEDURE

- f. Exception to Order of Layoff. Where the appointing authority deems it to be in the best interest of the service, he or she may retain an employee who has specific qualifications, despite the order of the layoff provided above, if the appointing authority determines:
1. Such action is in the best interest of the service;
  2. The employee retained has such special qualifications;
  3. The employee laid off does not have such special qualifications;  
and
  4. Such special qualifications are important in the performance of the work of AQMD.
  5. The grounds for exception to the order of layoff will be expressly set forth in writing and included in the employee's personnel file and made available to the Union upon request.
- g. Reduction. Appointing authorities may, at their discretion, if they deem it in the best interest of AQMD, make reductions, in lieu of layoff, to positions at lower levels in the same or related series or positions in other series for which the employee to be reduced has demonstrated by having previously passed probation in that classification that he or she possesses the skills and aptitudes required in the position to which he or she is to be reduced, thereby causing layoffs only in the lower ranks. When employees are reduced pursuant to this section, they shall be reduced to a lower-level classification based on those factors contained in the layoff rules, including seniority with AQMD. If there are reductions in the lower classification, employees who have already been reduced once shall again be reduced based on the layoff rules, including seniority with AQMD, to an appropriate lower classification. This process shall continue until all reductions in force have been made.
- h. Short-Term Layoffs. Notwithstanding any other provision of these Rules, short-term layoffs for periods not to exceed 15 consecutive work days, may be made in any order for reasons approved by the appointing authority.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 45

#### UNION SECURITY

Section 1. AQMD agrees to distribute during its New Employee Orientation process information materials provided by the Union.

Section 2. Modified Agency Shop. All employees covered by this Agreement must, as a condition of employment, either become and remain members of the Union in good standing for the term of this Agreement or pay a monthly fee equal to Union dues to one of the charitable organizations listed below in Section 5 for the term of this Agreement. Unit members must authorize payroll deductions for their dues payment or charitable contribution.

Employees hired after June 30, 2002, must, as a condition of employment, within 30 days of their appointment, either become and remain members of the Union in good standing for the term of this Agreement or pay to the Union an agency fee equal to Union dues.

Section 3. Dues and charitable fees shall be deducted by AQMD biweekly. Dues shall be remitted to the Union no later than 12 days from the pay date. Charitable deductions shall be remitted no later than the end of the month in which they are deducted. AQMD shall provide the Union with a biweekly statement of all charitable contributors that includes employees' names, charitable organization contributed to, and amount contributed.

Section 4. The parties agree that the obligations herein are a condition of continued employment for unit members. The parties further agree that the failure of any unit member to authorize payroll deduction of dues or the equivalent of Union dues to one of the charitable organizations listed in Section 5 below during the term of this Agreement shall constitute, generally, just and reasonable cause for termination.

AQMD shall not be obligated to put into effect any new, changed, or discontinued deduction until the pay period commencing 15 work days or more after such submission.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 45

#### UNION SECURITY

Section 5. No unit member shall be required to join the Union or to make an agency fee payment if the unit member is an actual verified member of a bona fide religion, body, or sect which has historically held conscientious objections to joining or financially supporting employee organizations; this exemption shall not be granted unless and until such unit member has verified the specified circumstances to the Union. Such employee must, instead, arrange with the Union to satisfy his/her obligation by donating the equivalent amount to one of the following non-labor, non-religious charitable funds: American Lung Association, United Way, American Cancer Society, or City of Hope.

Section 6. Except for collective bargaining, charitable contributors shall have no right to union representation or right to Union membership, although a charitable contributor may apply for Union membership during the term of the Agreement. In such case, the charitable contributor must become and remain a dues-paying member during the remaining term of the agreement. In the event a charitable contributor becomes a dues-paying member of the Union, full membership status will not exist unless and until the individual has (1) been a dues-paying member for 6 months, (2) paid an amount equal to 6 months of dues, or (3) paid the Union an amount equal to 6 months of dues through a combination of (1) and (2).

Section 7. Whenever a unit member shall be delinquent in the payment of dues or fees, the Union shall give the unit member written notice thereof and 15 days to cure the delinquency; a copy of said notice shall be forwarded to the Designated Deputy over Administrative and Human Resources. In the event the unit member fails to cure said delinquency, the Union shall request, in writing, that AQMD initiate termination proceedings. The termination proceedings shall be governed by applicable State laws and are specifically excluded from the Grievance Procedure Agreement or termination procedures.

AQMD shall not deduct moneys specifically earmarked for a Political Action Committee or other political activities unless such deduction is affirmatively, separately and specifically authorized in writing by the unit member.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 45

#### UNION SECURITY

The Union will defend, indemnify, and hold harmless AQMD from any loss, liability, or cause of action arising out of the operation of this Article.

The indemnity obligation is more fully set forth as follows:

Union will defend, indemnify, and hold harmless AQMD from any loss, liability, or cause of action arising out of the operation of this Article. Upon commencement of any such legal action, AQMD shall have the right to decide and determine whether any claim, liability, suit, or judgment made or brought against AQMD because of such action shall or shall not be compromised, resisted, defended, tried, or appealed. Any such decision on the part of AQMD shall not diminish the Union's indemnification obligations under this Agreement.

AQMD, immediately upon receipt of notice of such legal action, shall inform the Union of such action; provide the Union with all information, documents, and assistance necessary for AQMD's defense or settlement of such action; and fully cooperate with the Union in providing all necessary witnesses, experts, and assistance necessary for said defense.

### ARTICLE 46

#### USE OF AQMD VEHICLES

Section 1. Use of available AQMD fleet vehicles shall be provided to groups of 4 or more employees who carpool for commute purposes to and from work. Vehicles shall be returned to the Automotive Services area each morning and shall become part of AQMD's vehicle fleet for the use and conduct of AQMD business by other employees. Employees are required to pay a monthly fee to cover the cost associated with utilizing/operating an AQMD vehicle. This monthly fee shall be computed by multiplying the mileage rate as established under Article 11, Section 4, by the total number of miles driven by the carpool, except that a different monthly fee, as determined by AQMD, may be charged for vans.

Section 2. Employees who are assigned an AQMD vehicle shall be authorized to use their assigned AQMD vehicle to attend training that meets AQMD requirements for tuition reimbursement. The use of AQMD vehicles would also be authorized for attendance at professional association meetings. However, in both instances, the use of one's personal vehicle must be impractical.

## TERMS AND CONDITIONS OF EMPLOYMENT

### ARTICLE 47

#### TELEWORK PROGRAM

A joint labor-management teleworking committee has been established. A teleworking program was established on January 1, 2019 by the Executive Officer. Beginning 2021, the committee will meet to discuss potential changes to the Telework Program. The committee will make a recommendation to the Executive Officer on proposed changes to the Telework Program's requirements and procedures.

# TERMS AND CONDITIONS OF EMPLOYMENT

## APPENDIX A PROFESSIONAL BARGAINING UNIT EFFECTIVE WITH PAY PERIOD ENCOMPASSING JANUARY 1, 2017

		Approximate Annual 1 <sup>st</sup> Step	Approximate Annual 5 <sup>th</sup> Step
AQ Analysis & Compliance Supv.	62F	97,953	121,327
AQ Chemist	53D	76,436	94,662
AQ Engineer I	53D	76,436	94,662
AQ Engineer II	55E	80,955	100,288
AQ Specialist	55E	80,955	100,288
Asst. AQ Chemist	46F	63,633	78,803
Asst. AQ Engineer	49E	68,624	85,025
Asst. AQ Specialist	49E	68,624	85,025
Meteorologist	54K	79,757	98,791
Principal AQ Chemist	62F	97,953	121,327
Program Supervisor	62F	97,953	121,327
Public Affairs Specialist	44H	60,275	74,730
Sr. AQ Chemist	56D	82,989	102,802
Sr. AQ Engineer	58D	89,049	110,317
Sr. Meteorologist	58B	87,119	107,919
Sr. Staff Specialist	58B	87,119	107,919
Sr. Transportation Specialist	58B	87,119	107,919
Staff Specialist	55E	80,955	100,288
Supv. AQ Engineer	62F	97,953	121,327
Tech. Info Center Librarian	46G	63,507	78,680

**TERMS AND CONDITIONS OF EMPLOYMENT**

APPENDIX A

PROFESSIONAL BARGAINING UNIT

EFFECTIVE JULY 1, 2018

		Approximate Annual 1 <sup>st</sup> Step	Approximate Annual 5 <sup>th</sup> Step	Approximate Annual 6 <sup>th</sup> Step
AQ Analysis & Compliance Supv.	62F	97,953	121,327	124,663
AQ Chemist	53D	76,436	94,662	97,264
AQ Engineer I	53D	76,436	94,662	97,264
AQ Engineer II	55E	80,955	100,288	103,046
AQ Specialist	55E	80,955	100,288	103,046
Asst. AQ Chemist	46F	63,633	78,803	80,969
Asst. AQ Engineer	49E	68,624	85,025	87,362
Asst. AQ Specialist	49E	68,624	85,025	87,362
Meteorologist	54K	79,757	98,791	101,508
Principal AQ Chemist	62F	97,953	121,327	124,663
Program Supervisor	62F	97,953	121,327	124,663
Public Affairs Specialist	44H	60,275	74,730	76,784
Sr. AQ Chemist	56D	82,989	102,802	105,629
Sr. AQ Engineer	58D	89,049	110,317	113,350
Sr. Meteorologist	58B	87,119	107,919	110,887
Sr. Staff Specialist	58B	87,119	107,919	110,887
Sr. Transportation Specialist	58B	87,119	107,919	110,887
Staff Specialist	55E	80,955	100,288	103,046
Supv. AQ Engineer	62F	97,953	121,327	124,663
Tech. Info Center Librarian	46G	63,507	78,680	80,844

**TERMS AND CONDITIONS OF EMPLOYMENT**

APPENDIX A

PROFESSIONAL BARGAINING UNIT

EFFECTIVE JULY 1, 2019

		Approximate Annual 1 <sup>st</sup> Step	Approximate Annual 5 <sup>th</sup> Step	Approximate Annual 6 <sup>th</sup> Step	Approximate Annual 7 <sup>th</sup> Step
AQ Analysis & Compliance Supv.	62F	97,953	121,327	124,663	128,092
AQ Chemist	53D	76,436	94,662	97,264	99,939
AQ Engineer I	53D	76,436	94,662	97,264	99,939
AQ Engineer II	55E	80,955	100,288	103,046	105,880
AQ Specialist	55E	80,955	100,288	103,046	105,880
Asst. AQ Chemist	46F	63,633	78,803	80,969	83,196
Asst. AQ Engineer	49E	68,624	85,025	87,362	89,765
Asst. AQ Specialist	49E	68,624	85,025	87,362	89,765
Meteorologist	54K	79,757	98,791	101,508	104,299
Principal AQ Chemist	62F	97,953	121,327	124,663	128,092
Program Supervisor	62F	97,953	121,327	124,663	128,092
Public Affairs Specialist	44H	60,275	74,730	76,784	78,896
Sr. AQ Chemist	56D	82,989	102,802	105,629	108,534
Sr. AQ Engineer	58D	89,049	110,317	113,350	116,467
Sr. Meteorologist	58B	87,119	107,919	110,887	113,936
Sr. Staff Specialist	58B	87,119	107,919	110,887	113,936
Sr. Transportation Specialist	58B	87,119	107,919	110,887	113,936
Staff Specialist	55E	80,955	100,288	103,046	105,880
Supv. AQ Engineer	62F	97,953	121,327	124,663	128,092
Tech. Info Center Librarian	46G	63,507	78,680	80,844	83,067

**TERMS AND CONDITIONS OF EMPLOYMENT**

APPENDIX A

PROFESSIONAL BARGAINING UNIT

EFFECTIVE JULY 1, 2020

			Approximate Annual 5 <sup>th</sup> Step	Approximate Annual 6 <sup>th</sup> Step	Approximate Annual 7 <sup>th</sup> Step	Approximate Annual 8 <sup>th</sup> Step
AQ Analysis & Compliance Supv.	62F	97,953	121,327	124,663	128,092	131,614
AQ Chemist	53D	76,436	94,662	97,264	99,939	102,687
AQ Engineer I	53D	76,436	94,662	97,264	99,939	102,687
AQ Engineer II	55E	80,955	100,288	103,046	105,880	108,791
AQ Specialist	55E	80,955	100,288	103,046	105,880	108,791
Asst. AQ Chemist	46F	63,633	78,803	80,969	83,196	85,484
Asst. AQ Engineer	49E	68,624	85,025	87,362	89,765	92,233
Asst. AQ Specialist	49E	68,624	85,025	87,362	89,765	92,233
Meteorologist	54K	79,757	98,791	101,508	104,299	107,167
Principal AQ Chemist	62F	97,953	121,327	124,663	128,092	131,614
Program Supervisor	62F	97,953	121,327	124,663	128,092	131,614
Public Affairs Specialist	44H	60,275	74,730	76,784	78,896	81,065
Sr. AQ Chemist	56D	82,989	102,802	105,629	108,534	111,519
Sr. AQ Engineer	58D	89,049	110,317	113,350	116,467	119,670
Sr. Meteorologist	58B	87,119	107,919	110,887	113,936	117,069
Sr. Staff Specialist	58B	87,119	107,919	110,887	113,936	117,069
Sr. Transportation Specialist	58B	87,119	107,919	110,887	113,936	117,069
Staff Specialist	55E	80,955	100,288	103,046	105,880	108,791
Supv. AQ Engineer	62F	97,953	121,327	124,663	128,092	131,614
Tech. Info Center Librarian	46G	63,507	78,680	80,844	83,067	85,351

## **TERMS AND CONDITIONS OF EMPLOYMENT**